such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence to be taken before the Secretary and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and he shall file with the court such modified findings and order. The court, on judicial review, shall not sustain the order of the Secretary if he failed to comply with any requirement imposed on him by subsection (g)(1). The judgment and decree of the court affirming or setting aside any order under this section 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, United States Code. The commencement of proceedings under this subsection shall not, unless specifically ordered by the court to the contrary, operate as a stay of the Secretary's order.

"(i) The Secretary shall promulgate regulations for exempting from the operation of this section cosmetics intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety of cosmetics."

"(j)(1) Every person engaged in manufacturing, compounding, or processing any cosmetic with respect to which an application, filed pursuant to this section, is in effect shall establish and maintain such records, and make such reports to the Secretary, of data relating to experience and other data or information, received or otherwise obtained by such person with respect to such cosmetic, 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 to 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 201(i)(2) of such Act is amended by changing the semicolon to a period and deleting the words "except that such term shall not include soap."

(c) Section 301 of such Act is further amended—

(1) by striking out in paragraph (d) thereof "or 512" and inserting in lieu thereof "512 or 604".

(2) by inserting before the period at the end of paragraph (e) thereof a semicolon and the following: "or the failure to establish or maintain any record, or make any report, required under section 604 (i) or (j), or the refusal to permit access to or verification or copying of any such record."

(3) by inserting "604," in paragraph (j) after "507,".

(4) by adding at the end thereof the following new paragraph:

"(q) The using, on the labeling of any cosmetic or in any advertising relating to such cosmetic, of any representation or suggestion that an application with respect to such cosmetic is effective under section 604, or that such cosmetic complies with the provisions of such section."

(d) Section 304 of such Act is further amended—

(1) by striking out in subsection (a) thereof "or 512" and inserting in lieu thereof "512 or 604".

(2) by striking out in subsection (d) thereof "404 or 505" and inserting in lieu thereof "404, 505, or 604".

(e) Section 601 of such Act is amended—

(1) by changing the semicolon after the word "usual" in subsection (a) to a period, and deleting the remainder of the subsection.

(2) by changing subsection (e) to read as follows:

"(e) If it is, or it bears or contains, a color additive which is unsafe within the meaning of section 706(a)".

(3) by adding at the end thereof the following new subsection:

"(f) If it is a cosmetic to which the provisions of section 604 apply but with respect to which an application is not effective under such section."

(f) Section 602 of such Act is amended by adding the following subsection:

"(e) Unless its labeling bears (1) the common or usual name of the cosmetic chemicals, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient: *Provided*, That to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, or results in deception or unfair competition, or is not in the best interest of the consumer, exemptions shall be established by regulations promulgated by the Secretary".

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# HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 29, 1963

The House met at 12 o'clock noon.

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

The words concerning Moses: Hebrews 11: 27: *He endured, as seeing Him who is invisible.*"

Almighty God, our Heavenly Father, in all the hours of this day, may we eagerly seek and willingly accept Thy divine companionship and counsel.

We penitently confess that we so frequently allow the windows of our souls to become opaque and our vision of life's higher values to become distorted and obscured.

Inspire and sustain us with the conviction that there are no crises which we cannot face and no hardships which we cannot endure when our minds and hearts are stayed on Thee.

Hear us in Christ's name. Amen.

## THE JOURNAL

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

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

## COMMITTEE ON PUBLIC WORKS

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 206) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That DONALD H. CLAUSEN, of California, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

Mr. BURLESON. Mr. Speaker, I offer a privileged resolution (H. Res. 207) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the Committee on the Disposition of Executive Papers, provided for by section 5 of Public Law 115, 78th Congress, shall consist of two members of the Committee on House Administration, to be appointed by the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MEMBERS OF COMMITTEES ON PRINTING AND ON THE LIBRARY

Mr. BURLESON. Mr. Speaker, I offer a privileged resolution (H. Res. 208) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. BURLESON, of Texas; Mr. HAYS, of Ohio; Mr. SCHENCK, of Ohio.

Joint Committee of Congress on the Library: Mr. BURLESON, of Texas; Mr. JONES, of Missouri; Mr. THOMPSON, of New Jersey; Mr. SCHENCK, of Ohio; Mr. CORBETT, of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE ON RULES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Wednesday to file certain sundry reports.

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

There was no objection.

## ANNOUNCEMENT

Mr. BOGGS. 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 Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time, and I shall not take but a minute, to announce to the House that, in connection with the announcement that I made on yesterday, on Thursday next it is the intention of the leadership to call up sundry resolutions for the Committee

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on Rules dealing with the continuation of existing select and special committees and the rules under which they operate.

## ADJOURNMENT TO THURSDAY, JANUARY 31, 1963

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

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

There was no objection.

## APPLICANTS FOR U.S. CITIZENSHIP

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

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

There was no objection.

Mr. JOELSON. Mr. Speaker, I have today introduced a bill which would waive the requirement that applicants for U.S. citizenship must be able to read and write English in cases where the applicant is a parent of a young man or woman who lost his life while in the armed services of the United States.

Recently, an elderly woman of Greek descent came to see me at my home office. Through an interpreter, she told me that her son was killed in battle while serving in the U.S. Army in World War II. She further told me of her strong desire to become a citizen, and that naturalization had been denied her because she cannot read and write English.

I contacted the district office of the Immigration and Naturalization Service in her behalf, but was informed that there is no discretionary authority under which the language requirement can be waived.

Mr. Speaker, this bill may appear to involve a small matter, but I believe that the test of the greatness of a Government often lies in whether or not it is willing to pay attention to these so-called small matters of humble people.

The least we can do for these noncitizen parents is to express our gratitude to them by welcoming them to the ranks of our democracy without unnecessary delay and redtape. I hope that the Judiciary Committee will act promptly on this measure.

## MILITARY AIR TRANSPORT SERVICE

Mr. HALL. 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. HALL. Mr. Speaker, today I have introduced a bill to redesignate the Military Air Transport Service as the Military Airlift Command—a specified command under the Joint Chiefs of Staff. The bill is aimed at consolidating the national critical airlift into a single command. Different from last year's proposals, the bill specifies that all airlift becomes the responsibility of the Military Airlift Command. The bill does not differentiate between strategic and tactical airlift, because modern equipment and know-how have proved this an artificial division.

I have found in my study of airlift resources that fragmentation continues, and economy in this critical resource continues to be violated. The bill would centralize the authority for the airlift function under the Joint Chiefs of Staff as a specified command and will insure more positive control and improved responsiveness to our national airlift requirements.

There is no reason why purchase, training, and maintenance cannot be unified, even though from time to time operational control must be vested in different commands and/or theaters of operation.

I have submitted this bill because Defense has not evidenced concern, either over airlift resources or adequacy of control, of a resource which continues to be critical. The function of military airlift must react as a total weapons system capable of fulfilling its general and limited war mission as well as to operate effectively and economically in peacetime. Medical air evacuation, an important aspect of the Military Airlift Command, must receive equal attention.

I am also concerned over the need for follow-on aircraft for the C–133, the largest of the U.S. Air Force's outsized cargo equipment. In my opinion, this equipment is as critical as the accelerated buy of the C–130E or additional numbers of the C–135E. The current critical world situation with simultaneous conflagrations seemingly imminent in the Caribbean, Berlin, Korea, Formosa, southeast Asia—indeed along the entire border of the free world—dictates the requirement for a centralized responsive airlift force to include air evacuation capability.

## EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 54)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

*To the Congress of the United States:*

Education is the keystone in the arch of freedom and progress. Nothing has contributed more to the enlargement of this Nation's strength and opportunities than our traditional system of free, universal elementary and secondary education, coupled with widespread availability of college education.

For the individual, the doors to the schoolhouse, to the library, and to the college lead to the richest treasures of our open society: to the power of knowledge—to the training and skills necessary for productive employment—to the wisdom, the ideals, and the culture which enrich life and to the creative, self-disciplined understanding of society needed for good citizenship in today's changing and challenging world.

For the Nation, increasing the quality and availability of education is vital to both our national security and our domestic well-being. A free nation can rise no higher than the standard of excellence set in its schools and colleges. Ignorance and illiteracy, unskilled workers and school dropouts—these and other failures of our educational system breed failures in our social and economic system: delinquency, unemployment, chronic dependence, a waste of human resources, a loss of productive power and purchasing power, and an increase in tax-supported benefits. The loss of only 1 year's income due to unemployment is more than the total cost of 12 years of education through high school. Failure to improve educational performance is thus not only poor social policy, it is poor economics.

At the turn of the century, only 10 percent of our adults had a high school or college education. Today such an education has become a requirement for an increasing number of jobs. Yet nearly 40 percent of our youths are dropping out before graduating from high school; only 43 percent of our adults have completed high school; only 8 percent of our adults have completed college; and only 16 percent of our young people are presently completing college. As my Science Advisory Committee has reported, one of our most serious manpower shortages is the lack of Ph. D.'s in engineering, science, and mathematics; only about one-half of 1 percent of our school age generation is achieving Ph. D. degrees in all fields.

This Nation is committed to greater investment in economic growth and recent research has shown that one of the most beneficial of all such investments is education, accounting for some 40 percent of the Nation's growth and productivity in recent years. It is an investment which yields a substantial return in the higher wages and purchasing power of trained workers, in the new products and techniques which come from skilled minds and in the constant expansion of this Nation's storehouse of useful knowledge.

In the new age of science and space, improved education is essential to give new meaning to our national purpose and power. In the last 20 years, mankind has acquired more scientific information than in all of previous history. Ninety percent of all the scientists that ever lived are alive and working today. Vast stretches of the unknown are being explored every day for military, medical, commercial, and other reasons. And finally, the twisting course of the cold war requires a citizenry that understands our principles and problems. It requires skilled manpower and brainpower to match the power of totalitarian discipline. It requires a scientific effort which demonstrates the superiority of

freedom. And it requires an electorate in every State with sufficiently broad horizons and sufficient maturity of judgment to guide this Nation safely through whatever lies ahead.

In short, from every point of view, education is of paramount concern to the national interest as well as to each individual. Today we need a new standard of excellence in education, matched by the fullest possible access to educational opportunities, enabling each citizen to develop his talents to the maximum possible extent.

Our concern as a nation for the future of our children—and the growing demands of modern education which Federal financing is better able to assist—make it necessary to expand Federal aid to education beyond the existing limited number of special programs. We can no longer afford the luxury of endless debate over all the complicated and sensitive questions raised by each new proposal on Federal participation in education. To be sure, these are all hard problems—but this Nation has not come to its present position of leadership by avoiding hard problems. We are at a point in history when we must face and resolve these problems.

State and local governments and private institutions, responsive to individual and local circumstances, have admirably served larger national purposes as well. They have written a remarkable record of freedom of thought and independence of judgment; and they have, in recent years, devoted sharply increased resources to education. Total national outlays for education nearly trebled during the 1940's and more than doubled during the 1950's, reaching a level of nearly $25 billion in 1960. As a proportion of national income, this represented a rise from little more than 4 percent in 1940 to nearly 6 percent in 1960, an increase of over 40 percent in total effort.

But all this has not been enough. And the Federal Government—despite increasing recognition of education as a nationwide challenge, and despite the increased financial difficulties encountered by States, communities, and private institutions in carrying this burden—has clearly not met its responsibilities in education. It has not offered sufficient help to our present educational system to meet its inadequacies and overcome its obstacles.

I do not say that the Federal Government should take over responsibility for education. That is neither desirable nor feasible. Instead its participation should be selective, stimulative, and, where possible, transitional.

A century of experience with land-grant colleges has demonstrated that Federal financial participation can assist educational progress and growth without Federal control. In the last decade, experience with the National Science Foundation, with the National Defense Education Act, and with programs for assisting federally affected school districts has demonstrated that Federal support can benefit education without leading to Federal control. The proper Federal role is to identify national education goals and to help local, State, and private authorities build the necessary roads to reach those goals. Federal aid will enable our schools, colleges, and universities to be more stable financially and therefore more independent.

These goals include the following:

First, we must improve the quality of instruction provided in all of our schools and colleges. We must stimulate interest in learning in order to reduce the alarming number of students who now drop out of school or who do not continue into higher levels of education. This requires more and better teachers—teachers who can be attracted to and retained in schools and colleges only if pay levels reflect more adequately the value of the services they render. It also requires that our teachers and instructors be equipped with the best possible teaching materials and curriculums. They must have at their command methods of instruction proven by thorough scientific research into the learning process and by careful experimentation.

Second, our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970 college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools.

Third, we must give special attention to increasing the opportunities and incentives for all Americans to develop their talents to the utmost—to complete their education and to continue their self-development throughout life. This means preventing school dropouts, improving and expanding special educational services, and providing better education in slum, distressed and rural areas where the educational attainment of students is far below par. It means increased opportunities for those students both willing and intellectually able to advance their education at the college and graduate levels. It means increased attention to vocational and technical education, which have long been underdeveloped in both effectiveness and scope, to the detriment of our workers and our technological progress.

In support of these three basic goals, I am proposing today a comprehensive, balanced program to enlarge the Federal Government's investment in the education of its citizens—a program aimed at increasing the educational opportunities of potentially every American citizen, regardless of age, race, religion, income and educational achievement.

This program has been shaped to meet our goals on the basis of three fundamental guidelines:

A. An appraisal of the entire range of educational problems, viewing educational opportunity as a continuous lifelong process, starting with preschool training and extending through elementary and secondary schools, college, graduate education, vocational education, job training and retraining adult education, and such general community educational resources as the public library;

B. A selective application of Federal aid—aimed at strengthening, not weakening, the independence of existing school systems and aimed at meeting our most urgent education problems and objectives, including quality improvement; teacher training; special problems of slum, depressed, and rural areas; needy students; manpower shortage areas, such as science and engineering; and shortages of educational facilities; and

C. More effective implementation of existing laws, as reflected in my recent budget recommendations.

To enable the full range of educational needs to be considered as a whole, I am transmitting to the Congress with this message a single, comprehensive education bill—the National Education Improvement Act of 1963. For education cannot easily or wisely be divided into separate parts. Each part is linked to the other. The colleges depend on the work of the schools; the schools depend on the colleges for teachers; vocational and technical education is not separate from general education. This bill recalls the posture of Jefferson:

> Nobody can doubt my zeal for the general instruction of the people. I never have proposed a sacrifice of the primary to the ultimate grade of instruction. Let us keep our eye steadily on the whole system.

In order that its full relation to economic growth, to the new age of science, to the national security, and to human and institutional freedom may be analyzed in proper perspective, this bill should be considered as a whole, as a combination of elements designed to solve problems that have no single solution.

This is not a partisan measure—and it neither includes nor rejects all of the features which have long been sought by the various educational groups and organizations. It is instead an attempt to launch a prudent and balanced program drawing upon the efforts of many past Congresses and the proposals of many Members of both Houses and both political parties. It is solely an educational program, without trying to solve all other difficult domestic problems. It is clearly realistic in terms of its cost—and it is clearly essential to the growth and security of this country.

I. THE EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Our present American educational system was founded on the principle that opportunity for education in this country should be available to all—not merely to those who have the ability to pay. In the past, this has meant free public elementary and secondary schools in every community—thereafter, land grant, State, and municipal colleges, and vocational education—and more recently, job retraining and specialized teachers for students with special educational problems.

Now a veritable tidal wave of students is advancing inexorably on our institutions of higher education, where the

annual costs per student are several times as high as the cost of a high school education, and where these costs must be borne in large part by the student or his parents. Five years ago the graduating class of the secondary schools was 1.5 million; 5 years from now it will be 2.5 million. The future of these young people and the Nation rests in large part on their access to college and graduate education. For this country reserves its highest honors for only one kind of aristocracy, that which the Founding Fathers called "an aristocracy of achievement arising out of a democracy of opportunity."

Well over half of all parents with school-age children expect them to attend college, but only one-third do so. Some 40 percent of those who enter college do not graduate, and only a small number continue into graduate and professional study. The lack of adequate aid to students plays a large part in this disturbing record.

Federal aid to college students is not new. More than 3 million World War II and Korean conflict veterans have received $6 billion in Federal funds since 1944 to assist them to attend college.

Additionally, the National Defense Education Act college student loan program has aided more than 300,000 students in more than 1,500 institutions who have borrowed nearly $220 million. In 4 years of operations, defaults have totaled only $700 while repayment rates are more than twice that required by law.

But as effective as this program has been, it has not fulfilled its original objective of assuring that "no student of ability will be denied an opportunity for higher education because of financial need." The institutional ceiling of $250,000 per year on the Federal contribution limits loan funds in at least 98 of the presently participating institutions. The annual statutory ceiling of $90 million on Federal appropriations restricts the size of the program. As a result, only about 5 percent of the students enrolled in participating colleges are assisted. Additionally, the forgiveness feature for teachers is rendered less attractive as well as less meaningful by excluding those who go on to teach in colleges, private schools, or on oversea military posts. This proven program must be enlarged and strengthened.

Other types of assistance are needed. For students who cannot meet the financial criteria under the National Defense Education Act loan program, a loan insurance program—drawing on techniques well established by the FHA and other Federal programs—would encourage banks and other institutions to loan more money for educational purposes.

Moreover, many students from families with limited incomes cannot and should not carry a heavy burden of debt. They must rely largely on income from employment while in college. For these students, the Federal Government should—as it did in the days of the National Youth Administration—help colleges provide additional student work opportunities of an educational character.

A serious barrier to increased graduate study is the lack of adequate financial aid for graduate students. Only 1,500 fellowships are permitted annually under the National Defense Education Act program, upon which we are dependent for urgently needed increases in the number of college teachers and the number of graduate students pursuing other courses essential to the Nation's advancement and security. The National Science Foundation has broad authority for fellowships and training grants, but its program, too, has been restricted by limited appropriations. The President's Science Advisory Committee has predicted that the dramatically increasing demand for engineers, mathematicians, and physical scientists, will require that the output of Ph. D.'s in these fields alone be increased 2½ times, to a total of 7,500 annually by 1970, and that the number of masters degrees awarded annually be substantially increased. In all fields the need exceeds the supply of doctoral recipients. The shortage is particularly acute in college teaching, where at present rates the Nation will lack 90,000 doctoral degree holders by 1970. It is clearly contrary to the national interest to have the number of graduate students limited by the financial ability of those able and interested in pursuing advanced degrees. Fellowship programs can ease much of the financial burden and, most importantly, encourage and stimulate a fuller realization and utilization of our human resources.

The welfare and security of the Nation require that we increase our investment in financial assistance for college students both at undergraduate and graduate levels. In keeping with present needs and our traditions of maximum self-help, I recommend that the Congress enact legislation to:

1. Extend the National Defense Education Act student loan program, liberalize the repayment forgiveness for teachers, raise the ceiling on total appropriations and eliminate the limitation on amounts available to individual institutions.

2. Authorize a supplementary new program of Federal insurance for commercial loans made by banks and other institutions to college students for educational purposes.

3. Establish a new work-study program for needy college students unable to carry too heavy a loan burden, providing up to half the pay for students employed by the colleges in work of an educational character—as, for example, laboratory, library or research assistants.

4. Increase the number of National Defense Education Act fellowships to be awarded by the Office of Education from 1,500 to 12,000, including summer session awards.

5. Authorize a thorough survey and evaluation of the need for scholarships or additional financial assistance to undergraduate students so that any further action needed in this area can be considered by the next Congress.

6. In addition, as part of this program to increase financial assistance to students, the 1964 budget recommendations for the National Science Foundation, which are already before the Congress, include a proposed increase of $35 million to expand the number of fellowships and new teaching grants for graduate study from 2,800 in 1963 to 8,700 in fiscal 1964.

II. EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Aid to college students will be to no avail if there are insufficient college classrooms. The long-predicted crisis in higher education facilities is now at hand. For the next 15 years, even without additional student aid, enrollment increases in colleges will average 340,000 each year. If we are to accommodate the projected enrollment of more than 7 million college students by 1970—a doubling during the decade—$23 billion of new facilities will be needed, more than 3 times the quantity built during the preceding decade. This means that, unless we are to deny higher education opportunities to our youth, American colleges and universities must expand their academic facilities at a rate much faster than their present resources will permit.

In many colleges, students with adequate modern dormitories and living quarters—thanks to the College Housing Act—are crammed in outmoded, overcrowded classrooms, laboratories, and libraries. Even now it is too late to provide these facilities to meet the sharp increases in college enrollment expected during the next 2 years. Further delay will aggravate an already critical situation.

I recommend, therefore, the prompt enactment of a program to provide loans to public and nonprofit private institutions of higher education for construction of urgently needed academic facilities.

The opportunity for a college education is severely limited for hundreds of thousands of young people because there is no college in their own community. Studies indicate that the likelihood of going to college on the part of a high school graduate who lives within 20 to 25 miles of a college is 50 percent greater than it is for the student who lives beyond commuting distance. This absence of college facilities in many communities causes an unfortunate waste of some of our most promising youthful talent. A demonstrated method of meeting this particular problem effectively is the creation of 2-year community colleges—a program that should be undertaken without delay and which will require Federal assistance for the construction of adequate facilities.

I recommend, therefore, a program of grants to States for construction of public community junior colleges.

There is an especially urgent need for college-level training of technicians to assist scientists, engineers, and doctors. Although ideally one scientist or engineer should have the backing of two or three technicians, our institutions today are not producing even one technician for each three science and engineering graduates. This shortage results in an inefficient use of professional manpower—the occupation of critically needed time and talent to perform tasks which could

be performed by others—an extravagance which cannot be tolerated when the Nation's demand for scientists, engineers, and doctors continues to grow. Failure to give attention to this matter will impede the objectives of the graduate and postgraduate training programs mentioned below.

I recommend, therefore, a program of grants to aid public and private nonprofit institutions in the training of scientific, engineering, and medical technicians in 2-year college-level programs, covering up to 50 percent of the cost of constructing and equipping as well as operating the necessary academic facilities.

Special urgency exists for expanding the capacity for the graduate training of engineers, scientists, and mathematicians. The President's Science Advisory Committee has recently reported that an unprecedented acceleration in the production of advanced degrees is immediately necessary to increase our national capability in these fields. Added facilities, larger faculties, and new institutions are needed. I have recommended, therefore, in the proposed 1964 budget already before the Congress, a strengthening of the National Science Foundation matching grant program for institutions of higher education to expand and improve graduate and undergraduate science facilities.

Because today's trend in colleges and universities is toward less lecturing and more independent study, the college and university library becomes even more essential in the life of our students. Today, as reported by the American Library Association, nearly all college libraries are urgently in need of additional books, periodicals, scientific reports, and similar materials to accommodate the growing number of students and faculty. Additionally, they need buildings, equipment, and publications to serve their academic communities, whether public or private.

I recommend the authorization of Federal grants to institutions of higher education for library materials and construction, on a broad geographic basis, with priority to those most urgently requiring expansion and improvement.

Expansion of high quality graduate education and research in all fields is essential to national security and economic growth. Means of increasing our supply of highly trained professional personnel to match the rapidly growing demands of teaching, industry, government, and research warrants our interest and support.

We need many more graduate centers, and they should be better distributed geographically. Three-quarters of all doctoral degrees are granted by a handful of universities located in 12 States. The remaining States with half our population produce only one-fourth of the Ph. D.'s.

New industries increasingly gravitate to or are innovated by strong centers of learning and research. The distressed area of the future may well be one which lacks centers of graduate education and research. It is in the national interest to encourage establishment of these critically needed centers of advanced learning, especially in parts of the Nation now lacking them.

I recommend enactment of a Federal grant program administered by the Department of Health, Education, and Welfare for the development and expansion of new graduate centers. I also urge appropriation of the increased funds requested in my 1964 budget for expansion of the National Science Foundation program of science development grants, which will also contribute to strengthening of graduate education.

Our experience under the National Defense Education Act with respect to modern language and area centers has demonstrated that Federal aid can spur development of intellectual talent. They deserve our continuing support, with assurance that resources will be available for orderly expansion in keeping with availability of teaching talent.

I recommend that the current modern foreign language program aiding public and private institutions of higher learning be extended and expanded.

III. IMPROVEMENT OF EDUCATIONAL QUALITY

A basic source of knowledge is research. Industry has long realized this truth. Health and agriculture have established the worth of systematic research and development. But research in education has been astonishingly meager and frequently ignored. A fraction of 1 percent of this Nation's total expenditures for education is now devoted to such research. It is appalling that so little is known about the level of performance, comparative value of alternative investments, and specialized problems of our educational system—and that it lags behind, sometimes by as much as 20 or even 50 years, in utilizing the results of research and keeping abreast of man's knowledge in all fields, including education itself.

Highest priority must be given to strengthening our educational research efforts, including a substantial expansion of the course content improvement programs which the Government has supported, particularly through the National Science Foundation. Two interrelated actions are necessary:

1. I have recommended appropriations in the 1964 budget for substantially expanding the National Science Foundation science and mathematics course materials program and the Office of Education educational research program.

2. I recommend legislation to broaden the Cooperative Research Act to authorize support of centers for multipurpose educational research, and for development and demonstration programs; and to broaden the types of educational agencies eligible to conduct research.

The second step to improvement of educational quality is teacher training. The quality of education is determined primarily by the quality of the teacher. Yet one out of every five teachers in the United States has either not been certified by his State as qualified to teach or failed to complete 4 years of college study. In the field of English, between 40 and 60 percent of the secondary school teachers lack even the minimum requirement of a college major in that subject. Thus, it is not surprising that, largely because of unsatisfactory elementary and secondary school instruction, our colleges and universities are now required to spend over $10 million annually on remedial English courses.

The lack of teacher quality and preparation in other fields is equally disturbing. More than two-thirds of our 1.6 million teachers completed their degree work more than 5 years ago. Yet, within the past 5 years, major advances have been made—not only in the physical, biological, engineering and mathematical sciences, but also in specialized branches of the social sciences, the arts and humanities, and in the art of teaching itself.

In addition, we lack sufficient trained teachers for 6 million handicapped children and youth, including 1.5 million mentally retarded and another 1.5 million with very serious social and emotional problems. Only through special classes, taught by specially trained teachers, can these children prepare for rehabilitation, employment and community participation. Yet less than one-fourth of these children now have access to the special education they require, primarily because of the lack of qualified special teachers, college instructors, research personnel, and supervisors. It is estimated that 75,000 special teachers—55,000 more than presently available—are needed for the mentally retarded alone.

The teacher training support programs of the National Science Foundation and the Office of Education have demonstrated their value.

I recommend, therefore:

That the National Science Foundation program for training institutes for teachers in the natural sciences, mathematics, engineering and social sciences be expanded to provide for upgrading the knowledge and skills of 46,000 teachers, as provided in my 1964 budget recommendations;

That new legislation be enacted to (a) broaden authority for teacher institutes financed by the Office of Education, now restricted to school guidance counselors and language teachers, to other academic fields; (b) authorize a program of project grants to help colleges and universities improve their teacher preparation programs by upgrading academic courses and staff, by encouraging the selection and retention of their most talented prospective teachers, and by attracting and training teachers from new sources such as retired military personnel or women whose family responsibilities permit them to teach; and (c) authorize training grants through colleges and universities for teachers and other education personnel requiring specialized training, with particular emphasis on the training of teachers of the mentally retarded and other handicapped children, teachers of gifted or culturally deprived children, teachers of adult literacy, librarians, and educational researchers.

IV. STRENGTHENING PUBLIC ELEMENTARY AND SECONDARY EDUCATION

Improved research and teacher training are not enough, if good teachers do

not choose to teach. Yet present salary schedules in some cases are too low at the start to compete against other positions available to college graduates. In almost all cases, they are too low at the top to retain our ablest young teachers. Without sufficient incentive to make teaching a lifetime career, teachers with valuable training and experience but heavy family responsibilities too often become frustrated and drop out of the profession. Their children may never try to enter. Although teachers' salaries have generally improved in the Nation in recent years, there are still districts which have starting salaries below $3,000.

Good teachers, moreover, need good schools. Last year, over 1,500,000 children were in overcrowded classrooms and an estimated 2 million others were studying amid grossly substandard health and safety conditions. In many areas school dropouts, or the education of the economically disadvantaged, the culturally deprived, the physically or mentally handicapped, and the gifted require specially designed programs which simply are not available.

I am not the first, but I hope to be the last, President to be compelled to call these needless shortcomings to the Nation's attention. These are national problems crossing State boundaries, and deserving of national attention. In our mobile population—where every year 1 out of 5 families moves, sometimes across the street, but often across State lines—every family has reason to make teaching in every State a more rewarding and productive profession, and to help every State strengthen its public elementary and secondary education, particularly in those school districts that are financially unable to keep up.

Yet let us face the fact that the Federal Government cannot provide all the financial assistance needed to solve all of the problems mentioned. Instead of a general aid approach that could at best create a small wave in a huge ocean, our efforts should be selective and stimulative, encouraging the States to redouble their efforts under a plan that would phase out Federal aid over a 4-year period.

I recommend, therefore, a 4-year program to provide $1.5 billion to assist States in undertaking under their own State plans selective and urgent improvements in public elementary and secondary education including: (1) increasing starting and maximum teacher salaries, and increasing average teacher salaries in economically disadvantaged areas; (2) constructing classrooms in areas of critical and dangerous shortage; and (3) initiating pilot, experimental, or demonstration projects to meet special educational problems, particularly in slums and depressed rural and urban areas.

I also recommend extension of the National Defense Education Act programs which contribute to improving the quality of elementary and secondary education. Grants for testing, guidance, and counseling programs should be expanded and continued beyond the 1964 expiration date. This program has great relevance for the detection of incipient problems which inhibit learning and for development of the talents of our youth. National Defense Education Act assistance for science, mathematics, and foreign language laboratory equipment—which is essential for adequate educational programs using newly developed teaching methods—should also be continued beyond 1964.

Finally, in regard to elementary and secondary schools, I recommend a 4-year continuation of those portions of the federally affected area laws which expire June 30, 1963. These statutes now assist some 4,000 school districts located in every State, which together enroll one-third of all public elementary and secondary school pupils in the Nation. Almost 60,000 critically needed classrooms have been constructed at a cost of $1.15 billion to house more than 1,700,000 pupils; and school operating budgets have been supplemented by more than $1.7 billion. For fiscal 1964 the present provisions would be extended. Limited modifications of the existing provisions, which would take effect beginning in 1965, would overcome certain inequities demonstrated by past experience. Also, the District of Columbia should be added to the jurisdictions eligible to participate.

V. VOCATIONAL AND SPECIAL EDUCATION

Since the wartime administration of President Woodrow Wilson, Congress has recognized the national necessity of widespread vocational education. Although revised and extended frequently since 1917, the national vocational education acts are no longer adequate. Many once-familiar occupations have declined or disappeared and wholly new industries and jobs have emerged from economic growth and change. The complexities of modern science and technology require training at a higher level than ever before.

For this reason, 2 years ago I requested the Secretary of Health, Education, and Welfare to convene an expert and representative committee to review and evaluate the present vocational education laws and to make recommendations for their modernization. The report of that committee shows the need for providing new training opportunities—in occupations which have relevance to contemporary America—to 21 million youth now in grade school who will enter the labor market without a college degree during the 1960's. These youth—representing more than 80 percent of the population between the ages of 16 and 21—will be entering the labor market at a time when the need for unskilled labor is sharply diminishing. It is equally necessary to provide training or retraining for the millions of workers who need to learn new skills or whose skills and technical knowledge must be updated.

Both budgetary action and enactment of new legislation is called for. In my 1964 budget I have recommended funds which would permit doubling the number of workers to be trained by the Manpower Development and Training Act programs. These programs have, in their brief existence, already enrolled more than 18,000 men, women, and out-of-school youths who are being trained in occupations where jobs are available.

In addition, I recommend legislation to:

(a) Expand the scope and level of vocational education programs supported through the Office of Education by replacing the Vocational Education Act of 1946 with new grant-in-aid legislation aimed at meeting the needs of individuals in all age groups for vocational training in occupations where they can find employment in today's diverse labor markets, and

(b) Provide employment and training opportunities for unemployed youth in conservation and local public service projects. The details of this latter proposal are contained in a separate bill—the Youth Employment Opportunities Act—and will be discussed in a later message to be sent to the Congress.

VI. CONTINUING EDUCATION

Education need not and should not end upon graduation at any level. An increasing number of Americans recognize the need and the value of continuing education. The accountant, the salesman, the merchant, the skilled and semiskilled workers, all interested in self-improvement, should all be afforded the opportunity of securing up-to-date knowledge and skills. Only 1 American in 8 has even taken as much as one college course. Yet the State universities and land-grant colleges which offer the majority of extension or part-time courses enroll less than a half million people. Due to inadequate finances and facilities, these colleges can offer only a very limited adult education program. I recommend legislation authorizing Federal grants to States for expanding university extension courses in land-grant colleges and State universities. Despite our high level of educational opportunity and attainment, nearly 23 million adult Americans lack an eighth grade education. They represent a staggering economic and cultural loss to their families and the Nation. I recommend again, as part of this comprehensive bill, a program to assist all States in offering literacy and basic education courses to adults.

The public library is also an important resource for continuing education. But 18 million people in this Nation still have no access to any local public library service and over 110 million more have only inadequate service.

Advanced age, lack of space, and lack of modern equipment characterize American public library buildings in 1963. Their rate of replacement is barely noticeable: 2 percent in a decade. There are now no Carnegie funds available for libraries—nor have there been for 40 years.

The public library building is usually one of the oldest governmental structures in use in any community. In one prosperous midwestern State, for example, 30 percent of all public library buildings were built before the year 1910, and 85 percent were erected before 1920. Many other States are in a similar situation.

I recommend enactment of legislation to amend the Library Services Act by authorizing a 3-year program of grants

for urban as well as rural libraries and for construction as well as operation.

VII. CONCLUSION

In all the years of our national life, the American people—in partnership with their governments—have continued to insist that "the means of education shall forever be encouraged," as the Continental Congress affirmed in the Northwest Ordinance. Fundamentally, education is and must always be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy. But in our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient. These efforts must be reinforced by national support, if American education is to yield a maximum of individual development and national well-being.

The necessity of this program does not rest on the course of the cold war. Improvement in education is essential to our Nation's development without respect to what others are doing. Nevertheless, it is worthwhile noting that the Soviet Union recognizes that educational effort in the 1960's will have a major effect on a nation's power, progress, and status in the 1970's and 1980's. According to a recent report prepared for the National Science Foundation, Soviet institutions of higher education are graduating three times as many engineers and four times as many physicians as the United States. While trailing behind this country in aggregate annual numbers of higher education graduates, the Soviets are maintaining an annual flow of scientific and technical professional manpower more than twice as large as our own. At the same time, they have virtually eliminated illiteracy, with a 23-fold increase since the turn of the century in the proportion of persons with an education beyond the seventh grade. This Nation's devotion to education is surely sufficient to excel the achievements of any other nation or system.

The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control. It provides for economic growth, manpower development, and progress toward our educational and humanitarian objectives. It encourages the increase of the knowledge, skills, attitudes, and critical intelligence necessary for the preservation of our society. It will help keep America strong and safe and free. I strongly recommend it to the Congress for high priority action.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 29, 1963.*

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## COMMITTEE ON UN-AMERICAN ACTIVITIES

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

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, a fair, and very moderate, article on 10 reasons why the continued existence of the House Committee on Un-American Activities is detrimental to the Nation's health is contained in the January 9, 1963, issue of the Christian Century. Written by the editor, Harold E. Fey, the article is particularly relevant at this time:

WHY THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE SHOULD GO—10 REASONS WHY THE CONTINUED EXISTENCE OF THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES IS DETRIMENTAL TO THE NATION'S HEALTH

(By Harold E. Fey)

The House of Representatives should relieve of further responsibility its standing Committee on Un-American Activities. In practice, although not by specific mandate from the House, the principal activity of the Committee on Un-American Activities is to oppose communism and in particular Communist subversion. This purpose is a useful one and deserves to be carried out effectively. The House committee, however, is performing this function so ineptly that it weakens and confuses the forces in our Government and in our society which strengthen democracy. It should therefore be retired and its object pursued by more appropriate means.

The patriotism and sincerity of the members of the House committee are not in question. Neither should doubt be cast on the right of Congress to investigate by means of its committees any matter which has a bearing on the constitutional function of Congress, which is to enact legislation. Since the nature and methods of the Communist conspiracy against the free world constitute such a matter, it is highy important that the Government and people of the United States be accurately informed about it. But the members of the House Committee on Un-American Activities, operating under a mandate which Congress has a right to convey, are ineffective and maladroit in their efforts. In the committee's long history its members have developed a pattern which provides little ground for hope that their ideas or methods will improve. They should therefore make way for instrumentalities which make better use of the taxpayers' money.

There can be no doubt that a major element in the instability of the international situation stems from the efforts, both threatened and actual, of the Communist powers to spread their doctrine and their political domination by force or subversion. Against these efforts the United States and other free nations are obliged to maintain a balance of military power. But ideas, even bad ideas, cannot finally be defeated by force. In the words of Richard S. Leghorn, chairman of the National Planning Association's committee on security, the Communist threat can be reduced most effectively "through measures which tend to promote the evolution of Communist countries toward societies compatible with our basic national political goal."

Dictatorships flourish by frightening their people with stories of external threats. We as a nation can encourage freedom by reducing threats to the minimum necessary to keep power balanced, by working for disarmament with inspection, by making it reasonable for Communist powers to distribute to their people more of the products of their work, by encouraging exchanges of persons and goods, by stepping up the volume and quality of information concerning the nature of American life and the scope of our national purposes. When Communist nations become have nations they become less revolutionary and imperialistic, less inclined to destroy or subvert, more open to "enforced, competitive peace under law and justice," as Mr. Leghorn says.

Our main reliance for security from domestic subversion lies in the willing, informed and participating loyalty of American citizens. Loyalty is many-faceted, but at its core it is voluntary personal identification with other persons in a living community whose traditions are understood and believed, whose present purposes are shared and promoted and whose objectives inspire the cooperation of all. Loyalty cannot be coerced. It is a faith which is drawn out by the faith of others, an aspiration which shares in the common hope, an affection which blooms only in an atmosphere of trust and unity.

This is the first point at which the House Committee on Un-American Activities fails. Since "exposure and punishment is the aim of this committee and the reason for its existence," as Justice Black said in his dissent in the Barenblatt case, it cannot and does not create loyalty. A policy which seeks to curb subversion and encourage loyalty by such acts of coercion as exposure to public shame, pursuit resulting in loss of employment, punishment without due process of law, is subject to serious question on grounds of morality as well as intelligence.

The last Congress abandoned the effort to create loyalty among students by economic coercion as exercised through student loans. The present Congress should abandon the effort to create loyalty among citizens by the coercive tactics followed by the House Un-American Activities Committee. Loyalty is a good thing. We shall have more of it if we stop trying to create by coercion that which is by nature voluntary.

If Congress abolished the House Un-American Activities Committee as a standing committee, the House Judiciary Committee would still be responsible for checking on enforcement of laws and Congress would still be free to authorize congressional investigations when and where needed. Indeed, the House should debate the advisability of such investigations and should publicly authorize them if they are to be held. Its handing over to the House Un-American Activities Committee majority vote—five members of a committee of nine—all the decisions as to the subjects of investigation and the timing of such probes is an unwise delegation of House responsibility.

If there were reason to believe, for example, that communism had infiltrated the churches, the House debate preliminary to a decision whether to enter into an investigation would itself inform the public as well as the House concerning the reality and the seriousness of the threat. If the entire House were to be involved in making such decisions, there would be less politically motivated timing of investigations and less jockeying for position on ad hoc committees, for there would be less opportunity for self-promotion at public expense than obtains with regard to a standing committee. Finally, there would be less likelihood that the quest for truth would become twisted by the vested institutional interests which collect around standing committees. The personal ambition and organizational imperialism, the bureaucratic inflexibility and self-perpetuation that frequently characterize such committees would be discouraged if investigations were made the special responsibility of the Congress which authorizes them.

I

A second reason why the House of Representatives should abolish its Committee on Un-American Activities is that the House has never been able to define what it wants the committee to do. Its terms of reference are so ambiguously stated that it is impossible to define the requirements that testimony be pertinent. The committee now has virtually unlimited authority. As Chief Justice Warren said of the authorizing resolution of the House Un-American Activities

Committee (in his decision in the 1957 Watkins case): "It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of 'un-American'? What is that single, solitary 'principle of the form of government as guaranteed by our Constitution'? * * * No one could reasonably deduce from the charter the kind of investigation that the committee was directed to make. * * * Unless the subject matter has been made to appear with undisputable clarity, it is the duty of the investigative body, upon objection of the witness on grounds of pertinency, to state for the record the subject under inquiry at that time and the manner in which the propounded questions are pertinent thereto."

If it is objected that too narrow a definition of purpose would handicap the committee, the answer is that the present lack of precision constitutes a greater handicap. Has it never occurred to the committee that one reason many witnesses who appear before it give ambiguous and evasive answers is that they do not know why they have been summoned or what their rights are in the situation? Irving Ferman, in his contribution to the procommittee book "The Committee and Its Critics," writes: "Because of the extremely broad language of the mandate to investigate un-American propaganda given by Congress to the House Un-American Activities Committee, a witness appearing before it may not be able to decide clearly whether the committee has the power to ask a particular question, much as he may doubt the point. Persistence in refusing to answer a question may subject him to citation for contempt by Congress, in the absence of any line of legal reasoning which would lead to a test of the relevancy of the disputed question to the mandated function of the committee. He must answer at his peril" (p. 250).

The witness is equally jeopardized by silence.

The House should abolish the Committee on Un-American Activities because it is impossible to redefine its mandate in such a way as to avoid transgression of the proper functions of the Judiciary Committee. Redefinition would necessarily reduce the functions and scope of the committee, and thereby increase the importance of the question as to whether this standing committee is needed. Abolishing a committee which has never had a clear mandate but which has built a tradition and a staff on an assumption of unlimited competence and authority would be easier than continuing the committee on its present basis or trying to define and limit its operation.

II

A third reason for Congress to retrieve the authority it has allotted the House Un-American Activities Committee is that by so doing the House could move toward development of better methods of acquiring information necessary for writing legislation—or for forming fair judgments on the efficacy of Government departments charged with responsibility for enforcement of laws, particularly those against subversion.

The characteristic method by which the House committee has worked is through detailed inventory of particular cases. Its policy of exposing individuals indicates that it believes it should examine Communists one at a time in order to decide what sort of legislation against subversion is needed. The logic of this method serves to perpetuate the committee that uses it, since it can never get all the facts until it has examined all Communists who can be found, then reexamined those who may have changed their minds. Congress does not proceed in this manner in dealing with legislation concerning offenders of any other sort. By following such a policy the committee gives the impression that everybody who appears before it must be a Communist, a Communist sympathizer, a former Communist, or a Communist dupe. Careers have been undermined by nothing more than a summons to appear before the House Un-American Activities Committee.

Special investigating committees appointed by the House when need arises would not be bound to follow the procedures which are characteristic of this standing committee. So that the legislative judgment might be informed, these committees would welcome expert advice—advice that would generally be freely available to such committees without resort to compulsion. British royal commissions obtain cooperation in investigating the most difficult issues. Like many congressional committees, these royal commissions call witnesses and receive their opinions and recommendations without impugning their loyalty or jeopardizing their status or employment. Persons who come before them are not held up to suspicion, disrespect, or harassment; on the contrary, their rights are respected and protected.

III

A fourth reason why the House should recover the authority it has delegated to the House Un-American Activities Committee is that by doing so it would strengthen the faith of Americans in themselves, in their laws and government, and in particular in the Congress as a free and representative legislative body. To justify its existence as a standing committee the House Un-American Activities Committee has contributed, whether intentionally or unintentionally, to an atmosphere of fear. Partly through its influence, many Americans believe that communism is winning the cold war, that our young people are easy "dupes" for Communist "machinations," that the entertainment field and the teaching profession are teeming with traitors, that labor unions and college professorships offer hideouts for treasonous activity, that the Protestant ministry harbors Communists or Communist sympathizers. One result is that extremist organizations flourish as never before in our history. Fear and suspicion are sufficiently prevalent so that the way is prepared for demagogs who pursue personal ends by fomenting panic.

We need to listen again to the voice, now regrettably stilled, of the late Judge Learned Hand: "I believe that that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence, where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our conviction in the open lists to win or lose. Such fears as these are a solvent which can eat out the cement that binds the stones together; they may in the end subject us to a despotism as evil as any that we dread; and they can be allayed only insofar as we refuse to proceed on suspicion, and trust one another until we have tangible ground for misgiving."

Congress can and should give the country an example of how to proceed on trust by refusing to initiate probes until it establishes the need for them in public debate and by decision of the whole body. It should also deny the House Un-American Activities Committee permission to proceed in this divisive field on the basis of a mere majority of five in a committee of nine.

The way in which a committee can, without intending to do so, contribute to widespread fear and panic in the country is illustrated by the House Un-American Activities Committee-sponsored film "Operation Abolition." Intended in the first instance as a report to the House in substantiation of the committee's claim for new appropriations, this controversial film has reportedly been seen by 15 to 20 million people. Irrespective of the authenticity of particular statements or the order of its episodes, the film's general effect has been to stir up dissension in hundreds of communities, to arouse resentment and disappointment among students and young people, to deepen dismay among teachers and others who seek to foster intelligent participation in civic life. Granting that the House Un-American Committee did not necessarily intend all the disruptive effects of this film, such an acknowledgment does not diminish the judgment that spreading dissension and dread at a time when the country needs confidence and unity is a blunder of first magnitude and a further proof that Congress should confine its activities to gathering information concerning needed legislation and passing such legislation.

IV

A fifth reason why the House of Representatives should terminate the House Un-American Activities Committee's mandate is that the type of loyalty probe conducted by the committee no longer serves the national interest. The administrative agencies of the Federal Government have, under prodding from the House Un-American Activities Committee, worked out their own battery of loyalty tests for Government employees. They have set up safeguards which make what is regarded as the necessary compromise between individual rights and national security. In the opinion of former U.S. Attorney General Francis Biddle, "Loyalty probes create confusion, suffering and the disunity of suspicion." Be that as it may, we have regularized this form of civic agony, and loyalty procedures have been established at great cost as a factor in Government service.

It would be wrong and mistaken for Congress to ask the executive or judicial arms of Government to extend loyalty tests to the entire population. It would be even more tragically wrong and mistaken for the legislative branch of the Government to extend through the House Un-American Activities Committee a role for which it is not equipped by law, temperament, or function. Yet, if the House Un-American Activities Committee does not contemplate proposing legislation to make loyalty tests universal, why does it continue its preposterous procedure of probing the loyalty of individual citizens?

The objection to generalized loyalty tests is that they tend to bring into question the basis of loyalty which is freedom of choice. Says Alan Barth in "The Loyalty of Free Men": "The loyalty of freemen must be freely given, which is to say, that those who give it must be genuinely free to withhold it. Nothing is more fundamental to freedom than that this choice be a real one." The presumption of loyalty is a valid and precious element in our free society. Loyalty probes by Government agencies bring this presumption into question and introduce elements of doubt, suspicion, fear, and coercion. They also give rise to resentment over injustice when such probes are conducted without adequate safeguards for individual rights. Free-ranging probes of citizen loyalty, conducted by a committee whose original mandate is uncertainly defined and whose procedures are difficult to predict with accuracy, do more harm than good and should be terminated. Wrote Telford Taylor in "Grand Inquest" (1952): "Loyalty committees have become a sort of irregular and irresponsible security police force, operating on a mounting scale which is rapidly approaching an overt and acknowledged inquisition. They exert the power of office and the pressure of publicity to inflict severe punishment, outside the due and regular processes of criminal law, and increasingly resemble the special peoples courts established by the Nazis to execute the 'healthy feeling of the people' and in Communist countries to enforce Party

standards of individual behavior and attitude. Perhaps the most sinister feature of these events and circumstances is that they are inducing a serious decline, even in Government circles, of respect for law and the processes of justice" (p. 280).

Sixth, the House Un-American Activities Committee should be discharged as a standing committee because it has become a divisive force at a time when American life needs to experience the full unity inherent in an order dependent upon "the consent of the governed." Although it has not so intended, the House committee has exaggerated and deepened divisions between segregationists and integrationists, between labor and management, between parents and educators, between students and law officers, between people and Congress. The tensions and disturbances which are increasingly related to House Un-American Activities Committee hearings are not a good sign. If the only objection to the hearings is that they offer Communists an opportunity to show their dislike for the committee, and the committee members an opportunity to show their dislike for Communists, they would not be a serious matter. But others than Communists become involved. Some of these others probably are dupes, as the committee charges. But still others are driven to protest because they do not like to see Government officers engaging in procedures of doubtful legality, serving as dividers and troublemakers in the community, giving opportunities to apostles of discord to raise rows, encouraging extremists of the right as well as the left to engage in public brawls and disruptions, diverting attention from the great issues of domestic and foreign affairs by exaggerating out of all reasonable proportion the threat of a small Communist minority.

Some may counter that the House Un-American Activities Committee enjoys wide public support and that such support is not consistent with the charge that the committee has developed into a symbol of division. There can be little doubt that the committee does have wide support, but some of the reasons for that support should give Congress pause. The House Un-American Activities Committee has such support because it has convinced multitudes of Americans (1) that subversion is widespread in our Government and in our Nation; (2) that subversives cannot be dealt with by existing law, democracy being essentially a vulnerable form of government; and (3) that only the House Un-American Activities Committee has the power and the will to dig out, to expose, to pursue, and otherwise punish Communists or other subversives. In other words, the public has been misinformed concerning the loyalty of our citizens, the nature of the national danger, and the strength our democratic remedy, and the peril to the Nation involved in the legislative arm's violation of the principle of separation of powers.

Seventh, the House of Representatives should withdraw the mandate it has given the House Un-American Activities Committee in that doing so would be a step toward strengthening freedom of speech and association in the United States. These basic freedoms, established in the first amendment, stand in serious danger because of the extremity to which anticommunism is being pushed. There is no doubt that Communists would deny freedom of speech, assembly, and the press in this country if they had a chance. They have done so elsewhere. But they do not have that power in this country, and please God will never have it. On the other hand, we their opponents have the power, and if we are not careful we do harm to freedom by the means we use to protect it. At least four Justices of the Supreme Court now believe that the Un-American Activities Committee's operations violate the first amendment. Justice Black, in his dissent in the Wilkinson and Braden cases, said: "The result of all this is that from now on anyone who takes a public position contrary to that being urged by the House Un-American Activities Committee should realize that he runs the risk of being subpenaed to appear at a hearing in some far-off place, of being questioned with regard to every minute detail of his past life, of being asked to repeat all the gossip he may have heard about any of his friends and acquaintances, of being accused by the committee of membership in the Communist Party, of being held up to the public as a subversive and a traitor, of being jailed for contempt if he refuses to cooperate with the committee in its probe of his mind and associations, and of being branded by his neighbors, employer, and erstwhile friends as a menace to society regardless of the outcome of that hearing. With such a powerful weapon in its hands, it seems quite likely that the committee will weather all criticism, even though justifiable, that may be directed toward it. For there are not many people in our society who will have the courage to speak out against such a formidable opponent. If the present trend continues, this already small number will necessarily dwindle as their ranks are thinned by the jails. Government by consent will disappear to be replaced by government by intimidation because some people are afraid that this country cannot survive unless Congress has the power to set aside the freedoms of the first amendment at will."

An illustration of the House Un-American Committee's divisive effect is to be found in its relation to the protestant churches. Here the committee has been identified with and used by extreme fundamentalists against persons and organizations of mainline churches. This development first became apparent in the public hearing given Methodist Bishop G. Bromley Oxnam. Sections of the front rows in that hearing were occupied by men identified with the American Council of Christian Churches, a small organization of fundamentalist congregations and splinter denominations. Again, at the San Francisco hearings which resulted in the "Operation Abolition" film, among the passholders invited by representatives of the committee were seven or eight ministers of extremist views. The latter have faithfully repaid their obligation by issuing statements supporting the committee's version of what went on and endorsing the film report of the event.

Moreover, the committee has often referred in terms of hostility to the National Council of Churches. A particular instance is the committee's 1961 publication "The Truth About the Film 'Operation Abolition'," which, without quoting in its entirety at the outset a statement carefully drawn up by the General Board of the National Council on February 22, 1961, declared that it is "a statement which, without any justification whatsoever, makes vicious insinuations against the committee" (pt. II, p. 50).

v

Eighth, the mandate of the House Un-American Activities Committee as a standing committee should be withdrawn because the impression is widespread, whether justified or not, that the committee manifests a dangerous tendency to use State power for the purpose of silencing its critics. Two of the dissenting judges in the Wilkinson case, Douglas and Black, argued "that this case involves nothing more nor less than an attempt by the Un-American Activities Committee to use the contempt power of the House of Representatives as a weapon against those who dare to criticize it." Yet Wilkinson went to prison. It is a major point of criticism of the committee that it attempts to treat its critics as subversives. Its reaction to the San Francisco students who protested against its hearings is a case in point. In the film "Operation Abolition" the whole country has been given an opportunity to observe that the committee believes that all those who would criticize its work are Communist inspired.

But the principal opposition to the committee is not Communist led or Communist inspired, and an attempt to identify this opposition with communism simply proves the point. The American Civil Liberties Union is not now and has never been on the Attorney General's list of subversive organizations, yet its 1960 biennial conference approved a resolution, which its board of directors later adopted, making elimination of House Un-American Affairs Committee "a prime order of business." In testimony before the Democratic and Republican platform committees in 1960 the American Civil Liberties Union maintained that the committee had sapped the strength of the first amendment by engaging in trial-by-publicity rather than allowing security questions to be raised where they belong—in court rooms where in a full trial a judicial judgment could prevail. The New York Times, the Washington Post, the St. Louis Post-Dispatch and the San Francisco Chronicle—to name only four newspapers which have called for withdrawal by Congress of the House Un-American Affairs Committee mandate—are not Communist publications.

As to religious leaders, anyone who would call the following men Communist reveals his own ignorance or animus, although each has publicly called for the abolition of House Un-American Activities Committee: Reinhold Niebuhr, Paul Tillich, John A. Mackay, Howard Schomer, Walter Russell Bowie, John C. Bennett, James Luther Adams, Sumner F. Walters, Edgar A. Love, Malcolm E. Peabody, Clarence E. Pickett, John Nevin Sayre, Walter G. Muelder, Harry Emerson Fosdick, John Haynes Holmes, Henry P. Van Dusen, Walter M. Horton, and Galen R. Weaver. The list could be extended. It is no answer to say that since Communists also seek the recall of the House Un-American Activities Committee as a standing committee, these men are dupes. These men are not influenced by Communists except negatively. On the question of abolishing House Un-American Activities Committee they have made up their minds independently, on sound religious and democratic grounds. The fact they have publicly stated their position, knowing they would be exposed to charges of guilt by association, is proof of their high sense of civic devotion.

The ninth reason why standing committee status should be ended for House Un-American Activities Committee can be stated briefly. In a general sense the committee has served to miseducate the public about the norms of dignity, self-limitation and restraint which it has a right to expect an agency of Government to follow when dealing with individuals. House Un-American Activities Committee has convinced many loyal citizens that they had better stay out of the reach of any congressional committee. It has made others think they can use House Un-American Activities Committee to grind their private or organizational, their sectarian or ideological, axes to harass their opponents. Neither of these views is commensurate with the high purpose and the dignity which a committee of the U.S. Congress should cultivate, or the respect it should command.

Finally, the committee should be terminated as a standing committee because it operates at the fringes of constitutional power. Its legality is marginal and so is debatable, as evidenced by the 7 to 5 vote of the 12 appellate judges who participated in the decision in the Barenblatt case, as well as by 5 to 4 decisions in the Supreme

Court. It would appear that since the committee continues to stand just inside legality, it should exercise forbearance and not seek to push its legal power to the utmost. What is barely legal is not necessarily wise, even in pursuing Communists. The trouble the House Un-American Activities Committee has caused the courts seems not to impress the committee's members; it should impress the House of Representatives.

To summarize: The House Committee on Un-American Activities has contributed to the understanding by the American people of the character and purposes of international communism, but this task is now being taken over by other agencies and is being done in a more orderly and responsible way.

The committee has stirred into action the law enforcement agencies concerned with domestic communism but has often antagonized the Justice Department in so doing. It should retire from attempts at enforcement and leave the field to those to whom enforcement is entrusted by law.

The credit due the committee for passage of the Internal Security Acts of 1950 and 1954 is being assessed in the courts. Until it is fully tested, nothing further is to be gained by enactment of additional laws of similar character. Also, until the courts speak it is premature to render judgment on whether the House Un-American Activities Committee has served this country well or ill by promoting such laws.

House Un-American Activities Committee practices—personalizing its attacks; considering persons who are identified as communists, no matter by whom, to be guilty until proved innocent; referring to such persons thereafter as "identified Communists"; prejudicing the standing of people so that a fair trial is difficult or impossible; usurping grand jury functions by indicting people publicly—all such practices should be abandoned.

In Government the committee has helped downgrade Federal service by encouraging the normal bureaucratic tendency to mediocrity, by discouraging initiative, courage and imagination. It has hindered recruitment of scientists and capable leaders, has discouraged persons interested in the teaching profession and Government service by making these fields special objects of suspicion.

VI

The House Un-American Activities Committee preoccupation with fighting communism in its myopic way has deflected attention from our main task, which is to eliminate communism by changing the social and economic soil in which it grows. The committee encourages those men whom John Nuveen, a Chicago banker and former ambassador, calls "the well meaning Americans who panic at the idea of one Communist book in a library, who think that one Communist teacher in a university can infect the whole institution, who unconsciously ascribe to communism a potency which it does not deserve and at the same time deprecate the strength and virtue of democracy."

Thomas Jefferson gave advice which sounds strangely radical today but which is still worth considering: "If there be any among us who wish to dissolve this union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it." If today we dread to allow dissenters to stand undisturbed, it is partly because the Committee on Un-American Activities has come so near to putting out the light of reason, has curbed and hampered the operation of intelligence by the promulgation of excessive and unreasonable fears. The House of Representatives should withdraw the mandate of this committee.

## ANALYSIS OF EDUCATION BILL BY SECRETARY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. PERKINS. 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 Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I am extremely pleased that the President in his education message of today has recognized the great need for bolstering educational efforts in many areas of school activities. In the elementary, secondary, the college, and the vocational and technical stages of education, the evidence which has been presented to the committees of the Congress during the past several sessions clearly substantiates the President's concern that we are not affording young people with the educational opportunities in many school districts in our country that they must have if they are to make valuable contributions to the Nation's productive needs, its economic growth, and its role of world leadership. I am very pleased to introduce today legislation to implement the President's recommendations. It shall be my purpose as a member of the Committee on Education and Labor to extend every effort to see that hearings on these proposals are initiated promptly to the end that the full membership of the House will have the benefit to express its voice on the program:

NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

A comprehensive program of Federal aid to meet selected and urgent needs of American education on all levels from elementary school through graduate education; to promote educational quality, expand opportunity for education, and to increase the capacity of our educational institutions; to provide for the Nation's needs in skilled manpower, national growth, and national security.

TITLE I.—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Part A—Student loans (title II of NDEA): To remove the $90 million ceiling in the present law and replace with $135 million for fiscal year 1964, and necessary sums for 2 succeeding years. Extends forgiveness of up to 50 percent of loan to all teachers—elementary, secondary, college and university. Provides for a national study of why able students fail to attend or complete college. Students in public and private nonprofit higher education institutions eligible.

Part B—Insurance of student loans: Federal guarantee of student loans by banks and colleges and universities. Maximum aggregate loans insured during 3-year period, $150 million. Students in public and private nonprofit higher education institutions eligible.

Part C—Student work-study: Authorizes $22.5 million for fiscal year 1964, and necessary sums for 2 additional years to pay 50 percent of wages to needy students for campus employment of an educational character, up to 15 hours per week. Students in public and private nonprofit higher education institutions eligible.

Part D—Graduate fellowships (title IV of NDEA): Increase graduate fellowship program from 1,500 to 10,000 annually for fiscal year 1964 and for 2 succeeding years, plus 2,000 additional summer session fellowships. Students in public and private nonprofit higher education institutions eligible.

TITLE II.—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Part A—Construction loans for institutions of higher education: Authorizes $1 billion aggregate over 3 years for Federal loans to institutions of higher education, or higher education building agencies for construction of academic facilities. Public and private nonprofit institutions eligible.

Part B—Public junior colleges: Authorizes $50 million in fiscal year 1964 and such sums as are necessary for 2 succeeding years for grants to States to construct public community junior colleges.

Part C—College-level technical education: Authorizes $20 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for project grants to institutions of higher education for 2-year college level programs to train semiprofessional technicians in engineering, science, and health occupations. Includes construction and equipment of academic facilities. Up to 50 percent of construction or program costs can be supported with a Federal grant. Both public and private nonprofit institutions eligible.

Part D—College libraries: Authorizes $40 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for grants to colleges and universities for acquisition of library books and other materials and for construction of library facilities. Up to 25 percent of fiscal year 1963 expenditures for library books and materials and 50 percent of construction costs can be supported by Federal grants. Both public and private nonprofit institutions eligible.

Part E—Graduate schools: Authorizes project grants to institutions of higher education for expansion of graduate schools including construction, equipment, expansion of faculty, not to exceed 50 percent of construction or program costs of the graduate school expansion program. Authorizes $40 million for fiscal year 1964 and necessary sums for the next 2 years. Both public and private nonprofit institutions eligible.

Part F—Modern foreign languages (amendments to title VI of NDEA): Extends for 2 years the language and area centers and studies program in institutions of higher education and authorizes an increase in appropriations from present $8 million annually to $13 million for fiscal year 1964; and such sums as are necessary for the 2 succeeding years. Public and private nonprofit institutions are eligible.

TITLE III.—IMPROVEMENT OF EDUCATIONAL QUALITY

Part A—Teacher institutes: Expand the institute program in the National Defense Education Act (now limited to teachers of foreign languages and guidance and counseling personnel), to teachers of English, humanities, social sciences, and library personnel. Elementary and secondary school teachers, college language teachers, and library personnel, public and private nonprofit, eligible to receive stipends. Appropriations authorized are increased from present $14.5 to $37.5 million for fiscal year 1964, and necessary sums for next 2 years.

Part B—Teacher preparation programs: Project grants to colleges and universities to strengthen departments and programs which prepare elementary and secondary school teachers. Emphasis will be on subject matter courses. Seven and one-half million dollars for fiscal year 1964 and necessary sums for next 2 years. Public and private nonprofit educational institutions eligible.

Part C—Teachers and related personnel requiring specialized training: Project grants to colleges and universities to strengthen special training of teachers of gifted children and teachers of adult illiterates, culturally deprived children; training of librarians, and other specialized personnel. Public and private nonprofit higher education institutions eligible. Seven and a half million dollars for fiscal year 1964 and necessary sums for next 2 years.

Part D—Strengthening educational research and demonstrations (amendments to Cooperative Research Act and to title VII of NDEA (new media)): Authorizes Office of Education, under cooperative research program, to support educational research centers involving colleges and State and local education agencies. Both public and nonprofit private higher education and research institutions eligible. Extends title VII, NDEA, new educational media research and demonstration, for 2 more years.

Part E—Educational statistics: Extends, for 2 years, grants to State education agencies ranging up to a maximum of $125,000 to finance collection of statistics about the character, quality and quantity of educational programs in the State. Public education agencies only.

TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

Part A—Selective and urgent improvement of public elementary and secondary education: Four-year $1.5 billion program of Federal grants to States for teacher salary improvements; i.e. increasing maximum salaries, raising low starting salaries, raising low average salaries in economically disadvantaged districts; support for critical classroom construction needs such as overcrowding, fire and health hazards; support for special projects to improve educational quality particularly in disadvantaged rural and urban areas. Appropriation would be authorized so as to phase out Federal support by the end of program. Public schools only.

Part B—Acquisition of science, mathematics, and modern foreign language instruction equipment (amendments to title III of NDEA): Extends for 2 years title III of NDEA for purchase of equipment needed in science, math, and modern foreign language instruction in elementary and secondary schools. Grants to public schools—loans to private nonprofit schools as in present law.

Part C—Guidance, counseling and testing (amendments to title V of NDEA): Extends counseling and guidance title of NDEA for 2 years and increases authorization from $15 million to $17.5 million for fiscal year 1964 and succeeding years. Authorizes testing program for all 7th and 8th grade students. Public schools only, except for testing in private nonprofit schools.

Part D—Federally affected areas (amendments to Public Law 815 and Public Law 874): Extends all expiring provisions for 4 years; no modifications in payment formulas for first year, with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the third year; and inclusion of the District of Columbia. Public schools only as in present law.

TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION AND SPECIAL EDUCATION

Part A—Vocational education (amendments to Vocational Education Acts, including title VIII of NDEA): Authorizes an increase in Federal expenditure for vocational education from present $50 million to $73 million for fiscal year 1964, and necessary sums for each of the succeeding 4 years. Allotments to the States will be based on various age groups needing vocational education and per capita income. State plans may continue to follow previous vocational education statutes for transitional period of 2 years but must conform to new plan requirements by fiscal year 1966. Grants under Smith-Hughes Act of 1917 will continue. Public school systems only are eligible as under present law.

Part B—Education of handicapped children: Authorizes grants to State education agencies and project grants to institutions of higher education to provide special training of teachers of handicapped children, i.e., deaf and blind, mentally retarded, emotionally disturbed, crippled, etc. Authorizes grants to institutions of higher education for scholarships to teachers of deaf children. Authorizes grants for research and demonstration projects in education of handicapped children. Both public and private nonprofit institutions eligible. Increase $2.5 million now authorized for mentally retarded or deaf children to $15 million for fiscal year 1964, and such sums as are necessary for the next 2 years.

TITLE VI—EXPANSION OF CONTINUING EDUCATION

Part A—General university extension education: Authorizes grants to States for expansion of university extension courses in land-grant colleges and State universities—$9,040,000 a year for each of 3 years is authorized.

Part B—Adult basic education: Authorizes $5 million for fiscal year 1964 and such sums as may be necessary for each of the 2 succeeding years in grants to States for basic education of adults up to eighth grade. Public schools only.

Part C—Public libraries (amendments to Library Services Act): Grants to States for library services are expanded from rural areas to include all areas of the State and to include construction of public library facilities. Appropriations authorized are increased from present ceiling of $7.5 million to $45 million in fiscal year 1964, and such sums as may be necessary for each of the 2 succeeding years.

TITLE VII—GENERAL PROVISIONS

Defines educational institutions and agencies referred to in the bill; provides for interchange of personnel between Office of Education and State educational agencies. Authorizes the Commissioner of Education to establish Advisory Councils to advise and consult with him.

## A BILL TO CUT STATE INCOME TAXES

Mr. BROTZMAN. 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 Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I am proud to call to the attention of my colleagues a news item that appeared on the front page of the Washington Post last week.

It is an Associated Press dispatch, dateline Denver, dated January 22. It is brief, only a few lines, but in its brevity it tells a story more of us should hear.

I quote it directly:

The Republican-dominated Colorado Legislature completed passage today of a bill cutting State income taxes by 15 percent on money earned in 1962.

The rate before the cut ranged from 3 percent on the first $1,000 of taxable income up to 9 percent on earnings over $10,000.

The measure goes to Republican Gov. John A. Love for signature. The tax cut was one of the campaign pledges of Love, whose party ended Democratic statehouse control in the November election.

The bill expected to reduce State revenues about $8 million.

Mr. Speaker, it took no clairvoyance to recognize how the people of Colorado felt last fall concerning a reduction in State income taxes. John Love, as a candidate for Governor, stated in language clear and distinct his advocacy of an immediate income tax reduction. Many Republican candidates for the State legislature in the various areas of Colorado stood hand in hand on the same platform.

In Colorado, the Republican Party spoke and the people listened—and the people heard. In the coming 2 months, when State income taxes are figured, the people of my State will speak words of gratitude for the leadership of Governor Love and the Republican members of the Colorado General Assembly. They were true to their word.

It is most significant, Mr. Speaker, that this reduction in income taxes is part and parcel of a fiscally sound, financially responsible program. The Governor and the legislature achieved the income tax cut by carefully curtailing expenditures, by examining analytically the requests of the various department heads, by applying the criteria of need, not want. In short, they turned a deaf ear to the siren song of spend and spend without regard to expense or debt.

Mr. Speaker, I readily admit that as a freshman in this illustrious body, I have much to learn. I finally have learned the path to follow in walking from the Old House Office Building to the Capitol without the help of a page.

But I have not learned as yet the path to follow in examining and assessing the various messages that have come to us from the White House.

I listened carefully to the state of the Union message as it was delivered in these impressive surroundings. I read it equally carefully when I returned to my office. The impression was clear. There were some trouble spots on the waters of our economy, but in proper perspective, the sun was out, the seas were calm, the ship of state was sturdy.

Before I had time to enjoy myself as a member of the crew of such a trustworthy vessel, the storm warnings were raised and a financial hurricane became apparent on the horizon. In rapid order we received two more messages.

The first was a "Diamond Jim Brady" budget, almost $12 billion in the red, and gambling the financial stability of this country on the guess that tax reductions will spur the economy to new heights.

Before the shock of the budget message wore off, the second one came—the tax message. This program is like the old carnival shell game: "Now you see it, now you don't." One provision will grant tax relief and the next provision takes it away.

In short, Mr. Speaker, combining these messages with yet another, the economic message, it would appear that the state of the Union is so good, if it gets any better we will be bankrupt.

Mr. Speaker, with all due deference to this great legislative body, I would sug-

gest we might follow the lead of Colorado. We are curtailing expenditures, we cut taxes, and we are building a State financial structure on the granite of fiscal responsibility.

## NEWSPAPER BLACKOUT IN NEW YORK INDEFENSIBLE

Mr. LINDSAY. 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 New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the newspaper blackout in New York has become indefensible. I do not say that either the publishers or the printers and other unions are right. I do say that firm action on the part of the Secretary of Labor could bring about a settlement. It is high time we had such action.

On January 11, a board of public accountability, appointed by the Secretary of Labor, Governor of New York, and the mayor of the city of New York, issued a report which is deserving of full notice. Some will disagree with parts of the report or with parts of the supplemental report; but in any event, it ought to be read. With the consent of the House, I am inserting the report in full in the RECORD:

REPORT OF JUDGE HAROLD R. MEDINA, JUDGE JOSEPH E. O'GRADY, AND JUDGE DAVID W. PECK, CONSTITUTING THE BOARD OF PUBLIC ACCOUNTABILITY, APPOINTED BY SECRETARY OF LABOR W. WILLARD WIRTZ, GOV. NELSON A. ROCKEFELLER, AND MAYOR ROBERT F. WAGNER, DATED JANUARY 11, 1963

The undersigned members of the board of public accountability, appointed by Secretary of Labor W. Willard Wirtz, Gov. Nelson A. Rockefeller, and Mayor Robert F. Wagner, to inquire into the shutdown of New York City newspapers and to investigate the facts of the dispute, the positions of the parties, the roadblocks to settlement and all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations, report as follows:

The board conducted hearings on January 7, 8, and 9, 1963. Representatives of the publishers of all seven of the major New York City newspapers and representatives of all of the unions involved in the dispute, except New York Typographical Union No. 6 (the printers union), the mailers union (like the printers a subordinate of the International Typographical Union) and the electricians union, whose contract does not expire until spring, attended and participated in the hearings and were fully cooperative in adducing the facts.

The president of the printers union did not respond to the invitation of the board to attend the hearings, nor did he communicate with the board on the subject. We were advised, however, by his public pronouncement, that he would not attend any hearings or cooperate with the board until so authorized by the membership of the union. He stated that the membership could not be called for a meeting prior to Sunday, January 13, which would be 2 days after the date on which the board was required by the terms of its appointment to make its report. Some question was raised at the hearings as to whether a meeting of the membership of the union could not have been called at an earlier date, but the board did not undertake to seek an answer to that question or to determine the fact. We think it is appropriate to state, however, that we can see no reason why approval by the membership of the union of the president's attending the hearings was required, or why the president of the union should think that it was required. By the explicit terms of the board's creation and assignment, the board was not to propose terms of settlement or undertake mediation efforts unless agreeable to the parties concerned, but was only to make a public report on the facts. Thus, by attending the hearings and cooperating in the board's inquiry the union could not have been brought into any bargaining or mediating frame against its will, and its president would have participated only in an inquiry into and determination of the facts relating to the dispute and the conduct of the negotiations by the parties. We think it is evident that in not attending the hearings the union president failed in his public responsibility.

Through testimony given by representatives of the publishers, representatives of the unions and Mr. Stephen I. Schlossberg, the representative of the U.S. Mediation Service who has served as mediator in the dispute, there was a full development of the facts at the hearings before the board.

The unions involved in the dispute are the following: Newspaper and Mail Deliverers' Union of New York and Vicinity; local union No. 3, International Brotherhood of Electrical Workers; International Association of Machinists, District No. 15; New York Mailers' Union No. 6; Paper Handlers' and Straighteners' Union No. 1; New York Photoengravers' Union No. 1; New York Newspaper Printing Pressmen's Union No. 2; New York Stereotypers' Union No. 1; New York Typographical Union No. 6; and Newspaper Guild of New York, local No. 3.

The newspapers involved in the dispute are the following: Daily News, New York Mirror, New York Herald Tribune, the New York Times, Long Island Daily Press, Long Island Star-Journal, New York Journal-American, New York Post and New York World-Telegram, and the Sun.

The essential facts, which are undisputed, can be rather briefly stated:

For a period of 10 years the newspaper publishers have bargained jointly with the several unions separately, except that the publishers have bargained individually with the Newspaper Guild. The date of the contracts, made in even years for 2-year periods, has for many years been December 8 for all of the unions except the Guild, whose contracts have been dated November 1. An incident of the dates has been that contract negotiations have been conducted and concluded with the Guild prior to the negotiation and settlement of contract terms with the other unions. Customarily, therefore, the wage pattern and principal terms of the contracts with all the unions have been set by the contracts negotiated with the Guild. This fact has been a source of irritation and even of frustration upon the part of the other unions, who finally made it clear at the time of the settlement of the terms of the contracts in 1960 that when it came to a negotiation of the contracts in 1962 the unions would insist upon a negotiation of all the contracts at one time and any contract negotiated with the Guild alone would not be recognized as a pattern which the other unions could be expected to accept.

With due regard to this prospective change in the negotiating procedures for the contracts of November and December 1962, the parties undertook conversations relating to their contract arrangements as early as April 1962, several months in advance of the time when they were accustomed to meet to inaugurate contract conversations. The early meetings brought all the publishers (who have proceeded by unanimous agreement among themselves) and all the unions together for conversations at one time. This was a promising procedure which was fruitful to a considerable extent in the collective consideration of matters which were of common interest to all the unions. There was no agreement, however, that negotiations would be carried on to completion with the unions jointly, and it became the conclusion of the parties, after further joint meetings in May and August of 1962, that it was not feasible that year to conduct the negotiations fully on a joint basis, although it was understood that the unions would maintain close contact among themselves in the negotiations through a unity committee of the heads of the several unions.

Despite the promise in the early joint conversations, serious bargaining was not undertaken until October 1962, and that was primarily in respect to the Guild contract, which would expire on October 31. A contract with the Guild after a 1-week strike of the Daily News by that union was made by all the papers as of November 1, 1962. The improved benefits of the new contract to Guild members came to a dollar value or cost to the publishers of $8.50 a man a week.

Negotiations were then undertaken by the publishers with the other unions, to whom the publishers offered benefits of the same value as those attained by the Guild. In accordance with the declarations made 2 years before, the unions took the position that the Guild settlement could not be regarded as binding upon them and they stated that it was not acceptable to them. Consequently, negotiations with respect to other possible benefits to the members of the other unions were undertaken, with the expectation that the benefits agreed upon with any union would correspondingly be made available to all, including the Guild.

Negotiations proceeded in normal manner with all the unions respecting the many incidental terms of the contracts of some interest but not major importance. There were also questions of labor and cost saving raised by the publishers and regarded by them as being important which were the subject of discussion, and the question of importance to the unions of whether all the contracts, including the guild contract, would be given a common expiration date was discussed. The publishers were not resistant in principle to the idea of a common expiration date for all the contracts, but they wanted agreement on a framework of workable machinery to be used in consummating a single unitary negotiation and desired that the expiration date of all contracts be December 7, while the unions desired an October 31 date, which was the date of expiration of the guild contract.

Without minimizing the importance of any of the matters under discussion and unresolved at the time of the breakoff of negotiations, we think it is fair to state that none of them would have become a major obstacle in reaching contract terms and that they would have been resolved in connection with negotiations and an agreement on the money terms and benefits which would determine the total increased benefits and costs under the new contracts.

Unfortunately, despite all the early undertaking of preliminary negotiations and the progressive developments in the negotiations, the eve of contract expiration was reached before the parties settled down to offers and negotiations respecting the major benefits and costs in the terms of dollars.

Prior to this time there was an indication, probably not too seriously regarded by the publishers at the time, that a strike was likely and may have been the intention of at least the president of the printers union. He stated to the members of that union that "only a long strike * * * will swing the pendulum so that we might obtain those things that belong to us" and "short strikes have not materially changed the publishers' position * * * the union's members should be

prepared for the possibility of a long struggle." Two weeks before the strike the president of this union spoke to newspaper reporters of the certainty that the strike would be of extremely long duration and that "the demise of one or more New York City newspapers" was possible. At the time of this last statement the president of the printers union was in a position to carry out his strike threat as a strike vote had been taken by the union which authorized the president to call a strike without a further reference of proposed strike action back to the membership. This authority differed from past practice under which negotiations at times extended beyond the contract termination date and a strike vote was taken only after the publishers' best offer was transmitted to the membership.

Agreement had been reached on many terms during negotiating sessions on December 6 and 7 (subject to final agreement), but it was not until 6:40 of the evening of December 7 that the publishers made a complete offer to the printers. That offer totaled in increased benefits and costs $9.20 per man per week. The printers, whose contract deadline was 2 o'clock in the coming morning, stated that it would be several hours before they could duly consider the matter and respond. They did not respond until 1:45 a.m., 15 minutes before their deadline.

In the meantime negotiations were conducted between the publishers and other unions, including the deliverers union, whose contract would expire at midnight. Terms acceptable to the executive committee of the negotiating committee of the deliverers, involving increased benefits which would cost the publishers slightly more than $10 per man per week, were negotiated with the understanding that the executive committee would report to the full negotiating committee and that, pending the determination of the negotiating committee, there would be no strike by the delivers union at the midnight expiration of their contract. Negotiations of contract terms thought to be acceptable to another union were also negotiated during that evening.

When the printers' representatives returned to conference with the publishers at 1:45 they stated their demands, declared to be negotiable, which came to an amount estimated by the publishers to cost $36 per man per week. This was a demand so shocking, both to the mediator and to the publishers, that the mediator, knowing that negotiations could not possibly be brought to a successful conclusion within the few minutes remaining before the 2 o'clock deadline, asked the printers to stop the clock in order that negotiations might continue without a strike. The printers representatives refused this request and before more could be said the report came in that the printers had gone on strike and negotiations were ended.

All during the evening of December 7, while negotiations with the several unions were in progress, the unity committee of union heads remained in session, receiving, considering, and conferring about reports respecting the various negotiations. The unity committee had reached two agreements among themselves. One was that no union would agree upon a contract, the basic terms and total benefits of which were not acceptable to a majority of the unity committee. The other was that if any union in the circumstances should go on strike all the other unions would support the strike and suspend further negotiations.

The unity committee received the report of the executive committee of the negotiating committee of the deliverers union respecting the offer of increased benefits amounting to something over $10 per week to the members of that union. The majority of the unity committee found the terms unacceptable, and the executive committee of the deliverers were thereby required to report to their full negotiating committee that the terms which otherwise would have been recommended could not be accepted because a majority of the unity committee did not agree. This rejection by a majority of the unity committee of the terms offered to and presumably acceptable to the deliverers came only shortly before the printers would resume their last-minute conversations with the publishers.

The printers' representatives returned to their meeting with the publishers without any discussion with the unity committee of an amount which would be sought or would be regarded as acceptable to the members of the unity committee, other than a determination that only slightly more than $10 would not be acceptable, and without any knowledge or discussion on the part of the members of the unity committee of the position which the printers' representatives would take or the procedure they would follow in conducting their negotiation with the publishers. Armed with the power, accorded them by the agreement of the members of the unity committee to support this printers' strike, of shutting down the newspapers by failing to reach an agreement with the publishers in a matter of minutes, the printers' representatives met with the publishers only for the few minutes remaining before their strike deadline and proposed terms which could not have been considered a basis for negotiation and which, with their refusal to stop the clock and conduct negotiations without a strike, inevitably meant that the papers would be shut down.

The consequence was that all the papers were shut down on December 8, and all contract negotiations were suspended.

In the 5 weeks following the strike, 15 negotiating sessions have been held between the printers and the publishers under the auspices of the Federal mediator, who has earnestly striven to bring the parties into negotiating range. All of those meetings can be summed up with the statement that neither party moved.

The publishers have stated that they were willing to make one more move but that there was no point in even intimating what that move might be until the printers had moved drastically and realistically down from a proposal which the publishers stated could not be taken seriously or regarded as a basis for negotiation. The Director of the Mediation Service, then presiding at the negotiating session, agreed with the publishers that the first move in further negotiations should be a move by the union into a realistic bargaining range. The printers' representatives have taken the position that they were not required and would not be well advised to make the first move and that the first move should be made by the publishers.

The facts which have been stated are the undisputed facts as disclosed by the testimony given by all the witnesses—publishers' representatives, union representatives and the mediator alike. It remains only to draw certain conclusions which are equally clear.

First, the printers' strike which occasioned the shutdown of all the newspapers was not a move of last resort to which the printers were driven after a full exploration of the possibility of settlement. It was a deliberate design formed by the printers' representatives as the opening gambit in negotiations. Undoubtedly the aim was to secure contract benefits markedly better than the benefits which could be expected in the normal course of bargaining and the course adopted was born of the conviction that negotiations to the desired end could not be effective and would not be worth undertaking until after a strike of long duration, which would probably put some papers out of business and bring the rest to their knees. The union demand for the new contract was in an amount which exceeded the total benefits gained under all the contracts for the past 10 years. The amount requested could not have been advanced with any thought that it would invite negotiation. Coming as it did at the last minute, with no time allowed for serious negotiation, it bespeaks an intention to shut down the papers and to postpone any negotiation until a time when the publishers would be forced to surrender under the economic pressure of threatened extinction.

This intention can now be found as having been clearly expressed by the union president in his statements prior to the strike to the effect that a long strike could be expected and might have the effect of bringing about the demise of one or more of the city's newspapers.

Under present-day conditions labor and management function together in areas of activity close to the nerve center of society. If there is a prolonged and complete paralysis in one or more of these areas the effect upon all the people is serious, and the damage to our institutions and to our way of life increases in geometric proportion as the number of simultaneous stoppages in critical areas of activity increases. The publishing of newspapers in the city of New York is one of these critical areas of activity. The harmful effect upon employment, not only in the newspaper industry but throughout our economy, the stores, large and small, the schools and churches, the theatres and other places of entertainment, the social and cultural life of the city, and upon practically every phase of life, as well as upon the dissemination of thought, the crystallizing of public opinion on matters of national as well as local interest, and the development of ideas, is truly incalculable. Freedom of the press is guaranteed to all by constitutional mandate in the Bill of Rights. Therefore, we think it self-evident that both labor and management owe to the public a duty to use every reasonable means to avoid a shutdown, and, should one occur, to bring it to an end as speedily as circumstances will permit. Deliberately to plan such a prolonged shutdown and to resort to the maneuvers appropriate for the consummation of such a plan, we hold to be a clear breach of this duty to the public, and a matter of grave consequence.

The second conclusion which must be reached is that the unity committee did not function in any way of developing a unified approach to the problem of bargaining or dealing with the publishers, or even of forming a judgment on the desirable or available terms or means of obtaining them. Wittingly or unwittingly, the unity committee was left in the position of giving the printers' representatives a blank check—the power to take strike action which would compel like action by all the other unions upon a refusal of the publishers to meet last-minute demands made by the printers, of which the other unions had no knowledge or indication.

Third, there has been a complete failure of the bargaining process in this matter from the moment that the printers stated their terms until the present time. Indeed, it must be said that there has been no real bargaining. A strike was called as a preliminary to bargaining; bargaining was intended to be postponed for a long period until the strike had taken its toll, and bargaining has not been resumed at any time up to the start of the hearings before the board.

We abstain from any comments upon the subject of what might be appropriate contract terms. There was no attempt at the hearings to develop the facts respecting the many considerations necessarily bearing upon questions of appropriate contract terms. We are satisfied, however, from all the facts adduced and the tentative agreements reached with some of the unions in-

volved, that realistic and good faith bargaining could and would quickly result in contracts on terms within an area clearly indicated.

Whether the bargaining is with the unions jointly or separately, it should be conducted simultaneously in a coordinated manner with the participation of each union, toward reaching the common goal of fair contracts for all concerned. We would recommend, therefore, that the public officials to whom we now report undertake forthwith, through their agents, to bring the parties together within this bargaining frame and all the parties should respond in true good faith, bring the newspaper shutdown to an immediate end, concluding contracts which are sensible and equitable and which will restore the papers to the public and health to the newspaper industry.

Respectfully submitted.

Judge HAROLD R. MEDINA.
Judge JOSEPH E. O'GRADY.
Judge DAVID W. PECK.

(See the following supplemental separate report by Judge Joseph E. O'Grady.)

SUPPLEMENTAL SEPARATE REPORT OF JUDGE JOSEPH E. O'GRADY

Because the normal collective bargaining and mediation techniques failed to bring the month-long strike in the vital New York City newspaper industry to a termination, Secretary of Labor Wirtz, Governor Rockefeller, and Mayor Wagner appointed on January 6, 1963, a three-man board of public responsibility to make the fullest possible investigation of (a) the facts of the dispute, (b) the positions of the parties, (c) the roadblocks to settlement, and (d) all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations.

The establishment of a board of citizens in the midst of a strike which had attracted wide public interest for the purpose of passing judgment upon whether or not the parties had discharged their moral responsibilities to the public was a novel technique.

While boards of public accountability have been recently discussed and to some degree advocated, as far as I know they have never before been used as part of labor-management dynamics in the settlement of a pending strike.

Undoubtedly the use of such a board in this situation was prompted by the frustration of all other attempts to bring to a peaceful conclusion an exasperating and serious strike affecting so many facets of our social and economic life in the Metropolitan New York City area as well as having a serious impact on State and national affairs.

One may justifiably speculate whether such a board would have been apppointed if all the parties involved would have found it consistent with their labor-management policies to agree to either arbitration or factfinding with recommendations (even though not binding) as a terminal point to the strike. This seems to be borne out by the statement appointing this board, in which it is stated, apparently in deference to the position of the parties, that "the board will not propose terms of settlement or undertake mediation efforts, unless this is agreeable to the parties concerned."

Still, it is clear to me that the appointing authorities were deeply concerned and, one might justifiably conclude, primarily concerned with bringing about a quick settlement, for immediately following the above-quoted excerpt the appointing statement almost prayerfully states:

"The board may, however, suggest whatever procedures might appear to be appropriate for working toward a settlement."

The welfare of the employees and employers affected by the strike, as well as a deep concern for the public interest, must have been major considerations prompting the Secretary of Labor, the Governor, and the mayor to take this bold step.

Thus, I do not believe that the appointing authorities are looking for any scapegoat.

In any event, I do not feel that, industrious as we may have been in the relatively short period allotted to us to inquire into this complex matter prior to reporting, that I have anything like a sufficient record before me upon which to formulate a sound and responsible judgment on the profound question of what is the moral obligation or responsibility of an employer, employee or union leader engaged in a labor dispute or strike toward the public that might be affected thereby. Certainly none of the parties violated any legal responsibilities to the public.

However, this does not mean that parties to a labor dispute such as this should not take the public's interest into consideration before deciding upon a course of action which might have a serious impact upon the public. Nor does it mean that parties to such a dispute do not have moral obligations to the public.

But it does not necessarily follow that these obligations, whatever they may be, always outweigh in the mind of a union leader his obligations in a given situation to his members. The same applies to an employer's obligations to himself or his stockholders.

Furthermore, after listening and talking to the parties for 3 days I do not believe that blaming one or both parties for the strike contributes toward its settlement.

I do, however, wish to make some observations which I feel are pertinent to this matter.

This board was formed late Sunday (January 6) afternoon. It met early the next morning, Monday, and immediately sent requests to all parties to appear before it Tuesday morning. The printers union president, Bertram Powers, without even waiting to receive the formal request to appear, called a press conference and issued a statement stating in effect that he would not appear before the board unless his union membership authorized him to do so and that he couldn't call a meeting for that purpost until January 13, 2 days after the board was to file its report. To this day, he has not paid this board the courtesy of appearing before it, even specially, to explain why he felt he could not participate in its hearings. It is hard to believe that he did not have at least that much authority.

It is true that this board has no legal status and that therefore he could legally ignore it. But where the Governor of the State of New York, the mayor of the city of New York, and the Secretary of Labor of the United States of America, all dedicated public servants, acting in the public interest, create such a board in the fervent hope that it will aid in bringing about an early conclusion to an unfortunate strike affecting the public interest, as well as adversely affecting the parties themselves, the least one who could only be helped by such action could do would be to appear before it. Mr. Powers' failure to appear even for a limited purpose is inexcusable.

Another point which received considerable attention during the hearing was the statement attributed to Mr. Powers concerning the possible duration of any strike the union members might approve and the possible fatal effect it might have on one or more of the newpapers involved.

I am satisfied from the record that he so advised his members. Actually the record shows that he made similar statements in September 1961, shortly after they approved by a very close vote the settlement of the 1960–62 contract. The record indicates that he repeated this warning again in September 1962. Actually he was telling his members who had been expressing dissatisfaction with the prior pattern of settlements that if they wished to change the pattern they would have to be prepared for a long and costly strike. It was his duty to do this.

It has been suggested that these statements indicate Mr. Powers had no intention of arriving at a renewal agreement on December 8, but, on the contrary, was planning a long strike.

I find it difficult to believe that Mr. Powers would not have accepted a contract on December 8 if it contained substantial improvements over and above the $8.50 a week received by the Guild. And I am not referring to the outlandish figure of about $36 a week which he put on the official bargaining table and which we are told is still his official asking price, for we all know of the off-the-record asking price of substantially less than even half that amount.

This leads to some observations about the collective bargaining positions of the parties. Simply stated, the newspaper publishers sought to maintain the pattern of bargaining carried on for some years and which had proven reasonably acceptable and successful to them.

Mr. Powers was determined to break that pattern because his members had become dissatisfied with the results of that pattern of bargaining.

I do not believe that I can find fault with either position and I have not even attemped a moral judgment of which one had the equities on its side.

It was inevitable that two such diametrical opposite positions, each supported by a strong protagonist, would result in a strike. To have prevented such a result, one side would have had to abandon its fundamental position. Neither did, and the result was a strike. How long the parties will continue to test their strength and positions, I do not know. However, I believe that both forces will have to give some ground before a settlement will be reached. I do not think that either is in the position of bringing the other to his knees.

It is as certain as death and taxes that this dispute will be settled without either side eating crow. This should be done now, the sooner the better.

Respectfully submitted.

Judge JOSEPH E. O'GRADY.

## COMMENTS ON THE FOREIGN AID PROGRAM BY WILLIAM S. PALEY

Mr. LINDSAY. 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 New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I should like to bring to the attention of my colleagues a speech presented by William S. Paley, chairman, Columbia Broadcasting System, before the National Foreign Trade Council in New York City, on October 30, 1962.

Mr. Paley is acutely aware of the genuine concern voiced by some Americans who view our foreign aid program as ineffective or inadequate. He attempts to ascertain the origins of this discontent in a succinct review of the U.S. postwar experience in the dissemination of foreign aid. His purpose is to identify the weaknesses of present and past programs which have provoked dissatisfaction and to suggest realistic remedies for our aid program which will invoke durable support in the future.

Mr. Paley is convinced that we must rebuild public confidence in our foreign aid program which in the long run promises to progress the development of many nations, to protect our own national interest, and to promote a world of peace and prosperity.

The text of Mr. Paley's speech follows:

NATIONAL FOREIGN TRADE COUNCIL
SECOND GENERAL SESSION

(Remarks by William S. Paley, chairman, Columbia Broadcasting System, Inc., New York, N.Y.)

The events of the past week have demonstrated to all of us the constant need we have for the readiness of nations in our own hemisphere and around the world to declare themselves on our side in times of crisis. Certainly it is in our interest to promote vigorously the economic strength of such countries. The promptness with which many nations, particularly those in the Organization of American States, lined up behind us gives a most dramatic relevance to your meetings this year. I am happy to have the opportunity to attend them, although I am afraid I can bring no expert knowledge to your discussions. In an age of specialists, there are few more general generalists than broadcasters. We in the world of communications are necessarily preoccupied with the total scene and not often with just one segment of it. But sometimes this gives us the advantage of an overall perspective.

From this perspective I want to reflect with you briefly on foreign aid, both in retrospect and in prospect. But first I must express my belief that the problems and the opportunities of foreign aid cannot be separated from the problems and opportunities of world trade. Aid programs, essential as they are in bringing impoverished nations to the point of effective and profitable participation in world trade, are means to an end. The goal must be self-support through growing production and trade, each nation making the best use possible of its own resources.

In 1952, we said in the report of the President's Materials Policy Commission: "We began as an underdeveloped Nation, with rich resources but a shortage of manpower and capital, and little industry. It made good sense for us then, as it does for many underdeveloped countries today, to concentrate on the export of raw materials and agricultural products as the best means of acquiring purchasing power abroad with which to buy foreign manufactured goods to support better living standards and economic growth."

What was said then stands up pretty well today. Less developed nations with raw materials needed by the rest of the world should regard their export as a first forward step in their economic growth. Countries without such raw materials may have to develop agricultural economies as a first step. All of them should avoid attempting to speed up too fast a change to intricate industrial societies. Attempts to accelerate the processes of history are usually disappointing and sometimes boomerang.

Trade is ultimately necessary to the fullest development of the emerging nations, and to any permanent solution of the problems of their growth and prosperity. But in the interim—perhaps a long interim—there are need and justification for foreign economic assistance.

Just a month ago, there took place the annual struggle in Congress to settle the fate of the foreign aid program. The Senate, after deep and damaging cuts by the House, helped retrieve the situation, and the final outcome seems satisfactory. It is noteworthy, however, that the cuts were by a large majority in the House, while the votes in the Senate to restore were very close. This is cause for disquiet. It is important to examine the underlying reasons.

It is too simple to place the blame on "that man from Louisiana." Likewise, it is too simple to blame election-year politics or pennypinching by the Congress—particularly a Congress that in this session passed the boldest and broadest trade bill in our national history.

Nor is it adequate to put the blame on public apathy or ignorance. Taxpayers by nature dislike foreign spending, but the American public has steadily given its support to foreign aid throughout the period since World War II. This does not testify to either apathy or ignorance.

It appears to me that congressional discontent this time was wide and deep. Behind that discontent seems to be a rather general public unease. Underlying both congressional and public feeling is, I suspect, a valid concern about the results so far achieved by our considerable overseas expenditures.

In plain words, something appears to be wrong with the aid program. The sooner we can identify the faults and become realistic about the difficulties, the sooner we can rebuild durable support for the aid program.

I stress the word durable, because I believe in the logic of foreign aid; and I believe that we will have to treat with it as part of our foreign policy for many years to come.

Several months will pass between now and the next appropriations time. It is unrealistic to think any dramatic, rapid, tangible achievements can be made in this brief period. But it is not too much to expect that some changes of concept and policy be introduced which will reassure the many troubled supporters of foreign aid and which will give promise of greater positive results over the long run.

Unless this is done, the present difficulties are very apt to get worse. Congressional support and public confidence may further weaken. The next time around we may face a major reversal in our aid program.

This, therefore, may be a very good time to cast an eye backward over our foreign aid experience.

One useful way to highlight the lessons of the past 15 years is to group the recipient countries into three broad categories. These I will call the Marshall plan countries, the strategic countries, and the transitional countries.

Of all the great and unselfish acts of American foreign policy, the Marshall plan was probably the greatest and the most successful. What it did was the most convincing demonstration possible of the power of the economic arm of our foreign policy in serving our long-term national interest.

However, in comparison to our present dilemma the Marshall plan represented a simple problem. Europe needed only an infusion of resources and of hope to get its great engines turning again. Europe had a wealth of trained workers and experienced managers as well as imaginative entrepreneurs. It was a situation, therefore, in which if we could give them the tools, they could do the job.

Development did not have to start with building school systems, rebuilding governments, creating new social and economic structures, and overhauling deep-seated attitudes of millions of people. Yet, these are the very things which must be done as a basis for economic progress in many of the underdeveloped countries. We can and should take satisfaction from the Marshall plan, but it does not, unfortunately, give us a usable pattern for the radically different circumstances of the less developed areas.

Coming to the strategic countries, I classify them as those to whom we are giving aid in large part because of the presence of U.S. bases on their soil or because of their heavy military burdens in resisting pressure from the Communist sphere. In them, our economic aid functions within a context colored by strategic and military necessities and urgencies.

These countries are essentially seven—Korea, Formosa, Vietnam, Laos, Pakistan, Turkey, and Spain. In the 10 years since the end of the Marshall plan, we have given economic aid to no less than 98 countries; of a total of $33.2 billion appropriated, roughly 30 percent has gone to these 7 countries, quite apart from heavy military aid, while the other 70 percent has been shared by the remaining 91 countries.

In these seven countries, on the whole, our help has purchased very little development. In these same countries the principal examples of waste and corruption have occurred. It is, I believe, primarily as a result of events in these particular countries that some of the deepest congressional and public misgivings about foreign aid have derived.

Let me be very clear: I am not directly or by implication taking exception to the vital need for American support—economic and military—to countries directly under Communist pressure or important to the strength of the free world.

But in appraising and improving our aid programs, we must understand the special complexity of the problem in areas where economic and military considerations are intertwined. In the strategic countries we are in effect attempting to pursue a double objective: economic development and military security. In them occasions can arise, and frequently do, when projects of great importance from a strictly economic point of view have to be put aside in favor of projects which will help meet some urgent requirement growing out of the military situation.

Nevertheless, we need to ask ourselves whether we have sometimes given up on our economic objectives in these situations too easily. Has it really been necessary to wash out economic considerations to the extent we sometimes have in order to cope with military requirements?

Third, there is the numerically large and somewhat diverse group of transitional countries. Some of these, as in Latin America, have been independent for generations. They have in many cases developed extremes of wealth and poverty, jealously guarded social patterns, and powerful entrenched groups resistant to any and all change. Others, particularly in Asia and Africa, are newly independent. They are beset by poverty, disease, ignorance, social and economic backwardness, and this explosive thing called the revolution of rising expectations.

Our aid program in the future will increasingly operate in these troubled and transitional societies. Many of them are characterized to one extent or another by emotionally charged nationalism, resentments of varying degree against the United States, visions of overnight industrialization, and vast impatience with the slow processes of economic growth. Some of them, particularly in Asia and Africa, lack the institutional structure, the experience, the personnel, and even the state of mind necessary to cope with the functions of a modern economy, society, and state.

Throughout all the less-developed areas, the Sino-Soviet bloc—alert to every possibility for generating frictions, compounding misunderstanding and disrupting constructive effort—is conducting growing programs of subversion, economic warfare, propaganda, and intimidation.

In a few of these countries, serious efforts of self-help are underway. In such countries, three is hope of economic progress. But in many, the obstacles are so great that progress is bound to be painfully slow.

There exists in some quarters a general illusion that in the less-developed countries, as a result of external aid and internal ef-

forts, rapid economic progress is already being made. The grim fact is that the gap between the rich and the poor nations continues to widen, not narrow. Equally grim is the fact that population growth in many of them is largely consuming the modest economic gains so far made.

In other words, if things go on as they are, it will be generations before any sizable inroad is made on the problems of poverty in the less developed countries. Thus, as of today, the argument for continuing and persisting in economic assistance rests essentially on faith and hope over the long haul, not demonstrated achievement in the short run. We can hope—as I earnestly do—that progress will come. But, to be realistic, we must look upon aid as a gamble—an intelligent gamble in our national interest, I am convinced—but still a gamble.

Some would argue that the thing to do is to sharply increase the volume of foreign assistance, that the lack of progress to date is essentially the result of the inadequacy of external help. The evidence does not seem conclusive on that point.

In the first place, many of the underdeveloped countries have not done what they can and should to help themselves. They have been most reluctant to buckle down to the distasteful job of collecting taxes, introducing reforms and fully utilizing their own resources.

In the second place, the economic problems faced by many transitional countries are beyond solution in solely economic terms. Before economic growth can be put into motion, there are massive problems of education, of health, of tribalism and traditionalism to be solved. Until there is a better understanding of these multiple problems and how to deal with them, I can not see the wisdom of trusting solely to an increase in the sheer volume of assistance.

Looking back over our aid efforts to date, I can, however, see specific possibilities for our future guidance that deserve consideration.

First, it seems to me that in rebuilding public confidence in the aid programs, we must purge the atmosphere of a good many false illusions. The recipients are not going to imitate in detail the American way of life. The brutal fact is that foreign aid is going to be necessary for a long, long time, and positive results will be slow in arriving. Arousing false or unrealistic hopes might well produce dangerously negative reactions.

In recognizing such realities, I am not fearful that we may discourage and cut away support for aid. Although the eventual outcome of foreign aid is a gamble, there is no better instrument available to us for the advancement of America's long-term economic interests and security. I have full confidence that the American people have the commonsense to support the aid program on that unsweetened basis.

Second, in the strategic countries, I recognize the severe difficulty of reconciling military and economic development objectives. But certainly stronger and more skillful negotiations by our representatives can prevent in some degree the massive inefficiency of our aid in generating economic development. It seems to me, therefore, that a careful reappraisal of our aid efforts in these countries, and of the balance and priority between economic and military considerations, is in order.

Third, in the transitional countries, we must insist upon serious standards of self-help, prudent policy, and internal reforms, and we must be prepared to cut off countries that do not do their part.

One of the reasons for our lack of firmness in the past has been fear of the consequences of firmness, particularly fear of the possibility of Communist penetration. None of us views with relish the prospect of Communist advance anywhere in the world. But we must not permit indiscriminate fear of communism to lead us to the scatteration of our aid and the abandonment of standards of self-help by the recipients. If we do, our aid will be wasted, and Communist penetration in the wake of disorder may come anyhow.

In dealing with the realities of the international situation, we cannot be coldly bankerish. But we must begin to be more businesslike. We must concentrate our efforts, and we must be selective. If we do so, a good many of the less developed countries will come to realize that these principles are in their best interest also. For much of the aid of the past, with its lack of results, has been of benefit neither to our objectives nor to theirs. Already there begins to appear in some countries that were recently strongly attached by the Soviets a disenchantment with propaganda and passionate politics, a shift in the direction of commonsense and practicality.

Fourth, an obvious weakness of our aid program is the continuing failure to harness American private enterprise effectively to the development task. Each year language stressing this need is piously included in the aid legislation. But year after year the matter remains deadlocked; government on the one side skeptical of giving private interests special advantages; and private business on the other side unprepared to use stockholders' money without greater guarantees or inducements than are now offered.

What is needed is a formula, or mechanism, or set of ground rules, which will harness the colossal power, imagination, and experience of American business and finance to the foreign development task. For several years leaders from various branches of American life have stressed this need and have proposed plans—for new credit devices, new kinds of guarantees, new forms of contracts, new patterns of business-government collaboration. But few of the ideas that have been put forward have been translated into action.

There are times and situations when a high-level public commission can provide the authority, direction, and emphasis necessary to break through such an impasse. This is such a situation. I hope that consideration will be given to the creation of such a body to develop and recommend a formula which will open the way to the active participation of all segments of American industry in the struggle for world development.

I speak to you today as a partisan of foreign aid and a believer. I speak therefore not in a spirit of finding fault but out of the deepest concern about the general failure of these programs to generate progress in the impoverished parts of the world. This is a time when government, business, and our best experts and thinkers must draw together in joint efforts—when the combined talents of our best and most experienced minds must be assembled to improve our foreign aid program—a task of the greatest importance to the development of a truly worldwide trade.

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## ROBERT FROST

Mr. CONTE. 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 Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, the entire Nation weeps today over the untimely death of Robert Frost. I say "untimely," because time can never erase his great contribution to the literary heritage of this country. And time, as the distinguished poet Mark Van Doren said yesterday, "will keep on working at this figure, as truth will keep on echoing this voice."

For 50 years—

Van Doren says—

the great poet has been a familiar figure among his own people: loved, respected, and even a little feared.

For a good many of these 50 years, Mr. Speaker, Robert Frost lived, wrote, and taught in the beautiful community of Amherst, Mass. The good people there, as in every corner of the globe, today pause in memory of a great man, one of the truly great individuals of this or any century.

With your permission, Mr. Speaker, I include the full text of Mark Van Doren's brilliant statement in the CONGRESSIONAL RECORD:

Robert Frost cannot be replaced. The hole he leaves is not only wide but deep.

He was a philosophical poet, which meant in his case that to a profound and delicate heart was joined an intellect which never ceased to search for the ultimate meanings of life.

If life has a single meaning, he would have given everything to find it. But probably there are several; or so he seemed to say, in a voice that was both utterly serious and utterly humorous.

The humor of Robert Frost was the unmistakable sign of his seriousness; of his stubborn and lovable devotion to truth as it variously states itself. He listened intently to the contradictions of existence, and rendered them in verse that we must keep on reading before we can be sure we have exhausted its testimony. It is perfectly lucid, as life is, but like life, it is ambiguous too.

When asked what any of his poems meant, he preferred to reply that it meant what it said. Yet he knew better than anybody that truth takes pleasure in hiding itself, and in speaking softly.

"Something there is that doesn't love a wall." Does this mean that walls should never be? No, it means what it says; that something doesn't like them. Something else may, and certainly does. Regrettable as they are, a world without them would be unthinkable; worse yet, it would be unrecognizable. The poetry of Frost was in its recognitions.

He was more than a poet of New England, or a poet of country life. Of both these things his understanding was uncanny, but it only began there, as poetry must always begin somewhere rather than everywhere. His wisdom is finally the wisdom of any man who looks as far out over the sea and as deep into it as he can.

This, as he said in one of his poems, may not be very far or very deep, but that does not keep us from looking. Robert Frost never abandoned his watch. If he claimed he saw little, he still can make us wonder how much we have missed. He is said to have been a master of understatement, but this does not mean that he stated nothing.

Truth speaks in his poems with a powerful voice which he seems to insist is not his own; it is somewhere in the background, thrusting itself at us, sometimes with a mischievous strength, between the lines.

In his lyrics, in his narratives, and in his metaphysical dramas of Job and Jonah, Robert Frost produced over something like 70 years a body of poetry which has no equivalent in the literature of the United States or of the world.

For 50 years he has been a familiar figure among his own people: loved, respected, and

even a little feared. Time, the sculptor, will keep on working at this figure, as truth will keep on echoing this voice.

## THE 15TH ANNIVERSARY OF USIA

Mr. ZABLOCKI. 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 Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, Sunday, January 27, 1963, marked the 15th anniversary of the U.S. Information Agency. During this week civic organizations and public-minded citizens are commemorating the anniversary by calling attention to the accomplishments of that Agency. No doubt there is always room for improvement and at this time careful consideration is underway to set guidelines for further progress.

The most recent report to Congress of the U.S. Advisory Commission on Information has pointed out that the recent crisis in Cuba has opened a new phase in the cold war and that USIA must be prepared to play its full part.

Since its inception in 1948 with the passage of Public Law 402, the U.S. foreign information program has attempted to "play its full part" as we went through one phase after another of a fluctuating cold war. USIA has played an important role in disseminating accurate information to the world during the Korean war, Suez, the Hungarian revolution, the de-Stalinization campaign of Khrushchev, Berlin, and many other critical events which have confronted the United States during the past 15 years.

The U.S. Information Agency has demonstrated its ability to communicate U.S. foreign policies and the American message to people of the world rapidly, accurately, and authoritatively. The United States today has a worldwide communications apparatus capable of relaying information instantaneously. The recent dramatic development of Telstar provides us with another channel for transcontinental distribution of television programs.

On this 15th anniversary of the passage of Public Law 402, I am pleased not only to congratulate the Congress for its foresight in this important area of our foreign relations but extend my commendation to the directors and personnel of the Agency who over the years contributed to its progress and improvement. I also congratulate the present Director of USIA, Mr. Edward R. Murrow, on his tireless efforts to improve further the USIA in order that in the words of the Commission, USIA may "be prepared to play its full part." The people of the United States are fortunate in having a man of Mr. Murrow's stature in the radio and television industry to direct its foreign information program. His national and international reputation is a distinct asset to this Nation.

The release of the 18th report to Congress of the U.S. Advisory Commission on Information which coincides with the date of the 15th anniversary of the enactment of Public Law 402, is another example of the constructive work of this patriotic Commission. I have said before and repeat it again that even if no Member of the Congress reads the Commission's reports, the existence of an outside, independent group which serves without compensation and which constantly appraises the work of our foreign information program is a good thing. It is a good thing because its criticisms, recommendations, and advice are read by the officers of the Agency who know that in addition to the Congress there is a Commission, whose members are experienced professionals in the art of communication and persuasion, that is charged with the responsibility of appraisal. I am pleased to acknowledge their efforts today.

## WILLIAM McKINLEY

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. TAFT] is recognized for 15 minutes.

GENERAL LEAVE TO EXTEND

Mr. TAFT. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks in the RECORD on the life and accomplishment of William McKinley.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TAFT. Mr. Speaker, all Ohioans, all Americans should most deeply appreciate this opportunity, which I understand has been afforded for some years, to mark the birth date of William McKinley on the calendar of this House and in the consideration of its Members. I particularly appreciate the honor done me by my Ohio colleagues in permitting me to speak for them of him on this my first address to this great body, a body where Mr. McKinley served Ohio and the Nation so long and with such distinction.

I cannot be unmindful, as I speak, however, of the disservice which sometimes has been done to the times and role of President McKinley by hasty and uninformed men sometimes caught in the passion of their time and the pleadings of their special causes. We honor McKinley today but yesterday and perhaps tomorrow we will hear that his time was so archaic that it should have no meaning today, that his role was so dated that it should remain a museum piece.

Truly to honor him this day we must go beyond the catchwords and the slogans and sense the real significance of the career and role of this great American.

The inauguration of William McKinley as President of the United States, in 1897, marked the beginning of America's role as a world power. It is a date, a time, a dedication to the future that should live in the pride of our people and their purposes.

McKinley, coming from the heartland of the Nation, strode with the Nation to the heartland of history, to the center of the vast unsettled stage of world powers. From his time forward all nations would turn toward this land, listen to its case, heed its causes.

McKinley was faced with crisis in Cuba. He moved, and from chaos brought order and ultimately freedom. The Philippines, the open-door policy in China—these were other landmarks of the new and important role America would play in world affairs.

McKinley was not an agent of status quo nor was his time a reflection of it. Rather it was a time of testing and of proof, of the man and of the people. Together they met the test, not with slogans, but with actions; not with tumult, but with convictions. For McKinley's time also was the beginning of unified government in this Nation, unified in spirit—not alone by labels—unified to bring to all Americans the benefits of our growing strength and prosperity.

The entry of the United States into the ranks of the major powers of the world would not have been possible without dynamic leadership on the part of its Chief Executive. This quality McKinley had in great abundance. Let us examine briefly what accounted for his greatness as a leader.

In the first place, McKinley was immensely popular. He had a captivating personality, characterized by a warmth and sincerity that was quickly detectable. His following was devoted. It swept him into office in the election of 1896, sustained him through the many challenges confronting him, and mourned his death by an assassin's gun, with one of the greatest outpourings of grief that America has ever seen.

Second, and particularly appropriate for this occasion today, William McKinley had a unique relationship with the Congress. His previous political experience uniquely qualified him to deal effectively with the Congress in a way that served the mutual benefit of the White House, the Capitol, and the Nation. He had been a distinguished and hardworking Member of this House for seven terms, serving his district longer than any other from that district, save only the present distinguished incumbent. Entering this honorable body in 1877, he quickly demonstrated his great legislative talents and abilities and, as a result, after only 3 years as a Member, he became chairman of the Committee on Ways and Means, a feat which, even under very different canons and traditions of that day, any freshman Congressman must view with awe and amazement. As chairman of that important committee, McKinley mastered the intricate details of tariff legislation. The McKinley bill, as the tariff legislation enacted in 1890 was known, showed his expert command of his subject and his abilities as a lawmaker, and, for his time and for this Nation, the law was wise and needed.

The future President of the United States was able to view the executive-legislative relation from another side as ex-Governor of Ohio. Thus, he was uniquely equipped also to work with, and not against, the sovereign States after entering the White House.

McKinley's sympathetic understanding of the viewpoints of Members of the Congress account in large part for his ability to win their assent to his programs and policies. He was, as Profes-

sor Wilfred E. Binkley has noted, "the gentle but undoubted leader of Congress." Senator Shelby M. Cullom observed:

We never had a President who had more influence with Congress than McKinley. I have never heard of even the slightest friction between him and the party leaders in Senate and House.

That, surely, is a precedent we today can on occasion view with wonderment.

We can give thanks that William McKinley was endowed with the attributes of leadership for, without them at that crucial time, America's entry onto the world scene as a great power might have been delayed for a number of years and might have been considerably less successful. A generation after his death, an historian summed up the greatness of McKinley's character:

A statesman singularly gifted to unite the discordant forces of government and mold the diverse purposes of men toward progressive and salutary action.

These are things which recitation of dates or titles may miss. Such recitation is the punctuation of history, not reflective of its broad meaning.

Thus, though I speak briefly today, I have tried to speak of long and lasting virtues which, embodied by William McKinley, inspired our future.

His was leadership without coercion, consensus without manipulation. In statehouse, Capitol, and White House, he knew the balances and uses of power; he rejected its abuses.

He knew this House well; he knew the house of our Nation, too. We from Ohio are proud to be Ohioans, as he was proud, and to be Members of this House, as he was. But more, we are proud to be, as all Americans are, bearers of the national greatness which he so enhanced. To be worthy of it is why each of us is here.

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

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

Mr. BOW. Mr. Speaker, I should like to congratulate the gentleman from Ohio for the address he has made on the life and accomplishments of William McKinley. Those of us from the 16th Congressional District of Ohio are naturally very proud of our native son who served so well as prosecuting attorney of Stark County, as a Member of Congress from our district, as Governor of the State of Ohio, and as President of the United States.

I had the pleasure last Saturday night of making the McKinley Day address in his hometown of Canton. In trying to determine what to bring to the people there that might be something a little different, I read the inaugural addresses of William McKinley. I would say to my colleagues it would do everyone's heart good to read those two great inaugural addresses of William McKinley.

We can do no better than to heed his words in the crisis of today and carry on in the traditions that made America great.

Here, in part, are McKinley's words at his first inaugural, March 4, 1897:

In obedience to the will of the people, and in their presence, by the authority vested in me by this oath, I assume the arduous and responsible duties of President of the United States, relying upon the support of my countrymen and invoking the guidance of Almighty God.

Our faith teaches that there is no safer reliance than upon the God of our fathers, who has so singularly favored the American people in every national trial, and who will not forsake us so long as we obey His Commandments and walk humbly in His footsteps.

The responsibilities of the high trust to which I have been called—always of grave importance—are augmented by the prevailing business conditions entailing idleness upon willing labor and loss to useful enterprises. The country is suffering from industrial disturbances from which speedy relief must be had. Our financial system needs some revision; our money is all good now, but its value must not further be threatened. It should all be put upon an enduring basis, not subject to easy attack, nor its stability to doubt or dispute.

Most of our financial laws are the outgrowth of experience and trial, and should not be amended without investigation and demonstration of the wisdom of the proposed changes. We must be both sure we are right and make haste slowly.

Economy is demanded in every branch of the Government at all times, but especially in periods, like the present, of depression in business and distress among the people.

The severest economy must be observed in all public expenditures, and extravagance stopped whenever it is found, and prevented wherever in the future it may be developed. If the revenues are to remain as now, the only relief that can come must be from decreased expenditures. But the present must not become the permanent condition of the Government.

It has been our uniform practice to retire, not increase our outstanding obligations, and this policy must again be resumed and vigorously enforced. Our revenues should always be large enough to meet with ease and promptness not only our current needs and the principal and interest of the public debt, but to make proper and liberal provision for the welfare of the American people.

The Government should not be permitted to run behind or increase its debt in times like the present. Suitably to provide against this is the mandate of duty—the certain and easy remedy for most of our financial difficulties. A deficiency is inevitable so long as the expenditures of the Government exceed its receipts. It can only be met by loans or an increased revenue.

While a large annual surplus of revenue may invite waste and extravagance, inadequate revenue creates distrust and undermines public and private credit. Neither should be encouraged. Between more loans and more revenue there ought to be but one opinion. We should have more revenue, and that without delay, hindrance, or postponement. A surplus in the Treasury created by loans is not a permanent or safe reliance.

It will suffice while it lasts, but it cannot last long while the outlays of the Government are greater than its receipts, as has been the case during the past 2 years. Nor must it be forgotten that however much such loans may temporarily relieve the situation, the Government is still indebted for the amount of the surplus thus accrued, which it must ultimately pay, while its ability to pay is not strengthened, but weakened by a continued deficit.

Loans are imperative in great emergencies to preserve the Government or its credit, but a failure to supply needed revenue in time of peace for the maintenance of either has no justification.

The best way for the Government to maintain its credit is to pay as it goes—not by resorting to loans, but by keeping out of debt—through an adequate income secured by a system of taxation, external or internal, or both.

The depression of the past 4 years has fallen with especial severity upon the great body of toilers of the country, and upon none more than the holders of small farms. Agriculture has languished and labor suffered. The revival of manufacturing will be a relief to both. No portion of our population is more devoted to the institution of free government nor more loyal in their support, while none bears more cheerfully or fully its proper share in the maintenance of the Government or is better entitled to its wise and liberal care and protection.

Legislation helpful to producers is beneficial to all. The depressed condition of industry on the farm and in the mine and factory has lessened the ability of the people to meet the demands upon them, and they rightfully expect that not only a system of revenue shall be established that will secure the largest income with the least burden, but that every means will be taken to decrease, rather than increase, our public expenditures.

Business conditions are not the most promising. It will take time to restore the prosperity of former years. If we cannot promptly attain it, we can resolutely turn our faces in that direction and aid its return by friendly legislation.

However troublesome the situation may appear, Congress will not, I am sure, be found lacking in disposition or ability to relieve it as far as legislation can do so. The restoration of confidence and the revival of business, which men of all parties so much desire, depend more largely upon the prompt, energetic, and intelligent action of Congress than upon any other single agency affecting the situation.

It is inspiring, too, to remember that no great emergency in the 108 years of our eventful national life has ever arisen that has not been met with wisdom and courage by the American people, with fidelity to their best interests and highest destiny, and to the honor of the American name. These years of glorious history have exalted mankind and advanced the cause of freedom throughout the world, and immeasurably strengthened the precious free institutions which we enjoy. The people love and will sustain these institutions.

The great essential to our happiness and prosperity is that we adhere to the principles upon which the Government was established and insist upon their faithful observance. Equality of rights must prevail, and our laws be always and everywhere respected and obeyed. We may have failed in the discharge of our full duty as citizens of the great Republic, but it is consoling and encouraging to realize that free speech, a free press, free thought, free schools, the free and unmolested right of religious liberty and worship, and free and fair elections are dearer and more universally enjoyed today than ever before.

These guarantees must be sacredly preserved and wisely strengthened. The constituted authorities must be cheerfully and vigorously upheld. The preservation of public order, the right of discussion, the integrity of courts, and the orderly administration of justice must continue forever the rock of safety upon which our Government securely rests.

It has been the policy of the United States since the foundation of the Government to cultivate relations of peace and amity with all the nations of the world, and this accords with my conception of our duty now.

We have cherished the policy of noninterference with affairs of foreign governments wisely inaugurated by Washington, keeping ourselves free from entanglement, either as allies or foes, content to leave undisturbed with them the settlement of their own domestic concerns. It will be our aim to pursue a firm and dignified foreign policy, which

shall be just, impartial, ever watchful of our national honor, and always insisting upon the enforcement of the lawful rights of American citizens everywhere. Our diplomacy should seek nothing more and accept nothing less than is due us.

This was the situation in America as McKinley saw it on the threshold of his first term as President.

No clever phrases, no slick expressions in his speech. Rather, a careful analysis of the Nation's problem, and a plan to put the country back on the path of progress and prosperity.

And these were not idle campaign promises or windy theories McKinley delivered. Four years later, in his second inaugural, he spoke to the country under circumstances greatly improved. Let me quote briefly from this speech:

My fellow citizens, when we assembled here on the 4th of March 1897, there was great anxiety with regard to our currency and credit. None exists now. Then our Treasury receipts were inadequate to meet the current obligations of the Government. Now they are sufficient for all public needs, and we have a surplus instead of a deficit. Then I felt constrained to convene the Congress in extraordinary session to devise revenues to pay the ordinary expenses of the Government. Now I have the satisfaction to announce that the Congress just closed has reduced taxation in the sum of $41 million.

Then there was deep solicitude because of the long depression in our manufacturing, mining, agricultural, and mercantile industries and the consequent distress of our laboring population. Now every avenue of production is crowded with activity, labor is well employed, and American products find good markets at home and abroad.

Our diversified productions, however, are increasing in such unprecedented volume as to admonish us of the necessity of still further enlarging our foreign markets by broader commercial relations.

For this purpose reciprocal trade arrangements with other nations should in liberal spirit be carefully cultivated and promoted.

Intrusted by the people for a second time with the Office of President, I enter upon its administration appreciating the great responsibilities which attach to this renewed honor and commission, promising unreserved devotion on my part to their faithful discharge and reverently invoking for my guidance the direction and favor of Almighty God.

I should shrink from the duties this day assumed if I did not feel that in their performance I should have the cooperation of the wise and patriotic men of all parties. It encourages me for the great task which I now undertake to believe that those who voluntarily committed to me the trust imposed upon the Chief Executive of the Republic will give to me generous support in my duties to preserve, protect, and defend the Constitution of the United States and to care that the laws be faithfully executed.

The national purpose is indicated through a national election. It is the constitutional method of ascertaining the public will. When once it is registered it is a law to us all, and faithful observance should follow its decrees.

Strong hearts and helpful hands are needed and, fortunately, we have them in every part of our beloved country.

Existing problems demand the thought and quicken the conscience of the country, and the responsibility for their presence, as well as for their righteous settlement, rests upon us all—no more upon me than upon you. There are some national questions in the solution of which patriotism should exclude partisanship. Magnifying their difficulties will not take them off our hands nor facilitate their adjustment, distrust of the capacity, integrity, and high purposes of the American people will not be an inspiring theme for future political contests. Dark pictures and gloomy forebodings are worse than useless. These only becloud, they do not help to point the way of safety and honor. "Hope maketh not ashamed."

The prophets of evil were not the builders of the Republic, nor in its crises since have they saved or served it. The faith of our fathers was a mighty force in its creation, and the faith of their descendants has wrought its progress and furnished its defenders. They are obstructionists who despair, and who would destroy confidence in the ability of our people to solve wisely and for civilization the mighty problems resting upon them.

The American people, intrenched in freedom at home, take their love for it with them wherever they go, and they reject as mistaken and unworthy the doctrine that we lose our own liberties by securing the enduring foundations of liberty to others.

As heretofore, so hereafter will the Nation demonstrate its fitness to administer any new estate which events devolve upon it, and in the fear of God will "take occasion by the hand and make the bounds of freedom wider yet." If there are those among us who would make our way more difficult, we must not be disheartened, but the more earnestly dedicate ourselves to the task upon which we have rightly entered.

The path of progress is seldom smooth. New things are often found hard to do. Our fathers found them so. We find them so. They are inconvenient. They cost us something. But are we not made better for the effort and sacrifice, and are not those we serve lifted up and blessed?

We face at this moment a most important question—that of the future relations of the United States and Cuba.

The peace which we are pledged to leave to the Cuban people must carry with it the guarantees of permanence. We became sponsors for the pacification of the island, and we remain accountable to the Cubans, no less than to our own country and people, for the reconstruction of Cuba as a free commonwealth on abiding foundations of right, justice, liberty, and assured order.

Our enfranchisement of the people will not be completed until free Cuba shall be a reality, not a name; a perfect entity, not a hasty experiment bearing within itself the elements of failure.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

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

Mr. BROWN of Ohio. Mr. Speaker, I have asked the gentleman from Ohio [Mr. TAFT] to yield in order that I may, as the chairman of the Ohio Republican delegation in the House, express to him, the grandson of a great President from the State of Ohio, the sincere appreciation of our entire delegation for the remarkable and beautiful tribute that he paid another great Ohio President, a man we all honor and revere, and whose memory will live as long as the State of Ohio lives, William McKinley. You are to be congratulated, sir.

Mr. TAFT. I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

## U.S. INTELLIGENCE REVISIONS NEEDED

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 5 minutes.

Mr. ROGERS of Florida. Mr. Speaker, the cold war has been underway for some time, and we are now in a position to objectively view several of its aspects. One outstanding fact is obvious to the Nation—the cold war must be waged with weapons of accurate, efficient intelligence methods.

Events of the past point up this fact. The use of the U-2 aerial reconnaissance program gave this Nation a great advantage in determining how to utilize its long-range bombers and missiles. The ill-fated Cuban invasion of 1961 raised some questions of the organization of our intelligence system. Certainly the events of the last half of 1962, when the Soviets launched their wholesale arms buildup in Cuba, has demonstrated that such inequities as time lags in disseminating vital information can seriously impair the security of this Nation.

It has become clear that a review of U.S. intelligence operations is in order for the security of the American people. Such a review should be conducted by the Congress, where constitutional authority for regulating and maintaining the Armed Forces is spelled out in explicit terms. These forces are vital to our Nation's defenses, and in this age of nuclear terror and a precarious balance of power, prompt and accurate intelligence information is just as vital.

For these reasons, I am today introducing legislation to establish a Joint Committee on Foreign Information and Intelligence. This committee, established in the Congress as a permanent and standing committee, would have jurisdiction over the intelligence activities of the Central Intelligence Agency, the State Department, and the Departments of the Army, Navy, and Air Force. Its records and proceedings would be highly classified in the interests of national security in order that complete freedom of review could be maintained, and its committee staff would be cleared for such sensitive exposure.

Such a committee was recommended by the Hoover Commission in its report on the study of reorganization of the Government.

Mr. Speaker, when this Nation was formulating the atomic bomb during the closing days of World War II, it was felt that congressional knowledge of this highly classified project was advisable. For this reason, a top secret briefing on the atomic project was held on February 18, 1944, and seven congressional leaders of both Houses were advised of U.S. efforts in the nuclear field. Two of those distinguished Members are still serving this Nation as Members of this House.

One year later, on February of 1945, those associated with the atomic project briefed five more congressional leaders on the development of this weapon. I know of no better kept secret.

Mr. Speaker, the Congress is justified and well qualified to review this Nation's

intelligence efforts. I urge enactment of my proposal to allow this review. The security of America demands it.

## COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 209) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That FRANK J. HORTON, of New York, be, and he is hereby elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## THE PASSING OF ROBERT FROST

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. STAFFORD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. STAFFORD. Mr. Speaker, the people of Vermont particularly regret the passing of Robert Frost. We feel him to be one of our own. He has spent much time in the Green Mountains of our State. He has been a most distinguished American. We shall miss him. We shall revere his memory.

## TAX REFORM

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SNYDER. Mr. Speaker, under a new and clever smokescreen of apparently soaking the rich, the administration now desires to impose greater tax hardships on its middle and lower income taxpayers than at any time in history. It is time for genuine tax reform all right, but one that will restore some balance and fiscal sanity to a situation that is on the verge of getting out of hand.

Based on the Treasury's running balance sheet as of December, every taxpayer would have to shell out $5,066 to meet his share of the public debt—$188 more than last year—the Washington World of January 11, 1963.

If every taxpayer had to pay an equal share of taxes to cover New Frontier expenditures for the fiscal year to date, it would amount to $943 each—or $77 more than last year.

And this mythical average taxpayer is not as mythical as he might seem. American industrial workers as a rule now fall in the $4,000 to $6,000 bracket, with many being above that.

Those who pretend that taxes are aimed only or mostly at the other fellow had better take a hard look at the facts, namely, 91.6 percent of all taxable income falls below the $6,000 income level.

Unless the line is drawn and a halt is called, it is obvious where the present tax system will lead us. It is already pinching the low and middle income groups, but a tax reduction that increases the debt will not aid the situation. It will compound the felony.

The advocacy of greater and greater deficits aggravates the crime being perpetrated on the people. To advocate a tax reduction with an increased deficit is like giving a worker a weekly pay increase of a few dollars while at the same time increasing his debt at the department store by many times the amount of the weekly increase in pay.

Despite the high graduation that is already applied at upper income levels, taxpayers in the brackets below $10,000 pay about 60 percent of the personal income tax revenues presently being collected. This is pointed out on page 15 of an AFL-CIO handbook on Federal taxes, dated September 1960. Supporting figures were drawn from Treasury Department documents.

Our tax system soaks the rich, all right, but it soaks the little man, too. The wage earner on the assembly line in factories can add and subtract. It is becoming increasingly evident to him that the New Frontier group can only multiply.

The average wage earner has to work 2 hours and 19 minutes out of his normal 8-hour workday to pay the taxes imposed by his Federal, State, and local governments, according to a recent report by the Tax Foundation, Inc. By far the biggest hunk goes to Washington.

Until very recently, politicians have been able to sell the idea that their tax packages were always meant for the other fellow. The withholding device has helped to conceal the impact of tax deductions somewhat, but the growing portion of the wage earner's pay that is being siphoned off each year to be spent by bureaucrats—some even to be passed on to the enemies of America—has now become evident to practically everybody.

The myth that the other fellow is going to foot the bill no longer makes much sense to people who know they are already paying a substantial part of their income. If 100 percent of the upper bracket earnings of the Nation were confiscated they would produce enough to run the Federal Government only a few weeks at the most. The rest comes from middle and lower income groups—the only place left. People now realize this.

They also know that expenditures grow automatically if more money is provided. There is no disposition on the part of bureaucrats to pay off past obligations. They tend to feel they are falling down on the job in spending your money if they fail to spend more than they take in.

The admistration talks about various kinds of deficits such as "deficits of weakness" and "deficits of strength" and "transitional deficits." I take the latter to be that momentary transitional period between insolvency and bankruptcy.

Whenever additional revenue is made available by any growth of the American economy, the New Frontiersmen have plans for spending it by the time the ink dries on the new estimates. Obviously it is time for a tax cut, but also it is time for a spending cut.

The impact of such free-wheeling irresponsibility by the Government on the wage earner is tremendous. All fair-minded Americans recognize that the rates are even more oppressive in the brackets where all-important capital formation must occur. This does not have any emotional impact on the wage earner, but he knows that somebody must build the plant he works in or finance the business that provides his job.

The American economy—historically the most competitive and most dynamic in the world—has now been stifled into a slow rate of growth. Not so slow as to create hysteria, but slow enough for businessmen and wage earners alike to be concerned. It is so evident that even the New Frontiersmen are beginning to see what has been obvious to many people all along.

Here we are in an era of change, with the dynamic conservatives of the Nation advocating changed policies to meet the challenge. The group which claims the halo of progressiveness for itself would have us continue wallowing in debt and interest which is not comprehensible by me or most taxpayers.

The wage earners of America have a direct stake in the Nation's business and industrial fertility. Its success and its growth determine whether jobs will exist for people or whether the welfare rolls will be jammed to an even greater extent than they already are.

With America the high cost producer of many of the world's goods, and with other industrial nations making inroads into many of our traditional markets, we have a real challenge confronting us.

It will take more than glib phrases, more than swimming parties, more than leaked statements to the friendly segment of the press to meet this challenge successfully. In short, it will take more than high-sounding conversation to bring it about. If phrasemaking followed by retreat would do it, we would be in good shape right now.

Discerning Democrats and Republicans alike have come to know this and proclaim it. One of the real encouraging signs of our time is the willingness of people to study the issues and vote on the principles rather than put attachment to some party, some bloc, some pressure group ahead of what is right for America to the best of their knowledge and belief. More of this sentiment is needed—but I think we are trending in the right direction.

In the face of such growing awareness, even the New Frontier has been forced to face up to the fact that its grand claims of 1960 about "getting the country moving" have been followed by movement, in the wrong direction.

The question has been asked: "Does the American public want to sail or to anchor down?" About the only thing

established by this question is the clear fact that America is clearly at sea.

Two of the biggest factors in this drifting are the Nation's tax policy and its spending policy. The President has finally recognized this to some extent insofar as taxes are concerned, but instead of coming out for real, genuine, far-reaching, comprehensive reforms of the type that can meet a mid-20th century challenge, we have seen proposed a huge deficit for a system already cringing beneath a load far too heavy for it to bear.

This failure to come to grips with the basic tax structure and needed rate reforms together with reduced spending has not gone unnoticed by members of both parties in Congress. Several bills with bipartisan sponsorship have been introduced which clearly head in this direction.

The approach which seems to make the most sense and draw the most interest is a program of gradual tax reduction over a 5-year period that will provide needed relief in all brackets, letting national growth offset each year's reduction coupled with a spending reduction and thereby preserving a balanced budget.

The plans that I endorse will guarantee a reduction of at least 25 percent to every personal taxpayer. This would be evident in the lower brackets by gradually stepping down the lowest bracket from 20 to 15 percent. The rates at all levels would be substantially lower. But 89.4 percent of the total dollar savings would go to middle and lower income people and only 10.5 percent to those with incomes of $14,000 and over. Here is how it would break down:

Saving to taxpayers in the 0 to $2,000 level: $6,754 million, which represents 49.6 percent of the total.

Saving to taxpayers in the $2,000 to $14,000 level: $5,412 million, which represents 39.8 percent of the total.

Saving to taxpayers in the $14,000 level and above: $1,443 million, which represents 10.6 percent of the total.

In addition to giving a break to lower income people, this plan will compress the steeply graduated rates of the tax—confiscatory rates that choke off investment capital at its source, rates which suppress initiative and limit the creation of new jobs. It takes an average of $18,000 of investment now to create one industrial job.

Much concern is evidenced these days when America's growth rates are compared with other industrial nations of the world. It has been reported by our own governmental agencies that 30 percent of Russia's gross national product goes into capital formation—another name for job creation. In 1959, comparable rates in Western Europe were: Germany 23 percent, Austria 23 percent, Italy 21 percent, France 18 percent, and Belgium 17 percent. Our own rate was only 15 percent.

I can state frankly that I do not believe that any government is entitled to take half of the earnings of any man. To accept such an idea is in direct conflict with the universal principle of just compensation for extra effort and achievement. The top rates under proposals already before the Congress would stop at 42 percent.

For America to continue as a growing nation its right to grow and the right of its citizens and its business establishments to grow must be preserved. This cannot be done with the present tax system which mitigates against it.

I also favor lower rates for business income taxes, and I agree with those who move the top rate downward 2 percent each year, from the present 52-percent rate to 42 percent.

Based on the Nation's productivity and income, achieving each phase of this tax reduction program in gradual steps over a 5-year period would involve about $3.7 billion per year. Of this amount, $2.7 billion would result from reduction in the individual taxes and $1 billion from reductions in the corporate tax.

The logical question then arises as to where the new money would come from, assuming continuation of the present level of expenditures.

The growth created by release of additional funds for people to save and spend for business establishments to invest in expansion would generate enough new revenue to offset it.

It has been calculated that for each 1 percent annual increase in gross national product Federal revenues are increased by $1 billion. Thus an average national growth rate of 4 percent would reimburse the Treasury for the revenue effects of the rate changes. With a present growth rate of almost 3 percent, it seems logical to me—and to tax students who have studied the question much longer than I—that sweeping revision of this type would produce more than a modest 1 per cent impetus to the Nation's economy.

It would be of specific financial help to the wage earner. It would be of significant help to his employer. It would be an encouragement to the investor. It would help everyone; it is punitive against no one.

I contend that it will help usher in a much-needed era of confidence. And I believe it will be a much sounder, more orderly approach to the Nation's tax problem than the proposals advanced by the administration, which specifically set forth the administration's desire to put our Nation further in debt.

Such proposals have been made, in various forms, at each session of the Congress—now it is time for enactment.

I welcome the opportunity to work in a constructive direction on this grave problem of concern to every American, and I join with those who are taking constructive action in a constructive direction not merely to respond to the frantic call for increased spending leading us toward an outmoded socialistic system that takes us further in debt.

It is not only time to ask what we can do for our Nation but also time to ask what America, by right decisions, can do for itself. I urge all citizens of good will and intelligence in both parties to back a sensible tax reduction, and to see that it is tied to a balanced budget.

## INVESTIGATION OF THE DEPARTMENT OF STATE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ALGER. Mr. Speaker, I am today introducing a House resolution calling for an investigation by the Committee on Foreign Affairs of the personnel, and policymaking practices, procedures and methods of the Department of State. Mr. Speaker, I believe such a thorough and complete investigation is necessary and is in the best interest of this Nation. For many years there has been severe criticism, within and without the Congress, of many of the policies of the Department of State and I believe we should once and for all determine just who makes policy decisions in the State Department, just what motivates these policymakers and why so many of these decisions have apparently been wrong or, at the very least, have not resulted in gaining advantage for the United States.

We could recite a long and worried history of State Department decisions beginning with our failure in China, which resulted in turning the Chinese mainland over to the Communists, to the latest confused and vacillating policy in the Western Hemisphere which has allowed the Communists to secure a beachhead only 90 miles from the United States, which brought us dangerously close to full-scale war and then saw us back away to give the Soviet Union the propaganda opportunity to claim a Red victory. Congress must know, and the American people are entitled to know just who is responsible for these actions over a period of many years.

I hope the House, in its wisdom, will approve my resolution and that such an investigation will result in a clear and firm foreign policy so necessary to victory in the cold war against the Communist conspiracy and the preservation of the freedom of our Nation and all mankind.

## PRESIDENT'S MESSAGE ON EDUCATION

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GOODELL. Mr. Speaker, I am saddened and angered by the President's message on education received by the Congress today. It is a fantastic message, incredible in its proportions. Very disappointing. It deals a heavy blow to bipartisan support of priority measures that this country needs. It offers loans for construction of higher education

facilities, without grants. This is an old, tired construction proposal that will not begin to meet the needs.

One of the few bright spots in the message is the President's recognition for the first time of a program for training technicians as recommended last year by a bipartisan congressional study group. Unfortunately, he buries this program amidst a mass of indefensible requests.

This message raises the questions once again: "Is the President incapable of bipartisanship in this field? Is the President incapable of setting any priorities in education?"

As a small example of the waste and lavishness in this program, the President requests that we shovel twice as much money immediately into the manpower retraining program, when administrators have not yet demonstrated their capability of handling present funds.

I cannot imagine a message more calculated to throw a damper on the possibility of meeting this year the priority needs of our country in education.

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. QUIE. Mr. Speaker, the President's message on education delivered to the Congress this morning shows little profile in courage and almost no leadership in an area which he admits is of vital importance to our Nation.

The message included a number of worthy proposals. However, Mr. Kennedy refuses to set priorities for education. Instead, he is transmitting to Congress a single, comprehensive bill which will tie up Congress with lengthy hearing and debates.

Congress should act on those areas which basic agreement can be made. The higher education bill for the construction of libraries, laboratories, and classrooms needed for increases in enrollment should be enacted as soon as possible, but the Congress will instead have to consider the administration's omnibus bill. Action on the entire package could well be delayed until next year.

The result would be that another valuable year would be lost in our efforts to help higher education because of the refusal of the President to supply adequate leadership.

As the President said:

> Aid to college students will be of no avail if there are insufficient college classrooms. The long-predicted crisis in higher education facilities is now at hand.

The President pointed out that college enrollments are expected to increase from a present 4.2 to 7 million in 1970. Yet the program of loans only for private and public institutions of higher education for general construction will not meet the need. Statutory and constitutional prohibitions in 45 out of the 50 States prevent public institutions from using Federal loans.

I am happy to see that Mr. Kennedy gives particular emphasis to community junior colleges and agrees with my proposal of grants to aid public and private nonprofit institutions in the training of engineering, scientific, and medical technicians in 2-year college level.

His proposals to expand the National Science Foundation for funds for grants for science facilities is noteworthy. However, the time has come when inadvertent Federal control over higher education is executed by constantly emphasizing one area of discipline by the use of categorical grants.

## LOWER NIGHTTIME LONG-DISTANCE TELEPHONE RATES

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HARRIS. Mr. Speaker, the Federal Communications Commission announced today that the Bell Telephone Cos. will submit tariffs, designed to become effective about April 1, 1963, providing for the lowest nighttime long distance station-to-station telephone rates in the history of the United States. After the new rate schedule becomes effective it will be possible between the hours of 9 p.m. and 4:30 a.m. to make calls between any two points within the continental United States for $1 or less. For example, during these hours a call from Washington, D.C., to any west coast city will cost $1.

It is gratifying that the Bell Telephone Cos. propose to pass on to the American consumers the benefits derived from lower costs resulting from advancements in telephone technology. The proposed lower rates may bring about increased utilization of long-distance lines during nighttime hours. This, in turn, may result later on in lower rates at other hours of the day as well.

The announcement made today by the Federal Communications Commission is as follows:

> FCC ANNOUNCES PLAN FOR REDUCED NIGHTTIME INTERSTATE TELEPHONE RATES OF $1 OR LESS TO ANY POINT WITHIN CONTINENTAL UNITED STATES
>
> The FCC announced today that the Bell Telephone Cos. will submit tariffs designed to become effective about April 1, 1963, proposing a major change in interstate station-to-station telephone rates. Under the new rate schedule, a 3-minute station-to-station interstate call within the time period from 9 p.m. to 4:30 a.m. can be made between any two points within the continental United States for $1 or less. For example, an after 9 p.m. call from Washington to the west coast will cost $1. The lowest rate now for such a call is $1.75 after 6 p.m. The "after 9" reduced rates are designed to encourage telephone users to take advantage of the technological improvements in telephone plant introduced by the Bell System in recent years, much of which is engineered for peak daytime usage.
>
> At the same time the "after 9" reductions become effective, changes designed to adjust rate structures involving small increases of 5 or 10 cents in person-to-person calls up to 800 miles will be placed into effect. Person-to-person calls at these shorter distances have not borne their proportionate share of the cost of furnishing such services, and these minor increases will help to correct this inequity as well as the disparity where it exists between interstate and intrastate rates. Based upon 1962 traffic volumes, it is estimated that the proposed new rates would have resulted in a reduction of approximately $55 million in revenues from the introduction of the new after-9 p.m. station-to-station rates, and an increase of $25 million in revenue from the small increases in person-to-person rates, giving a net annual savings to the public of about $30 million.
>
> The changes in rate structures are being submitted in connection with the current analysis of the Bell System's construction plans and financial requirements under the Commission's continuing surveillance of the company's operation. During this recent review, the Commission received the views of a number of outstanding authorities in economics and finance as well as consultants in the regulatory field in addition to the views of company officials. In connection with this review, the Commission requested that a study be made looking toward the possible adoption of an after-9 plan.
>
> The Bell System is undertaking an expanded construction program of $3.2 billion for 1963. It also plans extensive research activities designed to further improve its service to the public. These activities will contribute importantly to our Nation's economic growth. It is recognized that in order to do this, the company's earnings must be maintained at adequate levels. The Commission is of the view that the overall effect of the changes announced today will result in substantial savings to the public in telephone rates while permitting the company to maintain a level of earnings on investment within the range realized by it since the last rate reduction in 1959.
>
> The public has shared promptly in the benefits flowing from advancements in telephone technology under the Commission's continuing surveillance method of rate-making. In 1940, a station-to-station call from the east coast to the west coast after 9 p.m. cost $4.25, as compared to the new rate of $1. Overall, interstate telephone rates today are 19 percent below the levels of 1940.
>
> Action by the Commission over the past 4 years has resulted in substantial savings to the public in telephone rates while at the same time permitting the company to maintain adequate earnings. In 1959, interstate telephone rates were reduced by $50 million. Again in 1962, through the adoption of new separations procedures, an equivalent reduction of interstate revenues of $46 million was effected enabling 41 States to reduce intrastate rates by $40 million, and during 1961 and 1962, the prices of Western Electric products sold to Bell System companies were reduced by $70 million on an annual basis.

## LOWER TETON PROJECT

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. HARDING] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HARDING. Mr. Speaker, in late February of last year word reached the Idaho congressional delegation in Washington that floodwaters were sweeping across the southeastern part of the State.

These raging currents brought with them disaster for our homeowners, small businessmen, and farmers. The flood damage was so extensive President Kennedy promptly responded to our requests that it be declared a disaster area so that Federal assistance could be forthcoming. Southeastern Idaho is still not fully recovered from the effects of this calamity.

Floods are not new to this part of our State. This area has continually been forced to deal with problems resulting from inadequate water control facilities. In the winter and spring it is flood. In the summer and fall it is drought.

An important step in harnessing Idaho rivers for the benefit of mankind can be accomplished by the construction of a dam and reservoir on the Teton River. For this reason last session as well as during this session of the Congress I have introduced legislation to provide for the construction of this much needed multiple-purpose project.

Indicative of the wide support for this project in Idaho is the fact that both houses of the State legislature passed a memorial endorsing this project by a unanimous vote.

Mr. Speaker, the memorial adopted by the Idaho State Legislature follows:

SENATE JOINT MEMORIAL 3

*To the Honorable Senate and House of Representatives of the United States, in Congress Assembled:*

We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that—

Whereas what is known as the lower Teton project, situated in the county of Fremont, State of Idaho, and included in the recent comprehensive study of the Snake River by the U.S. Bureau of Reclamation and the Corps of Army Engineers is highly essential to the uninterrupted growth and stability of Idaho agriculture; the economic benefits thereby accumulating to this great State particularly and the United States generally being many times greater than the cost of this project; and

Whereas the waters of the Teton River constitute a significant portion of the irrigation supplies available to eastern Idaho and, indeed, all of the Snake River area and are therefore an important part of the water resource which is the foundation of our economic and industrial strength; and

Whereas if the irrigated farms of Idaho are to be maintained as secure units and survive in this technological age of specialized agriculture and its associated high operating costs, it is imperative that our present storage reservoirs be supplemented with new facilities to store the high water near its source, thereby further eliminating the danger of drought and its attendant hardships in all of the irrigated areas of the Snake River; and

Whereas each succeeding board of county commissioners has, since the creation of Madison and Fremont Counties, been confronted with the serious annual problem of the wild, ravaging Teton River, all of which conditions would be eliminated through the construction of said project; and

Whereas, even in years of mild snowfall in the watershed, the Teton River can be depended upon to provide at least several weeks of round-the-clock effort to protect private and public property from the floodwater of the Teton. Madison County maintains 11 bridges across the Teton, 2 with steel spans, 3 reinforced concrete, and 6 lumber bridges. Many times, serious damage to these structures has resulted from the uncontrollable destructive force of the flooding Teton. The bridges blocked by ice jams and the normal debris of high water become dams—forcing the floodwaters out onto surrounding farming lands destroying its productive capacity for 1, 2 or 3 years. The Idaho State Highway Department maintains four bridges across the Teton within the boundaries of Fremont and Madison Counties and the Union Pacific Railroad system has three. Each of these bridges has, in the past, been the source of serious trouble and great maintenance expense because of the uncontrolled flooding Teton; and

Whereas, each year, almost without exception, many square miles south and west of Teton City lie under water as a result of the Teton flooding, and frequently private homes and storage facilities are jeopardized. Because of the slow and meandering course of the Teton it is impossible to predict where it will strike next; and

Whereas, eastern Idaho counties maintain hundreds of miles of oil road—not including State or Federal highways—the foundations become spongelike under the saturation of floodwaters so that even light loads break the mat into thousands of pieces making complete resurfacing necessary; and

Whereas the benefits of flood control, irrigation, and associated economic expansion has justified consideration by the Bureau of Reclamation and Corps of Army Engineers and our recommendation for construction of the Lower Teton Reservoir without delay: Now, therefore, be it

*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and the House of Representatives concurring)*, That the Congress and President of the United States be respectfully petitioned to give early consideration to the construction of the Lower Teton Reservoir with the least possible delay; and be it further

*Resolved*, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, the Department of the Interior, the U.S. Bureau of Reclamation, the Corps of Army Engineers, and to the Senators and Representatives representing this State in the United States.

## EDUCATION—LOCAL RESPONSIBILITY

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. WATSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WATSON. Mr. Speaker, although the general theme and objectives of the President's message on education are laudable, the suggested procedures and recommendations for further projection of the Federal Government into the field of education are against the intended desire and purpose of all—better educational opportunities for every citizen.

Education is, indeed, a local matter and a local responsibility. We, in South Carolina, are proud of what we have done in meeting that responsibility over the past years. We are proud of what we have been able to do toward giving increasingly improved educational opportunities to all our citizens, regardless of their individual economic circumstances. Admittedly, much remains to be done; but it is not the Federal prerogative to step into the picture for that reason. Federal intervention can lead only to a corresponding decrease in local interest and support.

Though one of the poorer States financially, South Carolina is striving desperately to give our citizens the highest educational advantages possible. Witness our being No. 1 State in the pioneering of educational television. They do hope that Federal expenditures will be reduced so that more money may be kept at home. We feel, and we think wisely so, that we can get more dollar value from local funds that remain at home than from funds collected at home and returned to us by way of Washington. When funds reach us by this route, we find them not only diminished in value but usually diminished in usefulness because of stipulations and conditions. And these restrictions are often designed more for political purposes than for the promotion of the best interests of our people.

We, in South Carolina, as in other States, recognize that education is one of the basic cornerstones upon which is built the intellectual and economic strength of a nation. Much remains to be done in improved salaries and facilities, but our people are facing up to their educational challenge and responsibility. We are not pleading to the powers that be in Washington for financial assistance. Most of us feel that the current philosophy of running to Washington for everything must be halted. I submit, Mr. Speaker, this is a good place to begin.

## COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

The SPEAKER. Pursuant to House Resolution 207 the Chair appoints as members of the Committee on the Disposition of Executive Papers the gentleman from New Jersey [Mr. THOMPSON] and the gentleman from Iowa [Mr. KYL].

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ST. ONGE (at the request of Mr. VANIK), for 45 minutes, Thursday, January 31, 1963.

Mr. ROGERS of Florida, for 5 minutes, today.

## EXTENSION OF REMARKS

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

Mr. ROOSEVELT in two instances and to include extraneous matter.

Mr. TOLL and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mr. BOLAND and to include extraneous matter.

Mr. DENT.

Mr. GILBERT.

Mr. HORTON.

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

Mr. ALGER.

Mr. SHORT.

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

Mr. MORGAN.

Mr. MULTER.

Mr. CELLER.

Mr. LONG of Louisiana in two instances.

## ADJOURNMENT

Mr. LONG of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Thursday, January 31, 1963, 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:

299. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use"; to the Committee on Interior and Insular Affairs.

300. A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting a report relating to positions in the Federal Bureau of Investigation in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to section 503(a) of title V of Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

301. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1962, pursuant to the authority provided in subsection (2) of section 203(b) of the National Aeronautics and Space Act of 1958 (72 Stat. 426, 429), pursuant to section 206(b) of the act of October 4, 1961 (75 Stat. 785, 791); to the Committee on Post Office and Civil Service.

302. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act"; to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 199. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears; without amendment (Rept. No. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 212. A bill to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; without amendment (Rept. No. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 214. A bill to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia; without amendment (Rept. No. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H.R. 2439. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes; without amendment (Rept. No. 4). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BERRY:

H.R. 2977. A bill to authorize the sale of certain lands of the Cheyenne River Sioux Tribe; to the Committee on Interior and Insular Affairs.

By Mr. CASEY:

H.R. 2978. A bill to amend title 28 of the United States Code to establish certain qualifications for persons to be appointed to the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 2979. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 2980. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. DOWDY (by request):

H.R. 2981. A bill to amend the Career Compensation Act of 1949 to provide the maximum retired pay for certain retired enlisted men for the period from June 1, 1942, through June 30, 1946; to the Committee on Armed Services.

By Mr. EVERETT:

H.R. 2982. A bill to impose an additional duty on strawberries and strawberry products; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 2983. A bill to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian; to the Committee on Armed Services.

By Mr. GARY:

H.R. 2984. A bill to authorize the enlargement of the Arlington National Cemetery and to provide that certain land heretofore reserved for other purposes shall be made a part of the Arlington National Cemetery and shall be administered by the Secretary of the Army as a part of the Arlington National Cemetery, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2985. A bill to amend section 1391 of title 28 of the United States Code, relating to venue generally; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 2986. A bill to amend title 10, United States Code, to provide for the identification of a military airlift command as a specified command, to provide for its military mission, and to eliminate unnecessary duplication in airlift; to the Committee on Armed Services.

By Mr. HARDY:

H.R. 2987. A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 2988. A bill to amend title 10, United States Code, to provide for participation by members of the Armed Forces in international sports activities; to the Committee on Armed Services.

H.R. 2989. A bill to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes; to the Committee on Armed Services.

By Mr. JOELSON:

H.R. 2990. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the literacy requirements thereof in connection with their naturalization; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 2991. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

H.R. 2992. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 2993. A bill to provide for the emergency rehabilitation of Clear Creek Dam and Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. MORTON:

H.R. 2994. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Public Works.

By Mr. O'HARA of Illinois:

H.R. 2995. A bill to amend title 39, United States Code, to reclassify the position of order filler from level 2 to level 3 of the postal field service schedule; to the Committee on Post Office and Civil Service.

By Mr. OLSEN of Montana:

H.R. 2996. A bill to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources; to the Committee on Public Works.

H.R. 2997. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. PHILBIN:

H.R. 2998. A bill to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll; to the Committee on Armed Services.

By Mr. POWELL:

H.R. 2999. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

H.R. 3000. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 3001. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon (by request):

H.R. 3002. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 3003. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 3004. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. PRICE:

H.R. 3005. A bill to amend sections 510 and 591 of title 10, United States Code, to remove the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a Reserve component; to the Committee on Armed Services.

By Mr. RIVERS of South Carolina:

H.R. 3006. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes; to the Committee on Armed Services.

H.R. 3007. A bill to amend title 10, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 3008. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 3009. A bill to prohibit the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:

H.R. 3010. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

H.R. 3011. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 3012. A bill to provide that the unmarried children of certain former members of the Armed Forces of the United States or of the Philippine Scouts may be admitted to the United States as nonquota immigrants, during a 2-year period, without regard to their age; to the Committee on the Judiciary.

H.R. 3013. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 3014. A bill to extend pension benefits to persons who served on certain vessels operated by the Army during the war with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Veterans' Affairs.

By Mr. UDALL:

H.R. 3015. A bill to provide annuities payable from the civil service retirement and disability fund in additional cases for certain widows and widowers by eliminating the required period of marriage; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 3016. A bill to aid in the administration of the Tule Lake, Lower Klamath, and Upper Klamath National Wildlife Refuges in Oregon and California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 3017. A bill to amend the Civil Service Retirement Act to provide for the resumption of surviving widows annuities upon termination of subsequent remarriages; to the Committee on Post Office and Civil Service.

By Mr. WINSTEAD:

H.R. 3018. A bill to amend the National Industrial Reserve Act of 1948; to the Committee on Armed Services.

By Mr. JOELSON:

H.J. Res. 209. Joint resolution to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. ROBISON:

H.J. Res. 210. Joint resolution proposing an amendment to the Constitution of the United States relating to Presidential inability; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 211. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. SHELLEY:

H.J. Res. 212. Joint resolution relating to reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. BEERMANN:

H. Con. Res. 64. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. NYGAARD:

H. Con. Res. 65. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. RHODES of Arizona:

H. Con. Res. 66. Concurrent resolution expressing the sense of the Congress with respect to action by the United Nations concerning the Soviet rule over the Baltic States; to the Committee on Foreign Affairs.

By Mr. SHORT:

H. Con. Res. 67. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. ALGER:

H. Res. 210. Resolution authorizing the Committee on Foreign Affairs to conduct an investigation of the personnel and policy-making practices of the Department of State; to the Committee on Rules.

By Mr. GRAY:

H. Res. 211. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mrs. MAY:

H. Res. 212. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MULTER:

H. Res. 213. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. SHELLEY:

H. Res. 214. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; 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:

By Mr. BROTZMAN:

H.R. 3019. A bill to provide for the free entry of a microcalorimeter for the use of the University of Colorado, office of research services, Boulder, Colo.; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 3020. A bill for the relief of Rebecca K. C. Wang; to the Committee on the Judiciary.

H.R. 3021. A bill for the relief of Maria Chadinha; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 3022. A bill for the relief of Gene H. King; to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 3023. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. GARY:

H.R. 3024. A bill to provide for the presentation of medals to the officers and men of the Byrd Arctic Expedition of 1926; to the Committee on Armed Services.

H.R. 3025. A bill for the relief of Jacob J. Gubbay; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3026. A bill for the relief of Anastasia Polychronopoulos; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3027. A bill for the relief of Vittoria Rolli; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 3028. A bill for the relief of Barbara (Konik) Wojtusiak; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 3029. A bill for the relief of Maj. Arnold M. Anderson; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 3030. A bill for the relief of Ethel Lauretta Mason; to the Committee on the Judiciary.

H.R. 3031. A bill for the relief of Monica Wang; to the Committee on the Judiciary.

H.R. 3032. A bill for the relief of Gaetano Bracco; to the Committee on the Judiciary.

H.R. 3033. A bill for the relief of Luigi and Maria Oppimitti; to the Committee on the Judiciary.

H.R. 3034. A bill for the relief of Thelma E. Gow; to the Committee on the Judiciary.

H.R. 3035. A bill for the relief of Kiriakoula Hristoforatou; to the Committee on the Judiciary.

H.R. 3036. A bill for the relief of Rukmin Bachan; to the Committee on the Judiciary.

H.R. 3037. A bill for the relief of Graziella Cannavo; to the Committee on the Judiciary.

H.R. 3038. A bill for the relief of Kathleen Mervis Dench; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 3039. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. SMITH of Iowa:

H.R. 3040. A bill for the relief of Giuseppe Michele Amodeo; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 3041. A bill for the relief of Marcus Breger; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 3042. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

29. Mr. REUSS presented a petition of the Committee of One Hundred of Milwaukee, James M. Barrett for the coordinators, appealing to the House of Representatives to abolish, restrict the powers of, or transfer the functions of the Committee on Un-American Activities of the House of Representatives, which was referred to the Committee on Rules.

# SENATE

TUESDAY, JANUARY 29, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

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

O Thou who dost speak in the quietness to listening hearts, cleanse the thoughts that color our outlook on all life, for we know that only to the pure dost Thou grant the vision of Thy face. Even in these troublous times, may our hearts be untroubled as we stay our minds on Thee.

In all our preparation to defend our liberty, beyond the strategy of our material weapons may we see clearly the spiritual depth and scope of the historic drama in which we are called to play our part, and may that vision splendid turn its colossal cost into final glory for all mankind.

In our private lives and in our public service, help us this and every day to live more nearly as we pray.

We ask it in the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 28, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

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

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 10 Leg.]

| | | |
|---|---|---|
| Aiken | Hartke | Morton |
| Allott | Hayden | Moss |
| Anderson | Hickenlooper | Mundt |
| Bartlett | Hill | Muskie |
| Bayh | Holland | Nelson |
| Beall | Hruska | Neuberger |
| Bennett | Humphrey | Pastore |
| Bible | Inouye | Pell |
| Boggs | Jackson | Prouty |
| Brewster | Javits | Proxmire |
| Burdick | Johnston | Randolph |
| Byrd, Va. | Jordan, Idaho | Ribicoff |
| Byrd, W. Va. | Keating | Robertson |
| Cannon | Kefauver | Russell |
| Case | Kennedy | Saltonstall |
| Clark | Kuchel | Scott |
| Cotton | Lausche | Simpson |
| Curtis | Long, Mo. | Smathers |
| Dirksen | Long, La. | Smith |
| Dodd | Magnuson | Sparkman |
| Douglas | Mansfield | Stennis |
| Eastland | McCarthy | Symington |
| Edmondson | McClellan | Talmadge |
| Ellender | McGee | Thurmond |
| Engle | McGovern | Tower |
| Ervin | McIntyre | Williams, N.J. |
| Fong | McNamara | Williams, Del. |
| Fulbright | Mechem | Yarborough |
| Goldwater | Metcalf | Young, N. Dak. |
| Gruening | Miller | Young, Ohio |
| Hart | Morse | |

Mr. HUMPHREY. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. CARLSON and Mr. PEARSON] are absent on official business.

The Senator from Kentucky [Mr. COOPER] and the Senator from Colorado [Mr. DOMINICK] are necessarily absent.

The VICE PRESIDENT. A quorum is present. Morning business is in order.

## MERGER OF CERTAIN COAST GUARD APPROPRIATIONS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the merger of certain Coast Guard appropriations for operating expenses, reserve training, and retired pay, which, with the accompanying paper, was referred to the Committee on Appropriations.

## CONCURRENT RESOLUTION OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, I ask unanimous consent to have inserted in the RECORD a concurrent resolution adopted on January 23, 1963, by the Senate and House of Representatives of the New Hampshire General Court.

This concurrent resolution invites attention to a serious problem which has developed with regard to application of Federal authority under the Federal Water Pollution Control Act in contravention of jurisdiction asserted by the State of New Hampshire.

While I do not propose to comment at length at this time, I do feel that this problem addresses itself to a basic question of Federal intervention in an area of State sovereignty and I consider it necessary and proper that the views of the New Hampshire Legislature be invited to the attention of the Senate.

There being no objection, the concurrent resolution was referred to the Committee on Public Works, and, under the rule, ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION RELATIVE TO THE ANDROSCOGGIN RIVER WATERSHED

Whereas the Department of Health, Education, and Welfare has announced its intention to proceed with enforcement action under the Federal Water Pollution Control Act in the Androscoggin River watershed, an interstate stream between the States of New Hampshire and Maine; and

Whereas the paper industry in particular has invested heavily for pollution control measures in this watershed under a series of court decrees by the supreme judicial court of equity for Androscoggin County which has resulted in substantial improvement in stream quality and the industry is continuing to expend money for said purposes as rapidly as financial capacity allows; and

Whereas the legislatures of the two adjoining States by statute have reserved the right to adopt systems of stream classifications which provide the legal framework for enforcement action as well as the basis for determining the lawful uses for said waters; and

Whereas the respective water pollution control agencies of the two affected States are fully competent, prepared and have a coordinated plan for the conduct of such additional investigations, studies, and surveys as are required in order that both State legislatures may simultaneously adopt appropriate stream classifications for the Androscoggin River watershed; and

Whereas the States of New Hampshire and Maine, along with the other New England States and the State of New York, are joined in the New England Interstate Water Pollution Control Compact (approved by Congress in 1947), under which all of the States are pledged to abate pollution of interstate waters within the compact area; and

Whereas the declared policy of the Federal Water Pollution Control Act is to recognize, preserve, and protect the primary responsibilities and rights of State and interstate agencies to prevent and control water pollution: Now, therefore, be it

*Resolved by the senate (the house of representatives concurring)*, That the General Court of the State of New Hampshire having due regard for the protection of the present and future economic welfare of the area, is convinced that the objective of an overall comprehensive pollution control program for the Androscoggin River Valley can be best achieved by local, State, and interstate authorities free from Federal intervention; and be it further

*Resolved*, That the General Court of the State of New Hampshire strongly urges that the Secretary of Health, Education and Welfare in the operation of the Federal program, adhere to the express intent of the Federal Water Pollution Control Act; namely, that the primary responsibility for the establishment of adequate water pollution control programs remain with the duly authorized State and interstate agencies; and further, whenever in his judgment satisfactory progress toward pollution control is not being made, to give notice thereof to the State and interstate agencies involved before undertaking any action whatever under the Federal Water Pollution Control Act; and be it further

*Resolved*, That the members of the New Hampshire delegation in the Congress of the United States, be requested to assist in every way possible in the State of New Hampshire's effort to retain jurisdiction over the pollution control program for its portion of the Androscoggin River watershed; and be it further

*Resolved*, That the secretary of state be instructed to transmit a copy of this resolution to the Secretary of Health, Education, and Welfare and to each member of the New Hampshire delegation in the Congress of the United States.

[SEAL] STEWART LAMPREY,
*Speaker of the House of Representatives.*
PHILIP S. DUNLAP,
*President of the Senate.*

Passed January 23, 1963.
Attest:
ROBERT L. STARK,
*Secretary of State.*

## RESOLUTION OF BOARD OF ALDERMEN OF THE CITY OF CONCORD, N.H.

Mr. COTTON. Mr. President, I ask unanimous consent to have inserted in the RECORD a resolution adopted by the Board of Aldermen of the City of Concord, N.H., on January 14, 1963.

I concur fully with the sense of this resolution, which is that the Administrator of the General Services Administration be urged to consider the use of granite as an exterior building material in the construction of the proposed new Federal building in Concord. The use of granite in this building would be entirely consistent with the architectural heritage of my State as well as a recognition of one of New Hampshire's finest products. I am proud to say that New Hampshire granite has been used extensively in the construction of Federal buildings, particularly right here in our Nation's Capitol.

Mr. President, the able Administrator of the General Services Administration, Bernard L. Boutin, is a distinguished resident of New Hampshire. He is familiar, as am I, with the superior qualities of this great New Hampshire product, and I am very pleased to add my voice to that of the city of Concord in support of this resolution.

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

RESOLUTION RELATIVE TO THE USE OF GRANITE IN THE CONSTRUCTION OF THE NEW POST OFFICE-COURT HOUSE

Whereas the city of Concord is the capital of New Hampshire, justly famous as the Granite State; and

Whereas Concord enjoys a long tradition as the State's granite manufacturing center, an industrial pursuit which continues to make a significant contribution to the city's economic welfare; and

Whereas many public and semipublic buildings in this city, including the existing post office-court house, are constructed of granite; and

Whereas granite has long been recognized as a most suitable and practical material in the construction of important public buildings: Therefore be it

*Resolved*, That the General Services Administration be requested to give urgent consideration to the use of granite as an exterior building material in the construction of the new post office-court house in Concord; and be it further

*Resolved*, That a copy of this resolution be forwarded to Bernard L. Boutin, Administrator of the General Services Administration.

Passed by the board of aldermen, January 14, 1963.

ANTHONY E. ROBY,
*City Clerk.*

## RESOLUTIONS OF THE CITIZENS ACTION COMMITTEE OF NASSAU AND SUFFOLK COUNTIES, N.Y.

Mr. KEATING. Mr. President, I have just received two resolutions submitted by the Citizens Action Committee of Nassau and Suffolk Counties and passed at the convention of the Long Island Federation of Women's Clubs, January 18, 1963. The first of these resolutions concerns the question of nonsectarian prayers in public schools; the second concerns the increase in the spread of pornographic and obscene material.

Mr. President, I ask unanimous consent to include these two resolutions in the RECORD.

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

RESOLUTION ON NONSECTARIAN PRAYERS IN PUBLIC SCHOOLS

Whereas the greatest single threat to our political and religious freedom is posed by nations who deny the existence of God; and

Whereas we proclam that we are one nation under God and are desirous of passing on to generations yet unborn that rich heritage; and

Whereas Article I of the Bill of Rights of the Constitution of the United States says: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof"; and

Whereas the nondenominational prayer said in the schools of New York did not purport to establish a religion but simply acknowledged the existence of God and dependence upon Him; and

Whereas the U.S. Supreme Court in effect, by its ruling, is prohibiting the free exercise of the right of our children and educators to pray in a public place; and

Whereas the right to pray is an integral part of our American heritage: Therefore be it

*Resolved*, That the Long Island Federation of Women's Clubs Inc., in convention assembled this 18th day of January 1963, does hereby urge its representatives in Washington to prepare, submit, and pass the necessary legislation or amendment to invalidate this current ruling of the U.S. Supreme Court and that copies of this resolution be sent to Hon. John F. Kennedy, President, Washington, D.C.; Hon. James Eastland, chairman, Senate Judiciary Committee, Washington, D.C.; Hon. Kenneth Keating, Senate Office Building, Washington, D.C.; Hon. Jacob Javits, Senate Office Building, Washington, D.C.; Hon. Emanuel Celler, chairman, House Judiciary Committee, Washington, D.C.; Hon. Frank Becker, House Office Building, Washington, D.C.; Hon. Steven Derounian, House Office Building, Washington, D.C.; Hon. Otis Pike, House Office Building, Washington, D.C.

MRS. JOSEPH MOOSBRUGGER,
*Chairman.*

RESOLUTION ON PORNOGRAPHIC AND OBSCENE MATERIAL

Whereas the flood of obscene and pornographic pictures and reading material with which our children, and especially teenagers, are being deluged, has reached such proportions that it constitutes a conspiracy to corrupt the youth of the Nation and destroy the moral fiber of its citizens; and

Whereas the rising tide of juvenile delinquency and of sex crimes indicates that this conspiracy is to a considerable extent successful, and if not stopped will do irreparable harm to our national and social well-being; and

Whereas these obscene and sadistic magazines and paperbacked books are reaching our children on the newsstands locally and nationally and are invading our homes through the mailbox: Therefore be it

*Resolved*, That the Long Island Federation of Woman's Clubs, Inc., in convention assembled this 18th day of January 1963, urges all law enforcement agencies of the Nation—at the Federal, State, and local levels—to do their utmost to destroy this organized dissemination of filth and smut and urges all citizens, both individually and as members of any civic, religious, social or service groups to which they belong, to cooperate to the fullest possible extent with their legislative representatives and law enforcement officers, including particularly the Post Office Department, to make the entire American public aware of this danger to corrupt the Nation and to produce evidence that will identify these smut peddlers and conspirators against our youth and bring them to justice; and be it further

*Resolved*, That the Long Island Federation of Women's Clubs urges the New York State Joint Legislative Committee Studying the Publication and Dissemination of Offensive and Obscene Material to enact legislation to effectively combat this evil.

Copies of this resolution to be sent to Postmaster General Edward Day, Washington, D.C.; Assemblyman Luigi R. Marano, Capitol Building, Albany, N.Y.; Hon. Frank Becker, House Office Building, Washington, D.C.; Hon. Steven Derounian, House Office Building, Washington, D.C.; Hon. Kenneth Keating, Senate Office Building, Washington, D.C.; Hon. Jacob Javits, Senate Office Building, Washington, D.C.; Hon. Otis Pike, House Office Building, Washington, D.C.

MRS. JOSEPH MOOSBRUGGER,
*Chairman.*

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unani-

mous consent, the second time, and referred as follows:

By Mr. BOGGS:

S. 564. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailing applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. McGEE:

S. 565. A bill for the relief of Gregorio Martin Domingo, Demetria Dizon Domingo, Marion Dizon Domingo, and Ray Dizon Domingo; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 566. A bill to amend the Watershed Protection and Flood Prevention Act so as not to exclude from the benefits provided by such act areas which include structures of 12,500 or less acre-feet of floodwater detention capacity; to the Committee on Agriculture and Forestry.

S. 567. A bill for the relief of Aloysius Ming-Che Han; and

S. 568. A bill for the relief of Denis Ryan; to the Committee on the Judiciary.

By Mr. PROUTY (for himself and Mr. KEATING):

S. 569. 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; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 570. A bill authorizing the Secretary of Health, Education, and Welfare to carry out a research and testing program to determine the effectiveness of a certain mung bean product in the treatment of burns, sunburns, poison ivy, and poison oak dermatitis; to the Committee on Labor and Public Welfare.

By Mr. KEATING (for himself and Mr. PROUTY):

S. 571. A bill to amend the National Defense Education Act of 1958 in order to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. BURDICK, Mr. CLARK, Mr. COOPER, Mr. DOUGLAS, Mr. METCALF, Mr. MOSS, Mr. RANDOLPH, Mr. SCOTT, and Mr. SPARKMAN):

S. 572. A bill to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 573. A bill for the relief of Elmer Royal Fay, Sr.; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 574. A bill for the relief of Antonio Gutierrez Fernandez;

S. 575. A bill for the relief of Man-Pan Hui; and

S. 576. A bill to amend title 28, United States Code, to provide means of redress for the unlawful seizure of American property by foreign governments; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 577. A bill for the relief of Zoe P. (Bithos) Gavrilis; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 578. A bill for the relief of Lew Deen Nging; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 579. A bill for the relief of Cilka Elizabeth Ingrova; to the Committee on the Judiciary.

By Mr. MORSE (for himself, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. BURDICK, Mr. PELL, Mr. MANSFIELD, and Mr. HUMPHREY):

S. 580. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 581. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments; and

S. 582. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. MAGNUSON (by request):

S. 583. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 584. A bill for the relief of Yih-Ho Pao and his wife, Joanne T. Pao; and

S. 585. A bill for the relief of Agaram K. Sreekanth; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 586. A bill to amend the Virgin Islands Corporation Act by repealing the authority of the Board of Directors of the Virgin Islands Corporation to dispose of the assets of the Corporation; to the Committee on Interior and Insular Affairs.

By Mr. FONG:

S. 587. A bill for the relief of Felomina C. Blanco;

S. 588. A bill to amend the Immigration and Nationality Act to provide that the Ryukyu Islands shall be treated as a separate quota area;

S. 589. A bill to amend the Immigration and Nationality Act to provide that the Tonga Islands shall be treated as a separate quota area;

S. 590. A bill for the relief of Dora Thelma Andree; and

S. 591. A bill for the relief of Mrs. Tom Pon Shee (also known as Tom Pon Ma Cheung); to the Committee on the Judiciary.

By Mr. McGEE:

S.J. Res. 32. Joint resolution to authorize the city of Rawlins, Wyo., or an appropriate association or organization of the citizens thereof, to remove to Rawlins, Wyo., the statue of Gen. John A. Rawlins located at Rawlins Park, Washington, District of Columbia; to the Committee on Rules and Administration.

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

By Mr. ANDERSON:

S.J. Res. 33. Joint resolution consenting to an extension and renewal of the Interstate Compact To Conserve Oil and Gas; to the Committee on Interior and Insular Affairs.

## RESOLUTIONS

### INVESTIGATION OF CERTAIN MATTERS RELATING TO NATIONAL DEFENSE BY COMMITTEE ON ARMED SERVICES

Mr. STENNIS submitted the following resolution (S. Res. 75); which was referred to the Committee on Armed Services:

*Resolved*, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the War Department and the Military Establishment generally;

(3) the Navy Department and the Naval Establishment generally;

(4) soldiers' and sailors' homes;

(5) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(6) selective service;

(7) size and composition of the Army and Navy;

(8) forts, arsenals, military reservations, and navy yards;

(9) ammunition depots;

(10) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(11) conservation, development, and use of naval petroleum and oil shale reserves;

(12) strategic and critical materials necessary for the common defense;

(13) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $190,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

### JOHN T. KNIGHT—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. ELLENDER (for himself and Mr. LONG of Louisiana) submitted the following resolution (S. Res. 76); which was

referred to the Committee on the Judiciary:

*Resolved,* That the bill (S. 560) entitled "A bill for the relief of John T. Knight", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

## EXPRESSION OF SENSE OF THE SENATE ON ACTION TAKEN BY BOARD OF DIRECTORS OF THE VIRGIN ISLANDS CORPORATION IN DISPOSING OF A PARCEL OF LAND

Mr. ANDERSON submitted the following resolution (S. Res. 77); which was referred to the Committee on Interior and Insular Affairs:

*Resolved,* That it is the sense of the Senate that no further action should be taken by the Board of Directors of the Virgin Islands Corporation (a corporation wholly owned by the United States and created by the Virgin Islands Corporation Act) to dispose of that parcel of land with respect to which sealed bids were solicited pursuant to Invitation and Bid Numbered PT-109, containing approximately seventeen hundred acres and situated on the Island of Saint Croix, Virgin Islands, United States, until such time as the Senate Committee on Interior and Insular Affairs has had an opportunity to consider certain pending legislation relating to the authority of such Corporation to dispose of its assets.

## EXTENSION OF PROVISIONS OF TITLE II, NATIONAL DEFENSE EDUCATION ACT OF 1958, RELATING TO CANCELLATION OF CERTAIN LOANS

Mr. PROUTY. Mr. President, on behalf of the distinguished junior Senator from New York [Mr. KEATING], and myself, I introduce a bill relating to the cancellation of certain educational loans, and ask that it be referred to the appropriate committee.

This proposal would extend the forgiveness features of the National Defense Education Act to private school teachers and to those who enter teaching at the college level.

Today, college students who borrow Federal money to pay for their education can get 50 percent of their debt canceled if they spend 5 years teaching in a public school. Those who become college teachers or private school teachers must pay back the Federal loan in full.

I believe that this extension would be in keeping with the philosophy of the National Defense Education Act. This statute was designed originally to aid State, local, and private endeavors to develop the brainpower of this country for defense by encouraging students, teachers, and school authorities to greater achievements in the fields of learning. Priority is given under the loan program to such critical fields as science, mathematics, modern foreign languages and teaching. The selection of recipients is made without discrimination against an individual's right to select his or her own occupation after graduation. Is it not inconsistent then for the law to show preference to a certain category of teachers when the overall shortage has grown into a recognized national problem?

Mr. President, the educational system of this country, unlike that of totalitarian nations, allows parents and students to decide whether they will attend public or nonpublic elementary and secondary schools. If this right is to carry with it any meaning, the Federal Government must not discourage or hamper its free exercise.

When the Government or private industry today needs a scientist or a mathematician, it is more concerned with what the mathematician or scientist knows rather than where he went to school.

It should be noted also that many private school leaders and college authorities claim that denial of the loan forgiveness feature has cost them teachers.

If we are to develop to the fullest extent the intellectual resources of all our young people, we must not legislate, we must not discriminate, against those qualified borrowers who choose teaching positions in the nonpublic schools and in our colleges and universities.

Last year the administration did support extension of the loan forgiveness features to teachers in both public and private colleges but it made no effort to extend the same fair protection to teachers in private elementary and secondary schools. It is my hope that the support of the Prouty-Keating bill received in the Senate last year has persuaded the administration that an inequity exists which ought to be removed promptly.

The time has come for Congress and the American people to make a maximum effort to aid in the drive for more and better teachers at all levels of education, public and private. They can make a real beginning in this direction by supporting my bill to amend the national defense student loan program by extending the loan forgiveness clause beyond its present limits.

This is not my first attempt to end the discrimination against private school teachers and those who enter college teaching. Last year I introduced S. 3326 which passed the Senate late in the session and was not acted upon by the House of Representatives.

The bill I am introducing today is identical to the one which received the approval of this body last year and it is my earnest hope that the Senate Labor and Public Welfare Committee will report it in the near future so that the Senate and House will have plenty of opportunity to consider it.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 569) 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, introduced by Mr. PROUTY (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. KEATING. Mr. President, I am very pleased to join with the junior Senator from Vermont [Mr. PROUTY] in offering an amendment to the National Defense Education Act, relating to the cancellation of certain educational loans.

In an effort to encourage more of our young people to become teachers, the law presently provides that up to 50 percent of a National Defense Education Act education loan will be forgiven if the recipient teaches in a public elementary school for 5 years. No provision is made for forgiving loans made to persons who will teach in private schools or in higher education. This restriction is basically inequitable for the same reasons as the stipend discrimination to be eliminated in my bill. For this reason, I express the earnest hope that prompt action will be taken on this measure.

## EQUAL TREATMENT FOR TEACHERS

Mr. KEATING. Mr. President, on behalf of the junior Senator from Vermont [Mr. PROUTY] and myself, I introduce, for appropriate reference, a bill which has been recommended by the Association of American Colleges, the American Council on Education, the Association for Higher Education, the National Education Association, and the Department of Health, Education, and Welfare.

This bill is designed to insure that private and public school personnel receive equal treatment in attending summer counseling and guidance institutes and language institutes.

Under the provisions of the National Defense Education Act, public school teachers are eligible to receive stipends from the Federal Government while attending summer institutes in guidance and language training. Private school teachers are ineligible for these grants. These are areas vital to the programs in our elementary and secondary schools, and, of course, it is in the national interest that studies in these fields continue. The distinction between public and private school teachers in this context is artificial. Fully 5½ million American children attend private elementary and secondary schools, and their needs cannot be overlooked.

The stipend which is granted to public school teachers who attend summer sessions is $75 a week, with an additional payment of $15 a week for each dependent. This grant has made it financially possible for many teachers to attend. Since the inception of the program in the summer of 1959, approximately 21,000 teachers have taken advantage of it. The need for the amendment which I propose is emphasized when one considers that less than 5 percent of this number is made up of teachers from private schools, who are, in effect, prevented from taking the courses unless they are completely self-

supporting during the period of study. In the vital area of guidance, for example, 9,225 public school teachers attended the institutes while only 240 private school teachers could afford to do so. This wasteful and useless ignoring of potential talent is harmful, not only to these teachers and their 5½ million students, but eventually, the entire Nation is the loser, and the basic purposes of the National Defense Education Act, to insure that in the national interest every young person has the opportunity to develop his gifts to the fullest extent, will be thwarted.

I earnestly hope that prompt action will be taken on this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 571) to amend the National Defense Education Act of 1958 in order to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools, introduced by Mr. KEATING (for himself and Mr. PROUTY), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## COMPETITIVE BIDDING REQUIRES EQUAL TREATMENT

Mr. GRUENING. Mr. President, our free enterprise system has made and can keep the United States of America strong. To do this the system must be fair and equitable. It must not be based on discriminations written into law.

Thus, the producers of all fuels—natural gas, coal, and oil—used by any executive agency of the Federal Government in the production of utilities should be governed by the same rules. Restrictions which apply to the producers of one fuel should in fairness apply to the producers of the other fuels.

Mr. President, on behalf of myself and the senior Senator from Alaska [Mr. BARTLETT], the senior Senator from Utah [Mr. BENNETT], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Kentucky [Mr. COOPER], the senior Senator from Illinois [Mr. DOUGLAS], the junior Senator from Montana [Mr. METCALF], the junior Senator from Utah [Mr. MOSS], the junior Senator from North Dakota [Mr. BURDICK], the senior Senator from West Virginia [Mr. RANDOPH], the junior Senator from Pennsylvania [Mr. SCOTT], and the junior Senator from Alabama [Mr. SPARKMAN], I introduce for appropriate reference, a bill to amend the Federal property and Administrative Services Act of 1949 to provide equality for all fuels—natural gas, coal, and oil—used by any executive agency of the Federal Government in the production of utilities.

Necessity prompts our action. The need for this amendment arises because of the interpretation of a provision in the Federal Property and Administrative Services Act which permits natural gas suppliers to enter into 10-year contracts to supply Government agencies with natural gas for the production of utilities but denies the same privilege to coal and oil producers.

The present provision states clearly:

*Provided,* That contracts for public utility services may be made for periods not exceeding 10 years.

The intent of the law has been spelled out and all three fuels should be treated alike and should be permitted to compete equally.

Alaska, Mr. President, is fortunately blessed not only with an abundance of fuel but also with a variety of fuels. It has oil, natural gas, and coal in goodly amount and the greatest hydroelectric potential under the flag. Less than one-quarter of 1 percent of it has been developed. I am pressing for early completion of projects to utilize this great resource at Rampart on the Yukon, at Snettisham in southeastern Alaska, and at Lake Bradley in the Kenai Peninsula. Others will follow.

We in Alaska welcome the discovery and development of new sources of fuel, be they oil fields, gas fields, or coal mines. All are needed and, in the true spirit of free enterprise, should compete, without let or hindrance, for their sale.

However, the provision of the Federal act to which I have referred, places coal and oil under a competitive handicap in bidding for Government contracts and gives to natural gas a competitive advantage.

That should not be.

An oil producer, a natural gas producer, a coal producer faces long term expenditures and investments if he is to operate properly. Producers of one fuel should not have an advantage denied to their competitors.

To achieve and insure equality, the enactment of my amendment is necessary.

Mr. President, I ask unanimous consent that the full text of my bill be printed at the end of my remarks and that the bill itself lie on the desk until the close of business on February 7, 1963, in order to give those of my colleagues who desire to join me in cosponsoring this bill an opportunity to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Alaska.

The bill (S. 572) to amend section 201 (a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481 (a)(3)), and for other purposes, introduced by Mr. GRUENING (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, section 201(a)(3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(a)(3)), is amended by changing the proviso at the end thereof to read, as follows: *"Provided,* That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utilities directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and".

## RELATIONSHIP OF COAST AND GEODETIC SURVEY TO THE AIR FORCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill relating to the relationship of the Coast and Geodetic Survey to the Air Force. I ask unanimous consent that a letter from the Assistant Secretary of the Air Force requesting the proposed legislation be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 583) to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

DEPARTMENT OF THE AIR FORCE,
*Washington, D.C., January 8, 1963.*

Hon. LYNDON B. JOHNSON,
*President of the Senate.*

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force."

This proposal is a part of the Department of Defense legislative program for the 88th Congress. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to amend certain provisions of various existing laws concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force. The Air Force considers the legislation desirable since facilities and personnel of the Coast and Geodetic Survey have been utilized in past emergencies through informal arrangements.

Section 1 of the bill extends the authority of the President, under section 16 of the act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855), to order transfers of vessels, equipment, stations, and personnel of the Coast and Geodetic Survey to the Departments of the Army and Navy in time of national emergency, so as to permit him to order similar transfers to the Department of the Air Force. The section would also amend the act of May 22, 1917 (33 U.S.C. 858) to provide for joint regulations prescribed by the Secretary of Defense (instead of the Secretary of the Army and Secretary of the Navy) with the Secretary of Commerce, thereby placing the responsibility on an executive department level. These joint regulations are to cover the duties to be performed by the Coast and Geodetic Survey in time of war, and provide for the cooperation of that service with the military departments in time of peace in preparation for those wartime duties.

Section 2 amends section 10 of the act of January 19, 1942, chapter 6 (33 U.S.C. 868a), to permit commissioned officers, ships' officers, and members of the crews of vessels of the Coast and Geodetic Survey to purchase available commissary and quartermaster supplies from the Air Force at the prices charged officers and enlisted men of the Air Force. Under present law these officers and members of the Coast and Geodetic Survey may purchase commissary and quartermaster supplies from the Army, Navy, or Marine Corps, but not from the Air Force.

Section 3 amends section 1 of the act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a-1), which provides for the temporary promotion of certain personnel of the Coast and Geodetic Survey in time of war or national emergency. Specifically, the proposed amendment would confer on the Department of the Air Force the same authority now possessed by the Departments of the Army and Navy to promote, temporarily, commissioned officers of the Coast and Geodetic Survey who are under its jurisdiction. It would also permit temporary promotions of commissioned officers in the service of the Coast and Geodetic Survey to fill vacancies in rank and grades caused by transfer of commissioned officers to the jurisdiction of the Department of the Air Force. This provision parallels that now pertaining to the filling of vacancies caused by transfer of such commissioned officers to the Departments of the Army or Navy.

In addition, regularly appointed deck officers and junior engineers of the Coast and Geodetic Survey may be temporarily appointed to ensign, but the total of such temporary appointments may not exceed the number of officers transferred to the military departments (instead of to the Departments of the Army and Navy, as at present).

COST AND BUDGET DATA

The enactment of this proposal will cause no increase in budgetary requirements within the Department of Defense.

Sincerely,

JOSEPH S. IMIRIE,
*Assistant Secretary of the Air Force.*

## TRANSFER OF STATUE OF GEN. JOHN A. RAWLINS FROM CITY OF WASHINGTON TO THE CITY OF RAWLINS, WYO.

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the transfer of the statue of Gen. John A. Rawlins from Rawlins Park at 18th and E Streets NW., Washington, D.C., to the city of Rawlins, Wyo. The move would do much to honor a man who served his nation well and would revive and restore his reputation for devotion to duty in the crucial years of crisis during the Civil War. In a city the size of Washington with its multiplicity of memorials to the great men of history a statue of a man who performed admirably in a supporting role is all but ignored.

John A. Rawlins was a country lawyer from Galena, Ill., who served throughout the Civil War as aide-de-camp, adviser, and confidant to Gen. Ulysses S. Grant. At the end of the war he was a major general and chief of staff, a position of great responsibility which he filled with enthusiasm and efficiency. At the time of his death in 1869 he was Secretary of War in the Grant Cabinet. Shortly before entering the Cabinet he made a trip westward to Salt Lake City. On that trip he passed through what is now Rawlins, Wyo., the name being conferred on the settlement in his honor by General Dodge, chief engineer for the Union Pacific Railroad.

Mr. President, the people of Rawlins, Wyo., are proud of the origin of the city name and they are proud of the devotion to country exhibited by General Rawlins. They propose to pay any and all costs incurred in the movement of this statue and to give it a place of honor in a prominent location.

In this location this statue would serve as a continual reminder of the service of this great man—a pleasant contrast to its present state of almost total anonymity here in Washington.

Mr. President, this joint resolution would detract nothing from a city already overcrowded with statues and memorials, would add a note of civic pride to a thriving city in the West and—most important—would bring new and deserved attention to the service and record of one of our Nation's great men.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 32) to authorize the city of Rawlins, Wyo., or an appropriate association or organization of the citizens thereof, to remove to Rawlins, Wyo., the statue of Gen. John A. Rawlins located at Rawlins Park, Washington, D.C., introduced by Mr. McGEE, was received, read twice by its title, and referred to the Committee on Rules and Administration.

## DESIGNATION OF COLUMBUS DAY AS A NATIONAL HOLIDAY—ADDITIONAL COSPONSORS OF BILL

Mr. BOGGS. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 108) to designate Columbus Day a national holiday, the names of the Senator from Hawaii [Mr. FONG] and the Senator from Minnesota [Mr. McCARTHY] be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

## ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the orders of the Senate of January 15 and 22, 1963, the names of Senators RANDOLPH, McCARTHY, CARLSON, MILLER, BARTLETT, FONG, MUNDT, METCALF, LONG of Louisiana, GRUENING, NELSON, McGOVERN, KUCHEL, ALLOTT, MAGNUSON, KEFAUVER, McGEE, MORSE, HUMPHREY, INOUYE, CASE, HICKENLOOPER, BURDICK, SMATHERS, WILLIAMS of New Jersey, and JAVITS were added as additional cosponsors of the resolution (S. Res. 30) granting legislative authority to the Select Committee on Small Business, submitted by Mr. PROUTY (for himself and other Senators) on January 15, 1963.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YOUNG of Ohio:

Address delivered by the Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, before the National Federation of Business and Professional Women's Clubs.

## ROBERT FROST

Mr. AIKEN. Mr. President, Robert Frost left us this morning, and the world will mourn him.

The question is whether we should mourn that he will no longer be with us or whether we should rejoice that for so many long years of his life he was able to impart to the world his understanding of people, his admiration for their virtues, and his tolerance for their weaknesses.

Robert Frost was born in California, but lived and worked in many States before becoming a citizen of Vermont 43 years ago.

Wherever he happened to be, he left the imprint of his character.

His home in Vermont would not be considered a good farm as farms go.

It was simply a good home to which he could always return from the many places near and far which made demands on his time and profited from his homespun wisdom.

On July 5, 1961, through a joint resolution of the Vermont Legislature, he was chosen poet laureate of the State of Vermont.

At the ceremony, where he was presented with a copy of the resolution, he read a simple poem:

ON BEING CHOSEN POET OF VERMONT

Breathes there a bard who isn't moved
When he finds his verse is understood
And not entirely disapproved
By his country and his neighborhood?

In this little poem lies the secret of Robert Frost's greatness and influence.

He was understood by his neighbors and he understood them.

Otherwise his poems could not have contained so much of the simplicity and goodness which characterized the author.

Now that he has gone away there is only his work to live on, but that work will continue the influence for good and understanding which he promoted during the time he was with us.

Mr. President, I ask unanimous consent to have printed in the RECORD the joint resolution enacted by the Legislature of Vermont declaring Robert Lee Frost to be the poet laureate of the State of Vermont; and also the Joint Resolution R. 33 of the Vermont Legislature, expressing felicitations to Robert Frost on his 87th birthday.

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

JOINT RESOLUTION R-59

Joint resolution declaring Robert Lee Frost to be the poet laureate of the State of Vermont (J.R.H. 54)

Whereas the fame of the poet Robert Frost is worldwide and unsurpassed; and

Whereas at the inauguration of the President of the United States he performed the duty, without the name of a poet laureate, and

Whereas he has for many of his years chosen to live in Vermont: Now, therefore, be it

*Resolved by the senate and house of representatives*, That Robert Lee Frost be declared the poet laureate of the State of Vermont; and be it further

*Resolved*, That His Excellency the Governor be requested to present to him on some fitting occasion, a copy of this resolution.

Approved: July 5, 1961.

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JOINT RESOLUTION R-33

Joint resolution expressing appreciation to Robert Frost (J.R.H. 28)

Whereas Robert Frost, the distinguished poet who makes his home at Breadloaf in the town of Ripton and State of Vermont, has been recently honored by participating in the inauguration ceremonies of the President of the United States; and

Whereas Robert Frost has been awarded many degrees, and prizes and a special Congressional Gold Medal for his poetry; and

Whereas Robert Frost has been further honored by being appointed as Consultant in Poetry to the Library of Congress for the years 1958-59; and

Whereas Robert Frost has contributed to the education in America in many schools and colleges and especially in this State by his participation in the Breadloaf English School of Middlebury College and the Breadloaf Writers' Conference; and

Whereas Robert Frost has brought great honor and recognition to his community and the State of Vermont by his contributions to literature and particularly the literature of New England, expressing the spirit of the American people and the native Vermonter; and

Whereas Robert Frost is greatly beloved and held in high esteem by his neighbors in Ripton, his students, his friends in Vermont, and many people throughout the Nation and world; and

Whereas Robert Frost will reach his 87th birthday on March 26, 1961: Now, therefore, be it

*Resolved by the senate and house of representatives*, That the senate and house of representatives of the State of Vermont do hereby express the pride of the people of the State of Vermont in having Mr. Frost live here, extend to him their deep appreciation for the great honor, distinction, and recognition which he has brought to the State by his presence and his achievements, and wish him many more fruitful and happy years; and be it further

*Resolved*, That the secretary of state be directed to send a certified copy of this joint resolution to Robert Frost.

Approved: March 14, 1961.

Mr. PROUTY. Mr. President, I am sure we are all saddened by the news of the passing of Robert Frost.

In a world of complicity and complexity, he tried to turn our eyes toward the fundamental truths and the virtues of the simple and honest life.

Robert Frost was the soul of Vermont and mankind and it will be a long time before we find another who can communicate his universal message to mankind.

Like Socrates, Frost was a gadfly. Once when surrounded by admiring Senators, he spoke not for himself but for all the poets of the earth when he quoted the old lines:

Ten cities claimed the poet Homer dead
Through which the living Homer begged for bread.

This was Frost speaking for every poet known and unknown—asking that they be allowed a place in a topsy-turvy world.

Mr. JAVITS. Mr. President, I wish to add a word in memoriam of Robert Frost, and to join other Senators who have spoken on this subject.

It is said, quite properly, that he who sings a nation's songs can make a nation's history.

Robert Frost bespoke the heart and spirit of our Nation in a modern day, even as Walt Whitman did in another day.

I join with millions of Americans in mourning this loss and, even more important, in drawing attention to the significance of Robert Frost's life, and the beauty which it created, its significance in our national life, and the fact that we shall have the inestimable privilege of drawing sustenance and encouragement from Robert Frost's works through days immemorial.

Mr. PASTORE. Mr. President, four score and eight years lay gently on the heart of Robert Frost as the poet turned the last page of his poem of life—and America is sad for his passing.

This Capital can be proud—for it gave to millions and millions the background from which they heard and saw this rugged poet of the New Hampshire hills give voice and verse to memorable praise and prayer upon the inauguration of a new President.

The Capital can be sad—for America can ill afford to lose a single voice that speaks with the lasting sweetness of one who can preach philosophy in rolling stanzas—and touch mirth with the melody of his lines.

All America can claim this son of San Francisco and foster son of New England—its schools where he studied and he taught. So his loss is the loss of all America—his poems are the lovely profit of us all. They are the promise of the poet—a promise kept as Robert Frost himself might express it—and did—in these words:

The woods are lovely, dark and deep
But I have promises to keep
And miles to go before I sleep.

May Robert Frost sleep now in peace—and in his country's pride.

Mr. SALTONSTALL. Mr. President, early this morning, at the Peter Bent Brigham Hospital in Boston, Robert Frost died at the age of 88.

All of us who knew personally America's poet laureate, all across the world who have read and will continue to read his poems, all those who have once climbed a birch or walked a mountain pasture, mourn his passing. He is one of those few people in a generation or a society who simply will never be replaced. Being an artist of spirit and clarity, this awesome thought is transcended by the sturdy fact that the truth and music of his words will be treasured and passed on by generation after generation, shared faithfully and happily by teachers and thinkers and artists to come, always alive.

Robert Frost was a New England poet, and therefore specially beloved and perhaps specially understood by New Englanders. He wanted to be known more as an American poet, and was. But he transcended both regionalism and nationalism, because the spirit he imparted by writing of New England things and New England people is universal, cleanly understood by people in other contexts and climes. We in the Senate, joined by the Members of the House of Representatives, were honored last year, through the President of the United States, to award Robert Frost a gold medal in commemoration of his poetry and the profound contribution it had made to the enrichment of mankind.

This poet once wrote, in a poem called "The Death of the Hired Man," of one who, nearing death, had "nothing to look backward on with pride and nothing to look forward to with hope." We look back for him upon his life's work with the most profound kind of pride even as we ponder on the hope for the future which his poetry gives to us. Robert Frost knew tragedy, but knew beauty better—a strong and a kind man who ennobled those about him. His personality meant much to us in New England. We mourn his loss.

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## CONTRIBUTION BY SMALL BUSINESSES IN AIR TRANSPORTATION TO NATIONAL DEFENSE DURING CUBAN CRISIS

Mr. SPARKMAN. Mr. President, the dramatic story of how our Nation's civilian and military resources were mobilized to meet the Cuban crisis continues to unfold.

Recently I have learned of the valuable contribution made by the small businesses in air transportation to our national defense during the Cuban crisis. I have been furnished a copy of a letter from Maj. Gen. I. Sewell Morris, commander of the defense traffic management service, to the Independent Airlines Association, national trade organization representing these small airlines, in which official recognition is given to the important role played by these air carriers.

The text of General Morris' letter is:

During the Cuban crisis, this command called upon the carriers you represent to meet heavily increased requirements for movement of military personnel, frequently on short notice.

I want to express to these carriers, through you, my appreciation for the timely, effective response demonstrated by those carriers during the crisis.

Mr. President, once again the Nation's supplemental airlines, by filling the military airlift gap during the Cuban crisis, have demonstrated their value to national defense. These carriers have performed with extraordinary merit in every national emergency since their inception shortly after the end of World War II.

I know I do not speak for myself alone when I say "well done" once again to the Nation's supplemental air carriers.

## THE BUDGET

Mr. McGEE. Mr. President, I should like to invite the attention of the Members of this body to the very thoughtful column written by the distinguished writer and newspaperman, Mr. Walter Lippmann. Mr. Lippmann addresses his comments this morning to the question of the budget. The title of his analysis is, "Is It a Crazy Budget?" What the writer attempts to do in this very excellently turned piece is to bring us down to some of the hard facts in the budget problem which face this Government, and particularly this Congress, right now. For example, as we examine the proposed deficit that we are asked to face up to, he raises this question, If we cut taxes, how can we cut expenditures at the same time in a sufficient quantity to meet the deficit that is envisaged?

Putting it in realistic terms, Mr. Lippmann points up the amounts required for our national security and military appropriations. He adds to that the totals required for the manned space program, the benefits to veterans of past wars, and finally the amounts that are demanded in interest payments on the current debt.

This leaves, out of the nearly $100 billion in the budget request, approximately $20 billion to run all the rest of the Government of the United States in times like these. He asks, in all seriousness, where there can be found places to cut the $11.9 billion deficit envisaged out of the remaining $20 billion in the total Federal budget that remains? In realistic terms, what this article says is that there is a lot of talk about the President's proposal with respect to facing up to our fiscal problems for the year and 2 years ahead.

When we really boil the problem down, in the words of Walter Lippmann, what we have to do first, before we balance the budget, is balance the economy of the Nation. We would throw the economy more out of balance if we cut out Federal programs already squeezed into the $20 billion that are left after payments for defense and interest costs. This would develop as more of a hardship in terms of the economic lifeblood of our Nation, when we recall that if we cut those programs out of the $20 billion we would be threatened with a worse deficit than happened in 1959 under former President Eisenhower, and we might be thrown into the throes of a very serious depression.

I ask unanimous consent that Mr. Lippmann's assessment of the budget effect and the tax measure be printed in the RECORD at this point.

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

### IS IT A CRAZY BUDGET?

(By Walter Lippmann)

It is not going to be easy to prove the case for the new budget which superimposes a planned deficit of nearly $3 billion on top of an involuntary deficit of some $7 or $8 billion. It is easier to argue the case—which is novel and highly debatable—when it is done with the modesty and learning of the economic message than when it is done with the dogmatic assertiveness of the tax message. For nothing can be so certain as the tax message says it is and no tax bill can be so unqualifiedly wonderful.

The basic question which will have to be debated for some months to come is whether the budget for fiscal 1964 is likely to do what it is designed to do. Will it, that is to say, cause business to expand, thereby reducing unemployment and using to something nearer full capacity the industrial plant?

The principle of the 1964 budget is a new one. Why should there be need of a new budget principle? Because the country is confronted with an economic problem which first made its appearance toward the end of 1957. The problem arises from the fact that there is a condition of chronic economic sluggishness: the average rate of unemployment has moved up to a new level—from 4 percent for the years from 1947 to 1957 to 6 percent ever since.

The American economy has been sluggish because total demand has been sluggish and capital investment consequently inadequate. This sluggishness is a heavy burden on the Nation. We are not producing each year about $30 billion of wealth that we have the labor and resources to produce. As a result of this nonproduction tax revenues have fallen, and the chronic sluggishness has produced chronic budget deficits.

The problem of economic sluggishness appeared under Eisenhower and has persisted under Kennedy. It cannot be blamed on either party or on either President. There is something wrong for which we have no generally accepted remedy. As we cannot afford to nonproduce 30 billions annually while we are bearing the great burden of military defense and trying to take care of our expanding population, we must make a bold attempt to overcome the sluggishness. We must take measures to produce the lost 30 billions.

That is what the new budget is designed to do. Actually it is a new experiment for the United States to have a planned budgetary deficit. But it is not a new experiment in the rest of the modern world where all of the advanced nations, if they used our system of accounting, would be showing planned deficits.

The difficulty in adapting the new budget principle to the American situation is that there are so many serious and respectable and successful people who think it is crazy, who think it is ridiculous, and who think it is not far from being a swindle. They are outraged at the idea of the Government going further into debt to make the country richer.

This is not the first time that a true theory looked absurd. The earth, for example, seems flat and is round and it is not so easy to remember how to explain why it is round. The new theory is that the total demand for goods and services should be approximately large enough to pay for approximately all that labor, plant, and capital resources are capable of producing efficiently.

Those of us who accept this fundamental theory agree that the chronic sluggishness since 1957 has been due to insufficient total demand. We agree, therefore, that demand should be increased, and while this could be done by massive government spending, it is easier and quicker and has less of what the doctors call side effects to do this by reducing taxes. Experience has shown that consumers spend 93 percent of their disposable income, which means the total demand will rise quickly after a tax reduction.

There are not many who now oppose a reduction of taxes. But there are many who believe that the principle on which the administration is acting is crazy and immoral. They are saying that while taxes should be reduced, the budget should be balanced at the same time by reduction of government expenditures.

Have they, one wonders, looked at the figures, and if they have, can they really mean what they are saying? The deficit in the new administrative budget (1964) is estimated at 11.9 billion after tax reduction and tax reform. That is over 10 percent of the total administrative budget which is estimated at 98.8 billion. Where do they think they can find the nearly 12 billion to cut? Presumably they will not wish to cut national defense which takes 55 billion. Nor will they cut space research which takes 4.2 billion. Nor the veterans which takes 5.5 billion. Nor interest on the debt which takes 10 billion. Nor, if they are politically candid, will they cut very seriously the 5.7 billion taken by agriculture.

That leaves 20 billion for everything else. Practically everyone who talks about the wild spending in Washington is talking about those 20 billion. Does anyone think those 20 billion can be cut in half? The truth is that those who mean seriously to cut government expenditures to an amount equal to the deficit must cut defense, or give up the hope of balancing the budget and cutting taxes.

The fact of the matter is, however, that if by some kind of major amputation they did cut expenditures by 10 billion, the result would not be a balanced budget. The withdrawal from the economy of that much demand for goods and services would be a heavy blow at business, and it would cause such a loss of revenue that the budget at the end would be more unbalanced than ever. In all likelihood we would have a serious recession.

There is no getting away from this. There is only one way to balance the budget and that is first to balance the economy.

The VICE PRESIDENT. Is there further morning business?

## BALANCED BUDGETS

Mr. SCOTT. Mr. President, I may be a bit old fashioned, I adhere to the old-time religion—I still believe a balanced budget is better than an unbalanced budget. There has been the emergence of a new theory that an unbalanced budget is not important, because what we must balance is not the budget, but the economy. In my own mind, this is nothing more than a shibboleth, a political phrase designed to confuse people, to be heard on the hustings throughout this country as spokesmen for this fallacious theory proceed to expound and expand it.

I think the people of the United States still yearn and long for the day when we can balance the budget, because I think it is the only way, in the long run, to keep the economy sound.

Frankly, I do not know what it means when I hear people get up and say:

It is important to balance the economy—it is not important to balance the budget.

I do not believe that a balanced budget alone is the answer to all our problems, but I am sure an unbalanced budget is the open road to inflation; an unbalanced budget unbalances the economy and I hope we can nail this misleading superintellectual, scramble-egg-headed, nonsensical theory in the head before it becomes a part of the philosophy of those who cannot find a way to balance

the budget. They plan, instead, to balance their political fortunes by the exposition of a specious theory based not on logic but on an intent to confuse.

## SENATE PROCEDURE

Mr. JAVITS. Mr. President, I was necessarily absent on yesterday, in order to make a speech in Mexico City, but I have read with the greatest interest and attention the proceedings in which the Chair referred to the entire body of the Senate the constitutional question as to whether there could be brought to a close the long, drawn-out discussion upon the issue of whether to take up a rules change.

I deeply feel that the Senate is facing a grave constitutional crisis, and I hope that Senators will consult their consciences in the greatest seriousness, as, in my view, this is as grave a constitutional crisis as we are likely to face in a long time. For the Chair ruled, on the one hand, that a majority of the Senate must determine whether the Constitution applies with regard to that determination. The Vice President said, as appears on page 1214 of yesterday's RECORD, in respect to article I, section 5, "this the Senate can do by a majority vote." The Chair then answered a parliamentary inquiry of the Senator from Iowa [Mr. HICKENLOOPER] again, and the Vice President said "only a majority vote is required to change a rule."

This is characteristic of the entire discussion and response to the parliamentary inquiries by my colleague from New York [Mr. KEATING] and other Members of the Senate.

If the Senate can change the rules, or stop debate, or decide its constitutional issues, by majority vote, and if a few Members—it would not even take a third—continue to talk so that a majority vote cannot be attained and there is no form of discipline which can direct that it shall be attained, the only discipline left is self-discipline.

The country must clearly understand this, because some kind of discipline must be exercised. For instance, it has been said that the Senate could sit on its hands and grant no appropriations, and bring the machinery of Government to a grinding halt, and subject our whole system of Government to being destroyed. It could do that. So here too a number of Senators, not even a third, could continue to talk and throw the Senate into complete anarchy, so that it could not act at all, and there would be no authority to make it act.

I only state the issue now. I shall discuss it further. I think it is necessary to bring the issue of a rules change to the country and to the Senate to see if there is a way out of the dilemma of this crisis. The only question is, Shall the Senate be thrown into anarchy, or shall it be a deliberative and acting body under the Constitution?

## FRAUD IN LAND SALES TO AGED

Mr. JAVITS. Mr. President, I wish to call attention to the many land frauds which involve the sale of lots in areas of our country where the climate is milder than in other parts.

This practice has been exposed in a very interesting series of articles in Newsday, a newspaper published on Long Island, N.Y., and recently was revealed in considerable detail in hearings held by the Special Committee on the Aging. I ask unanimous consent that the series of articles by Robert A. Caro be printed in the RECORD as a part of my remarks.

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

[From Newsday, Jan. 7, 1963]

MISERY ACRES—THE ADS PUSHING A SENSATIONAL NEW LAND BOOM PAINT GLOWING PICTURES OF NEW HOMESITES IN THE SUN COUNTRY, BECKONING THE WEARY TO A LIFE OF COMMUNAL LUXURY—BUT REALITY IS SOMETIMES HARSH

(By Bob Caro)

MOHAVE COUNTY, ARIZ.—When explorers came to Mohave County in 1858, they found a desert so dry that they had to import camels to cross it.

For a century thereafter, the desert remained largely unchanged. A searing sun baked it in summer. Sandstorms whipped it in winter. Only yucca plants and an occasional mesa broke its endless expanses of gray-brown sand. Recently, however, there was an addition to the landscape—a large sign. "This," the sign says, "is Paradise Acres."

Not that the desert itself has changed. It hasn't. Its millions of parched acres are still all but empty of human habitation. Attempts to discover adequate sources of water have failed. Says a Mohave County official: "There are places out there that a lizard couldn't live in."

But Mohave has become the physical hub of a revolutionary new development in the history of American real estate, the sale of tremendous tracts of raw, often undeveloped acreage, through the mail on low-cost installment plans. This development began in Florida about 1953. Today, no less than 350 separate Florida real estate promotions are being advertised outside that State's borders. Two years ago, the development suddenly burst out on the plains of the Southwest on a scale that dwarfed that of the Florida boom. Hard-selling promoters bought up vast chunks of desert and grazing land in New Mexico, Texas, California, and Arizona at bargain-basement prices, hacked the land up into lots, launched multimillion-dollar advertising campaigns and sold the lots sight unseen at many times the price they had paid, usually on terms of $10 down and $10 a month. No one knows the exact dimensions of the boom but estimates of sales for 1962 alone run to $700 million.

SHOW SOME RESULTS

Some of the promotions spawned by the boom have already produced spectacular results. Florida promoters have created complete new cities, designed mainly for retired persons, on what had been for centuries nothing but desolate wetlands. Carol City, for example, which is not yet on any map, already has 10,000 residents. In Arizona, subdivisions have caused the deserts near Phoenix to blossom with luxurious ranch homes.

Some of the promotions are still highly speculative—holdings on which thousands of lots have been sold are still desolate wetlands or desert—but at least the owners have some sort of plans for an eventual conversion and there is a reasonable chance that it will someday take place.

Some of these promotions, however, seem blatantly worthless. In Florida, they include tracts of land in the Everglades and similar swamps in which there are no roads, and building lots are covered by water much of the year. In Arizona, promoters who include many of the same men behind unpromising Florida ventures have purchased chunks of open desert. Without making—or realistically planning—any improvements at all, they have peddled this land through the mail on a scale so vast that the National Association of Better Business Bureaus has termed the boom "the greatest land scandal in American history" and officials in statehouses across the country are working feverishly to develop laws capable of holding the worst promoters in check.

Mohave County has become the hub of the Arizona boom. The reason is simple. The basis of the boom is land, and if Mohave has anything to spare, it is land. With 13,260 square miles, in fact, Mohave is the fifth largest county in the United States, and since its 1960 population was only 7,736 persons (6,000 of whom live in Kingman, the county seat), there are obviously plenty of square miles open for development.

SOUNDS LIKE PARADISE

Advertisements flooding media in the North make this land seem like the Garden of Eden. "Ten dollars reserves 1¼ acres of Arizona land—$795 buys it," they trumpet "Health and wealth for you in the wonderful world of the West. Blue skies nearly every single day, pure air * * * the land of play and outdoor living the year round." The expanses of desert around Kingman, which grow nothing green, have suddenly blossomed out with bright signs advertising "Paradise Acres"—and "Sunward Ho! Ranchos," "Desert Rose Rancheros" and "Shangri-La Estates."

Is it, perhaps, a bit warm for Shangri-La? In some parts of the Arizona desert the temperature can reach 140 degrees and the Automobile Association of America warns tourists not to leave their cars for a stroll lest they be sunstruck.

Is it a little short on the amenities of civilization? Kingman's most famous son is Andy Devine and a main street of the city is named Andy Devine Avenue, but after you've looked at the street sign for a while your choice of entertainment is narrowed down to the movie at Kingman's one theater or bingo. When night falls over the desert, blotting out the gaudy "Paradise Acres" signs, there is nothing to be seen but miles of blackness, unrelieved by a single light. You can drive for 50 miles without passing another car.

But the disillusionment is most apparent when you compare one glowing advertisement closely to the reality behind it.

Says an ad for Lake Mead Rancheros: "The rancheros are livable now. Not raw, undeveloped and inaccessible land * * * laid out, waiting for people * * * water available, roads, electricity, phones * * * wide-open living * * * located in the famous Lake Mead Recreation Area, where 3½ million vacation annually."

Wide-open living, it turns out, is an understatement. After reaching Lake Mead Rancheros (by turning off Route 66 19 miles out of Kingman and bumping 6 miles over an unpaved road), the visitor finds that living there would be 18 miles wide, in fact—as well as 30 miles long. That's the size of the rancheros' site and there's certainly nothing on it to fence you in. Not a house, not a street, not a telephone pole or powerline would keep you from enjoying the full sweep of that pure air. There is nothing on the vast site but a huge sign advertising the rancheros and a few sticks representing street signs. The desert stretches away endlessly. Standing there, broiling in the hot sun, you feel like an ant on a huge tan rug.

Water is available, too. It's available from a pipe that sticks out of the ground. The pipe, which is a comfortable 14 miles from some ranchero units, is attached to a meter. Anyone who wants to come live on

his lot can simply bring a water tank to the pipe and fill it—at 50 cents per 100 gallons. In addition, a ranchero representative back in Kingman says, a water company will be only too glad to bring in water to anyone who wants it—on 24 hours' notice and at a similar rate.

Roads? Certainly, there are roads. Or anyway, paths—little tracks scraped in the topsoil. And, the salesman says, electricity and power will be installed just as soon as "enough people build out there to make it feasible." Exactly how people are going to build there without any chance of getting mortgage money is not explained. ("Mortgage money to build out there?" says a Kingman banker. "Are you kidding?") And Lake Mead? Well, with good eyes, you can see it—from the top of a mountain 30 miles away.

But the most staggering single fact about Lake Mead Rancheros is that 3,000 persons somewhere off in the North have been lured by that ad into purchasing homesites there. Owner Dory Auerbach, whose Miami-based firm is also peddling speculative acreage in nine separate Florida promotions, says that if a large number of these purchasers move onto the property, he can simply tie in with the waterlines that supply the city of Kingman. But Robert L. Peart, chairman of the Mohave County Board of Supervisors, says that Kingman's water supply is so low that the city itself is hunting for new water sources and won't allow the rancheros to tie in. Asked if he felt that use of the word "homesite" misrepresented the property, Auerbach said: "I don't buy that. I don't buy that because the word 'homesite' means this: Can you build a home at the property and live on it? The answer is 'Yes.' I say you can build on every ranchero."

If some desert subdivisions are characterized by a lack of development, there are others in which Mohave County officials feel development has been both rapid and dramatic. One of these is Lake Mohave Ranchos.

The owners of Lake Mohave Ranchos also bought up a vast hunk of raw desert at rockbottom prices. But, 35-year-old William H. Parker, a San Bernardino, Calif., real estate broker and a Harvard graduate, combed the desert with his partners until, in 1959, they found a really suitable site. It was an 86,000-acre cattle ranch, one of the few with adequate water from underground springs and a paved county road running through it. And it really is near Lake Mohave. Even more important, the site has sufficient elevation (3,500 to 7,000 feet) so that the unpleasant heat of the desert floor below is eliminated. Says Deputy Arizona Real Estate Commissioner Bert Jagerson: "Most of these developers just took whatever land they could get. There are good places to live out here, places in which the desert is lovely. But you've got to find them. Parker did."

MONEY, TIME SPENT

The young real estate broker and his partners spent $55,000 on roadbuilding equipment and paid $20 an hour to surveying teams—for 3 years. They hired an operational manager, a smiling, raw-boned Texan named Tom White, and put him to work on the site. They gave him a crew of six men to maintain and to help out the first families who moved in.

"We had to baby them," White recalls. "They were mostly elderly retired people and we had to make them happy. We repaired their washing machines, we helped them put up the TV aerials, we hauled people in to the doctor."

White also fought for the community. He argued with the county and with skeptical utility companies for water mains, telephones, school bus service and powerlines. When utilities demanded money for powerline laying, Parker put it up. Today, driving toward the Ranchos, a visitor sees at first only more of the empty, barren desert. Then, as he tops a rise, there appears before him a restaurant, a motel, a neatly kept trailer park (in which 100 families are living while waiting for their homes to be finished) and 90 pretty, well-kept ranch houses. And there is a country club, social center for the residents, complete with clubhouse, tennis, croquet and badminton courts, children's playgrounds, social hall and swimming pool. In the middle of the Arizona desert, once so dry that ranchers staged blood feuds over water rights, is a carefully lettered sign: "No eating on the pool deck."

Lake Mohave Ranchos is, oldtime Mohave County residents say, a good example of what can be done by a developer willing to do more with his property than just sell it off as fast as he can. With America's over-65 population soaring (by the year 2000, it is expected to reach 10 percent of the county's total population), more such developments are needed if even a small fraction of these people are to be given the chance to enjoy the life in the sun they want at reasonable cost.

Unfortunately, such developments are all too few. In Mohave County, there are 335 separate subdivisions. In one of these alone, no less than 68,000 lots have been sold. But the vast desert is still populated mainly by the subdividers' large signs.

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[From Newsday, Jan. 8, 1963]

MISERY ACRES—ALONE ON THE DESERT, HER DREAM FADES

(By Robert A. Caro)

KINGMAN, ARIZ.—One way to look at the great real estate boom of the 1960's is in terms of subdivisions in the hundreds and advertising spending in the millions. Another is to focus on a single, solitary figure trudging along a desert road.

The figure is that of an elderly woman, Mrs. Millie Sanderson, 74, a widow who has lived in Tennessee, New York City, and Massapequa, Long Island, but who now lives at the intersection of Diamond and Silver Streets in a promotion called Sacramento Ranchos. Like tens of thousands of other Americans nearing retirement and anxious for a place in the sun, Mrs. Sanderson bought an acre of Arizona land on the installment plan. Mrs. Sanderson, however, took a step that few such purchasers have yet attempted. She tried to live on her land.

It is impossible not to find Mrs. Sanderson. Sacramento Ranchos covers 4,000 acres in a corner of a vast desert valley southwest of Kingman, the county seat of Mohave County. About 1,600 families have already purchased ranchos but just four families live there now. When a reporter drove over a rise and came upon the ranchos, Mrs. Sanderson was the only moving thing in the whole valley.

Mrs. Sanderson was carrying two large pails filled with water. She had, in fact, been carrying them for a mile and a half; that was how far it was to the nearest source, a little spring. By the time the reporter drove up, she was standing in front of her home, a tiny shack crudely made of boards. As she talked, she kept glancing toward a powerline that runs alongside the highway about 250 yards away.

"I moved here 3 months ago," she said. "It sounded nice. I was widowed in 1955 and I had no people and I could afford $10 a month. I came to the Sacramento Ranchos office in Kingman and they brought me down here and showed me this place. I asked then, about the water and they said they were definitely going to get water down here. I talked to them about electricity, and they said they were going to put it in. I thought it wouldn't be too long because there are the powerlines right over there.

"But once they take the downpayment, they won't do a thing for you. The electric company won't extend the lines over here unless the land company puts up the money and they won't. I have no radio or TV. They won't play without electricity. My light is a kerosene lamp. And they don't say anything at all about the water any more. So I said, 'Why can't you give me a place closer to the spring? But they said they couldn't do anything about it. My car broke down, and until it's fixed I have to carry water in pails a mile and a half.

NO MORE MONEY

"I built this house myself. I hauled the lumber from the garbage dump. And a man from the filling station gave me some boards. Things went hard when my husband died, but this is worse than I've ever known in my life. And the downpayment took all my money. I have to stay here now."

The implications of Mrs. Sanderson's story are, many observers believe, the most disturbing factor in the real estate boom. Since Mrs. Sanderson is almost penniless, she is on relief and dependent on undeveloped, underpopulated Mohave County not only for welfare checks, but for hospital care and other services. As yet, only a few of the families now paying off desert or swamp lots have attempted to move onto them. But, observers ask, what will happen when more and more of these people actually do retire and try to move to their lots? Since most will have no outside source of income, a substantial number may go on relief and many will need and expect the free services generally provided by local authorities in the settled areas from which they come. But the areas into which they will move won't be able to provide those services.

Mohave County Tax Assessor Don McCraley says: "The county is already hurting. At least once a day, one of these new people will come in and ask either for welfare or for hospital services and we just can't give them the services they need." Even the thin trickle of new residents drawn by the $10 down ads has so taxed the county's resources that the county treasury is empty, and officials are now being paid by warrant, a kind of promissory note that they can cash at the local grocery store.

Such municipal poverty may be almost unimaginable to the people in the industrialized North who are buying those lots. With 13,260 square miles, Mohave is the fifth largest county in the United States, bigger than Connecticut, Rhode Island, and Delaware combined. But its total assessed valuation is only $39 million. (On Long Island, the city of Glen Cove alone has an assessed valuation of $54 million.) In the entire county, there are only three industries, the largest of which, a recently opened copper mine, may one day employ 500 men.

County officials are convinced that most of the $10 down buyers will take one look at their land, learn that the cost of drilling for water is prohibitive—assuming water can be found under their land—and go home. As one official puts it: "You'd have to be 25 years old and a pioneer to live on some of those places." In part, at least, that is undoubtedly true. Says a waitress in a Kingman cafe: "I see lots of them in here. They come in the morning for breakfast. They say they're down here on vacation and are going out to see what they've bought. They come back in the evening. Some are happy. Some are pretty blue. One woman I remember put her head down on her arms and cried. A lot of them I don't expect to see again."

Others, however, will almost be forced to stay. One couple from New York City sold most of their belongings to make a full payment on a $495 lot. They loaded the rest into their old car and drove to Mohave County. Robert L. Peart, chairman of the Mohave Board of Supervisors, recalls: "We finally

found their property on a map. I had to tell them they'd need a tractor to get out to their lot. But they couldn't go back. They had to stay."

Couples like this one—and eventually there may be thousands more—pose a problem for which all the rosy advertisements in the world offer no solutions at all.

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[From Newsday, Jan. 9, 1963]

MISERY ACRES—IN FLORIDA, THE PITCH IS HIGH AND HARD

(By Robert A. Caro)

NAPLES, FLA.—The Florida version of the mail-order real estate boom is a case study in the hard sell.

Almost 400 separate subdivisions of Florida land are now being sold to American sunshine seekers, and the sales take place under a beach umbrella of advertising that ranges from spreads in national magazines to booths in busy northern railroad terminals.

Some of the developments now being touted as future Edens would make an alligator sneer. But miracles have been worked with Florida swamps before, and neat, attractive homes now stand where sodden tree stumps once held sway. Port Charlotte, carved out of a 92,000-acre tract on Florida's west coast, now has 3,000 families living in low-cost, high-style houses whose lawns slope down to mooring bulkheads—just as the ads said they would one day.

The scope of the promotional effort for the new boom is huge. One large corporation is known to have laid out $2,500,000 in a single year to sell lots in a single development.

The results match the investment. One developer got 17,000 inquiries from a single quarter-page ad in a national magazine. Last year, Florida recorded $250 million in sales of improved and unimproved land through installment credit purchases.

Promoters start putting the personal touch on potential customers as far away from Florida as Grand Central and Pennsylvania Stations in New York, where their agents set up booths. But the firm pitch really becomes the hard sell when a prospect gets within surf-casting distance of the site for sale.

A reporter, posing as a typical tourist in Miami for a winter vacation, called the sales headquarters of Golden Gate Estates, a 50-square-mile development near Naples owned by the Gulf American Land Corp. "Be our guest," said the voice on the other end of the wire. "A free drive to Naples, a free lunch, a free plane ride, really a day's vacation * * *." The reporter had a hard time interrupting the sales pitch long enough to say, "I'll go."

At 7:30 the next morning, a car and a salesman were waiting in front of the hotel. Every minute of the 110-mile drive to Naples was crammed with sales talk about the estates and probing questions designed to bring out the prospect's financial status ("Boy, this car runs nice. What kind of car you got?"), his family's financial status and his knowledge of the west coast of Florida. There were acres of talk about "getting in on the ground floor" and caustic comments about "wise guys * * * guys who don't buy when they're out there." Anything wrong with that? "They say they've got to go back and get advice. What's that mean? Land is land, right?" How about roads? "Sure, there are plenty of roads there."

At Naples, the prospect was rushed to an airport. There, no fewer than seven 4-seat planes were taking other prospects on an air tour of the estates. The salesman piloting the plane pointed out the luxurious homes of Naples' plush "gold coast" and the balmy waters of the Gulf Stream—and even flew over one corner of a pale green, soggy-looking expanse of land that he designated as the estates. "See that cleared portion over there?" the salesman shouted over the engine's roar, banking the plane in the other direction. "That's the site that's already been prepared for the city of North Golden Gate."

After lunch—in Naples' best restaurant—the prospect was taken to Golden Gate Estates sales headquarters. Inside was a lobby crammed with salesmen and prospective customers. ("On a busy day," the salesman confided, "we'll have 700 out here.") The reporter was led into one of 33 final sales alcoves to talk with a "final salesman." The introductory portion of the talk, which quoted Benjamin Franklin and Andrew Carnegie on the benefits of real estate in general, and a host of unnamed authorities on the great potential of the Naples area, lasted 57 minutes.

Then the sales talk got down to business. In walked a final sales manager. ("I talk to people frankly," the sales manager said. "That's why I called you in, sir," the salesman said.) "Choice waterfront lots" were available. The land in question was about 8 miles from the waterfront, but it would eventually be on a proposed canal, which would be "guaranteed navigable" to the gulf. "When can I live there?" the reporter asked. The sales manager chuckled in comradely fashion. "Three to five years—and I'm being conservative," he said. "You're always conservative, sir," the salesman said, turning to his prospect. "D-Day is February 1. We're breaking ground for the city. In a year, you can live there."

At only one point was the reporter balked. That was when he asked to see the available property at close range. Every time he asked—and he asked many times—the talk was switched to something else.

The reason became clear only when the reporter finally did get one salesman to drive him out to the property. It was inaccessible. The nearest road ended 3 miles away. As soon as the reporter stepped off the road, he sank into a steadily deepening bog. Although it was the dry season, about 2 feet of water covered the property. On some maps, Golden Gate Estates is known more prosaically as Big Cypress Swamp.

There were a few other points that further investigation seemed to render less certain than the salesman had indicated. For one thing, says Collier County Engineer W. Harmon Turner, no land in the area of North Golden Gate has been cleared. For another, Turner says, none of the estates will be navigable to the gulf. And the only roads in the vast tract are two State roads that have been there for years. County officials, moreover, are a lot less certain than the glib sales manager about the inevitability of rapid development of the area, which is now an estate only for alligators and mosquitoes. Says A. C. Hancock, chairman of the Collier County Board of Supervisors: "Some of it I feel will never be good for homesites; it would just cost too much money to drain it properly."

Many of the projects on land just as unlikely looking as Golden Gate Estates have shown amazing development. Port Charlotte has more than 3,000 families—including a hefty Long Island contingent.

But even the most advanced of those developments have some king-sized question marks hanging over them. Probably the biggest question concerns the reluctance of industry to move into the new cities. Retired Long Islanders who moved to Port Charlotte said that most aspects of their new life pleased them, but that they wished there were some kind of job, even part-time work, to supplement their limited retirement income. Younger families are frankly worried about what their children will do when it comes time for them to go to work.

Another factor that some experts believe spells trouble is the lopsided ratio of lots sold to homes built. In Port Charlotte, there are now 3,000 homes, but surrounding them are more than 70,000 sold but vacant lots, which now cost about $1,000 each. If there were to be a recession and a large number of lot owners suddenly tried to sell their lots, they might find the value considerably less on the open market. University of Miami Economist Reinhold Wolff says: "There has to be a relationship between completed lots and houses sold. If we continue to complete many times more lots than houses, this can eventually lead only to a land crash."

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[From Newsday, Jan. 10, 1963]

MISERY ACRES—LAWS VAGUE ON SHARPIES, SO LOOK FIRST

(By Robert A. Caro)

The experts agree that there is only one foolproof method by which the average investor can avoid getting gypped when he's buying land: go and look at the land.

"You should never buy land sight unseen," says John R. Hoffman, vice president of the National Better Business Bureau. A spokesman for the Miami-Dade County, Fla., Chamber of Commerce puts it more graphically if less elegantly: "If you buy unseen, you have rocks in your head. Only fly-by-nights object to your * * * wading in their swamps."

If you had ignored such advice and merely had written to the Mojave County, Ariz., Chamber of Commerce about land being sold by Lake Mead Rancheros, you would have received a letter saying: "The land * * * has great potential as a recreational area. The climate is lovely * * *." (The description might startle some Arizona officials who regard Lake Mead Rancheros as one of the most unpromising of all the desert subdivisions in the county.)

The letter, which was mailed in response to a recent inquiry, was signed by Miss Betty Windle of Kingman, the secretary of the chamber of commerce. Miss Windle is also listed as the resident agent of the developer in a form filed by them with the Better Business Bureau of Southern Nevada. Miss Windle says: "I never was their resident agent." She says that she merely handled mail for the firm and was paid for doing it.

FRAUD STATUTES LIMITED

Anyone who looks to the law for protection from land fraud will find that he'd be better off looking at the land instead. Federal mail fraud laws weren't devised to deal with the subtle lie-by-omission that characterizes much of the land-boom promotion. And State statutes are often myopic, dealing with part of the problem but not with enough of it to protect the buyer.

Federal statutes covering advertising and mail-order contracts deal mainly with outright fraud. Herbert E. Wenig, chief of the Investment Frauds Unit of California, says: "Often it is contended that under such statutes, there must be a showing of affirmative misrepresentation of a fact." Wenig notes that it is not what is said in real estate advertising that deceives the reader, but what is left unsaid. One man from Wausau, Wis., paid $300 of an $1,800 total price on four 2-acre lots in Florida. A sales letter described the lots as "just a 35-minute drive from Everglades City." The trouble, as the Wausau man found out, was that there was no road. But there was also no outright fraud.

Some State officials believe that the only solution is a broadening of Federal statutes. But the Justice Department disagrees. Deputy U.S. Attorney General Tully Kossach concedes that "the problem is very real" and that it involves "an awful lot of money." He feels, however, that passing new laws "is a State problem."

The picture as far as State laws are concerned is blurred. Some State laws deal strictly with the problem; others hardly touch it; no two coincide. Attempts to get uniformity among the laws of various States

have foundered on two basic difficulties. One is that these States, the Southern and Southwestern States in which the land involved is situated, are anxious for development and tend to look more favorably on speculative promotions than do the investor States, where the people who buy the land live. The other difficulty is that no single State is able to get an overall picture of the problem. New York, for example, sees the ads of Arizona developers, but all too often doesn't see the land that has been advertised. Arizona sees the land—but not the ads.

In addition, many States do not believe that there is a pressing need for more stringent legislation because they have not yet received a large number of complaints from disenchanted residents. Marshall Mayer, deputy California attorney general, says: "This thing is like a time bomb. It won't go off until the buyers either see the land themselves or try to live there." Since most of the land buying is on installment plans running 8 or 9 years, and since many people are buying in anticipation of retirement still in the future, the time bomb may not go off for years.

California is one State that has moved quickly against the phony promoters. It now has before its legislature a bill that many observers feel is the cure for phony real estate advertising. That bill would make it a felony to sell to a California resident lots in any development—in any State—that have not been inspected and given a permit by California. The bill would empower the State to arrest a representative in California of any firm selling unapproved property. Since most mail-order firms need local salesmen to wrap up the sales, Mayer believes that such a law would curb misleading advertising.

New York's laws seem a lot better in theory than in practice. They provide that developers who want to advertise in this State must first register with the State. The ads cannot be published until a State inspector looks at the land and certifies that it conforms to the descriptions in the ad.

But the laws have been ignored with impunity. One developer touting Everglades swamp acreage without the required approval was ordered on September 20, 1961, to stop the advertising. The order was ignored. A year later, the State attorney general's office sent the firm another letter citing the order. The firm was still advertising last month. And, presumably, the ads were still bringing in the suckers—people with dreams of retirement packaged in the bright colors of a huckster's illusion.

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## "WHY CAN'T A WOMAN BE PAID LIKE A MAN?"

Mr. PROUTY. Mr. President, in the November issue of Good Housekeeping Magazine, there appeared a very thought-provoking article entitled "Why Can't a Woman Be Paid Like a Man?"

The article, by Arthur S. Flemming, former Secretary of Health, Education, and Welfare under President Eisenhower, contends that many women are denied opportunities for good pay and advancement because of discriminatory practices.

Frequently, the author says, women perform the same duties as men, equally well or better, and receive 10 to 30 percent less in their pay envelope.

Since Congress will consider during this session legislation requiring equal pay for equal work, I believe the Flemming article is most timely, and I ask unanimous consent that it be printed at this point in the RECORD.

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

[From Good Housekeeping magazine, November 1962]

WHY CAN'T A WOMAN BE PAID LIKE A MAN?

(By Arthur S. Flemming, contributing editor, formerly Secretary of Health, Education, and Welfare)

Equal pay for equal work is simple justice, it's also essential if we are to maintain and improve our standards of living.

Let's face it. Many of the Nation's women are victims of discrimination and exploitation. They perform the same duties as men. Their performance is equal or superior to that of men. And yet they are paid 10 to 30 percent less.

Consider the case of Mrs. A, a note teller in a bank in Milwaukee, as revealed by the most recent census study. She, like 4.5 million other workingwomen, is the head of a family, and, like 9 million others, is over 45. Together with other women tellers in Milwaukee with less than 5 years' experience, during the May–July 1960 period studied, Mrs. A received an average weekly salary of $63.50. Men note tellers with less than 5 years' experience received $94.50. If she had been working in Denver, Mrs. A's compensation for the same period would have averaged $63, while men were getting $91.

Here are some other examples:

Physical therapist: In mid-1960 the average weekly earnings of women in the private hospitals of Minneapolis-St. Paul were $95.50; men averaged $120.50. In Chicago, women averaged $81; men, $98.50.

Nursing aids: In Cleveland, the average weekly earnings of women in private hospitals during mid-1960 were $45.50; men averaged $54.50. In Baltimore, women averaged $37.50; men, $44.50.

Hotel room clerks: During the March–July 1960 period, the average hourly earnings for women in Chicago were $1.37; men averaged $1.76. In Kansas City, women averaged 92 cents; men, $1.30.

Sewing machine operators: In New York City in May 1961, women making shirts for men and boys averaged $1.51 an hour; men, $1.98. Women making sport shirts averaged $1.52; men, $2.06.

Professional workers: In 1960 the median annual income of women was $4,384 as compared with $6,848 for men. There are undoubtedly many reasons for this disparity, but among them is the frequent failure of employers to provide equal pay for equal work. For example, a February 1962 survey by the Wall Street Journal covering 30 college placement officials and 50 corporation personnel executives showed that the starting salaries for women graduating from college in June 1962 would lag $100 to $500 a month behind those offered to men graduates for equivalent jobs. In testimony before the Select Committee on Labor of the House of Representatives Committee on Education and Labor, a placement official of the University of Wisconsin declared, "The double-wage standard still holds, except in mathematics and sciences."

An analysis in 1961 of job orders placed with State employment service offices indicated that many employers have every intention of continuing to pay women less than men for the same kind of work. Here are just a few illustrations of the pay differentials specified:

City A: Bookkeeper in a laundry: Woman, $60 to $70 a week; man, $75.

City B: Hotel auditor: Woman, $90 a week; man, $100.

City C: Grocery checkers: Women, $56.88 a week; men, $62.90.

City D: Traffic clerk in a wholesale trade concern: Woman, $270 a month; man, $300.

City E: Assembler in an electrical manufacturing plant: Woman, $1.40 an hour; man, $1.55.

But discrimination against women workers is not confined to lower pay. It includes denial of equal opportunities for advancement.

The pay laws of the Federal Government are based on the principle of equal pay for equal work. However, during the 9 years I served on the U.S. Civil Service Commission, I noted the unwillingness of male administrators to set aside their prejudices and give women equal consideration for advancement to higher positions.

A 1954 salary study by the Civil Service Commission revealed that at that time 60 percent of all civilian employees of the Federal Government receiving salaries ranging from $2,500 to about $4,200 were women. But only 13 percent of those receiving from about $4,200 to just under $7,000 were women; less than 3 percent of those receiving from about $7,000 to just under $12,000 were women; and only 1 percent of those receiving from $12,000 to just under $15,000 were women.

Undoubtedly it is facts such as these that led President Kennedy on July 24 of this year to direct the heads of all departments and agencies in the executive branch of the Federal Government to take immediate steps so that hereafter appointments or promotions shall be made without regard to sex, except in unusual situations where such action has been found justified by the Civil Service Commission on the basis of objective nondiscriminatory standards.

The Federal Government is not the only employer that would have to plead guilty to a charge of refusing to give women workers equal opportunities for advancement. Such practices exist in many businesses and educational institutions.

This double standard for pay and advancement must be eliminated. It is in conflict with our concept of justice and fairplay. It is rooted in prejudice. Moreover, it constitutes a roadblock to progress. If we are to maintain and improve our standards of living for an expanding population, we must increase the production of goods and services about 5 percent by 1970. We can do it only if we use all our manpower resources without regard to race, creed, nationality, physical handicap, or sex.

This means that the number of workingwomen must be increased from the present level of between 24 and 25 million to 30 million in 1970.

We will not achieve this increase unless employers who are exploiting women workers change their present policies. A woman worker who knows she is being treated justly makes a far greater contribution to increasing production than one who knows she is being exploited. Furthermore, she will remain at work over a longer period of years. Finally, she will, on the basis of her own experiences, encourage other women to contribute to the production of goods and services.

What can be done to eliminate the exploitation of women?

We can pass a law requiring equal pay for equal work.

Twenty-two States have such laws. They vary widely in effectiveness.

Now, after years of discussion, the Federal House of Representatives has passed the Equal Pay Act of 1962. As we go to press, it has yet to be considered by the Senate.

This Federal bill requires all employers in interstate commerce or those producing goods for interstate commerce, who employ 25 or more persons, to pay equal wages to men and women doing equal work in the same plant or establishment.

If a woman worker believes that her employer is violating the law, she can submit to the Secretary of Labor a sworn statement

that she is being discriminated against because of her sex. The Secretary will then submit a copy of the charge to the employer and launch an investigation. If his investigation establishes the validity of the charges, he will attempt to eliminate the discriminatory practice by informal methods of conciliation. If this fails, the Secretary may then bring a civil action in a Federal court. The court may enjoin the employer from further discrimination and may order him to pay wages due the complainant, plus an amount up to the value of the back wages.

This law would help. It would not, however, solve the problem.

Women are going to have to continue to fight for their rights—through their husbands, as employers or workers, through labor unions, chambers of commerce, women's groups, manufacturing, farm, and other organizations. Through all these means they must continue to crusade for militant programs that will insure justice in the employment of women.

Those who participate in such programs can have the satisfaction of knowing they are helping to make available to the Nation human resources that will be desperately needed in the challenging years ahead.

## THE DISORDERS AT THE DISTRICT OF COLUMBIA HIGH SCHOOL CHAMPIONSHIP FOOTBALL GAME

Mr. PROUTY. Mr. President, a special committee was appointed to investigate the incidents and disorders which arose out of the District of Columbia high school championship football game on Thanksgiving Day, 1962.

Naturally, as a member of the Senate Committee on the District of Columbia I am deeply interested in the contents of the report submitted by Dr. Shane MacCarthy, chairman of the special committee, and since I feel that it clears up many misunderstandings that have developed, I wish to call it to the attention of my colleagues.

In order that all Senators will have an opportunity to read it I ask unanimous consent that the MacCarthy report be inserted at this point in the RECORD.

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

REPORT TO THE SUPERINTENDENT, PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA, FROM SPECIAL COMMITTEE ON GROUP ACTIVITIES, DR. SHANE MACCARTHY, CHAIRMAN, WASHINGTON, D.C., JANUARY 1963

SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA

Chairman: Dr. Shane MacCarthy, director of community programs, National Lumber Manufacturers Association.

Special consultant: Judge Stephen S. Jackson, Deputy Assistant Secretary of Defense.

Committee members: Simeon S. Booker, Jr., chief, Washington Bureau, Johnson Publishing Co., Inc.; Mrs. Henry Grattan Doyle, past president, Board of Education; Arnold Fine, director of public relations, the Hecht Co.; Philip Larner Gore, president, Security Storage Co.; Lt. Gen. Lewis B. Hershey, Director of Selective Service; Col. John V. Hinkel, vice president, Kelly-Sanders-Hinkel, Inc., public relations; Mrs. Jehu L. Hunter, second vice president, League of Women Voters of the District of Columbia; Dr. E. Franklin Jackson, minister, John Wesley A.M.E. Zion Church; Alphonse "Tuffy" Leemans, past president, Touchdown Club; Sterling Tucker, executive director, Washington Urban League.

SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA

*Subcommittees*

Citizen responsibilities: Chairman, Simeon S. Booker, Jr.; members, Philip Larner Gore, Lt. Gen. Lewis B. Hershey, Dr. E. Franklin Jackson.

School responsibilities for sports: Chairman, Mrs. Henry Grattan Doyle; members, Arnold Fine, Mrs. Jehu L. Hunter.

Interschool competitions: Chairman, Sterling Tucker; members, Col. John V. Hinkel, Alphonse "Tuffy" Leemans.

Drafting of report: Chairman, Simeon S. Booker, Jr.; members, Mrs. Henry Grattan Doyle, Sterling Tucker.

SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA,
*Washington, D.C., January 8, 1963.*

Dr. CARL F. HANSEN,
*Superintendent of Schools, Public Schools of the District of Columbia, Franklin Administration Building, Washington, D.C.*

DEAR DR. HANSEN: Attached is the report of the Special Committee on Group Activities established by you to investigate thoroughly the incidents and disorders which arose out of the city championship football game on Thanksgiving Day, 1962.

While Thanksgiving 1962 will be remembered long as a dismal day for many, those most grievously affected plead—not for revenge—but for action, so that an affair of this kind will not occur again. In essence this is the challenge you have placed before this committee, and I assure you that every member has worked assiduously to face up to it.

In responding to your invitation to be chairman of this committee, I had little appreciation of the depth and enormity of the problems involved.

Since you had confidence in selecting me as chairman of this committee and in allowing me the liberty to choose the members of the committee, I feel you should receive from me the frank statement of my own views which are contained in this transmittal letter. Clearly do I recall your mandate to me personally to "lay it on the line."

To consider the Thanksgiving Day disorders as beginning and ending with the referee's whistles would be to ignore the pleading of the injured and to minimize the fundamental factor that behavior at one sports contest—in this instance a football game—follows the pattern of conduct at other similar events and in the daily surroundings of the schools.

Thus the tragic happenings at District of Columbia Stadium may beget good and lasting results if they awaken the public mind and shock responsible persons into assessing the discipline of students in our public schools. This serious theme—the urgent need for both group and self-discipline—runs throughout the report. The brutal display of irresponsibility and lack of self-discipline must be examined in the context of normal living among average law-abiding citizens. Not a single teacher to whom I have spoken in the past few weeks was surprised that the outbreak took place. Uniformly came the response, "Why should we be? We live with this brand of conduct every day in the schools."

Your written invitation, Mr. Superintendent, to all teachers to speak with me directly, buttressed by a meeting of principals in your office, brought little response. This is attributable to two reasons: (a) Lack of followthrough by many principals; and (b) fear on the part of the teachers lest frankness would jeopardize their positions.

Some very conscientious teachers did accept our invitation to come before the committee. Many talked to me alone—not wishing to disclose themselves further. What they said in vivid detail corroborated the information the committee already received about the discipline problems in the public schools at all levels, elementary, junior high, and high, and the inability of teachers to teach under such conditions. With a tolerated policy to keep youngsters off the streets and in the schools, many teachers too often become mass babysitters for the young and wardens for the older groups. It is virtually impossible for an instructor to put over a subject when some students talk, walk around the room, curse, throw objects, remain in the halls for inordinately long periods, resent any mandate, and at times even ridicule and threaten the teacher. The lack of respect for the teacher is causing many dedicated persons to either bide their time to retirement or seek occupation in other fields. Teacher frustration under such difficult circumstances is an all too common disease.

Teachers find it difficult to live with their consciences when too many pupils are passed upward from grade to grade, not because they have the academic ability, but only because they are getting older. Teachers are heartbroken under these conditions.

In all my discussions with persons in the schools there was reflected the dedication of heart, mind, and physical effort in the interest of all of the children of all of the people. The eagerness of school personnel to succeed in this overwhelming task deserves and requires the help of the entire Washington community.

It is only in this full context that the District of Columbia Stadium conduct of students, school dropouts, and neighborhood hoodlums can be understood and analyzed for corrective action. The format becomes apparent when we realize how little educational and behavior benefit some pupils are capable of accepting in the classroom. Nevertheless these children go to higher grades until they attain the compulsory attendance age of 16 and then go out to face the world. Many among them cannot read and write and are unable to get jobs. Crime, with its ever-ready appeal of ease, too often supplies an answer to joblessness, frustration, and boredom. Unfortunately, examples of criminal conduct crop up too often within some schools, jeopardizing pupil safety and influencing other students. Not unusual are organized extortion rings where older boys take lunch money from younger boys and girls; stealing of clothes, radios, books and balls; molesting of students in corridors and threats of violence. Much of this happens without public notice because those affected are coerced by threats not to tell, and many school officials choose to live with what they have come to regard as inevitable rather than notify the police. Too often when the police are brought in and the culprit remanded to justice, he returns to school within a few days, having been told by court authorities to be "a better boy."

It is no wonder that widespread rumors persisted in the public schools before the Thanksgiving Day game that there would be trouble if St. John's won. Because of this, hundreds of boys and girls in the public schools did not go to the football game and do not go to the basketball games at the present time.

Many of the behavior problems occur in the basic groups at the high schools because those pupils have little interest or desire to advance. They can be easily led or misled. Irresponsibility and lack of self-discipline are all too prevalent in this section of the schooling process. But the roots of this problem go back to the early grades of elementary school where the fundamental skills of the three R's have not been acquired by these pupils. Lecturing to these unfortunate children about the correlation between rights and responsibilities or the necessity of respect for persons and property means nothing. They simply are unprepared to accept abstract ideas of this kind. Their

behavior patterns in and around the schools reflect this ignorance and indifference. If irresponsibility is their daily norm, the charged atmosphere of stadium tension is a natural environment for irresponsible explosion.

Since 1954, the date of integration, many students, both white and colored, have found the training of our District of Columbia public schools an adequate and often exemplary base for immediate positions in the business world or for advanced education. However, the rapid growth in numbers of Negro pupils, many with low mental rating, coupled with increasing crowding of facilities, neutralized the academic standards of the education system in the District of Columbia.

Placing the Negro children with the white 8 years ago was desegregation, not integration. Only too prevalent was the pattern of the Negroes and the whites continuing to segregate themselves within the same school. In undertaking any process, there are two methods: the easy and the hard; usually the first is the less effective. So it appears to have been with the laudable step to blend the races in our American schools.

Integration is a most complicated undertaking. It is not accomplished simply by opening classroom doors. It is not brought about by a paper decision to recognize the rights of fellow citizens. It is not achieved by an emotional urge that follows the prodding of the heart rather than the leadership of the head. We do a grave disservice to boys and girls of both races when we direct them to integrate and thrust them into indiscriminate mingling without the thorough preparation which is a mandate for success in any undertaking. The unique difficulties which many teachers face today and which too often rock their morale in teaching basic students and in controlling classroom discipline, illustrate the need for prior training and preparation essential to achieve good results. We must now acknowledge the existence of current school disciplinary problems resulting in large measure from the lack of such teacher preparation and resolve to take drastic measures to cope with existing conditions.

For the colored as well as the white, it must be acknowledged that lawbreaking anywhere—at school, in the street, or in a stadium—is not the result of being underprivileged. Breaking the law results from a fundamental lack of self-discipline. Social background unquestionably affords some of the reasons for malcontent, but persons, if they are to be contributive citizens, must learn to rise above their environment. While inequities of citizenship can never be condoned, it must be recognized that sometimes it takes years and years to remove them. In the meantime, those so affected must learn to control themselves. Our American society at every stage of its development has been marked by the patience and perseverance of individuals and ethnic groups. Our own Negro leaders of today, typified by those on this committee, are splendid examples of men and women who have coped with difficult social circumstances in their own youth and have risen above them.

Racial hatred of fellow Americans is intolerable whether it be white against Negro or Negro against white. We are all American citizens. As our Negro citizens develop social maturity they must differentiate between those who would exploit their condition for proximate or ultimate political purposes and the white citizens who want them to enjoy the full and unhampered benefits of American citizenship. Negroes must have confidence in the latter. With this approach, Negro achievements will be notable and lasting. Without this, suspicion and bitterness inevitably continue.

Mutual confidence of this kind between the races was exhibited in all our committee discussions. In fact, our common labors to assess the meaning of "what happened" and "why" clearly show how much better conditions at District of Columbia Stadium on Thanksgiving Day 1962 would have been if planning such as this had taken place ahead of time.

The committee members join me in thanking you for the honor you have done us in requesting that we serve you on this difficult assignment. From the beginning of our deliberations until the end, you have carefully refrained from interfering in the slightest degree. Through you we received a great quantity of pertinent written information from all the public schools, and your immediate staff attended to all our housekeeping needs.

We earnestly trust the report, when acted upon, will help those who need assistance most—the boys and girls of our public schools in the National Capital. The attributes that have made our country great—truth, courage, determination, and moral integrity—must combine to foster a behavior pattern among all our young people of such essential worth that another Thanksgiving riot cannot happen. With the current stress on the physical aspect of fitness, let's always remember that true fitness involves even more important factors—the muscles of the mind and the fibers of the will.

With the submittal of this report, the Special Committee on Group Activities is disbanded.

Respectfully submitted.

Dr. SHANE MACCARTHY,
*Chairman, Special Committee on Group Activities.*

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OPENING STATEMENT OF DR. SHANE MACCARTHY, CHAIRMAN, TO THE SPECIAL COMMITTEE ON GROUP ACTIVITIES

The concept of champions is an ancient one. Champions were chosen to represent kingdoms and states as exemplars of the finest virtues of the people they represented. The philosophy of championship contests has survived. It is regretful, indeed, that such a contest was the setting for a grim spectacle on Thanksgiving Day.

An American sports event, played in an American stdium, on an American holiday, in the National Capital, come to a close with a grandstand performance of ill will and irresponsibility with too many of those in attendance playing the leading roles. The show that ensued blasted loud and vengeful in and around the District of Columbia Stadium. It was real, and it was painful. The riotous conduct was the part of the afternoon that won immediate and lasting wide attention.

Few Americans can recount the score of that game—many can probably not even identify the winning team. But the shame of the fighting and the bloodshed is remembered well, to the detriment of our city, our District citizens, and indeed to our Nation.

The savagery at District of Columbia Stadium was participated in and witnessed by more than 48,000 Americans; reports of it were simultaneously broadcast to countless other thousands; it has occupied pages of newspaper and magazine space in far distant places as well as at home; and numerous commentaries have been made, with and without the facts. The eyes of the Nation and of the world are watching to see how the citizens of the Capital City of the world's most respected Nation undertake to restore the dignity of that Capital and its people.

The Special Committee on Group Activities has the important duty of analyzing this grave and critical situation. It is necessary before proceeding with the study to make sure that all members of the committee think alike about the seriousness and significance of the circumstances. To appreciate the full intent of the project at hand, each member of the committee will need to become thoroughly informed. Reports from responsible persons in the school system, police reports, press accounts of the violence, individual and group feeling as expressed in letters to the committee and to the editors of the newspapers, TV, radio reports, films, and personal interviews with those who saw, or were a part of, the actual violence are the principal sources being used in acquiring this information. The committee will be looking at facts, not hearsay; finding ways to correct the situation, not giving excuses; bringing to light reasons for the breakdown in personal responsibility; not seeking a scapegoat.

The primary purpose of the committee, then, will be to investigate these sources to find out just exactly what did happen at the District of Columbia Stadium on Thanksgiving Day, to find out why it happened, and to formulate recommendations to help prevent a recurrence of mob violence at a high school athletic contest.

Ever cognizant of the variety of factors that contribute to violent outbreaks of uncontrolled behavior—for example, housing conditions, economic, social, and religious differences—the Special Committee on Group Activities will be able to consider at this time only those facts pertinent to the stadium altercations. Should facts come to light that indicate a need for further study and more intensive investigation, such tasks will not be the responsibility of this committee. In these instances the committee will be a direction indicator.

Therefore, in approaching our task let us each withhold decisions until we have examined the facts thoroughly. Orbiting in generalities or attempting to use this committee as a platform to espouse causes or to deny problems will not help us achieve our purpose. So with objectivity and impartiality let us avoid the useless process of manufacturing excuses and strive instead to find the reasons and the answers.

I have confidence in the ability of this group to attack the grave problem before us with thoroughness, efficiency, and understanding and to move with steady pace to the completion of a report within 3 weeks.

In this endeavor we pray God's help.

Dr. SHANE MACCARTHY,
*Chairman, Special Committee on Group Activities.*

DECEMBER 5, 1962.

INTRODUCTION

On Thanksgiving Day, 1962, an estimated 50,000 persons viewed the annual schoolboy competition at the District of Columbia Stadium featuring the public school champions, Eastern, and the Catholic league winners, St. John's. One of the largest crowds ever to see an athletic contest in the stadium witnessed a thriller but also saw a disgraceful climax of lawlessness, rioting, and mass misbehavior on the part of a small percentage of spectators. What started out as the football season finale, the highlight of an athletic character building program, degenerated into a shameful exhibition of poor sportsmanship and misconduct which was widely publicized. The reputation of the Capital City of the world's greatest democracy was tarnished and its citizens were shocked and chagrined.

What happened? Why did it happen? What flaws in planning the contest set the stage for the riots? What are the basic causes of incidents such as the stadium outbreaks? What are the preventatives, particularly in definition of the school's responsibilities?

To assume the heavy responsibility of analyzing the causes of the Thanksgiving Day lawlessness and suggesting ways to prevent a recurrence of such incidents in the city, the Superintendent of the District of Columbia Public Schools, Dr. Carl F. Hansen, estab-

lished a Special Committee on Group Activities and named as chairman, Dr. Shane MacCarthy, a formed White House aid (under President Eisenhower) who directed the President's Council on Youth Fitness. The chairman set up a 10-person committee with outside impartiality—none of whom were from any part of the school system nor from the school board, nor from any segment of the government of the District of Columbia.

Dr. Hansen's command was specific: "Our wish is to have from you a frank and unrestricted evaluation of what happened at the stadium, why it happened, and what should be done to prevent anything like this happening again. Let us know what our failures were and what we need to do as a school system to do a better job."

For almost 5 weeks the committee members examined available data, materials, letters from school officials and students, letters from families and individuals who attended or who had relatives who attended the game, police reports, injury lists supplied by the Catholic and public schools, regulations, and reports of various public officials. In closed hearings, the group discussed with school officials and citizens various aspects of the Thanksgiving Day game. The committee herewith records its appreciation to those persons who cooperated fully with the committee. Carefully assessing and interpreting the information supplied by guest speakers, the collected materials, the committee to the best of its abilities concluded with this report:

THE GAME: WHAT HAPPENED?

The 1961 City Schoolboy Championship game, in which Eastern toppled St. John's by a 34–14 margin, attracted 49,690 spectators, the largest sports crowd ever assembled in the Nation's Capital. In 1962 the schoolboy classic was sold out days before the game and the attendance figure threatened to pass the old record as the result of promotion. In fact, a newspaper created a stir by printing an article which inferred the stadium was oversold. School officials later denied the story.

Police reported[1] the gates opened at 9 a.m. and the majority of the early arrivals were youngsters between 9 and 18 years of age, most of whom were unaccompanied by any adult. As the crowd gathered nearer the 11 a.m. game time, several persons reported young adults "scalping" tickets on the outside of the stadium. Several appeared to have an ample supply of the ducats.

Just before the start of the game, when the national anthem was played, hundreds of young adults were seen retaining hats on their heads or sitting in their seats. Reports indicated that as the first half of the game progressed many aisles were filled by restless spectators who moved to and fro and there were a few complaints of roving gangs attacking individual fans.

At half time, when many adults left their seats in the lower level nearest the playing field, police report youngsters in the upper levels moved down into their seats, causing confusion. There were reports of several fights in the stands and some altercations in rest rooms, as well as the bootleg sale of liquor. A police officer reported the presence of known thugs in unruly groups. It was also near this time, the attendance was announced—50,033, a new record.

Most of the observers, including game officials considered the game clean, hard fought and well played up until the last quarter. However, the Eastern coach mentioned that he tried to complain about illegal blocking on the part of some St. John's players, but during the halftime break he did not take the opportunity to register an official protest.

The turning point of the action on the field took place in the final quarter. A review of the film clips showed hard blocking on the part of both teams. On one such play the elbow of a St. John's player, Jay Calabrese, caught Harris on the right side of his face. When Harris drew back to throw a punch, an official saw him and ejected him from the game. The official did not see illegal use of hands by Calabrese. An Eastern player, Calvin Harris, was ejected from the game for attacking a St. John's player, Jay Calabrese, following a play a few yards from the Eastern bench. Seconds afterward, the Eastern coach entered the playing area, according to him, "to see what was the matter." While on the playing field, he gestured defiantly at the officials and registered a sense of disgust which was noticeable to many fans. While the Eastern coach was on the field, an action which was not sanctioned by officials, Harris raced back onto the field and began attacking St. John's players. Players from the Eastern bench then ran onto the field, apparently to restrain Harris but in the mixup, new fights broke out between members of the two teams. During the melee, police on the sidelines were forced to hold back scores of spectators on the Eastern side of the field, while at the same time, the St. John's coach restrained his team members from crossing the field and becoming engaged in the disorder.

When order was restored, Harris restrained by his own teammates, was strapped to a stretcher and carried from the field. There was no announcement concerning his condition nor an explanation via the microphone of the activity on the field.

In explaining the gridiron action, veteran referee Raymond J. Wrenn wrote, in part, this statement to the committee:

"The game had been going along without any problems for more than three quarters. The boys did not present any problems and there were no remarks between players. As an example, no official had to penalize a player until late in the third quarter and this foul was a simple holding one.

"With about 6 minutes left in the game, there were still no problems and it was a good game until it was necessary to put an Eastern player out of the game for hitting a St. John's player. At this time there was an injured Eastern player on the field. The coach, Mr. Richard Mentzer, instead of attending to the injured player took this opportunity to complain to the officials about the rough and unsportsmanlike fouls being committed by the St. John's players. He made gestures of the type of fouls and directed his remarks to the St. John's players. After I marched off a 15 yard penalty against Eastern making it first down and 25 yards to go, we were ready to run off another play. I saw an Eastern player run off the bench and go up behind the St. John's middle linebacker and hit him behind the head with his fist. This same player was the one ejected from the game. Many of the Eastern players on the bench charged on the field and a fight took place. The 11 St. John's players had to fight off the attack and were in danger of serious injury.

"I believe that if the Eastern coach and his assistants had restrained their reserve players instead of coming on the field with the players from the bench the one Eastern player could have been restrained by the four officials. This would be a routine game procedure.

"Again Mr. Mentzer, and Mr. Bristor, assistant coach, made remarks about the St. John's players playing illegally and not being penalized. Again gestures were made by Mr. Mentzer about the type of illegal fouls being committed.

"Because of the unsportsmanlike foul relating to the player who came back onto the field, it was necessary to add another 15 yard penalty. I asked him to please leave the field.

"The game was continued and it was necessary to remove another Eastern player for hitting with an elbow. There were several more fouls but all of them on routine plays associated with the game of football.

"The gestures made about illegal play and the threatening to make the game movies available to point out the officials' mistakes was not in keeping with coaching ethics. It is a known fact that problems on the field reflect themselves in the stands."

From the outbreak of fighting on the field, tensions rose, a factor which many spectators seemed to notice. Many admitted that they bundled children and began leaving the stadium apprehensive of trouble to come. The police summed up the situation in this way:

"Several of the persons interviewed expressed a feeling of rising tensions in the crowd as the game progressed. To what extent the events on the field had in creating tension or adding to that which existed, if any, is not known. Some persons expressed the view that these occurrences were a factor in the trouble that developed."

Another segment of the police report states: "After the melee on the field the spectators in the Eastern High School section became restless and noisy, and tension appeared to increase. Fights in the stands increased and police officers had to restrain some persons from going onto the field."

Officers stationed at the Eastern stands reported that a few seconds before the game ended, the fans started a "countdown" and there were cries of "Let's fight" and "Let's get them."

Continuing with the police report, an evaluation of summaries submitted by 242 police officials, it states:

Immediately after the game was over there was a rush of several thousands of persons from the Eastern stands toward the St. John's stands. Officers reported it was physically impossible to stem the rush. Police officers were ordered to escort the St. John's team and band off the field. Other officers proceeded to exits and ramps where numerous attacks were taking place.

Many officers reported attacks on white persons by Negroes in and out of the stadium and seeing a number of white persons injured. They stated, in a number of cases, that they went to the assistance of the injured persons. They repeatedly stressed the difficulty of identifying the assailants and the fact that one assault after another occurred with the assailants disappearing into the crowd. The officers concentrated on assisting the injured and dispersing the crowds.

They reported the extreme difficulty encountered in efforts to control the crowd.

Bottles and debris were thrown at the St. John's Band and at several police officers.

Officers reported that a large number of persons exited at gate E on the north side of the stadium. The crowd was yelling, cursing, and generally in wild disorder. Three priests, as yet unidentified, were assaulted by a group of Negroes. One priest was bleeding about the face or head. There were reports of unprovoked attacks on white persons by Negroes. The attacks in this area extended to parking lot 7 located north of the stadium.

It was estimated that approximately 3,000 persons were involved in the incidents at gate E. Police officers reported the impossibility of making arrests because of the size and temper of the crowd and the numerous assaults taking place simultaneously.

There was some trouble at gate D and on the southeast side of the stadium but most of the trouble occurred at gate E, parking lot 7, and on the streets north and northwest of the stadium.

[1] Full police report is exhibit A in addendum.

Many thousands of persons left by the main entrance. These persons were orderly and no trouble was encountered except for heavy pedestrian and vehicular traffic.

The disorder and assaults spread northward. The worst of these were at 18th and D Streets NE., and 21st and Benning Road NE. Several arrests were made at these locations. There was also trouble at 21st and E Streets NE. There were hundreds of persons at these locations. There were fights in the groups and numerous reports of rocks being thrown.

It was reported that Negro residents of the neighborhood viewed the occurrences as disgraceful. Some of these Negro families opened their homes to white persons to protect them from the mob.

Inside the stadium one officer reported he was assisted by two Negro male adults in breaking up a group of Negroes who had attacked a white girl.

One officer reported his motorcycle was overturned by a group of Negroes. He was calling for assistance and just managed to get off the motorcycle before it was overturned.

At gate E and at 21st and E Streets NE., dogs were used to bring the crowd under control. At 21st and Benning Road NE. a police dog was kicked by a Negro male who also struck at the officer. When the officer attempted an arrest he was jumped on by others and struck on the head and kicked. Rocks and bottles were thrown at the officer.

At Oklahoma Avenue and Benning Road NE. a police dog was kicked by a Negro male. At 21st and Benning Road NE. an officer was pursuing a Negro male who had a rock in his hand. He was pushed down a hill and his police dog was kicked. The dog was snapping back but the officer does not know if anyone was bitten.

At all of the locations mentioned there were reports of large crowds fighting, cursing, and throwing rocks and bottles.

One officer was spit upon. Four were struck by thrown bottles. One was struck on the head by some object.

In another section of the police report, a study was conducted of residents in an adjoining neighborhood of the stadium. It is printed in full:

"The general area north of District of Columbia Stadium was the scene of many fights and assaults. To obtain information residents in the 400 block of 21st Street NE., 500 block of 21st Street NE., 2000 block of E Street NE., 600 block of 20th Street NE., and the 600 block of 20th Street NE., were interviewed. This was apparently the area in which the worst of the rioting took place. These residents are Negroes.

| | |
|---|---|
| "Total residences visited | 106 |
| Number of families interviewed | 83 |
| Not at home during canvass or during trouble | 30 |
| Did not see anything—just normal football crowd | 27 |

"A number of persons interviewed could furnish no useful information but many expressed the view that the occurrences that took place were disgraceful.

"Practically all of the persons interviewed saw the large groups of persons. Ten persons stated they saw Negroes attacking white persons. Eleven stated they saw Negroes, mostly juveniles, jumping on automobiles and running up on porches. A number saw fights taking place.

"Several of the residents had attended the game. One stated he saw an Eastern player striking St. John's players and another Eastern player kicking a St. John's player. They stated they left the game early because they felt trouble coming. One saw sporadic fighting among Negroes during the game. Another stated he saw juveniles drinking from whisky bottles in the men's restroom.

"Two persons stated a Negro neighbor opened her home to several injured white boys. Another Negro stated he told several white boys to come up on his porch but they ran away and he saw them attacked by Negroes. Another Negro resident permitted white boys to stay on her porch. One stated she went to the assistance of a white boy who had been assaulted by Negroes.

"One Negro resident stated a Negro youth brought a white youth to her door. Both had been beaten. At the same time four other white youths ran up and she took all six into her home. They too had been beaten. They remained there until the police arrived. Another Negro neighbor went to the assistance of this resident and both of them went into the street to assist white persons.

"None of the persons interviewed could identify any of the attackers. From the residents in this neighborhood, however, the following views were expressed:

"1. The assaults were unprovoked and committed by one segment of Negroes on white persons and on other Negroes who came to their aid.

"2. There appeared to be considerable drinking.

"3. Many were angry because Eastern lost the game.

"4. A group of Spingarn students attempted to stop the assaults and aid the victims.

"5. The majority of the disorderly crowd were not students.

"6. The residents deplored this behavior and will discuss the matter with their civic associations.

"7. They were complimentary of the action taken by police officers. Additional information on the rioting compiled by police included:

"Statements were obtained from two bus drivers which described the disorder created on the buses by large numbers of Negro teenagers and the damage inflicted on the buses.

"Also one report of an assault which occurred on parking lot 7 in which a white female was attacked by 15 to 20 Negro females. She received only home treatment for minor injuries."

Eleven reports were received from members of the U.S. Park Police.

Three U.S. Park Police officers were detailed to the parking lots at District of Columbia Stadium. One of these officers reported a large group of possibly 1,500 teenagers on lots 7-A and 7-F with several groups fighting in the center of the crowd. He witnessed six or seven Negroes beating up two white boys and went to their assistance. He tried to break up several other fights and was encompassed by the crowd. The crowd pushed the assailants away and prevented apprehension. He stated the crowd surged on and numerous fights continued.

Another saw fighting on the parking lot. He saw one Negro male bleeding from the nose. The officer was struck in the chest by a thrown rock. He also saw a white male bleeding. He tried to disperse the crowd. He also investigated the complaint of a Negro female that she injured her hand when struck by an automobile occupied by several white females. The Assistant Corporation Counsel refused to issue papers in this case.

Another officer who was assigned to parking lot 8 responded to parking lot 7. The heavy traffic delayed his arrival and when he did arrive he saw a large group of persons, mostly Negro, running up the parking lot bank. He saw no fighting at that time.

One officer saw no fighting on arrival but took custody of two lost children.

Another went to 21st and D Streets NE. and assisted the Metropolitan Police in taking three white males and two white females to their cars because they had been threatened by Negroes. He also assisted the Metropolitan Police at 21st and Benning Road NE. in dispersing large groups.

One officer went to the East Capitol Street Bridge where large groups of teenagers were running down the middle of the roadway blocking traffic. He restored traffic movement and then assisted in dispersing large groups on lot 7.

Five U.S. Park Police officers responded, with special equipment, from their headquarters. They arrived at lot 7 and found no disturbances. Also responded to lot 6 and found no trouble. They patrolled the area but the gathering of groups had subsided.

*Eyewitness accounts from letters*

A father wrote: "I attended the game with my whole family, i.e., wife and four children, ages 9–14, and sat in the upper stands, near the goal line. I observed the following incidents:

"1. During the half, in the men's room, a white boy, about 6 feet, 16 years of age, was slugged about the head, by about 8 colored youths, about 15–17. A police officer appeared about 2 minutes thereafter, but all parties had disbursed.

"2. After the game, coming down the upper ramp and looking directly down about two ramps, a white youth, about 15–16, was struck to the ground, and while lying doubled up, he was kicked many times in the back, by a group of colored youths also descending for the exits. The boy was crying all the while, and kicking stopped only when some white people reached that place. The boy had a red St. John's jacket on.

"3. A totally unwarranted attack. A 6-foot St. John's boy, about 160 pounds, wearing a grayish St. John's jacket, was waiting inside a car in the parking lot area (7, I believe). The St. John's boy was getting ready to open the car door and was looking down at the handle of the door. I had two of my children by the hands, and my wife had the other two, and was about 20 yards from the happening. Suddenly, a group of about 10–12 colored youths, about 15 to 20 years of age, apparently spotted this St. John's boy and ran around the particular car and struck the boy in the face. The third or fourth blow struck the boy's jaw on the left side of the boy's face and almost knocked his head off. Many other raining blows followed in quick succession. The boy somehow retained his feet, and then escaped to the area of another car about another 20 yards away, all the time holding his jaw. The group of colored youths, then took off, like a pack of wolves, and seeking more prey. The initial approach of this same group of colored youths was also like running a pack of wolves. The boy apparently did not even see the gang approaching. Police were directing street traffic about 100 yards away.

"I personally saw each of the above.

"4. In addition, another white parent I know, was sitting in the lower stands by the St. John's band, when the Eastern fans swarmed across the field immediately after the game, was struck in the face and his glasses knocked from his face and broken, although his son successfully ducked another intended blow."

From a lawyer:

"In the lower stand section (St. John's side) individual fights took place before and during the early part of the game. At the end of the game, an assistant manager trailing behind the unmolested St. John's football squad was beaten to the ground and cuffed. My party on leaving the stadium, although deliberately pushed and shoved, walked with eyes straight ahead to avoid the obvious reaction sought by Eastern wolfpack supporters (in the age group of 15 to 25). On boarding one of the chartered St. John's buses, most of the middle-aged women were in tears to the point of hysteria. Within the stadium vicinity stones and debris were thrown at our bus by Eastern supporters. Upon safe return to the St. John's grounds, there was no feeling of elation or victory.

The large group of men and women, boys and girls, shared a mixed feeling—bewilderment, humiliation, shame and sadness. The football players were subdued and quiet. Some shared the obvious sadness clearly shown in the faces of Jim Francis and Rick Malcolm." (Editor's note: Francis and Malcolm are colored boys on St. John's team).

From a parent:

"This is the story of what happened to our family on Thanksgiving afternoon at District of Columbia Stadium. We were sitting in the row back of the crosswalk (lower deck). In baseball this is the first row of unreserved grandstand seats. We chose these seats deliberately so the little boys could see better. It was during the fourth quarter after play had been resumed on the field. I had been watching the field intently when suddenly I realized that a Negro man was beating my husband who was sitting to my left. Before I could move, a tall light-skinned Negro struck me a blow on my right temple with his knuckles, and knocked my glasses to the ground.

"There were about 10 Negroes each of which turned and attacked the occupant of the seat opposite them. Our row (all white) consisted (approximate ages) of a 9-year-old boy and his 14-year-old brother; a 9-year-old daughter; a 30-year-old man, his 4- and 5-year-old sons; a 15-year-old boy and his mother.

"The technique employed by this group of 18- to 22-year-old Negroes was to suddenly hit without warning their assigned victims on the temple. The last Negro in the row (these men are walking or standing, of course) would start hitting the occupant of the seat opposite him; the person sitting to the right of the one attacked would turn to see what was the commotion and he would be hit (by a different person, of course) and so up the row.

"I screamed for the police but the cheering at the play on the field masked my screams; then several of the Negroes turned and began hitting my husband again for he too was yelling, 'Police.' The Negroes then turned and disappeared down the walk. My husband went for a policeman. Several Negroes (not the ones who attacked us) crowded the policeman and he was powerless to do anything. They disappeared into what was then a mass of people. The policeman took my name (he had lost his notebook and pen in the hassle) after I gave him pencil and paper.

"Our little boys had seen the attackers and jumped back in their seats so their blows missed the boys. The people in the row in back of us pulled them into their row for safety.

"The hotdog vendor had put his stand down in front of our daughter and that protected her.

"My husband had turned toward me (at the time of the attack) and the blow, intended for his temple, got him over the eyebrow. He had a bump and soreness.

"My doctor insisted that I have skull X-rays since I was hit in the temple. Fortunately, there is no permanent damage although the lump is still there and that side is generally sore to the touch.

"The last youngster on the row had an enormous swelling on his temple almost immediately.

"About a minute before the game was over, the policeman returned and said, 'You'd better go, I'm afraid there is going to be trouble that we can't control.' At this announcement, I could only fear for my children's safety. Luckily we were able to clear the stadium by the east entrance and dodge the mob, but as we drove out there was fighting in every direction."

From a spectator:

"From that point (Harris on stretcher in field), tension began to grow. You could feel it. The crowd became restive. A police official had a conference with 20 to 25 officers back of the St. John's bench. What word was passed around I do not know but later events showed that this particular group was only effective in shunting away the mob from the immediate area of the St. John's band. Toward the close of the game no word came over the loudspeaker pleading for order or sportsmanship.

"Then at the final gun the mob started out on the field and charged across it. The police made little or no effort to stop them. I could hardly believe my eyes; was this mob, practically unhindered, rushing across the field to the St. John's section with assault in mind or were they just seeking the nearest exit to the parking lot? I knew when I saw the pushing and punching and kicking. There was no fighting in the area I was in but coming down the ramp one could see the mobs outside going back and forth looking for trouble."

From a father:

"The facts are that a large number of young Negroes (estimated at 3,000 by the press) charged across the field and into the stands on the St. John's side of the field. During the latter part of the game packs of young Negroes charged through the stands causing minor trouble and incidents in the process. Admittedly there were a number of adult Negroes involved, i.e., in the early twenties, but in my opinion over 70 percent of those Negroes were teenage boys with a sprinkling of teenage girls. Disgraceful and brutal beatings of whites without regard to age or sex were administered by these Negroes. Any quid pro quo was strictly in an effort at self defense. The vandalism in the parking lots was again the work of the same unruly Negroes."

From another correspondent:

"Another reason that mass hysteria, fear, and tension swept through the stands immediately after the battle among the players was that when the fight started on the gridiron, the announcer over the loud-speaker system stopped in midsentence and complete silence prevailed for about 8 minutes it seemed. During this period while the injured player was being treated and carried off the field in a stretcher not only was the loud-speaker system silent but so were two bands. This complete stoppage of all activity caused great excitement and anger to sweep the stands where we were seated. Had the announcer kept some patter going and the bands kept playing, as theatrical people do when a crisis is pending, the crowd would have been kept in a more jovial mood."

SCOPE OF INJURIES

From disturbances which took place at and following the game for a period of several hours, a reported 554 cases of personal or property damage are known. Police estimate there are many others. In letters to the committee, more instances of violence and attack are described, making the toll of victims of the Thanksgiving Day game a nightmare to decent citizens. Officials of St. John's told the committee that their students are covered by insurance. However, there will be others, parents and young adults, who are not.

*Police*

Police reported a total of 42 persons officially recorded as having been injured. Investigation disclosed two additional injuries, the police brought out, emphasizing that "There is no doubt that there were many assaults which were not reported to the police."

Here is a section of the police report dealing with the injured:

Investigators questioned 36 of those persons reported injured. From these persons and the reports on those not interviewed, injuries were sustained in the following manner:

| | |
|---|---|
| Struck by fists or kicked | 28 |
| Struck by umbrella | 2 |
| Thrown object | 3 |
| Cut—sharp instrument | 4 |
| Unknown | 3 |
| Choked | 1 |
| Struck by chain | 1 |

One person stated he saw a chain—another saw a knife. There was one report of a tree branch 4 feet long and 1 inch wide being used.

Of the 36 persons interviewed, 6 were injured during the game. The others were injured after the game was over: 3 in stands, 6 at the exits or on the ramps, 11 on the street leaving the stadium, 10 on parking lots.

Of the seven Negroes injured, one was struck by a Negro on the street after the game. He stated this was caused by his being with a girl and had no connection with the game. Two were injured by objects during the game which were thrown by unknown persons; two were cut on the buttocks while leaving the stadium, one thought the assailant was a Negro male but the other stated the assailant was unknown. One was struck by a Negro male during the game and the other injury was sustained during an altercation with a group of Negroes during the game.

Of the 35 white persons injured, 32 of them stated they were attacked by Negroes, mostly in groups. Three were unable to specify the color of their attackers nor give any description.

*Catholic school survey*

In a survey of injured students, and relatives, and listing of property damage suffered by them, Msgr. John S. Spence, director of education, archdiocese of Washington, reported a grand total of 485 cases. The survey is exhibit B in the addendum.

*Public schools*

A public school survey of injured students listed 27 from 9 schools. The listing is exhibit C in the addendum.

In a followup to the public school report, police interviewed 25 of the students, most of whom were Negro, and found instances of whites attacking Negroes, at the stadium.

The following is a brief summary of the statements made as to how these injuries were received:

1. Seven Negroes, male and female, were pushed or knocked down by the rush of the crowd and did not know who was responsible.

2. One Negro male was accidentally kicked by an unknown person.

3. One Negro female was struck by a bottle thrown by a white boy.

4. One Negro male was slapped by an unknown person.

5. One white male had an argument with a Negro male and they squared off. Before any blows were struck the white male was struck in the face by an unknown Negro male.

6. One Negro male had his fingers burned by two Negro males while on a parking lot.

7. One Negro male was struck in the face by a white male.

8. Four Negroes, male and female, were struck by thrown objects such as stones, bottles, or beer cans—did not know who threw same.

9. One Negro male was tripped and had hand stepped on by unknown persons.

10. One Negro male was accosted by two white males and then struck by them. This occurred at a refreshment stand.

11. One Negro female was struck by a rock which had been thrown at a police officer by a Negro male.

12. One Negro female was pushed by a Negro adult and then threatened with a

knife. The knife was not used but she was injured when pushed.

13. One Negro male was accosted on a ramp by six white males wearing St. John's jackets. One hit him on the back of the neck and then the others pushed him.

14. One Negro female states she was struck by a white police officer's blackjack when he was attempting to break up a fight between Negro youths. She stated it was accidental and the officer was just trying to do his job.

*Enforcement*

In the official report, Deputy Chief of Police George R. Wallrodt, detailed the game preparations:

"On Thursday, November 22, I was working 8 a.m. to 5 p.m. as acting chief of police. I responded to the District of Columbia Stadium just before the opening of the gates at 9 a.m. to check the details and observe conditions. A total of 104 policemen (6 plainclothesmen from juvenile squad) were assigned to police the inside, gates, and walks immediately adjacent to the stadium under the command of Capt. John J. Kinney. A total of 92 police officers were detailed outside the immediate vicinity of the stadium for traffic control under the command of Inspector Louis B. Peters. These traffic control officers were directed to report inside the stadium after the game started to supplement the men inside the stadium. They returned to their traffic assignments at the end of the third quarter of the football game.

"Inspector Peters and Captain Kinney submitted their details and plans to me for approval several days before the game. After a briefing by these two officials and a careful study of the overall picture, I concurred in their arrangements, which under ordinary circumstances would have proved more than adequate. Prior to leaving headquarters on the morning of November 22, I directed the acting captain of the communications and records bureau that in the event of any disturbance, to bring into immediate proximity of the stadium all mobile units in the 5th, 9th, 11th, and 14th precincts. This was done as evidenced by the transcript of radio calls submitted in the report of Captain Kinney."

Later, in the police report, Deputy Chief John E. Winters, youth aid division, wrote:

"In preparation for the 1962 contest several meetings were held by the committee handling all of the details. Police officials having a direct responsibility for providing police service for the game were in constant touch with this committee. A realistic evaluation had to be made on the basis of the racial makeup of the two schools involved. Eastern High School has a predominantly Negro enrollment and St. John's is predominantly white. One fact that was considered was the Eastern victory in 1961 and the absence of incidents following that game in which the same two schools participated. Eventualities that might occur from a St. John's victory in this game were considered. From the opinions expressed by a number of persons interviewed during this investigation, this factor had a bearing on the events that happened after the game as will be shown later on in this report.

"The police detail inside the stadium was accordingly increased by 20 officers over that detailed in 1961. There were 81 officers detailed inside the stadium, 19 were stationed outside at entrances and walkways. Four additional officers were brought in from the foot patrol of the fifth precinct. In addition there were 92 police officers assigned to traffic control.

"Several points of information are inserted here: for example, capacity crowds at the Redskins games, 71 police officers are detailed inside; at the public high school championship game on November 12, attended by 22,000 persons, 33 police officers were detailed inside and there were no major incidents reported; at one point during the disorder at District of Columbia Stadium, on November 22, approximately two-thirds of the entire police force on duty was on the scene."

*Arrests*

Police reported 14 adult arrests made in connection with the game and its aftermath. Six of these arrests were made during the game, three for intoxication and three for disorderly conduct. Seven persons were arrested on the street after the game. One juvenile was arrested for throwing stones at automobiles. He stated he did so because he was angry over Eastern losing the game. All of the persons arrested, except one, were Negroes.

CAUSES OF THE VIOLENCE

In examining what it considered a chain of events which triggered such a frightful uprising, the committee found no incident which could singly be blamed for touching off the riot. If there were one that seemed to fit the requirement, it probably was the disgraceful conduct of the Eastern coach and his ousted player. To charge this pair with sole guilt for touching off such an awesome climax, would perhaps, take out of context their unfortunate role and make them the scapegoats for a shocking laxity of the sponsors, the Washington Post, the Touchdown Club, and those school officials in both public and Catholic leagues who served as members of the championship game committee. These parties showed an amazing lack of awareness of the inflammable potential as illustrated by the uncivilized behavior.

This insensitiveness was unfortunate because for the past several years misconduct has plagued athletic events of the public schools—and even the schoolboy classic as far back as 1956. During the intervening years, school officials have done little to curb this type of violence at school athletic contests. Unable to cope with the misconduct problem at smaller games, school officials nonetheless approved a citywide game drawing more than 50,000 spectators, unpicked and unknown, and under outside auspices. Several guests mentioned that a committee should have been named several years ago to probe violence and misconduct at school athletic events.

As recent as the 1961 Thanksgiving Day game, the first high school game at the stadium, police reported difficulties of an alarming degree. Almost 50,000 attended the game between St. John's and Eastern. According to police, one student was beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. At the close of the annual Turkey Day game in 1959, spectators rushed onto the field, according to police. A player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported to police.

Despite this experience, sponsors and school officials with knowledge of the police department promoted the 1962 gridiron battle without formulating a system of sound safeguards and prevention. Here are some of the important factors the committee believes produced the charged atmosphere and tension which set the stage for violence:

1. Overcommercialization: For the past decade, the game has grown into an unwieldy institution with a sportsmanship theme but of necessity a commercial promotion. In urging the public to purchase tickets, promoters used the gimmick of "a grudge battle" which created a climate, according to many students and officials, of an intense and passionate desire for victory. There were reports that principals were required to sell at their school buildings certain amounts of tickets to the game—even to outsiders who entered their buildings and interfered with normal school programing. One public high school principal claimed he was "exhorted" to sell 5,000 tickets by superiors. Even with many of the principals opposing the game as contrary to the best educational standards, they distributed and sold tickets in any desired amounts to all takers, regardless of their reputation. The low-cost admission and the indiscreet ticket sales attracted the most undesirable elements and made it possible for an unruly element to destroy all evidence of a character building program. There is much doubt, however, in the minds of some committee members how much character building there is in the school athletic program. At the present time, the public school athletic program does not enforce standards of eligibility ironclad enough to prevent undesirables from participating in the sports program. This probably is due to the overemphasis of interscholastic athletics to the detriment of developing a strong and widespread intramural sports programing.

2. Inadequate planning: With thousands of students, many without parents or adults, teenagers and a hanging-on following of numerous dropouts, delinquents, and gang members on hand to watch a game which easily could excite a basic emotion, there were these inadequacies:

(a) Complete confusion in the stands: There was no usher system, except where least needed within the very limited reserve seat section where dignitaries sat, or a pattern of each school delegation sitting together under the supervision of a teacher (as called for in the official school regulation on athletic events). There were no assigned seats which could have put an orderliness into the picture. When some left their seats to go to the restrooms or refreshment stands others moved into them. There was, according to many observers, a continual clogging of aisles, a restlessness, and frequent standing, all evidences of mass confusion which contribute to wide disorder in time of trouble.

(b) Disorganization in arrangement: At the time of crisis, no one occupied a position of authority to put into operation a fast moving prevention plan. As it happened, when fighting broke out on the field, the announcer fell silent, the bands were not instructed to play, and there was no program to sidetrack growing tensions. Even the police were caught short.

(c) Lack of goodwill theme: For a predominantly Negro gathering, the sponsors and school officials showed little concern for developing a wholesome racial climate. As police report, the matter of a predominantly white team versus a predominantly Negro team was discussed in prior meetings. But there was no sign of a constructive step in that direction. There was no plan to invite as a sponsoring group the Pigskin Club, a predominantly Negro sports organization of some 600 professional men interested in character building in the Nation's Capital. There was no attempt to invite headline Negro sports stars or performers. Utilization of Negroes in preparation for the game possibly could have produced more constructive results than using them after the game to find out what went wrong.

(d) Element of racism: There was evidence of racial prejudice among attackers during the stadium riot. Remarks, profanity, and utterances heard by some spectators carried the bitterness of racial hatred. Despite the several references, the committee found no link with the uprising to the Black Muslim movement. In a statement issued shortly after the riot, leaders who represent the great majority of Negroes, condemned the "unsportsmanship conduct and rowdyism," contending that it can "neither be excused nor tolerated." The leaders pointed to "a release of pent-up emotions built around the championship game" and mentioned "that aspect of the fracas reflects ominous overtones and mirrors the challenge of much of America's unfinished businessful participation in all aspects of community life and the exercising of total

responsibility in community affairs." Whether there is a gulf of hatred between whites and Negroes in the Nation's Capital certainly cannot be judged on the basis of the riot. The hoodlums who went on rampage at the stadium would have attacked supporters of any victorious team, including a predominantly Negro one, as they have in the past without interference. Yet fostered by the hoodlums, a very small minority of the city's Negro population, the stadium fracas loomed as a serious racial conflict, pitting angry Negroes against whites, and it impaired the city's community relations. Violence is no answer to any problem and offenders should be dealt with severely.

(e) Atmosphere of lawlessness: Testimony before the full committee developed an awareness of administrative lack of control over hoodlum elements in the school system and a deteriorating condition in mass audience events outside of the school buildings. Violence, assaults, disrespect of teachers are acts of an undesirable element of students. An atmosphere of permissiveness has discouraged the personnel of many schools and caused a citywide lessening of discipline standards. Fear rages through many school buildings which have become tramping grounds for outside influences, including thugs, hoodlums, and persons of the lowest character. The school administration has difficulty in coping with this situation. The morale of many teachers has suffered and the percentage of resignations and transfers has increased. Nevertheless school officials fail to cooperate with police and report violations of the law, nor do they maintain a citywide reporting system of incidents of misconduct. With such a climate in the school system, students receive little discipline, little guidance, and little incentive to develop strong citizenship qualities in far too many cases and the result has been a steadily worsening misconduct problem in the public schools. Conduct at athletic games—including the recent stadium contest—is symptomatic of the school conditions the committee discovered as it probed into the causes of one of the city's worst racial flareups in many years. Alarming were the reports that many public school children and officials decided not to attend the game because of the fear of violence. Staggering was the testimony of various individuals and police as to the stockpiling of weaponry—umbrellas with sharp points, broken bottles, rocks, knives, and chains—which are used in public schools and in some instances were displayed at the stadium. There was wide belief that the stadium violence was preplanned and organized in some quarters, but the committee found no basis for this. The committee did find that many students and teachers considered Eastern supporters "poor losers" and many of its adherents being persons of undesirable qualities. That such a disciplinary problem would reach such proportions in our school system should be a matter of great concern to all citizens. Even more so, the situation should shock all leadership both Negro and white into immediate action to insist on better training and better standards for all schoolchildren and wage a relentless campaign to improve their conduct. Negro leadership faces a particularly important challenge in this regard, because of its greater ability to identify with, and gain the confidence of, a large segment of the public school population.

(f) Inadequate policing.

Special note: In discussing this area, it must be disclosed that although the police department furnished the committee its stadium report, the police turned down an invitation to appear before the committee to explain the report and answer pertinent questions. The police department failed to wholeheartedly cooperate with the committee. For a major city, such a sign of disunity is distressing and points up the need for greater cooperation between various agencies and departments in the Nation's Capital. Refusing to discuss the stadium developments, police sent representatives to elaborate on juvenile misconduct conditions. But there was always the suspicion why they refused to discuss the stadium patrolling, especially in view of the committee's objective desire to probe deeply into the situation.

Throughout the testimony and in many letters were words of praise for individual policemen who performed with a courage and devotion during a trying experience. Certainly no one can blame the police performing any way but their best under difficult circumstances but there were many areas in which it can be advanced that the department needed to be much more concerned. Here are the areas the committee wanted much to probe:

Human relations: During the committee's first meeting, a police officer, on a tour of the stadium, told the group that he noted no rise in tensions at the game. Another officer while talking to the committee chairman reported he spotted known hoodlums in the crowd. An expert in mass behavior wondered why a police officer specializing in riot control didn't give leadership in the crisis. There were comments that the police youth aid division with officers familiar with the schools' problem children and young adults wasn't used more extensively at the game.

Enforcement: During the game, many spectators complained of open drinking, gambling, scalping of tickets and bootleg sale of liquor in restrooms. All of these were illegal. There were few arrests for these offenses. One police officer said most of the offenders were escorted from the stadium. This allowed the buildup on the outside, a nucleus of a discontented grouping.

In high school games in other years and only a few weeks before the Thanksgiving Day contest, student crowds rushed onto the playing field. The procedure has become routine. At the Thanksgiving game, the onrush onto the field provoked disorders. A police officer said his men had no orders to stop the crowd after the game as they did when fighting broke out during the game. In the police report, it is mentioned that the crowds were too big to halt. The committee was left without a clear picture. Certainly, there is a need for enforcement of a policy barring onfield rushes after a game, even with penalties.

Another confusing situation developed when it was brought out that the large number of police who circled the field at the end of the game were inactive while fighting broke outside of the stadium. Because of the lack of mobile equipment, there was no communication between the full police staffing. The committee could not probe into this situation.

Also, in his report, Deputy Chief of Police George R. Wallrodt reported that "During the entire game I kept a close surveillance on the entire crowd and did not observe any roving group or gang which I felt was agitating trouble." Later, he wrote, "Neither did I personally observe any person with any instrument which could be classified as a weapon." This was not in keeping with reports the committee received from spectators but the police officer would not discuss the matter.

Officers of the juvenile division of the police department reported that there exists a strained relationship with school officials growing out of some principals failing to report juvenile crimes. There are few meetings or conferences between the top officials to discuss the matter. Police officers of the juvenile division who appeared before the committee deplored the situation and are anxious to help clean it up, but they claim they cannot get the full cooperation of school officials.

No city or community can peacefully exist without law and order, and respect for law and order. The citizens of the Nation's Capital have a responsibility to develop a working relationship among all departments and agencies and certainly the police department will be a key agent in any all-out effort to end lawlessness and violence. The department deserves the help, support and cooperation of every citizen.

RECOMMENDATIONS

*The championship game*

While in its initial effort, of central concern to the committee were questions related to:

1. Whether or not the city championship game should be played; and

2. If so, under what circumstances and auspices.

As the investigation progressed, it was clear that the questions, issues and problems related were much more broad and more deep than suggested by these questions. It became clear that the first question did not readily lend itself to a "yes" or "no" type answer. The answer to such question, in view of the information examined by this committee, must necessarily be punctuated with qualifiers such as "if," "when," and "unless."

With reference to the game itself, this committee believes that both the public and Catholic school systems should first take a close, hard look at the activity to determine whether or not it has educational value. This, we believe, is a reasonable yardstick by which a school function might be measured. There was considerable testimony on both sides of this question and this committee believes that the answer to this issue must come from those persons charged with the administration of school systems. If it is concluded by the educators that the answer is "No," then this committee believes that the game should be discontinued.

On the other hand, if it is decided that there is educational value in this athletic contest, then we recommend that the game be continued when it has been established that:

1. High powered promotional and commercial aspects of the game have been eliminated.

2. Broader representation of school personnel and the general public is present on the planning committee.

3. Ticket sales are under rigid control and supervision.

4. Only students may purchase tickets in the schools with a limit of two or three tickets per student upon presentation of identification card and signature.

5. Continuation of the game receives the support of the association of principals.

6. Adequate police and auxiliary services will be provided.

7. All seats in the stadium will be assigned. Student bodies will be seated together with teacher personnel assigned to sections with their students and identified by school name and school colors.

8. Uniformed ushers (whether paid or volunteer) are assigned throughout the stadium.

9. No team will be permitted to participate in two consecutive years in the championship game—patterned after the Big Ten Rose Bowl rule.

10. Head coaches will be rotated between public schools on an equitable and systematic basis so that dynasty building will be discouraged.

11. Eligibility rules will require an average of grade C in order to participate in interhigh school athletics for the reporting period prior to the championship game.

12. Fans should be barred from entering the playing field and this policy should be announced and enforced.

13. Loud speakers at the game should be manned by announcers qualified to handle crowd emergencies.

14. The use of alcoholic beverages be absolutely prohibited with violators being arrested on the spot.

But these proposals deal only with the game, and what happened on Thanksgiving Day was but a serious symptom of a larger problem. A riot, shameful as it was and frustrating to thousands of ambitious school children, jarred Washingtonians to the frightful conditions that abound in our city, not really our city but the Capital of a nation which is operated "absentee fashion" by Congress. Much can be written about the need for home rule. Much can be written about the need for funds to enlarge and expand the services in our community. Much can be written about the discrimination pattern in employment and apprenticeship training which limits the future of many graduates of our school system. The committee recognizes the vastness of the problems faced by the city fathers and the officials of the school system. That is an area of special concern.

Realizing the predicament, our committee was interested in finding out whether school officials used to best advantage the tools, the funds and the know-how which they now possess. In a school system which President Eisenhower once said that he wanted to become the model of integration in education, the committee found areas in which improvements can be made:

1. A failure of the school administration to establish a system of developing well disciplined students, who hold respect for a code of conduct and sportsmanship. Because of the fear of criticism, educators too long have "covered up" serious deficiencies in conduct and failed to seek the help of the police department to insure an enforced atmosphere of peace and harmony. The District of Columbia school system needs an Amidon code of conduct, as one authority suggested, to allow teachers to return again to the field of teaching instead of fulfilling the role of policemen. This wave of lawlessness does not spring from the schools, but the schools are caught in the web, and must halt the invasion onto their properties. The increase of vandalism and nonrespect for the law needs serious attention, too.

2. In the last few years the system's basic track system has become the dumping ground for hundreds of Negro youth, who are consigned to inferior instruction, far too large classes, and a complete lack of training to fit them to become employable citizens of tomorrow. Some of these youngsters graduate from high school without acquiring the ability to read and write and later meet rejection when they apply for jobs. Many others, discouraged at being tossed into a scrap heap, lose interest in schooling and become dropouts, the members of a large grouping who form the "social dynamite" to haunt our community in the months to come. A workable system has not been developed to train, equip, and inspire every student, no matter his skill or brainpower, to perform a role in society. This ignoring of a problem has done much to build a climate of despair and helplessness—but yet school officials are caught in a vise—they have no money to do the things they know need doing.

3. With the steady accumulation of unfavorable conditions, teachers have become martyrs in a sometimes hopeless struggle. Many have given up, but others, more courageous, remain to valiantly carry on. To this group Washingtonians should feel proud and give them every assistance. Citizens should work to make their job of teaching the most important in the months to come. The same feeling should apply to administrators. Harsh as it is, criticism should be constructive. Willing to face up to his responsibilities and seek the answers, School Superintendent Hansen asked for honest opinions. He is to be commended and certainly our committee shares with him the concern to develop an adequate school system. Problems are staggering but not too staggering for citizens of Washington, Negro and white, to work shoulder to shoulder to eliminate. Our city is the most important city in America to demonstrate that Negro and white can work together, live together and play together as a symbol of democracy to nations throughout the world. We can do this even though there are some in Congress who believe the highlighting of our weaknesses is an admission that integration of public schools cannot work. School integration can work but it requires the help of responsible leaders, parents, citizens, and children.

Here are our major recommendations:

1. The District Commissioners, Superintendent of Schools, and Chief of Police should issue immediately a strong and unequivocal statement making it unmistakably clear that any students or hangers-on engaging in delinquent or other forms of unlawful activity will be subject to disciplinary action.

In addition to others, this policy position should cover such activity as loitering on and near school buildings, attacks on teachers and other school personnel, rowdyism, and gang actions.

2. Any problem which might be interpreted as a law violation should be reported immediately to the Youth Aid Division of the Police Department.

This committee has been informed that where lawless activity in and around schools has been reported immediately, the problem is quickly brought under control and patterns of lawlessness are broken. Strict adherence to such procedure by school personnel will relieve teachers and administrators of police duties, permitting more time for teaching—their primary responsibility.

3. The Superintendent of Schools and the Board of Education should revise the current policy governing disciplinary measures which may be taken by teachers. This committee believes that teachers should be given more authority and protection in their efforts to maintain standards of deportment in our public schools.

While the rights of students must surely be protected, the welfare and responsibility of teachers must also be considered.

4. The Superintendent of Schools should take immediate steps to insure proper conduct on the field of play citing the behavior of Calvin Harris as the type which cannot and will not be condoned.

Richard Mentzer, the Eastern coach, should be severely disciplined by the school authorities. His example in front of his players and before nearly 50,000 spectators, most of whom were charged with tension, was deplorable and inexcusable.

Those who are varsity players and their coach are expected to exemplify all of the best qualities of behavior and sportsmanship. To have these serious offenses go unpunished lends gall to the undisciplined and encouragement for wrongdoing to the indifferent.

5. Regulations governing participation in the high school cadet program of the public schools should be enforced rigidly and uniformly.

In years gone by, the cadet program was an area of activity which provided opportunity for building and strengthening codes of discipline and standards of conduct. In recent years, administration of the program has been relaxed to the extent that it has become easy for students to gain excuse or exemption from this activity.

6. There must be more strict police enforcement of laws relative to drinking in public places, such as the stadium.

7. There should be established in the police department a race relations detail as exists in other metropolitan centers. This highly trained unit would discover and remain alert to tension areas so as to be prepared to offer quick and positive actions to prevent violence.

8. A captain's advisory council of citizens in each police precinct should be implemented, as recommended by the Commissioners' crime council.

Effective functioning of such groups can be useful in building community-police relations, thus serving to reduce antipolice feelings now present in the District—particularly among a large segment of the Negro population.

9. A citywide citizenship program should be organized by the Commissioners' council on human relations with active cooperation from all media of communication. This program would emphasize such things as proper attitudes and actions in public places under different kinds of circumstances.

This citizenship program might:

(a) Develop a series of open forums of community groups to develop communication and understanding.

(b) Urge greater exchange programs among religious, civic, and business groups.

(c) Urge planning of an annual citizenship day event observance with high schoolers taking over the duties of municipal and Federal officers for a day.

(d) Urge greater contribution of finances and personnel to existing organizations engaged in character building and job opportunity programs.

It might serve well to follow the lead of the advertisting industry and constantly focus attention on our desired product—good citizenship.

10. A close, hard look should be given the track plan of the public schools and its effectiveness—particularly as related to the basic track.

Even though this program is designed to find a place in the curriculum for every child at a level of his ability to learn and perform, the dropouts remain high and threaten to continue upward unless some specific steps are taken to curtail this trend.

While students in the basic track often need special attention, most teachers, particularly the more experienced, feel demoted when assigned to such classes. In such instances both the children and the teacher suffer.

We believe that many of these children are basic only in description—not in potential, and this potential will go undeveloped except that a proper atmosphere of instruction and learning is provided this group.

11. A full-time administrative position on human relations should be established in the public school system for coordinating and developing human relations activities in the schools. This staff person would carry the additional responsibility for school-community relations in matters of human relations, and would coordinate his efforts with other agencies of government and the community.

12. The District of Columbia Congress of Parents and Teachers should reemphasize their programs of parent attitudes on school matters.

The home must be tied closely into the school if cooperation and followthrough are to be achieved.

13. Personnel of all public agencies who provide field services to underprivileged homes should be given special training in human relations.

This can serve to build a better understanding of the people they serve which, in turn, can help reduce hostilities toward the service by those directly benefiting from it.

14. All schools should keep records of discipline problems including their nature and disposition. Such records should be forwarded to the superintendent on a regular basis.

15. The rules and regulations on athletic activities should be reviewed annually and rigidly enforced. Violations should not be treated lightly or casually. If administrators of such programs act in disregard to regulations, what then, can be expected of the youth they lead?

16. Lines of authority should be clearly spelled out and observed. Our investigation reveals that patterns of authority have been built up in the athletic programs which do not conform to lines of authority as charted administratively. This, we believe, makes for confusion, misplaces responsibility, and throttles communication.

17. The athletic, health, and physical education program of the District of Columbia public schools should receive an immediate, thorough examination and evaluation.

These areas in education can have a marked impact on the discipline and behavior pattern of the indifferent and resentful student with consequent benefits to other areas of education.

18. A youth conservation corps or some similar program should be established for the District of Columbia. The program should give priority consideration to applications of dropouts. The activity should also be geared to providing training and experiences which will improve employment prospects and facilitate adjustment of the recruits upon their return to civilian life.

19. The District Commissioners and superintendent of schools should use every possible means available to them in seeking to open the doors of apprenticeship and other on-the-job training programs to Negro youth. Negro students are heavily enrolled in the vocational schools but find little opportunity of finding employment in the field of their training under existing practices of some labor unions—particularly the building trades. This represents a serious problem for the District since the construction industry here is second only to the Federal Government in the number of persons it employs.

The District government, including the public schools, should not participate in any programs which are not open on an equal basis to all qualified applicants.

20. More remedial work should be given a sizable group of our public school children. Teachers should be specially trained to teach that group of students who suffer culturally, academically, and economically.

Wholesale exodus of white students from public schools leaves an unbalanced rather than normal-type school population. Teacher selection and training should take this into account.

21. More counselors and social workers are badly needed throughout the public school system. Here, again, such personnel should have a special understanding of the problems of the students with whom they work. These people ought to be well trained to give counsel and aid which will guide youth toward attainable goals.

22. While many hours have been devoted to investigation of the stadium fracas and school problems by this committee, we have been severely limited by time and expertise in our attention to some of the broader considerations of this matter.

The indication is clear that more assistance should be given school officials in the problems they face in providing the best educational atmosphere possible for the children they serve.

The committee requests the superintendent of schools to present this report to the Board of Education with the committee's strong recommendation that the Board take immediate action to implement those suggestions that are within its jurisdiction.

ADDENDUM

EXHIBIT A: POLICE REPORT ON INVESTIGATION OF THE INCIDENTS AND DISORDER THAT OCCURRED AT THE DISTRICT OF COLUMBIA STADIUM ON THURSDAY, NOVEMBER, 22, 1962

THE DISTRICT OF COLUMBIA,
*Washington, December 26, 1962.*

Dr. SHANE MACCARTHY,
*Washington, D.C.*

DEAR DR. MACCARTHY: I enclose herewith copies of the last police report on the stadium incident. I assume that it will be made part of the report of your committee, otherwise the Commissioners would feel compelled to release it themselves.

Sincerely yours,

WALTER N. TOBRINER,
*President, Board of Commissioners, District of Columbia.*

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SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA,
*Washington, D.C., December 26, 1962.*

Hon. WALTER N. TOBRINER,
*President, Board of Commissioners, District of Columbia, Washington, D.C.*

DEAR MR. COMMISSIONER: I've received from you today a copy of the last police report on the stadium incident.

Your assumption is correct. We will make it a part of the factual section of our report. As such it will not be released to the public until the report of this special committee is completed and submitted to the superintendent of schools.

By copy of this letter the members of this special committee are being notified of this official position. I give you their assurance of complying with every syllable of your wishes.

Thank you for your cooperation.

Respectfully and cordially,

DR. SHANE MACCARTHY,
*Chairman.*

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GOVERNMENT OF THE DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
*December 11, 1962.*

To: The chief of police.
Through: The executive officer.
Subject: Report on assignments and conditions at District of Columbia Stadium, Thursday, November 22, 1962, for the inter-high-school football game.

On Thursday, November 22, 1962 (Thanksgiving Day), I was working 8 a.m. to 5 p.m. as acting chief of police. I responded to the District of Columbia Stadium just before the opening of the gates at 9 a.m. to check the details and observe conditions. A total of 104 policemen (6 plainclothesmen from juvenile squad) were assigned to police the inside, gates, and walks immediately adjacent to the stadium under the command of Capt. John J. Kinney. A total of 92 police officers were detailed outside the immediate vicinity of the stadium for traffic control under the command of Inspector Louis B. Peters. These traffic control officers were directed to report inside the stadium after the game started to supplement the men inside the stadium. They returned to their traffic assignments at the end of the third quarter of the football game.

Inspector Peters and Captain Kinney submitted their details and plans to me for approval several days before the game. After a briefing by these two officials and a careful study of the overall picture, I concurred in their arrangements, which under ordinary circumstances would have proved more than adequate. Prior to leaving headquarters on the morning of November 22, 1962, I directed the acting captain of the communications and records bureau that in the event of any disturbance, to bring into immediate proximity of the stadium all mobile units in the 5th, 9th, 11th, and 14th precincts. This was done as evidenced by the transcript of radio calls submitted in the report of Captain Kinney.

The stadium gates opened promptly at 9 a.m. The majority of the early arrivals were youngsters between 9 and 18 years of age, most of whom were unaccompanied by any adult. Their tickets entitled them to any seat in the stadium with the exception of certain enclosed boxes on the second level. They naturally went to the seats on the lower level nearest the playing field. At half time when many adult people left their seats in the lower level to visit refreshment stands and restrooms, the youngsters in the upper levels moved down into their seats.

The stadium was filled in orderly fashion by game time at 11 a.m. The first half of the game progressed without any serious incident. At half time there was the usual milling about of persons visiting the refreshment stands and restrooms. The third quarter was finished without any noticeable trouble. Up until this time the crowd, which was posted on the board as 50,033, was enthusiastic but orderly. In the middle of the fourth quarter a fight started between the players on the field. One Eastern player was ejected from the game. The Eastern coach then went on the field and made a vigorous protest. The ejected player then returned to the field and struck a St. Johns player. Further fighting ensued between the players and the ejected Eastern player was removed on a stretcher. Order was restored and the game continued.

This flareup between the players and the action of the Eastern coach seemed to inflame the hundreds of male and female Negro youngsters seated in the lower stands in the south and west sections of the stadium.

Immediately upon conclusion of the game an estimated 2,000 of these youngsters, ranging in age from 9 to 18 years, swarmed over the rail onto the playing field and headed for the north stands which were then being vacated by St. Johns rooters and made their exit through the ramps leading from these stands. While this group of youngsters was racing across the playing field, they seemed to have lost all sense of reasoning and I observed Negroes striking and fighting other Negroes but I did not personally see any white person assaulted within the stadium. When the police were escorting the St. John's band from the stadium to their bus parked on the south side of the stadium, several young Negroes from 9 to 12 years of age threw debris from the stands and mudballs from the field at the band and the police.

During the entire game I kept a close surveillance on the entire crowd and did not observe any roving group or gang which I felt were agitating trouble. At all such games many people and groups move about in their visits to refreshment stands and rest rooms. Neither did I personally observe any person with any instrument which could be classified as a weapon.

I did not personally observe any of the assaults which occurred outside the stadium. This information is contained in the report of Deputy Chief John E. Winters.

GEORGE R. WALLRODT,
*Deputy Chief of Police.*

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METROPOLITAN POLICE DEPARTMENT,
YOUTH AID DIVISION,
*December 12, 1962.*

To: The chief of police
Through: The executive officer.
Subject: Report on the investigation of the incidents and disorder that occurred at the District of Columbia Stadium on Thursday, November 22, 1962.

On Thursday, November 22, 1962, the football game for the city high school championship was played at the District of Columbia Stadium between Eastern High School, representing the public high schools, and St. Johns High School, representing the Catholic high schools. The game started at 11 a.m.,

before a crowd reported at over 50,000 persons. Stadium officials, however, stated the attendance was 48,500, of which 40,000 to 42,000 were Negroes.

This investigation had the purpose of attempting to obtain factual information concerning relevant events that happened during the game and the disorder that developed after the game. The comments to be made at the conclusion of this report are based on those phases of the disorder which are supported by a preponderance of evidence.

To attain the objective thought, a number of interviews were held with persons reported injured, students, and others who attended the game. Reports were submitted by police officers who were detailed thereto and those who responded. There is no doubt that many hundreds of observations, comments, and opinions could have been obtained, but as the investigation progressed, it became apparent that many of these would have been repetitious and would have served no useful purpose.

It was considered pertinent to include in this report a brief history of prior games.

In 1956 a game was played for the public high school championship at Griffith Stadium between Cardozo and Anacostia high schools. Approximately 9,500 persons attended. During the game there was considerable moving about by the spectators and several fights were reported. Immediately following the game spectators rushed onto the field but no incidents were noted. The crowd moved out of the main entrance and when the police made an arrest for an assault in the 2000 block of Georgia Avenue NW. several persons in the crowd attempted to effect the release of the prisoner. This triggered an eruption of general disorder throughout the crowd. Fights broke out, objects were thrown at police officers, streetcars and buses were damaged. Fights and damage to private property were reported several blocks removed from the stadium.

A week or 10 days after this game, St. Johns High School and Anacostia High School played at Griffith Stadium for the city high school championship. There were no incidents.

In 1957 St. Johns High School played Anacostia High School for the city high school championship and in 1958 St. Johns High School played Eastern High School for the same championship. There were no significant incidents at either of these games. Both were played at Griffith Stadium.

In 1959 the game was played at 8 p.m. at Griffith Stadium between Eastern High School and Gonzaga High School. Approximately 18,000 persons attended. At the close of the game spectators rushed onto the field. A Gonzaga player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported. These incidents were responsible for changing the game back to daytime.

In 1960 the game was held at 11 a.m. at Griffith Stadium between John Carroll and Eastern High Schools. A crowd of 24,000 attended. Only a few incidents were reported on this occasion.

In 1961 the game was moved to District of Columbia Stadium and again held at 11 a.m. Almost 50,000 persons attended this game between St. Johns and Eastern High Schools. One student was reported beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. There were no other significant incidents reported.

In preparation for the 1962 contest several meetings were held by the committee handling all of the details. Police officials having a direct responsibility for providing police service for the game were in constant touch with this committee. A realistic evaluation had to be made on the basis of the racial makeup of the two schools involved. Eastern High School has a predominantly Negro enrollment and St. Johns is predominantly white. One fact that was considered was the Eastern victory in 1961 and the absence of incidents following that game in which the same two schools participated. Eventualities that might occur from a St. Johns victory in this game were considered. From the opinions expressed by a number of persons interviewed during this investigation, this factor had a bearing on the events that happened after the game as will be shown later on in this report.

The police detail inside the stadium was accordingly increased by 20 officers over that detailed in 1961. There were 81 officers detailed inside the stadium, 19 were stationed outside at entrances and walkways. Four additional officers were brought in from the foot patrol of the fifth precinct. In addition there were 92 police officers assigned to traffic control.

Several points of information are inserted here: for expected capacity crowds at the Redskin games, 71 police officers are detailed inside; at the public high school championship game on November 12, 1962, attended by 22,000 persons, 33 police officers were detailed inside and there were no major incidents reported; at one point during the disorder at District of Columbia Stadium, on November 22, 1962, approximately two-thirds of the entire police force on duty was on the scene.

It is recognized that disputes on the field during football games and occasional brawls among the players are accepted as part of the game as they are in any contact sport. In the view of a number of persons, however, the events that did occur during this game had some bearing on the incidents that followed. For that reason they are included herein.

The game itself, according to game officials, and many others, was clean, hard fought, and well played during the first half. The second half also progressed normally until a few minutes before the end of the game. At that point an Eastern player was ejected by a game official. There was also an injured Eastern player on the field. The Eastern coach came on the field and, according to the referee and others, made remarks and gestures toward the officials and St. Johns players. His manner, actions, and gesticulations were clearly discernible throughout the stadium. As the teams prepared for the next play, the ejected Eastern player ran back onto the field and struck a St. Johns player. Many of the Eastern reserve players rushed onto the field and a melee ensued. It was stated that the St. Johns reserve players remained on their bench. After the game officials and the police restored order, the game continued to its end without further trouble. It is worthy of note to state that films of the game showed some Eastern players attempting to restrain their teammates.

Several of the persons interviewed expressed a feeling of rising tension in the crowd as the game progressed. To what extent the events on the field had in creating tension or adding to that which existed, if any, is not known. Some persons expressed the view that these occurrences were a factor in the trouble that developed.

Immediately after the game was over there was a surge of several thousands of people onto the field from the west and southwest sections of the stadium. These sections had been occupied by Eastern High School students and their supporters. They went to the northeast lower stands which were being vacated by St. Johns supporters. Most of this crowd were of high school age according to the majority of the persons interviewed.

In an attempt to gain as factual a picture as possible as to what then occurred, persons reported injured were questioned. A total of 40 persons were officially recorded as having been injured. Investigation disclosed two additional injuries. Of the 42 persons so reported, 35 were white and 7 were Negro. There is no doubt that there were many assaults which were not reported to the police.

Investigators questioned 36 of those persons reported injured. From these persons and the reports on those not interviewed, injuries were sustained in the following manner:

| | |
|---|---|
| Struck by fists or kicked | 28 |
| Struck by umbrella | 2 |
| Thrown object | 3 |
| Cut—sharp instrument | 4 |
| Unknown | 3 |
| Choked | 1 |
| Struck by chain | 1 |

One person stated he saw a chain—another saw a knife. There was one report of a tree branch 4 feet long and 1 inch wide being used.

Of the 36 persons interviewed, 6 were injured during the game. The others were injured after the game was over: 3 in the stands; 6 at the exits or on the ramps; 11 on the street leaving the stadium; 10 on parking lots.

Of the 7 Negroes injured, one was struck by a Negro on the street after the game. He stated this was caused by his being with a girl and had no connection with the game. Two were injured by objects during the game which were thrown by unknown persons; two were cut on the buttocks while leaving the stadium, one thought the assailant was a Negro male but the other stated the assailant was unknown. One was struck by a Negro male during the game and the other injury was sustained during an altercation with a group of Negroes during the game.

Of the 35 white persons injured, 32 of them stated they were attacked by Negroes, mostly in groups; 3 were unable to specify the color of their attackers nor give any description.

During the interviews some of these persons made the following statements:

1. Several observed the drinking of alcoholic beverages during the game.
2. Four stated they had a feeling of impending trouble.
3. Many observed fights in the stands during the game.
4. Fourteen stated they believed the loss of the game by Eastern was a factor.
5. One blamed the fight that occurred on the field; one was critical of the Eastern coach; two stated the trouble was racial and one believed there would have been trouble regardless of which team won the game.

As a part of this investigation it was deemed pertinent to obtain the observations, comments, and points of view of students who attended the game as well as others associated with the schools.

At Eastern High School interviews were held with eight students in the presence of the principal. Various opinions were expressed as to the cause of these disorders including the presence of school dropouts; lack of proper supervision; inadequate police protection; the sale of tickets to adults, etc. Several of the students stated they did not believe more than a few of the Eastern students were involved. Two students stated they had heard several days before the game was played that a fight would occur.

At St. Johns School, Brother Bernardine, the director, stated the game had grown into a contest white versus Negro. He said his school would not participate in future games and the disorder was racial in character. The coach, Joseph Gallagher, stated it was a good football game except for the conduct of the Eastern High School coach and his lack of control over his players. Five of the students interviewed stated they believed the disorder was the result of Eastern's loss of the game. One student blamed the Eastern coach and the loss of the game.

Students at Carter Woodson Junior High School stated the loss of the game by Eastern was the main factor. One student stated he heard a rumor of trouble before the game was played.

Students at Sousa Junior High School stated they believed the loss of the game by Eastern, the desire to support the Eastern team, and the fight on the field were factors. One student felt there would have been trouble regardless of the victor. The president of the student council blamed older boys.

At St. Cecelia's Girls High School the majority of the students interviewed stated the loss of the game was the major factor. One girl stated she was warned by a friend not to attend the game because there were rumors of trouble beforehand.

Anacostia High School students also attributed the loss of the game as being the principal factor. One student stated Eastern supporters became angry because Eastern was losing the game. Other students were critical of Eastern students.

Two students at Notre Dame Academy were the victims of assaults. One was attacked by three Negro females, one of whom had an umbrella, on a parking lot, and the other was struck by a female Negro, also on a parking lot. Both believed the loss of the game was the principal factor.

All of the students interviewed at Gonzaga High School placed the blame for the disorder on the loss of the game by Eastern High School. They described some of the attacks:

1. One student was struck, by an unknown object, during the game. He was assisting a St. Johns student who was being assaulted by several Negroes.

2. One student was struck by a brick thrown from a group of Negroes while on his way to a parking lot.

3. One girl with them was struck by a Negro female.

4. Two other students were attacked by several Negroes while on the way to a parking lot.

5. One student said he saw assaults with umbrellas and that the boy with him was attacked by a Negro.

Several other students told of attacks upon white boys by Negroes. One student stated he saw a gun protruding out of the pocket of a Negro male who appeared to be 18 to 20 years of age.

A number of the students stated they saw the drinking of alcoholic beverages in the stands during the game.

Two naval officers, a vice admiral and a captain, who accompanied children to the game, made the following comments:

1. The vice admiral had a feeling of impending trouble during the game. A boy who was with him was attacked by a group of Negroes. He saw white persons being attacked by Negro groups. He was critical of the conduct of the Eastern coach on the field.

2. The captain saw roving groups of Negroes during the game. A girl with him was slapped by a female Negro and kicked by another. He saw Negro groups attacking white persons on a parking lot. He also had a feeling of rising tension during the game. He was also critical of the Eastern coach.

Police investigators read 22 letters received by the chairman of the committee appointed by the Superintendent of Schools. Five of these letters were from out of town and two had no address. Writers of five letters were interviewed. Three of them had nothing further to add to the information contained in their letters. One stated it was a black and white affair. The other person, who had a comment, blamed the Eastern coach.

There were 14 adult arrests made in connection with the game and its aftermath. Six of these arrests were made during the game, three for intoxication and three for disorderly conduct. Seven persons were arrested on the street after the game. One person was arrested for intoxication after the game. One juvenile was arrested for throwing stones at automobiles. He stated he did so because he was angry over Eastern losing the game. All of the persons arrested, except one, were Negroes.

Written reports were obtained from 242 police officials and officers who were either detailed to District of Columbia Stadium on November 22, 1962, or responded thereto as a result of being summoned. Each of these reports has been read and carefully evaluated. The following is a summary of these reports:

1. There were a number of fights in the stands during the game which were broken up by police officers.

2. After the melee on the field the spectators in the Eastern High School section became restless and noisy, and tension appeared to increase. Fights in the stands increased and police officers had to restrain some persons from going onto the field.

3. Officers stationed at the Eastern stands reported that a few seconds before the game ended, the fans started a countdown, and there were cries of "Let's fight" and "Let's get them."

4. Immediately after the game was over there was a rush of several thousands of persons from the Eastern stands toward the St. Johns stands. Officers reported it was physically impossible to stem this rush. Police officers were ordered to escort the St. Johns team and band off the field. Other officers proceeded to exits and ramps where numerous attacks were taking place.

5. Many officers reported attacks on white persons by Negroes in and out of the stadium and of seeing a number of white persons injured. They stated, in a number of cases, that they went to the assistance of the injured persons. They repeatedly stressed the difficulty of identifying the assailants and the fact that one assault after another occurred with the assailants disappearing into the crowd. The officers concentrated on assisting the injured and dispersing the crowds. They reported the extreme difficulty encountered in efforts to control the crowd.

6. Bottles and debris were thrown at the St. Johns Band and at several police officers.

7. Officers reported that a large number of persons exited at gate E on the north side of the stadium. The crowd was yelling, cursing, and generally in wild disorder. Three priests, as yet unidentified, were assaulted by a group of Negroes. One priest was bleeding about the face or head. There were reports of unprovoked attacks on white persons by Negroes. The attacks in this area extended to parking lot No. 7 located north of the stadium.

8. It was estimated that approximately 3,000 persons were involved in the incidents at gate E. Police officers reported the impossibility of making arrests because of the size and temper of the crowd and the numerous assaults taking place simultaneously.

9. There was some trouble at gate D and on the southeast side of the stadium but most of the trouble occurred at gate E, parking lot No. 7, and on the streets north of the stadium.

10. Many thousands of persons left by the main entrance. These persons were orderly and no trouble was encountered except for heavy pedestrian and vehicular traffic.

11. The disorder and assaults spread northward. The worst of these were at 18th and D Streets NE. and 21st Street and Benning Road NE. Several arrests were made at these locations. There was also trouble at 21st and E Streets NE. There were hundreds of persons at these locations. There were fights in the groups and numerous reports of rocks being thrown.

12. It was reported that Negro residents of the neighborhood viewed the occurrences as disgraceful. Some of these Negro families opened their homes to white persons to protect them from the mob.

13. Inside the stadium one officer reported he was assisted by two Negro male adults in breaking up a group of Negroes who had attacked a white girl.

14. One officer reported his motorcycle was overturned by a group of Negroes. He was calling for assistance and just managed to get off the motorcycle before it was overturned.

15. At gate E and at 21st and E Streets NE. dogs were used to bring the crowd under control. At 21st and Benning Road NE., a police dog was kicked by a Negro male who also struck at the officer. When the officer attempted an arrest he was jumped on by others and struck on the head and kicked. Rocks and bottles were thrown at the officer.

16. At Oklahoma Avenue and Benning Road, NE. a police dog was kicked by a Negro male. At 21st and Benning Road NE. an officer was pursuing a Negro male who had a rock in his hand. He was pushed down a hill and his police dog was kicked. The dog was snapping back but the officer does not know if anyone was bitten.

17. At all of the locations mentioned there were reports of large crowds fighting, cursing, and throwing rocks and bottles.

18. One officer was spit upon. Four were struck by thrown bottles. One was struck on the head by some object.

CONCLUSIONS

These conclusions are based on reports received and interviews with witnesses where there is sufficient evidence to substantiate the conclusion.

1. There were roving groups in the stands and numerous fights during the game.

2. There appeared to be considerable drinking of alcoholic beverages.

3. The fight on the field among the players and the actions of the Eastern coach appeared to cause a rise in tension and seemed to have an emotional effect on Eastern supporters.

4. There was a surge of humanity across the field from the Eastern stands to the St. Johns stands.

5. There were some preliminary indications of trouble.

6. Most of these persons and those engaged in the assaults were of high school age.

7. There were a number of unprovoked attacks on white persons, in and out of the stadium, by individual Negroes and groups of Negroes.

8. Hundreds of shouting, cursing, and riotous persons continued fighting, assaulting, and throwing rocks and bottles in areas north of the stadium. Several police officers were attacked.

9. It was the opinion of many that the loss of the game by Eastern High School triggered the trouble that followed.

10. Although there were reports and rumors of numerous weapons being brought into the stadium, this could not be substantiated either by witnesses or by the way most of the injuries were inflicted. There were some weapons used.

11. Seven Negroes were reported injured. Two were attacked by Negroes. Four could not state who the assailants were. One received an injury not connected with the game.

12. Thirty-five white persons were reported injured. Thirty-two stated they received their injuries as a result of attacks by Negroes. Three did not know who the attackers were.

13. From the reports received of the numerous fights and assaults, there is no doubt that there were many others who were attacked or injured to some degree but did not report the attack or injury.

COMMENT

In reading and evaluating the reports received from the police officers and in conversations with persons who attended the game, I was impressed with the herculean task with which these officers were confronted and the way they met that responsibility. The physical odds, the temper of the crowd, the widespread and simultaneous fights and assaults that occurred would have been a severe test for a force much larger than that available. The fact that most of the injuries were minor in nature speaks well of the police efforts to protect victims of assaults in this trying situation.

RECOMMENDATION

It is recommended that this report be made available to the Special Committee on Group Activities of the District of Columbia headed by Dr. Shane MacCarthy.

JOHN E. WINTERS,
*Deputy Chief, Youth Aid Division.*

METROPOLITAN POLICE DEPARTMENT,
YOUTH AID DIVISION,
*December 20, 1962.*

To the chief of police.
Through the executive officer.
Subject: Supplemental report of the incidents and disorder at the Distrct of Columbia Stadium on November 22, 1962.

In the original report submitted on December 12, 1962, a total of 42 persons were listed as being officially reported injured as a result of the disorder at the District of Columbia Stadium on November 22, 1962. It was stated at that time that there was no doubt that many more were assaulted and that injuries of varying degrees were not reported to the police.

Subsequent to the original report, a survey was conducted by school officials at both public and Catholic schools. This survey has been made available to the police department.

Monsignor John Spence, director of the Catholic schools, reported the results of the survey of those schools. He did not identify individuals, submitting only total statistics. He stated to investigators that he does have the names of those persons responding to the questionnaire but that he does not wish to divulge those names.

The following is the result of this survey:

| | |
|---|---|
| St. Johns students: | |
| Struck with stick | 5 |
| Struck with rocks | 26 |
| Struck with umbrella | 2 |
| Struck with bottle | 6 |
| Struck with pipe | 2 |
| Struck in face (no weapon) | 52 |
| Thrown and kicked | 15 |
| Cut—sharp instrument | 8 |
| Broken nose (how injured not stated) | 2 |
| Broken jaw (how injured not stated) | 1 |
| Total | 119 |
| Friends of St. Johns students: | |
| Struck by rocks and bottles | 7 |
| Struck with sticks | 7 |
| Struck with pipe | 2 |
| Struck with umbrella | 23 |
| Cut—sharp instrument | 8 |
| Thrown and kicked | 11 |
| Broken nose (how injured not stated) | 11 |
| Struck in face (no weapon) | 21 |
| Teeth knocked out (how not stated) | 4 |
| Black eyes (how not stated) | 19 |
| Total | 113 |
| Relatives of St. Johns students: | |
| Struck with rocks and sticks | 6 |
| Struck with bottles | 5 |
| Thrown to ground and kicked | 3 |
| Struck in face (no weapon) | 4 |
| Black eye (how not stated) | 1 |
| Struck with umbrella | 2 |
| Cut eyes (how not stated) | 4 |
| Total | 25 |

According to this report the totals are as follows:

| | |
|---|---|
| Struck with sticks, bottles, and rocks | 62 |
| Struck with umbrella | 27 |
| Struck with pipe | 4 |
| Struck in face (no weapon mentioned) | 77 |
| Thrown down and kicked | 29 |
| Cut—sharp instrument | 16 |

The following injuries were reported but it was not stated how they were received:

| | |
|---|---|
| Broken nose | 13 |
| Broken jaw | 1 |
| Teeth knocked out | 4 |
| Black eyes | 20 |
| Cut eyes | 4 |

This makes a total of 257 injuries reported as far as St. Johns students, friends, and relatives are concerned. Due to the fact that the identity of these persons is not known, there is a possibility that some of the injuries are included in the original 42 reported.

In addition to these reports, the following information was also included. These are all Catholic schools:

*School—Information supplied*

John Carroll, two boys jumped.

Notre Dame, one girl struck on head.

Gonzaga, four boys struck, three parents struck.

Immaculata, two girls hurt.

Immaculate Conception, one girl knocked down.

St. Anselm, two struck, one jostled.

St. Anthony, one girl slapped.

St. Patrick, four struck, one girl struck with umbrella, one scratched.

De Matha, one broken jaw.

In the miscellaneous category from all these schools, there were 145 reports of being jostled, pushed around, shoved, and slapped.

The following property damage was also reported:

| | |
|---|---|
| Torn clothing | 6 |
| Car damage | 66 |
| Purses snatched | 5 |
| Band instruments dented | 4 |
| Bus windows smashed | 2 |
| Raincoat stolen | 1 |
| Blanket stolen | 1 |
| Air filter stolen from car | 1 |
| License plates removed | 1 |

A report was received from the public schools which listed 27 additional injuries to students of those schools. Two of these had been previously reported and interviews had been held. Two of these students were not available. Twenty-three were interviewed at the following schools: Browne Junior High School, Carter Woodson, Western High School, Langley Junior High School, Banneker Junior High School, Eastern High School.

The following is a brief summary of the statements made as to how these injuries were received:

1. Seven Negroes, male and female, were pushed or knocked down by the rush of the crowd and did not know who was responsible.

2. One Negro male was accidentally kicked by an unknown person.

3. One Negro female was struck by a bottle thrown by a white boy.

4. One Negro male was slapped by an unknown person.

5. One white male had an argument with a Negro male and they squared off. Before any blows were struck the white male was struck in the face by an unknown Negro male.

6. One Negro male had his fingers burned by two Negro males while on a parking lot.

7. One Negro male was struck in the face by a white male.

8. Four Negroes, male and female, were struck by thrown objects such as stones, bottles, or beer cans—did not know who threw same.

9. One Negro male was tripped and had hand stepped on by unknown persons.

10. One Negro male was accosted by two white males and then struck by them. This occurred at a refreshment stand.

11. One Negro female was struck by a rock which had been thrown at a police officer by a Negro male.

12. One Negro female was pushed by a Negro adult and then threatened with a knife. The knife was not used but she was injured when pushed.

13. One Negro male was accosted on a ramp by six white males wearing St. Johns jackets. One hit him on the back of the neck and then others pushed him.

14. One Negro female states she was struck by a white police officer's blackjack when he was attempting to break up a fight between Negro youths. She stated it was accidental and the officer was just trying to do his job.

The first reports of whites attacking Negroes were developed in these latter interviews. There were three such reports.

Most of these students blamed the trouble on the loss of the game by Eastern.

Several stated there was talk of trouble before the game was played, corroborating several such reports on previous interviews.

The general area north of District of Columbia Stadium was the scene of many fights and assaults. To obtain further information, residents in the 400 block of 21st Street NE., 400 block of 20th Street NE., 500 block of 21st Street NE., 2000 block E. Street NE., 600 block 20th Street NE., and the 600 block of 21st Street NE. were interviewed. This was apparently the area in which the worst of the rioting took place. These residents are Negroes.

| | |
|---|---|
| Total residences visited | 106 |
| Number of families interviewed | 83 |
| Not at home during canvass or during trouble | 30 |
| Did not see anything—just normal football crowd | 27 |

A number of the persons interviewed could furnish no useful information but many expressed the view that the occurrences that took place were disgraceful.

Practically all of the persons interviewed saw the large groups of persons. Ten persons stated they saw Negroes attacking white persons. Eleven stated they saw Negroes, mostly juveniles, jumping on automobiles and running up on porches. A number saw fights taking place.

Several of the residents had attended the game. One stated he saw an Eastern player striking St. Johns players and another Eastern player kicking a St. Johns player. Three stated they left the game early because they felt trouble coming. One saw sporadic fighting among Negroes during the game. Another stated he saw juveniles drinking from whisky bottles in the men's restroom.

Two persons stated a Negro neighbor opened her home to several injured white boys. Another Negro stated he told several white boys to come up on his porch but they ran away and he saw them attacked by Negroes. Another Negro resident permitted white boys to stay on her porch. One stated she went to the assistance of a white boy who had been assaulted by Negroes.

One Negro resident stated a Negro youth brought a white youth to her door. Both had been beaten. At the same time four other white youths ran up and she took all six into her home. They too had been beaten. They remained there until the police arrived. Another Negro neighbor went to the assistance of this resident and both of them went into the street to assist white persons.

None of the persons interviewed could identify any of the attackers. From the residents in this neighborhood, however, the following views were expressed:

1. The assaults were unprovoked and committed by one segment of Negroes on white persons and on other Negroes who came to their aid.
2. There appeared to be considerable drinking.
3. Many were angry because Eastern lost the game.
4. A group of Spingarn students attempted to stop the assaults and aid the victims.
5. The majority of the disorderly crowd were not students.
6. The residents deplored this behavior and will discuss the matter with their civic associations.
7. They were complimentary of the action taken by the police officers.

In addition to the foregoing, statements were obtained from two bus drivers which described the disorder created on the buses by large numbers of Negro teenagers and the damage inflicted on the buses.

Eleven reports were received from members of the U.S. Park Police. Also one report of an assault which occurred on parking lot No. 7 in which a white female was attacked by 15 to 20 Negro females. She received only home treatment for minor injuries.

Three U.S. Park Police officers were detailed to the parking lots at District of Columbia Stadium.

One of these officers reported a large group of possibly 1,500 teenagers on lots No. 7–A and No. 7–F with several groups fighting in the center of the crowd. He witnessed six or seven Negroes beating two white boys and went to their assistance. He tried to break up several other fights and was encompassed by the crowd. The crowd pushed the assailants away and prevented apprehension. He stated the crowd surged on and numerous fights continued.

Another saw fighting on the parking lots. He saw one Negro male bleeding from the nose. The officer was struck in the chest by a thrown rock. He also saw a white male bleeding. He tried to disperse the crowd. He also investigated the complaint of a Negro female that she injured her hand when struck by an automobile occupied by several white females. The assistant corporation counsel refused to issue papers in this case.

Another officer who was assigned to parking lot No. 8 responded to parking lot No. 7. The heavy traffic delayed his arrival and when he did arrive he saw a large group of persons, mostly Negro, running up the parking lot bank. He saw no fighting at that time.

All other U.S. Park Police officers who submitted reports were dispatched to the scene by radio, some of them from considerable distances.

One officer saw no fighting on arrival but took custody of two lost children.

Another went to 21st and D Streets NE. and assisted the Metropolitan Police in taking three white males and two white females to their cars because they had been threatened by Negroes. He also assisted the Metropolitan Police at 21st and Benning Road NE. in dispersing large groups.

One officer went to the East Capitol Street Bridge where large groups of teenagers were running down the middle of the roadway blocking traffic. He restored traffic movement and then assisted in dispersing large groups on lot No. 7.

Five U.S. Park Police officers responded, with special equipment, from their headquarters. They arrived at lot No. 7 and found no disturbances. Also responded to lot No. 6 and found no trouble. They patroled the area but the gathering of groups had subsided.

One officer went to lot No. 7 and saw large groups running toward 21st and C Streets NE. and Oklahoma Avenue and Benning Road NE. He then responded to an accident scene.

Three other officers responded but the disorders had ceased upon arrival.

JOHN E. WINTERS,
*Deputy Chief, Youth Aid Division.*

EXHIBIT B: THE CATHOLIC SCHOOLS REPORT OF INJURIES SUSTAINED AT DISTRICT OF COLUMBIA STADIUM THANKSGIVING DAY FOOTBALL GAME

SURVEY RESULTS

*Personal injury or personal damage of property to St. Johns students*

| | |
|---|---|
| Personal injury: | |
| Head, struck with stick | 5 |
| Head, struck with rocks | 26 |
| Head, struck by umbrella | 2 |
| Head, struck with bottle | 6 |
| Head, struck with pipe | 2 |
| Struck in face | 52 |
| Thrown on the ground and kicked | 15 |
| Cut with a knife | 8 |
| Broken nose, facial cuts | 2 |
| Broken jaw | 1 |
| Total | 119 |
| Personal property damage: | |
| Band instruments dented | 4 |
| Buses, windows smashed | 2 |
| Fenders dented | 7 |
| Car windows smashed | 10 |
| Trenchcoats ripped | 2 |
| Trousers ripped | 1 |
| Pair glasses broken | 1 |
| Raincoat and blanket stolen | 1 |
| Air filter removed from car | 1 |
| Set license tags removed | 1 |
| Set car tires slashed | 1 |

Students almost universally reported being pushed or shoved out of the way.

The following listed injuries to members of the students' families and friends were obtained from selected questionnaires:

| | |
|---|---|
| Injured friends of St. Johns High School students: | |
| Hit in head with rocks and bottles | 7 |
| Hit with sticks | 7 |
| Hit with pieces of pipe | 2 |
| Hit with umbrellas | 23 |
| Cut with knives or razors | 8 |
| Thrown to ground and kicked | 11 |
| Broken nose | 11 |
| Struck in face | 21 |
| Teeth knocked out | 4 |
| Black eyes | 19 |
| Torn clothing | 3 |
| Car damage | 44 |
| Miscellaneous: jostled, pushed around, shoved, slapped, etc | 132 |
| Purses snatched | 3 |
| Total | 295 |
| Injured relatives of St. Johns High School students: | |
| Hit in head with rocks and sticks | 6 |
| Hit with bottles | 5 |
| Thrown to ground and kicked | 3 |
| Struck in face | 4 |
| Car damage | 4 |
| Black eye | 1 |
| Hit with umbrellas | 2 |
| Purses snatched | 2 |
| Cut eyes | 4 |
| Miscellaneous: jostled, punched, pushed around, slapped, etc | 13 |
| Total | 44 |
| Overall total injuries: | |
| St. Johns students | 119 |
| Friends | 295 |
| Relatives | 44 |
| Total | 458 |
| Other miscellaneous injuries: | |
| Carroll, boys jumped | 2 |
| Notre Dame, girl hit on head | 1 |
| Gonzaga, 4 boys struck; 3 parents struck | 7 |
| Other miscellaneous injuries: | |
| Immaculata, girls hurt | 2 |
| Immaculate Conception, girl knocked down | 1 |
| Mackin, boy jumped by boys | 1 |
| St. Anselm, 1 hit in mouth; 1 jostled; 1 punched | 3 |
| St. Anthony, 1 girl slapped; 1 boy and his mother pushed and shoved | 3 |
| St. Patrick, girl hit with umbrella; another scratched on chin; 4 punched | 6 |
| De Matha, boy, broken jaw | 1 |
| Total | 27 |
| Grand total | 485 |

EXHIBIT C: THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS REPORT OF STUDENTS INJURED AT DISTRICT OF COLUMBIA STADIUM, THANKSGIVING DAY FOOTBALL GAME

BROWNE

1. Boy, ankle injured.
2. Boy, knee injured.
3. Boy, leg injured.
4. Boy, leg injured.

EASTERN

1. Boy, leg skinned and scabbed.
2. Boy, left leg skinned.
3. Boy struck and knocked down.
4. Boy struck and knocked down.
5. Boy trampled on by crowd causing pains in back.
6. Boy struck in back with brick.
7. Girl bruised on head, on neck, hurt back and threatened with knife.
8. Girl, policeman attempting to hit boy with club hit girl because boy ducked.

WOODSON

1. Girl slapped on previously burned face.

LANGLEY

1. Girl, leg injured, treated at District of Columbia General Hospital.

WILSON

1. Boy knocked unconscious, teeth loosened, nose and back of head injured.

WESTERN

1. Boy hit between jaw and ear.

BANNEKER

1. Boy hit in mouth.
2. Boy, swollen hand.
3. Girl hit by beer bottle.
4. Boy hit with bottle on back.
5. Boy hit by rock.
6. Boy struck by whisky bottle.
7. Boy hit by splattering glass splinters.
8. Boy struck by beer can.

DOUGLASS

1. Boy, burnt fingers and cut on thumb by glass.
2. Boy knocked down and hit nose on rail of seat.

DEAL

1. Boy, dislocated jaw.

## TRIBUTE TO MAJ. GEN. WARREN C. WOOD

Mr. HRUSKA. Mr. President, more than 200 military and Government leaders gathered in Omaha on January 12 to pay tribute to one of Nebraska's most distinguished citizen soldiers.

He is Maj. Gen. Warren C. Wood of Gering, Nebr., who retired as commanding general of the 34th Infantry Division, Iowa-Nebraska National Guard.

At the dinner, Gov. Frank Morrison paid tribute to General Wood, not only

as a guardsman but as a civic leader. He pointed out the many contributions by the general to the development of western Nebraska and the State as a whole. The Governor observed that General Wood's retirement was not the end of a book but the opening of a new chapter which will be as productive and illustrious as the previous ones.

Maj. Gen. Lyle Welch, adjutant general of Nebraska, spoke of the brilliant military record of General Wood, but placed almost equal stress on his talents as an author, newspaperman, artist, musician, father, and grandfather.

Maj. Gen. Douglass P. Quandt, commanding general, XVI Army Corps, presented General Wood with a retirement certificate in the name of Lt. Gen. John K. Waters, commanding general, Fifth U.S. Army.

The Assistant Chief of the Army National Guard Bureau, Brig. Gen. Francis Greenlief, who has long been associated with General Wood, drew on a wealth of personal experiences, many of them in combat.

Those of us who have known and admired Warren Wood for many years as the editor and publisher of the Gering Courier salute him for his success as a soldier, journalist, and community leader. His literally thousands of friends join in the sentiment expressed in the editorial of the Nebraska Press Association organ entitled "We Are Proud of General Wood."

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial from the Nebraska Newspaper and the text of General Greenlief's remarks on that occasion.

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

[From the Nebraska Newspaper, January 1963]

WE ARE PROUD OF GENERAL WOOD

Several weeks ago the wire services carried an announcement that Governor Morrison had approved the application for retirement of Maj. Gen. Warren Wood, of Gering, commanding general for many years of the 34th Infantry Division, Iowa-Nebraska National Guard.

An editorial commending Warren for his service to his professions—newspapering and soldiering—is quite unnecessary. Anyone who was interested enough through many years, to keep up with the news, knows of Warren's accomplishments.

All of us who served our country in wartime and had a little tough go of it know that we had a gravy train compared with Commanding Officer Warren Wood who went through hell day in and day out, for weeks at a time, including the roughest of all—the Battle of the Bulge. Those who didn't have the privilege of serving in service wouldn't quite understand what he did for our country, nor what he went through.

Soldiering was one of his professions. The other was newspapering. He started early at that, too, by coming to press conventions as a boy with his late father. Both he and his father served as presidents of NPA.

We're proud of you, Warren; and we're thankful that there are men like you who have given so much to the two things that all of us hold so near and dear to our hearts.

REMARKS OF BRIG. GEN. FRANCIS S. GREENLIEF AT RETIREMENT DINNER HONORING MAJ. GEN. WARREN C. WOOD, OMAHA, NEBR., JANUARY 12, 1963

This is truly an occasion of mixed emotions for me. While I take great pride in being able to offer a tribute to my friend, Maj. Gen. Warren C. Wood, there is more than a little sadness connected with this occasion for me. At the time of his retirement, General Wood had completed nearly 39 years of service. He was the senior National Guard division commander and yet was among our younger division commanders.

General Wood enlisted as a private in the Howitzer Company, 134th Infantry, in March of 1924. In 4 years he had worked his way up to sergeant as a section leader, and then became first sergeant in March of 1928. After nearly 4 years as first sergeant, he was commissioned a second lieutenant on the 8th of February 1932, and was mobilized as a first lieutenant, platoon leader of Company F, 134th Infantry, on December 23, 1940.

He became the commanding officer of the newly organized antitank company of the regiment and was subsequently promoted to captain in July of 1943.

I recall that the general officer board which examined General Wood for promotion from colonel to brigadier general raised the question of General Wood's youth and of his rapid promotion. In reply, General Wood observed that he had made rapid progress in recent years but that he had gained a lot of experience in his over 11 years as a lieutenant.

Captain Wood organized and trained one of the truly outstanding companies of the regiment. I can also well recall the day that antitank company received the then new 37 millimeter antitank guns. With all of the button bursting that occurred in the antitank company and particularly on the part of its commander, you would have thought that they had just received a 100-megaton atomic weapon.

In July of 1943 Captain Wood was assigned as the division headquarters commandant but he returned to the regiment in time to be serving as the executive officer of First Battalion, 134th Infantry, when the battalion settled in their new headquarters in Penzance, England. Major Wood's next headquarters of note was in a tomb in the cemetery at St. Lo. Here, notwithstanding the ghoulish atmosphere, he ran the staff with dispatch and relative good humor.

Having fought its way out of the hedgerows, the 134th Infantry mounted trucks and sped down the road to rejoin Patton's Second Army, but was shunted off the route and thrown into a counterattack to stop the German drive toward Avranches. This fight at Mortain turned out to be a nightmare in which German tanks attacked the rear of the First Battalion, captured the motor park and the aid station, and nearly captured the battalion command post. In fact, the battalion was saved when Major Wood grabbed clerks and headquarters personnel, shoved bazookas and antitank grenade launchers into their hands to fight off the attack from the rear. Finally, after literally stealing some tank destroyers from another mission, Major Wood led the tank destroyers in a direct attack on the tanks, fought them off and removed the threat. For this action Major Wood received his first Silver Star.

Lt. Col. Wood joined the Third Battalion as commanding officer in September 1944. Finding the battalion badly shot up and with morale at a rather low ebb, his outstanding leadership provided a spark that fired up the battalion and led them in the bitter fighting of the fall-winter campaigns.

I am certain that I could talk all evening about the courage and leadership of General Wood. Courage and leadership for which he is known and has been decorated many times. I'll mention only a few incidents.

One of my most vivid recollections involved my own company, Company L, in a defensive action in the Foret de Gremecy. The Germans attacked our overextended position at about 4 a.m. on this particular day. By about 8 o'clock, the center of my line was occupied by Germans and my command post was surrounded on three sides. For a period of an hour or so I pleaded on the telephone with General Wood, then Colonel Wood, at battalion headquarters, asking that he commit the battalion reserves, which was I Company, as I recall. For about an hour I got a steady stream of reassurance from Colonel Wood. Essentially, the conversation was, "Take it easy, Fluff, it's not as bad as you think, everything will work out all right."

Of course I recognized that commitment of a reserve prematurely would be a serious tactical error but I was more concerned with survival than tactics. After the battalion reserve was committed, and L Company mounted a counterattack of its own, we were able to drive the Germans out of the position. Colonel Wood, being the leader that he was, accompanied the reserve company as it counterattacked into our area. A couple of hours later found him in my foxhole with myself and my first sergeant. The Germans counterattacked again, overran the reserve company and L Company, and we were again surrounded on three sides. I don't believe I will ever forget the look on Colonel Wood's face when my first sergeant refused to hand over his rifle so that Colonel Wood could help defend the command post. However, I hasten to add that the colonel did a beautiful job with his .45 caliber pistol.

The funny part of this story occurred in Colonel Wood's conversation with the regimental commander over the commitment of the regimental reserve. Colonel Wood got the same line of conversation from Colonel Miltonberger that I had earlier received from Colonel Wood. It may be of interest to note that it took an entire combat command of the 4th Armored Division to drive the Germans from the L Company position. On Sugar Loaf Hill, outside Nancy, Colonel Wood called upon his earlier training as an antitank company commander by withdrawing the transport from the battalion antitank section to insure that they stayed in place against the terrific counterattacks we withstood.

At about this time, we were running short of 81-millimeter mortar ammunition and Jay Ruby, being the scrounger that he is, latched on to a lot of German 80-millimeter ammunition. While defending Sugar Loaf, Jay was teaching his mortar crews to shoot with the German ammunition. On one of the trips in his jeep, down the back side of Sugar Loaf Hill, Colonel Wood had the unfortunate and unpleasant experience of driving through the impact area being used by Jay for the training of his mortar crews. I might say it was quite a sight to sit up on Sugar Loaf Hill and watch the battalion commander dodging his way through a barrage of German mortar shells fired by his own heavy weapons company commander. Jay and I have had many laughs over this; in recent years General Wood has been known to manage a smile over the incident.

During the Battle of the Bulge, Colonel Wood returned to his battalion command post in a dense woods near Lutrebois. I might add he was returning from the hospital where he had been recuperating from a very serious wound. He returned to find that his battalion command post was surrounded,

not on three sides, as he had been in my command post, but on all four sides. Again Colonel Wood helped save the day by accurate use of his .45. I think the incident that General Wood recalls most about this particular affair was the action of his Chinese cook, a boy by the name of Eng Hahn, who hurriedly dumped all the pancake batter out the window rather than let the Germans get it. Althought Colonel Wood lost his breakfast that morning, his presence provided the stabilizing influence the battalion needed. The battalion held and survived to continue the attack.

After leading the battalion through the final phase of the war, the clearing of the Ruhr pocket in April of 1945, General Wood had returned home shortly before the regiment and the division returned. The occasion of his return was an emergency leave due to the death of his father.

Following World War II he organized the 134th Infantry and was promoted to full colonel in October of 1946. He then became the assistant division commander in March of 1948 and was promoted to brigadier general. He assumed command of the division in December of 1954 and was promoted to major general. During his 8 years of command of the 134th Infantry Division, and as a member of the general staff committee on Army National Guard and Army Reserve policy for 4 years, he became known and respected by senior guardsmen and regulars throughout the Nation. General Wood has now been promoted from the position of the senior division commander of the National Guard to the position of the junior elder statesman of the Guard. All of us will continue to welcome and respect his judgment and recommendations.

I have left so many things, so many tributes, unsaid that I hardly know how to close, except to say that if I had my career to do over again I could choose no better commander than Warren C. Wood.

## TRIBUTE TO FRED K. NIELSEN

Mr. HRUSKA. Mr. President, a prominent Nebraskan, sportsman, diplomat, educator, and authority on international law died here in Washington a few days ago and I wish to take this opportunity to say a word of tribute.

Fred K. Nielsen was a professor of international law at Georgetown Law School from 1924 to 1953 and represented his country in several international conferences.

He played and coached football at the University of Nebraska and was coach of the Georgetown football team in 1910 and 1911.

In 1946 Mr. Nielsen was named special consultant on international law at the Japanese war crimes trials in Tokyo.

As a U.S. representative at the Paris Peace Conference in 1919, Mr. Nielsen was in charge of matters relating to treaties, claims against enemy governments, and protection of property in enemy countries.

During 1921 and 1922 he attended the Washington Conference on Limitation of Naval Armaments. In 1933 he was legal adviser to the U.S. delegation to the London Economic Conference.

Among his State Department assignments was the job of solicitor, or chief law officer, in 1921 to 1922. During the same period he was a member of the board of examiners for entrance to the diplomatic service.

At an early age Mr. Nielsen was brought to Iowa by his parents from his birthplace, Slagelse, Denmark. In 1902 he received an A.B. degree from the University of Nebraska where he also took a bachelor of laws degree in 1904.

Among his survivors is a niece, Miss Margaret Nielsen, of Omaha, to whom Mrs. Hruska and I extend our deepest sympathy.

Mr. President, I ask unanimous consent that there be inserted in the RECORD two news accounts in this regard.

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

[From the Washington Star, Jan 14, 1963]

FRED NIELSEN, 83, DIES; WORLD LAW AUTHORITY

Fred Keneim Nielsen, 83, an attorney who served as a diplomat and became an authority on international law, died Saturday at his apartment in the Chastleton, 1701 16th Street NW., after suffering a stroke.

Mr. Nielsen was a professor of international law at Georgetown Law School from 1924 to 1953. He took several leaves of absence to represent the United States in international arbitrations.

In 1946, he was named a special consultant on international law at the trials of Japanese war criminals in Tokyo.

As a U.S. representative at the Paris Peace Conference in 1919, Mr. Nielsen was in charge of matters relating to treaties, claims against enemy governments and protection of property in enemy countries.

During 1921 and 1922, he attended the Washington Conference of Limitation of Naval Armaments. In 1933 he was legal adviser to the U.S. Delegation to the London Economic Conference.

Among his State Department assignments was the job of solicitor, or chief law officer, in 1921-22. During the same period, he was a member of the board of examiners for entrance to the diplomatic service.

At the age of 1, Mr. Nielsen was brought to Iowa by his parents from his birthplace, Slagelse, Denmark. In 1902, he received an AB degree from the University of Nebraska, where he also took a bachelor of laws degree in 1904.

He played and coached football at Nebraska and served as coach of Georgetown University's football team in 1910 and 1911. He earned a master's degree in law at Georgetown and was made an honorary doctor of law.

Mr. Nielsen was admitted to the District Bar and to practice before the Supreme Court in 1908. He served as a major in the Army in France during World War I.

A member of the executive council of the American Society of International Law, Mr. Nielsen belonged to the American, District and Federal Bar Associations, Order of the Coif, Columbia Historical Society and American Legion.

He belonged to the Chevy Chase, Lawyers, University and National Press Clubs here. Mr. Nielsen never married.

Services will be at 10:30 a.m. Wednesday at Gawler's, Wisconsin Avenue and Harrison Street NW. Burial will be in Arlington Cemetery.

He leaves three nieces, Miss Alice Nielsen of Minneapolis, Miss Margaret Nielsen of Omaha, Nebr., and Mrs. R. A. MacHaffie of Corvallis, Oreg., and two nephews, Ralph N. of State College, Pa., and Herluf P., of Long Beach, Calif.

[From the Washington Post, Jan. 14, 1963]

FRED K. NIELSEN, 83, U.S. DIPLOMAT

Fred K. Nielsen, 83, retired diplomat and authority on international law, died Saturday at the Chastleton, 1701 16th Street NW., after suffering a stroke.

A professor of international law at Georgetown Law School from 1924 to 1953, Mr. Nielsen represented the United States in several international arbitrations.

He served as counsel and U.S. delegate in the arbitration of claims involving Great Britain, the Netherlands, Mexico, Egypt, and Turkey, and was a special consultant to the international military tribunal which tried Japanese war criminals after World War II.

Mr. Nielsen was a delegate at the Paris Peace Conference in 1919, the Washington Conference on Limitation of Naval Armaments in 1921 and 1922, and the London Economic and Financial Conference of 1933.

Born in Slagelse, Denmark, Mr. Nielsen was brought to America by his parents when he was a year old. The family settled in Iowa, and Mr. Nielsen attended the University of Nebraska where he received an A.B. degree in 1902, and a bachelor of laws degree in 1904.

Mr. Nielsen played and coached football at Nebraska and coached Georgetown's football team for several years after coming to Washington. He was admitted to the District of Columbia bar and to practice before the Supreme Court in 1908.

After service as a major in the Army in France during World War I, Mr. Nielsen supervised matters relating to treaties, claims against enemy governments and protection of property in enemy countries at the peace conference.

He was Solicitor of the State Department from 1920 to 1922.

Mr. Nielsen served on the executive council of the American Society of International Law and belonged to the American Bar Association, Columbia Historical Society, and the District of Columbia and Federal Bar Associations. He was a member of the Chevy Chase, the Lawyers, and University Clubs.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The VICE PRESIDENT. The Chair lays before the Senate the question: Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

The Senate proceeded to consider the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. TALMADGE. Mr. President, I rise once again to defend a freedom so fundamental, so dear to all of us, that seemingly it would need no defense. Yet in recent years attacks on this freedom have become so commonplace as to seriously threaten our republican form of

government, which has been nurtured for so long as a way of life of all Americans. Indeed, the very foundations of the Government of the United States are severely shaken by these repeated assaults. However, these foundations have been nurtured and have withstood the travails of history before. Thomas Jefferson knew the kind of government he had helped forge when he addressed the people of the Nation at his first inaugural in 1801. He said:

I believe this is the strongest government on earth.

It was and is the strongest Government on earth, and it will not lose its strength and the security it holds in a position of world leadership so long as we keep an abiding faith in the wisdom of our forefathers.

But, Mr. President, all of the repeated assaults on our constitutional systems of government and on the Senate as a deliberative body, and the various attacks from time to time on the rules of the Senate, pale into insignificance when we see the action that was taken yesterday, and the pending motion which is now before the Senate.

I turn to article I of the Constitution of the United States, and I read a portion of section 5 of article I:

Each House may determine the rules of its proceedings.

That constitutional authority is apparently being used by those who strike at the Senate as an institution and our republican form of government, to take precipitate, violent, and unconstitutional action.

Let us examine that language again:

Each House may determine the rules of its proceedings.

Mr. President, what does the phrase "each House" mean? It means the two Houses of the legislative branch of the Government. They are as follows: first, the Senate; second, the House of Representatives. They are the only Houses of the legislative branch of the Government. The word "House" or the word "Houses" does not refer to the 1st Congress or the 2d Congress or the 88th Congress. The words refer to the Senate and to the House of Representatives. That language is the authority that the Senate of the United States has, in the Constitution, to form its rules of procedure. Under the Constitution—the language I have read—any rules that the Senate may see fit to make regarding its procedure would be constitutional, because the clear language of the Constitution itself delegates to the Senate—this body—the power, the right, the duty, the responsibility, and, yes, the privilege, to make its own rules.

The Senate has made its own rules. As a matter of fact, the distinguished Vice President of the United States, the President of the Senate, answered that question yesterday. I refer to the CONGRESSIONAL RECORD of yesterday's debate, at page 1214. The distinguished senior Senator from Iowa [Mr. HICKENLOOPER] asked this question:

Is the Senate operating under any rules now; and, if so, will the Chair state under what rules the Senate is operating?

Here is the response by the distinguished Vice President:

The Parliamentarian informs the Chair that the Senate is now operating under the rules as shown in the Senate Manual.

I hold in my hand the Senate Manual. There has been a Senate Manual since the Senate first met in 1789 and adopted its rules. The rules of the Senate have been in continuous and constant existence since that time, subject only to the amendment of the Senate rules themselves. Of course, the Senate has amended its rules from time to time. The Senate can amend its rules at any time it so desires. But the only question at issue now is, Shall the Senate rules be amended in accordance with the Senate rules? That is the issue which confronts the Senate at the present time.

The distinguished senior Senator from New Mexico [Mr. ANDERSON] yesterday submitted a motion. The text of that motion is the question pending before the Senate. It is as follows:

I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

The Senate has now been in existence for 174 years. At no time in the history of this body has any such motion ever been submitted to the Senate. The Nation has had many political parties. Those political parties have varied from time to time. Sometimes one party has been in the majority; sometimes another. Sometimes political parties have died, and new parties have risen in their stead. But in all the 174 years of history of this Republic, nothing like the pending motion has ever been submitted to the Senate before. Why? Because this is the first time any motion which has provided for instant cloture has been submitted to this body.

Throughout the years, many cloture resolutions have been submitted to the Senate. As the distinguished Vice President knows, beginning in 1789 and lasting through 1917, there was no cloture rule of any kind in the U.S. Senate. The reason for that was obvious. The Senate is a forum of the States of the Union. The Senate was created as a compromise. The Senate is the last reservoir of the sovereignty of the States. The Senate is the only body in our country where each State, large or small, rich or poor, has two Senators to sit as a forum of the States, to resolve their differences.

Mr. President, the Senate has rendered outstanding results in that regard. We have seen our country grow to the point where it is now comprised of 50 States. Alaska reaches almost to the North Pole. Florida reaches almost to the Equator. One of our States, Hawaii, lies almost halfway across the Pacific Ocean. We have other territories that lie far beyond the seas. Notwithstanding the differences of opinion which exist among the States; notwithstanding the different ideas of the people; notwithstanding their different economic interests; notwithstanding their frequently different customs; the Senate of the United States has been the one forum, during all the years of the history of our Republic, that has resolved our differences, with the exception of one unfortunate occurrence that lasted from 1861 to 1865. The reason why the Senate has resolved those differences is that Senators, representing the various States, and having different, varying, and sometimes conflicting ideas, could meet in this forum, in this body, and temper and resolve the issues which sometimes have sought to tear our very Nation asunder.

But, Mr. President, the pending business before the Senate would go in the very teeth of the history of our Republic. It is in total and complete conflict with the rules of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD section 2 of Senate Rule XXII, which provides for the closing of debate.

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

2.[1] Notwithstanding the provisions of rule II or rule VI or any other rule of the Senate,[2] at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting,[2] then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. TALMADGE. Mr. President, that section provides the procedure for closing debate in the Senate. It is the procedure that Senators themselves have determined to be the proper, lawful, legal, and correct way of terminating debate in the Senate.

Now let us compare section 2 of Senate rule XXII with the motion that was submitted yesterday. Again I quote the language of the motion of the Senator from New Mexico:

I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

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[1] As amended, Senate Journal, 17, 81–1, Mar. 17, 1949.

[2] As amended, Senate Journal, 37, 86–1, Jan. 12, 1959.

That is a "previous question" rule, or even worse than that. It provides that Senators themselves can immediately terminate debate with a simple majority of the Senators present and voting. A quorum in the U.S. Senate is 51 Members. A majority of a quorum would be 26 Senators. Mr. President, that motion could be adopted by an affirmative vote of 26 Senators, and it would deny 74 Senators the right to come to the Senate floor and raise their voices to resist legislation they might consider to be unconstitutional, harsh, intemperate, arrogant, or wrong for any reason whatsoever. I do not believe there is a single Member of the U.S. Senate who, in his heart and in his conscience, would vote for so preposterous a proposition.

Mr. President, the pages of history are littered with republican forms of government which have died and have become dictatorships. The overwhelming majority of them have become dictatorships because the parliamentary bodies of those countries have died and have surrendered their power to arrogant men, willful men, or desperate men, who then have assumed the responsibilities of their government under a dictatorship.

Mr. President, in the history of our Republic there have been many times when great and powerful men who were popular with the people have sought legislation which has been struck down by free debate in the U.S. Senate.

Let us see what purpose free speech in the Senate has served in our own Republic. Perhaps the greatest bulwark that protects the liberties of our people is the constitutional right of habeas corpus. When anyone is placed in jail illegally or unlawfully and is detained there, he can go into any one of our courts and secure a writ of habeas corpus; and then he must be released, or else charges must be preferred against him and he must be given a trial. But in the days of the unfortunate War Between the States, in 1861 it was decided that the writ of habeas corpus was handicapping those who were pursuing the War Between the States; so they sought to have that right suspended. But, Mr. President, in the U.S. Senate in 1863, free speech prevented the right to obtain a writ of habeas corpus from being suspended.

What else? In the lifetime of every Member of the Senate, in 1937, a powerful, popular, influential President of the United States sought to pack the Supreme Court of the United States. He did not like the idea that the Supreme Court was holding unconstitutional some of the bills he favored. So his answer to that situation was to attempt to pack the Supreme Court with members who would do his bidding, members who thought as he did; and he submitted a bill to pack the Supreme Court, and the bill was reported by the Judiciary Committee. But free debate in the U.S. Senate alerted and awakened the American people, and the bill was killed.

Even more recently than that, Mr. President, in 1946, when there had been an unfortunate series of strikes in this country, and when an infuriated and inflamed public opinion had developed, there was a repetition of such a precipitous attempt to obtain legislation. President Truman was then President of the United States; and he became infuriated with the members of the railway labor unions who were striking. So he sent to Congress proposed legislation which would have authorized the President of the United States within 24 hours to draft into the Army of the United States the members of the railway labor unions.

What happened? The bill went to the House of Representatives, which has a previous question rule. So, on the same day the bill was introduced in the House of Representatives, it was overwhelmingly passed, with only 13 dissenting votes in the entire Membership of the House of Representatives. The bill then came to the floor of the U.S. Senate. The Senate was prepared to vote immediately, even without having a committee hearing held. At that time Bob Taft, Sr., was a Member of the U.S. Senate from the State of Ohio; and he held up the bill. Free speech was exercised in the Senate; and when people had an opportunity to examine the proposed legislation, the portion of the bill which authorized the drafting into the U.S. Army of the railway union members was stricken out.

Mr. President, those are only three illustrations of what has happened in our country because of the free speech provision which operates to protect the liberties and the rights of our people under our constitutional system of government.

Mr. President, I can cite an example even more far-reaching than that: A year ago I had the privilege and the pleasure of reading William L. Shirer's book "The Rise and Fall of the Third Reich." I commend it to the attention of every Senator and of every person in the United States. From my reading of the book, I was forcefully and vividly impressed with the recitation therein of the power of dictatorship which developed in Germany. Adolf Hitler was appointed Chancellor of Germany by von Hindenburg, who was the President of Germany. The appointment was made in a perfectly legal and lawful manner; von Hindenburg had the power to appoint the Chancellor, and did appoint him. But after Hitler became Chancellor of Germany, he sent to the Reichstag a bill which was called the Enabling Act. It was alleged to be a welfare bill. But, Mr. President, note the powers which that Enabling Act granted to Hitler: First, it gave to Hitler the power to amend the German constitution as he saw fit; second, it gave to Hitler the power to make treaties with foreign countries as he saw fit; third, it gave to Hitler the power to raise the taxes and to expend the money in any way that he saw fit. Mr. President, unfortunately the German Reichstag did not have a rule of free speech. So a vote on that bill was called in very short order. The result was that approximately 400 members of the German Reichstag voted "yea," and about 100 members voted "nay."

But, Mr. President, if there had been free speech in the German Reichstag, the legislative body of Germany, it is entirely possible that if the members who then constituted the minority of that legislative body had been men and women of courage, they could have alerted and awakened the people of Germany to the danger which faced them, and it is possible that in that event the enabling act would not have been passed. If that enabling act had not been passed, all power in Germany would not have passed to Adolf Hitler, who set the stage for the bloodiest war in all history.

Mr. STENNIS. Mr. President, at this point will the Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield to the Senator from Mississippi.

Mr. STENNIS. The Senator from Georgia has given a vivid illustration, from contemporary history; he has pointed out how the lack of free speech in the German Reichstag led to the bloodiest war in all history.

Will the Senator from Georgia compare that situation in the German Reichstag with the situation under our own form of government, in which we have maintained the right of free speech, and particularly the right of freedom of the press? Cannot the Senator from Georgia conceive that it is entirely possible, and even probable, that if these safeguards were to be removed, a majority could, acting on impulse, pass a bill which would make great inroads on the freedom of the press; and, once that precedent were established, could not another inroad be made, with the result that freedom of the press and freedom of speech could, by that process, be destroyed?

Mr. TALMADGE. The Senator from Mississippi is entirely correct. When there is in our country a great and powerful person, he could take immediate advantage of the mass communication media, and could say, "I want so and so passed; it must be done in the public interest"; and no doubt it would be possible for him to obtain the support of an overwhelming majority of the people. In that event, because of the tremendous pressures which could be brought to bear upon the Members of the Congress, action on the bill could be obtained in the House on the very day when the bill was introduced there. Similarly, in such a situation, the resolution submitted by the senior Senator from New Mexico [Mr. ANDERSON] could be acted on immediately in the Senate. That could be stopped only because of the fact that the Senate is the one legislative body in which Senators of courage and conviction can cause delay until the American people can look at the proposal and consider it and determine whether it is in the national interest.

Mr. STENNIS. Mr. President, the Senator from Georgia has answered very well, indeed.

Even though there is in the Constitution the guarantee of freedom of the press, has there not been a trend, for at least a few decades, to make inroads, bit by bit, upon the plain language of the Constitution?

Mr. TALMADGE. There certainly has been.

Mr. STENNIS. And in that way, bit by bit, there has been erosion of the Constitution or evolution of the so-called "new thought"; and in that way the plain provisions of the Constitution could be, and would be, stricken down, unless the effort were exposed.

Mr. TALMADGE. The Senator from Mississippi is entirely correct.

Mr. STENNIS. And there is already a trend in the direction of whittling away the plain provisions and guarantees of the Constitution.

Mr. TALMADGE. My friend is entirely correct.

Mr. STENNIS. Part of that trend is the renewal of rule XXII, which is a roadblock.

Mr. TALMADGE. The Senator is correct.

Mr. STENNIS. The rule does to a degree prevent those things from happening. If we should remove that obstacle, what would be left?

Mr. TALMADGE. There would be none.

In the final analysis, the only way in which the Constitution of the United States can be protected is by the Senate, where there is free debate. Hundreds of other constitutions have been swept away before. How? By some powerful popular figure who came forth with a program that the people thought was in their national interest. The people were inflamed. Sometimes they demanded immediate action. The legislative body acted, and the liberties of the people were lost. It was too late.

The Senate is the one body that prevents something like that happening in America.

The question before the Senate now is whether or not 51 Senators—or even 26 Senators—can gag 74 Senators who may happen to be absent. When one stops to think of it, it is ridiculous. It is completely contrary to all our history, all of our precedents, all of our constitutional system of government and, I hope, to the best judgment of the overwhelming majority of Senators.

(At this point Mr. HART took the chair as Presiding Officer.)

Mr. STENNIS. I thank the Senator for yielding to me. Will the Senator yield for one more question?

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

Mr. STENNIS. Even though rule XXII as it now exists is a safeguard and an obstacle against hasty legislation, nevertheless, is it not true that when there is a real need, a real emergency, an urgency, or the Nation is imperiled, it has always been possible under rule XXII to enact the necessary legislation? Has that not been true since 1927, a period which includes the great depression, the prelude to World War II, the fighting of World War II, the post-World War II adjustment, the Korean war, and the years that have intervened since? Is that not a real test, and has it not proved its worth?

Mr. TALMADGE. The Senator is entirely correct. In the history of America free speech has never condemned a good bill and it never will.

Some of the advocates of the proposed immediate, instant gag rule like to say, "we cannot pass a civil rights bill unless we can gag the Senate." The able Senator from Mississippi knows, as well as I do, that in the short period of time that I have been a Member of this body—only 6 years—two civil rights bills have passed, one in 1957 and another in 1959. When those bills were pending before the Senate there were 35 or 40 yea-and-nay votes on every conceivable scheme that any civil rights advocate could possibly think of.

An attempt was made to delegate to the Attorney General the power to become guardian over 10 percent of the American people. Every scheme that could be thought of by anyone who likes to think of civil rights bills as being a means to delegate more power to the Federal Government, to give one group of our citizens an advantage over another group was presented.

Mr. STENNIS. Will the Senator yield for one further question?

Mr. TALMADGE. I yield.

Mr. STENNIS. What the Senator has said about the record of voting on the bills is true. Every proposal had its day in court. Every idea was voted upon. On the other hand, only last year a so-called civil rights bill was introduced and debated in the Senate, and another effort to impose cloture was made. Is it not true that the effort to obtain cloture failed by a majority of the membership of this body, which shows conclusively the fault and the failure was due to the fault of the bill and not rule XXII?

Mr. TALMADGE. The Senator is entirely correct. As the able Senator knows, it was in complete derogation of the Constitution of the United States.

Mr. STENNIS. Those who opposed the measure convinced the majority of Senators, under adverse conditions, that it was true. Is that correct?

Mr. TALMADGE. The Senator is correct.

Mr. STENNIS. And they voted accordingly.

Mr. TALMADGE. That is entirely true.

Mr. STENNIS. When the bill was introduced there was a good prospect of its passage without delay.

Mr. TALMADGE. I think it would have passed overwhelmingly if Senators had not had an opportunity to examine the measure leisurely and see that it conflicted with the Constitution of the United States in two separate places.

Mr. STENNIS. Senators had an opportunity really to go beneath the surface and examine the measure for themselves, as well as listen to Senators who opposed it.

Mr. TALMADGE. The Senator is entirely correct.

Mr. STENNIS. I thank the Senator.

Mr. TALMADGE. I thank the Senator for his able contribution.

Mr. President, it is particularly distressing to me that this unpleasant battle be waged on the floor of the U.S. Senate, in these Halls where for 174 years this great body has striven to serve the Nation as the preservator of individual liberty—not as its suppressor.

To all of us who refuse to turn our backs on history and tradition, who will not deny our time-tested heritages, who stand resolutely for constitutional government as entrusted to us by our Founding Fathers, who steadfastly refuse to see the Senate of the United States stripped of its constitutional role as protector of our republican form of government, it is truly saddening to contemplate these biennial ravages on a liberty which above all we have been exhorted for generations to always preserve.

I speak, Mr. President, of freedom of speech, of the right to unlimited dissent and expression of opinion, especially in the Senate. Here, I think, is the last bulwark of constitutional government and State sovereignty.

If fight we must to protect this freedom—to keep it inviolate for future generations, then fight we will, with every resource at our command.

To this we are dutybound. There is too much at stake for us to do otherwise—much, much more than a political objective, here today and gone tomorrow.

The future of the Senate of the United States depends on the preservation of this liberty.

The well-being of the Nation, with its intricate system of checks and balances of government, depends on the preservation of this liberty.

Indeed, Mr. President, the individual liberties of every citizen of this Nation depend on the preservation of this liberty.

We have been warned before, in terms so meaningful and forceful that I cannot understand how they could go unheeded—how anyone could challenge them. So ominous have been these warnings that to ignore them is to flirt with the ultimate and inevitable destruction of the government which has made this Nation great.

Once the Senate of the United States surrenders its freedom of speech—laying it like a sacrificial lamb on the altar of political expediency—it will be lost forever.

The consequences, frightening to free men everywhere, would reach far beyond the confines of this great deliberative body. They would touch every region of the country, every state, and every individual.

The day we give up freedom of debate in the Senate would surely be a dark one, but rest assured that more fearful ones would follow.

With freedom of debate would go a cornerstone of our Government. And who can say how long it would be before the rest, crippled beyond repair, comes tumbling down?

This great edifice, this Institution, would be wrecked, Mr. President. Those who tamper with such destruction, do so in the iniquitous name of "majority rule." Or, to use the words of some of those who would stifle debate in the Senate, "So that a majority can work its will."

Mr. President, I submit that all of us here and those who follow us would sorely regret the day when an arrogant

majority could work its will in this Senate, crushing all opposition in its path.

Try to envision the day when an unrestrained majority could "work its will" in this Senate, without regard for the rights and interests of the minority.

Chaos would reign in a government or society where the potential tyranny of the majority is not strongly circumscribed. Alexander Hamilton tells us that a state of anarchy exists, even in a state of nature, where the weaker is not secure against the stronger.

Such security was intended by our Founding Fathers. They were well aware as we should be, that the excesses of democracy can be as offensive as totalitarianism.

They also were well aware that the strong are not always strong, the weak not always weak—that majorities and minorities shift, that tables can be turned.

It was John W. Scoville who said:

> Those who invoke the law to curb the liberties of others forge weapons which at a later time may be turned against them. If I use the law to destroy the freedom of my neighbor, I have no defense when my neighbor uses the law to destroy my freedom.

Anyone unwise enough to rush pell mell to tear down an institution which has proven itself worthy, should heed these words of Edmund Burke, an English statesman who believed that people who do not look backward cannot look forward to posterity.

Writing in 1790, Burke said:

> It is with infinite caution that any man ought to venture upon pulling down an edifice, which has answered in any tolerable degree for ages the common purposes of society, or on building it up again, without having models and patterns of approved utility before his eyes.

This is sound advice, for all times—whatever the age or whatever the circumstances.

Mr. President, the distinguished Senator from Illinois told us last August that when the first session of the 88th Congress convened, there would be a renewal of the efforts to limit debate in the Senate.

The Senator from Illinois took issue with the rights of the minority. He contended that these rights stand in the way of the will of the majority and prevent action in this Senate.

The Senator from Illinois said he believes in majority rule. In the closing days of the last session of Congress, he said:

> We shall be back next January, and then we hope to get a yea-and-nay vote; and when the roll is called, we will find who are the real friends of majority rule in the Senate and who are its opponents.

With all respect for the opinion and the comments of the Senator from Illinois, I submit, Mr. President, that he has missed his target, that his aim falls wide of the real issue involved here.

It is not, as the Senator from Illinois would have it, a question of who are the friends of majority rule in the Senate, and who are its enemies.

It is, however, a question of who are the friends of our republican form of government.

It is a question of who are the friends and protectors of the responsibilities of the Senate as endowed it by the Constitution.

It is a question of who would undermine this great body by installing gag rule, thereby rendering the Senate helpless against an onslaught of extremism, intolerance, and power politics.

It is a question of who would upset the checks and balances system of our government, which was delicately contrived by our forefathers to insure this Nation a lasting government, a stable and strong government, one which is close to and responsive to the will of the people.

It is a question of who would reduce this Senate to an ineffective arm of the House of Representatives.

It is a question of who would give a majority of one the power to trample mercilessly over the minority.

The position of the junior Senator from Georgia is clear. It is unwavering.

I am not a friend of unrestrained majority rule in the Senate of the United States. I never will be—not when it means the stifling of debate and the smothering of all dissent in the Senate; not when it means that minority rights will stand naked and defenseless, the whipping boy for tyrannical abuse by a majority of one; not when it causes disunity and strife between large sections of this country and divides large segments of the population.

To my mind, Mr. President, justification for rule by the bare majority in the Senate can never be found—certainly not in so transient an objective as force legislation in the field of human relations.

We must cast aside doctrinaire toying with the eternal principles of individual liberties which are embodied in our republican form of government.

Opponents of freedom of debate in the Senate would give full and easy sway to the majority because, they say, a minority can paralyze legislative action.

They would knock down, with one swift blow, the right of the minority to be heard, to vigorously dissent from that which it deems to be wrong. At the same time, Mr. President, they try to tell us they believe in "full and free discussion."

Last August, the Senator from Illinois said:

> We who believe in the ultimate power of the majority to act also believe in full and free discussion.

Mr. President, standing rule XXII of the Senate, as it now exists, makes this possible. Rule XXII, as now written, providing for a two-thirds vote to cut off debate, undeniably permits a true majority to act.

Just as important, it also protects the minority from the persecution of an unchecked, misguided majority and guarantees to the people of this Nation a full airing of a vital issue before the Congress, and before the Nation.

The aim of our Founding Fathers was to serve both the true will of the majority and the rights of the minority, and both will be served so long as there is a free play of ideas in our Government and in our society.

Thomas Jefferson, writing in his Manual of Parliamentary Procedure, said:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Mr. President, I submit that if rule XXII is weakened further and if all restraints on the majority are removed, "full freedom of debate" in the Senate would be abolished.

The warning of the late Honorable Eugene D. Millikan, the able and eloquent Senator from Colorado, bears repeating. He told the Senate in 1946:

> If my country were confronted with the possible choice of surrendering all of the individual rights of its citizens under our Constitution save one to be selected by it, I would unhesitatingly counsel the preservation of the right of free speech, for so long as this right remains unimpaired all other rights, if lost, may be regained.
>
> History confirms this. Every dictator knows it well and selects free speech as the first victim of his aggression. Is the right abused? Of course, it is abused. It is abused everywhere it exists—it is abused at times in the Senate.
>
> But there are reasonably adequate measures against abuse which do not destroy or seriously violate the right. It is manifest that if a majority of one could end free speech in the Senate, it would not be long until there would not be any free speech.

What of the rights of the minority, Mr. President, when they collide with the wishes of the majority? Which shall prevail, is not the real question.

I hold, Mr. President, that of overriding importance is that truth and that which is just shall always prevail.

The late Senator from Colorado went straight to the heart of the matter when he said:

> It should never be forgotten, I respectfully suggest, that the rules of a legislative body in a country which understands, appreciates, and desires to conserve the principles of human freedom are adopted not to enhance or render unshakable the power of the majority of its members, but rather to protect those in the minority. The rights of the minority have not been imposed by a minority; they have been freely granted by majorities which realize the fact that majorities are not always right, that there is an inherent tendency in majorities to oppress minorities.

Mr. President, the thinking of John Stuart Mill, one of the greatest minds of all time, is especially enlightening on this matter, and I think we would do well to consider his ideas today. Mill, in his timeless essay, "On Liberty," defended the give and take of free discussion, believing that in such an atmosphere, thinking is stimulated and truth, or falsity, is clarified.

By what right does anyone be so bold as to stifle the dissent of a minority? Mill asks. Who is so infallible that he knows he is above having his ideas challenged in open debate?

Mill was wise enough to know that history shows that in many, many instances, the minority view of yesterday becomes the generally accepted truth of

today. Thus, he cautioned against denying anyone the right to be heard, fully and freely.

Mill said:

If all mankind, minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.

Oppression in this fashion robs posterity as well as the existing generation, for it is never known when the opportunity for exchanging truth for error has been lost, or when a livelier impression of truth may be had through its collision with error.

Mr. President, no majority can assume such infallibility as to silence the expression of a dissenting opinion. As Mill put it:

We can never be sure that the opinion we are endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still. * * *

Mill continues:

All silencing of discussion is an assumption of infallibility. Ages are no more infallible than individuals; every age having held many opinions which subsequent ages have deemed not only false but absurd; and it is as certain that many opinions, now general, will be rejected by future ages, as it is that many, once general, are rejected by the present. It is the duty of governments, and of individuals, to form the truest opinions they can; to form them carefully, and never impose them upon others unless they are quite sure of being right.

The only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every character of mind.

Mr. President, we have heard that rule XXII and freedom of debate in the Senate stand in the way of the enactment of force legislation in the area of so-called civil rights. This is the principal reason advanced for seeking to deprive this Senate of its safeguard against the tyranny of a majority.

In view of this, Mr. President, I find these words of Mill particularly appropriate. It may seem to some that Mill wrote them yesterday:

Strange it is, that men should admit the validity of the arguments for free discussion, but object to their being "pushed to an extreme"; not seeing that unless the reasons are good for an extreme case, they are not good for any case.

Strange that they should imagine they are not assuming infallibility when they acknowledge that there should be free discussion on all subjects which can possibly be doubtful, but think that some particular principle or doctrine should be forbidden to be questioned because it is so certain, that is, because they are certain it is certain.

Mr. President, although the issue here is of far more importance than the enactment of certain so-called civil rights laws, let us briefly pursue and put to rest the argument that rule XXII makes it impossible for such force legislation to pass this Senate.

That contention is wholly without validity, Mr. President, and every Member of this Senate knows full well that it will not stand close examination. We need only to look back 6 years, to 1957.

Since that year, two such force bills have passed the Senate, one of them under a cloture rule far more stringent than the one presently in effect.

Mr. President, we also are told that a small minority in the Senate can by filibustering absolutely prevent action, presumably meaning any action at all, though a majority wants to act.

Do those who would prohibit unlimited debate in the Senate really believe this? Do they really believe the Senate to be an impotent body, incapable of action? Do they really believe that a minority can truly hamstring a majority determined to enact legislation in the best interests of the Nation?

The junior Senator from Georgia does not believe these things. He has faith in the strength, the courage, and the integrity of every man and woman who sits in this Senate.

When the Senate wants to act, it will act. This has been proven time and time again in the past. It was proven most forcefully in the last session of Congress.

And, Mr. President, it is ironical that a number of the usual opponents of rule XXII were the ones who were principally instrumental in clearly demonstrating that no change in the rule is needed.

It was indisputably shown that when a true majority sincerely and conscientiously wants to act, the rule does not stand in its way.

It was proven that—to the undoing of zealous arguments for weakening rule XXII—that the present cloture provisions in no way paralyzes the legislative functions of this Senate.

It confirmed long-standing beliefs by those of us who favor free speech in the Senate that cloture can be obtained to insure the passage of good legislation.

It proved, Mr. President, that a good bill will not be killed by a filibuster, though many bad ones have fallen under the assault of free and open discussion.

I refer, Mr. President, to the abortive liberal filibuster against the administration's communications satellite bill, which, by a vote of 63 to 27, was cut off in order that the Senate might act on the measure.

Was the Senate impotent then in the face of a so-called filibuster? Was the Senate paralyzed by the minority group which opposed the satellite bill?

No, Mr. President. Here is an outstanding example of a determined majority in the Senate desiring to act, and moving undeterred to take such steps necessary to act.

This was accomplished, Mr. President, under rule XXII as it now exists.

Following the Senate's action invoking cloture, editorial comment flowed from the Nation's press, which has long recognized the wisdom of retaining freedom of debate in the Senate.

The distinguished William S. White, noted authority on the function and responsibilities of the Senate and author of "The Citadel," a penetrating and erudite study of this body, quickly grasped the meaning of the situation.

Mr. White concluded that the action of the satellite bill filibuster sounded the death knell for dreaded gag rule. It was Mr. White, you will recall, who wrote in his book:

It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments, the ideal is not for the majority of all but actually for the minority of one.

The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts, to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

This eloquent defender of free debate in the Senate correctly summed up the meaning of the cloture vote on the satellite bill. His succinct appraisal is worthy of consideration here today. He wrote:

It means that the professional liberals have at last overreached themselves. And, ironically, it also means that the one constant goal of the professional liberal—a change in the rules to make the gag more easily applicable to people the liberals do not like—has been gravely, if not fatally, hurt. In taking up the weapon they have so long denounced, they have only proved what has always been the simple truth, which is that there is no need to change the rule.

When any bill is a good bill and has heavy support it can always prevail, filibuster or no filibuster and rule or no rule.

It is not impossible to apply the gag; it is only difficult. And it is not even difficult when a true majority of the Senate truly wants something done.

Mr. President, while I in no way would impugn the motives or convictions of my opponents in this issue, and would not criticize them for any acting as they so believe, I found the following words of Mr. White particularly appropriate:

What has long thwarted liberal designs is not that the rules are wrong, but rather that liberal bills are usually wrong—wrong because they are extremist and intolerant. It is not bad rules which is their trouble. It is a bad case. And this the liberals have now managed to prove out of their own mouths.

Let us also heed the words of the distinguished Walter Lippmann, long an able and respected observer of the American political scene. Mr. Lippmann, writing recently on the controversial hue and cry for so-called reform in both Houses of Congress, concluded that some reform may be needed in the House of Representatives.

But, he sternly warned against turning the Senate over to a majority. Said he:

I would not reopen now the question of the limitation of debate in the Senate. There is a strong case to be made for continuing the tradition which makes it necessary that legislation which is highly controversial must demand a consensus in the Senate which is much bigger than one more than one half. I believe that in the long run the preservation of this principle in one of the Houses of Congress is a protection of our liberties.

Mr. President, again with all respect for the opinions and actions of my opponents, I must—to do the cause justice—follow the dictates of my conscience and present the issue as I see it.

The advocates of a weaker rule XXII who would destroy free and open debate in the Senate, seem to me to be grinding political axes, honing in the heat of a political passion a double-edged blade

which poses a dangerous threat to the very tap roots of our republican form of government.

I submit, Mr. President, that attempts are being made to alter our Government—to institute rule and oppression by the bare majority, thereby flouting the designs of our Founding Fathers.

The American people are not to be governed by majority rule; nor were they ever meant to be.

Nor must we ever lose sight of the fact, Mr. President, that majorities are temporary entities, subject to change in shifts of the political winds. Today's minorities may tomorrow be the majority.

An unchecked majority, like a runaway steamroller, is a dangerous thing, regardless who for the time may sit in the driver's seat and regardless of which way it is headed.

Under the resolution which is pending, if it were adopted and became a precedent, the minority party of the Senate could not even stand on the floor of the Senate and speak. If the majority had a bill which they thought was in the public interest, all they would have to do would be to have a resolution sent to the desk along the lines of the resolution which has been presented by the Senator from New Mexico, and to have the question put; and then not one Senator from the Republican Party could rise and raise his voice if he found anything inequitable in it.

Similarly, the time may come when the majority party might become the minority party. I hope the time will never come in the Senate when Members on this side of the aisle will be gagged by the opposition party and not even be able to raise their voice to protest a bill that they may believe to be unwise or unconstitutional or inequitable.

Majority domination in the Senate, Mr. President, would put into motion a legislative juggernaut to run amuck over the civil liberties of the people of this country and over the rights of the Nation's minority.

As Jefferson proudly stated, ours is the strongest government on earth. Our task is to be forever vigilant and insure its preservation for posterity.

Our forefathers put their faith in the Senate of the United States as the protector of the Republic, as the guardian of a government which finds its strength in the free consent of all the people.

Some contend that, under existing rule XXII, a minority controls the Senate, and that we fight to preserve the rule because it is our purpose to thwart the will of the majority.

This contention is so patently untrue, that it hardly bears rebuttal, Mr. President. Our intention is not to thwart the will of the majority, but rather to protect the interest of the minority, as guaranteed by the founders of this Nation.

Our aim is to hold onto the government they gave us, one based on a minimum of coercion and a maximum of consent.

Jefferson said it in words I could never equal. He told those assembled for his first inaugural:

> Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

Mr. President, we come again to the question of how can the protection of minorities—whose opinions may be right and therefore should never be silenced—be reconciled with the will of the majority, which history shows to have been wrong as often as it has been correct?

This question is of everlasting importance to any people who hold freedom dear. Its answer is to be found in our republican form of government, and in this Senate, and the rules under which it functions.

In a true majority, which our Government certainly is not, there are no effective protections against the impassioned will of the majority.

However, in a Federal Union, a Republic as created by our Constitution, the possible tyranny of the majority is held in check. The principal safeguard against this tyranny is the Senate's tenacious adherence to its time-honored tradition of unlimited debate.

All around us, Mr. President, there are oratorical explosions advocating majority rule on the grounds that it is the democratic thing to have, that democracy is frustrated by minority obstruction.

Those who hold to this view either forget, or choose to ignore, the fact that this country was never intended to be governed by mere majority rule.

Nowhere in the Constitution is the word "democracy" to be found. Our best authorities, including the authors of the Federalist Papers, indicate that the omission was deliberate.

But the surest authority is the Constitution itself, which states in article IV:

> The United States shall guarantee to every State in this Union a republican form of government.

The composition of the Senate of representatives of the States, each on equal footing with the other, is carefully designed to maintain this form of government.

The Senate institution was expressly created as one of our checks and balances, which, through its principle of free debate, cautiously studies all measures affecting the lives, fortunes, and sacred honor of the American people.

The intent of the framers of the Constitution in establishing our Government is clearly defined in the Federalist Papers.

Throughout there is found a wariness of majority rule. Federalist letter No. 51 tells us:

> A dependence on the people is, no doubt, the primary control on the Government, but experience has taught mankind the necessity of auxiliary precautions.

Mr. President, without an auxiliary precaution such as freedom of debate in the Senate, a majority would have carte blanche powers to run roughshod over the minority.

I submit that rather than risk the misjudgment of an abusive majority, it is often better not to act at all. Errors may result when prolonged discussion prevents action, but they may be remedied.

However, calamitous blunders may come from acting hastily without proper consideration in advance. These are all too often irreparable.

Mr. President, we must be extremely careful not to confound a republic with a democracy. Let us remember that our Founding Fathers who met at the Constitutional Convention were steadfastly opposed to the principle of unlimited democracy.

As plans for forming the new Government made headway, Alexander Hamilton wrote:

> We are now forming a republican government. Real liberty is neither found in despotism, nor in the extreme of democracy, but in moderate government.

Are we now to destroy our constitutional system of government in order that this dangerous thing called the majority can put its heavy hand on all the affairs of the Nation?

Are we to scorn the bequeath of our forefathers of a republican government?

Are we to be tantalized by high-sounding claims that majority rule is democratic? Is this what we want?

James Madison stressed that there are two distinct points of difference between a democracy and a republic.

Democracy is the direct government of all the people all the time, and it is practicable only in a very small community, and probably not even there.

Permit me here to interpolate the view taken by Lord Macauley in 1857. The 19th century British historian took a dim view of the American Government, and predicted its doom. Said he:

> Institutions purely democratic must, sooner or later, destroy liberty or civilization, or both.

Although Lord Macauley underestimated the power of our Republic to sustain itself against attacks from within and without, he nonetheless correctly recognized the inherent perils in a pure democracy.

To attempt to introduce the purely democratic idea into this ordered system of representative government is to subject the Republic to chaotic confusion.

James Madison put it this way:

> Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the right of property; and have in general been as short in their lives as they have been violent in their deaths.

I am reminded of the story of the lady who stopped Benjamin Franklin as the weary delegates left the Convention Hall of 1787, their drafting of a more perfect form of government at last complete. "Well, Doctor," asked the lady, "What have we got—a republic or a monarchy?" "A republic," the doctor replied, "if you can keep it."

Ours, Mr. President, is not a pure democracy. Nor is it purely republican.

It is a representative government based on the consent of the governed.

It is a republic with a check-and-balance system unmatched at any time anywhere else in the world.

It is a republic under which freemen have prospered and remained secure as at no other time in history.

It is in this republican government that the Senate has been assigned a key constitutional role.

Gladstone called the Senate the most remarkable of all the inventions of modern politics. It has remained remarkable because of the personal integrity of the men who served in it and because of wise and just application of its rules.

Lindsay Rogers, in his scholarly study of the U.S. Senate, termed it the only legislative body in the world made up of representatives from the commonwealths no one of which, without its consent, can be deprived of its equal representation, and whose rights, even though steadfastly dwindling, still remain substantial.

I submit, Mr. President, that it is absurd to try to apply to the Senate the principle of majority rule or democracy as it usually is understood.

It is erroneous to say that every legislature should be able to act if a majority of its Members desire action, and this is particularly true of the Senate. Besides the fact that the Senate is composed of 100 Members, representing 50 States, each of which is entitled to an equal vote on any issue, the Constitution and the history of the United States shows that the Senate is no mere legislative body.

In truth, Mr. President, the Senate is a continuing council of States sitting as an integral part of the Federal Establishment.

William S. White correctly described the Senate when he wrote:

> The Senate, though the Senate of the United States, is in fact the Senate of the States, so that never here will the cloud of uniformism roll over the sum of the individual and the minority.

The Senate is a protective repository on the national level for the sovereignty of the individual States.

It affords order, continuity, and stability to the Federal Establishment.

It seeks to keep the Government close to the people, to prevent unnecessary and unwarranted centralization of Federal authority.

Our far-sighted Founding Fathers were well aware of these responsibilities and the trust they conferred upon the Senate.

They realized that the House of Representatives would be too large and impermanent to see to these duties. They knew that free debate was impractical in the House and that the important bills would sweep through that Chamber without sufficient deliberation.

The President, with the cooperation of the leaders of the majority party can sometimes push legislation through the House so rapidly that minority party Members and sometimes Members of the majority as well cannot understand what is being done.

This is impossible in the Senate where freedom of debate acts to check party autocracy and potential dictatorship of the Executive.

Let us now consider the origin of our constitutional government and the place of the Senate in it. For here Mr. President we find irrefutable proof that so-called majority rule and its cohort, cloture, and utopian unlimited democracy are alien to the unique concept of this body.

We must carefully examine the Articles of Confederation, the Constitutional Convention, and the Constitution itself. Each must be considered in relation to the other, as well as the thinking and intent of the men involved in the great venture of founding a new nation.

The Articles of Confederation, under which our Government functioned from 1781 to 1798, established a "firm league of friendship" between the 13 States.

A principal feature of the articles was the recognition of complete and unchallenged sovereignty of the States. Article II provided:

> Each State retains its sovereignty, freedom and independence and every other power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

Regardless of population or wealth, each State was given one vote in the Continental Congress, and on most important measures, a vote of 9 of the 13 States, or three-fourths, was required for passage.

The articles, however, proved to be insufficient to the needs of the new Nation and hampered to a large degree the operation of a Central Government.

The Founding Fathers suggested that delegates from the States meet in 1787 at a Constitutional Convention for the purpose of revising the Articles of Confederation, and to seek a stronger government in the interest of the social, economic, and national security.

Delegates to the Convention, though they saw the need for a new Constitution to replace the defective articles, were nonetheless doggedly determined not to surrender their newly won sovereign powers and equality of the States.

The delegates insisted that the new Constitution must continue to provide for equal representation in the Congress of all the States. James Madison's clear and reliable notes on the convention indicate that the motivating spirit of the Convention was to make the new Nation safe from unlimited democracy.

As could be expected as the Convention progressed, large, populous States disagreed with the smaller States on the important matter of representation in the Congress.

Smaller States rightfully feared that they would be overrun by the sheer numerical force of the large States, and they were loathe to relinquish the protection afforded by State equality. Moreover, they desired to protect themselves against the creation of a Central, National Government, with dominating power.

Out of the Convention emerged two major plans, the Virginia or large State plan, and the New Jersey or small State plan.

The delegates were deadlocked and when it appeared that the Convention might be hopelessly dissolved, there came the great compromise.

Mr. President, it is in this compromise that the origin of the U.S. Senate can be found.

Dr. William Samuel Johnson, of Connecticut, played a key role in eliminating the impasse. After the delegates had voted that representation in one House of Congress be based on population, Dr. Johnson proposed that suffrage in the second Chamber be the same that was provided for in the Articles of Confederation.

During the heated debate that followed, Dr. Johnson laid the foundations for the organization and powers of the Senate:

> It appears to me that the Jersey plan has for its principal object, the preservation of State governments. I could have wished that the supporters of the Jersey system could have satisfied themselves with the principles of the Virginia plan; and that the individuality of the States could be supported. It is agreed that on all hands, that a portion of the Government is to be left to the States. How can this be done? It can be done by joining the States in their legislative capacity with the right of appointing the second branch of the legislature to represent the States individually.

Thus is developed that out of trial and error, turmoil and effective compromise, the Constitution of the United States evolved; and with it the Senate, the greatest legislative forum in the world.

The Federalist letters did more to explain the Constitution than any thing else written at the time or since then. They are recognized as the most authoritative source available for determining the true intent of the framers of the new instrument, which Gladstone said was "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Alexander Hamilton wrote in letter IX of the Federalist that the Constitution made State governments constituent parts of the national sovereignty, by allowing them direct representation in the Senate.

This view was later shared by James Madison, writing in letter No. 45, as follows:

> The State governments may be regarded as constituent and essential parts of the Federal Government; whilst the latter is nowise essential to the operation or organization of the former.

Madison emphasized that the Constitution by strict interpretation is neither national nor Federal, but a composition of both. He explained the checks and balances deliberately provided in order to protect the people's rights and the States as sovereign entities.

Discussing the two Houses of Congress, Madison wrote:

> The House of Representatives will derive its powers from the people of America, and the people will be represented in the same proportion, and on the same principle as they are in any legislature of a particular State.
>
> The Senate, on the other hand, will derive its powers from the States, as political and coequal societies; and these will be represented on the principle of equality in the Senate.

Thus we see, Mr. President, that the Senate resulted from a great compromise, that its role in our Government is clear cut, that the Senate has been assigned a place in the Government quite unlike that of the more democratic

House, and that it is this fundamental representative difference between the House and Senate that forms the basis for an important aspect of our principle of checks and balances.

Thus it is clear, Mr. President, that the Senate is not just an "upper House" of the Congress.

The Senate performs a quasi-executive function in connection with treaty-making.

Members of the Senate sit as judges in impeachment proceedings.

Appointments of the Executive require the advice and consent of the Senate.

Thus, in the origin of the Senate and the intent of our forefathers in creating it, we can understand why whimsical tampering with this body and its rules threatens to change the character of the American Government.

Thus we know that rule by the majority was never intended for the Senate.

Recent history indicates that they are pointing their weapons in this direction. And, Mr. President, I am dismayed that this could very well lead to the opening of a new front, an assault on our revered committee and seniority system.

However, advocates of majority and gag rule know that the prospect is repugnant to many Members of this body who think as I do, so they are indicating a willingness to stealthily move toward their goal a step at a time.

There now is talk of a "compromise" three-fifths cloture rule to be substituted for the present two-thirds rule.

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

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. TALMADGE. I am delighted to yield to my able friend from Louisiana.

Mr. LONG of Louisiana. Is not this step-by-step program somewhat analogous to the Communist proposal for peaceful coexistence; that is, is it not the attitude that the Communists are willing to wait some time to destroy and overthrow what remains of our form of government, provided they are assured that that result will take place?

Mr. TALMADGE. The Senator from Louisiana is eminently correct. That is the type of approach that is being used. Of course the pending question, as the Senator knows, is the instant cloture motion of the Senator from New Mexico. However, if the proponents fail in that, they will come in with a three-fifths proposition, and then in the next Congress, in the 89th Congress, they will come in with a majority proposition. Ultimately they want to get it down to a majority of those present and voting, which would allow 26 Senators to gag 74 Senators.

Mr. LONG of Louisiana. I thank the Senator. I should like to ask him whether it is not pretty much a program of seeking the result whereby eventually even a minority could gag the Senate of the United States.

Mr. TALMADGE. Indeed so. As a matter of fact, this has been proposed by some of the more extreme voices in the Senate, namely, that a majority of those present and voting be able to gag the other 74 Senators.

Mr. LONG of Louisiana. Can the Senator point out the particular bills which those who would like to destroy free debate in the Senate feel they must put through as a part of their program to justify their activities in this regard?

Mr. TALMADGE. Of course, they often raise the clamor that they cannot pass a civil rights bill with free debate in the Senate. But the Senator knows and I know that that is not true, because in the last 6 years two civil rights bills have been passed, and we had yea-and-nay votes approximately 100 times on civil rights bills during that period of time.

Mr. LONG of Louisiana. Is it not true that most of these misnamed civil rights bills have actually come to a vote in the Senate?

Mr. TALMADGE. Indeed they have.

Mr. LONG of Louisiana. Most of them have been defeated by a majority vote, have they not?

Mr. TALMADGE. By overwhelming majorities, I might add, as the Senator knows.

Mr. LONG of Louisiana. Is it not a case of the measures which proponents claim must be the instance of the gag rule in the Senate being actually for the most part a bunch of old bones that have been in the Senate for consideration before and which have been thrown out by a majority vote?

Mr. TALMADGE. The able Senator is entirely correct.

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

Mr. TALMADGE. I am delighted to yield.

Mr. LONG of Louisiana. Does not the Senator recognize the fact that it is a part of the nature of the Senate, and that it has been organized in such a fashion, which makes it somewhat difficult for these minority pressure groups, bent on their own special advantage, rather than on the advantage of the public interest in general, to deliver the votes which they have managed to commit at one time or another?

Mr. TALMADGE. The Senator is entirely correct. As I pointed out earlier in my remarks, before the Senator from Louisiana came on the floor, free speech in the Senate has preserved the right of habeas corpus, it kept the Supreme Court from being packed in 1937, and it kept members of the railroad labor unions from being drafted into the Army in 1946.

I believe that result was wise. I believe it would have been unwise for any of these three measures to have been passed.

However, what the proponents want is to make the Senate immediately amenable to any pressure group anywhere in the country at any time, to the point where any small group of people can say "scat" and the Senate will have to scat. The Senate was not designed to be amenable to pressure groups immediately.

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

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

Mr. LONG of Louisiana. Did not the Senator serve as Governor of Georgia for two terms prior to the time that he came to the Senate?

Mr. TALMADGE. I served for an unexpired term and one full term, for a total of 6 years and 2 months.

Mr. LONG of Louisiana. During the period when the Senator from Georgia served as Governor, and during the period of his service in the U.S. Senate, has he not had the experience of being told by Members of this body that they regretted that they had been committed on some particular piece of proposed legislation before they had heard all the merits discussed?

Mr. TALMADGE. I have had half a dozen Senators approach me and say, "You are exactly correct on this issue. I want to get rid of it. It would be catastrophic if any change should be made in the rule. I regret that I have committed myself. How can I get out of it?"

Mr. LONG of Louisiana. Has not the Senator from Georgia had the same sort of experience that has occurred to others among us; namely, that we would actually have to approach Senators on occasion and ask them not to commit themselves because only one side of the case had been presented, well knowing that we who might find ourselves in the minority at the beginning of the debate would have to rely upon the facts being presented in order to defeat a bad piece of proposed legislation, for which a nationwide propaganda effort had been made?

Mr. TALMADGE. The Senator is entirely correct.

Mr. LONG of Louisiana. Is it not true that time and again in this body, during the service of the Senator from Georgia, some of the measures that have come before the Senate hurriedly with all sorts of favorable propaganda by well-paid, so-called grassroots elements, have been overwhelmingly defeated after having been debated at length in this body?

Mr. TALMADGE. The Senator is exactly correct.

Mr. LONG of Louisiana. That has been my experience with regard to a number of measures which had nothing to do with civil rights, but related to economic affairs and taxation. Does the Senator recall some of the lobbying that has taken place with regard to the so-called equal-rights-for-women proposal?

Mr. TALMADGE. I am aware of it.

Mr. LONG of Louisiana. Is it not true that whenever that proposal comes before the Senate, always a large number of Senators who have been lobbied concerning it seek its passage without understanding all of the problems which such a measure would create?

Mr. TALMADGE. The Senator from Louisiana knows that there are many pieces of proposed legislation which cannot stand examination in the light of day, leisurely, unhurriedly, and carefully. Some of the advocates of proposals to limit debate in the Senate evidently seek to pass legislation that cannot stand the light of day.

Mr. LONG of Louisiana. The Senator realizes, does he not, that States

which have community property laws, particularly some of the ancient provisions which protect the wife with respect to her property or her ownership of her share of a home from being sold out from under her, or mortgaged, could be jeopardized by a fair interpretation of the so-called equal-rights-for-women proposal; and that that has caused a number of Senators to feel that we would have to vote for amendments to the proposal, even though we felt we could approve the general tenor of the proposal?

Mr. TALMADGE. I am certainly aware of that.

Mr. LONG of Louisiana. Has not the Senator recognized that every time an equal-rights-for-women measure has come before this body, the so-called Hayden amendment has always been adopted, even though Senators have been pressured, world without end, not to vote for it? They simply could not find any logical reason not to vote for it, notwithstanding the pressures brought to bear upon them. Is not the right of free debate in the Senate the one thing that relieves this body and the country of premature and sometimes unwise commitments that are squeezed from Senators under pressure of a campaign, when they have not had an opportunity to hear both sides of an argument?

Mr. TALMADGE. The Senator is entirely correct.

Mr. LONG of Louisiana. I thank the Senator from Georgia. I congratulate him on the outstanding speech he is making.

Mr. TALMADGE. I thank my able friend from Louisiana for the contributions he has made to the debate, not only today, but in many previous able speeches he has made.

Mr. President, there is no more justification for a vote of three-fifths of the Members of the Senate to halt debate than there is for majority rule.

The three-fifths proposal is purely and simply another attempt to abuse the rights of the minority with ironhanded, brute force of numbers.

It is nothing more or less than another attempt to destroy the constitutional balance between Federal and State power and to deal a deathblow to State sovereignty.

The right of all the States, large and small, to equal representation in the Senate will be diminished in direct proportion to the weakening of rule XXII and the subsequent stifling of freedom of debate.

No reasonable basis for instituting a three-fifths cloture rule can be found, Mr. President, not in the Constitution, nor anywhere else.

A three-fifths rule is no more palatable than domination by a majority of one, even though it may be somewhat sugar coated.

Let us deal now, Mr. President, with the allegation that the Senate is not a continuing body, that it may adopt new rules at the beginning of each Congress.

It was thought that the Senate buried this contention once and for all when it voted 4 years ago—72 to 22—to affirm the continuity of Senate rules.

By action of its Members, the Senate added the following language to rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Senators who were Members of this body at that time—January 12, 1959—cannot say they did not understand the significance and meaning of this addition to the rules of the Senate.

It was meant to end these biennial agitations to change the rules. Our distinguished Vice President, and President of the Senate, then serving here as majority leader, made that point absolutely clear in discussing the rule change.

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

Mr. TALMADGE. I am delighted to yield.

Mr. LONG of Louisiana. Does the Senator recall that this body had before it the situation involving the alleged misconduct of a former Senator from Wisconsin, Mr. McCarthy?

Mr. TALMADGE. I recall that.

Mr. LONG of Louisiana. Does the Senator recall that on that occasion the Senate voted, with every Democrat and half of the Republicans voting, to censure that Senator for misconduct which occurred in a previous Congress? I ask the Senator: Did not every Member of this body stultify himself if he contended that the Senate is not a continuing body, but voted to censure a Senator for alleged misconduct which occurred in a previous Congress?

Mr. TALMADGE. That, of course, would certainly follow. I was not a Member of Congress at the time of the situation to which the Senator has referred, but I remember reading about it in the press. I remember that the situation was as stated by the Senator. Of course, Senators would have stultified themselves by charging a Senator with a violation of Senate rules if the rules did not exist at the time.

Mr. LONG of Louisiana. I ask the Senator if he knew that the very committee report recommending the censure of that Member of this body, in spelling out the so-called bill of indictment, carefully explained that the Senate is a continuing body.

Mr. TALMADGE. I am well aware of the fact that the Senate has been a continuing body from 1789 to date, and that every Senate committee has at all times specifically stated that it is, but a vague theory has arisen recently which holds that the Senate can continue for some purposes, while for other purposes it cannot.

Mr. LONG of Louisiana. Would it not be true that one who contends that the Senate is not a continuing body, but who votes to censure another Senator, has actually voted to censure himself by voting to condemn a person for an action for which his Congress had no responsibility whatever?

Mr. TALMADGE. The Senator from Louisiana is eminently correct. To add to what he has said, let me state that he knows that only one-third of the Members of the Senate were elected last year, in 1962. If any Senator who was not elected to the Senate in 1962 feels that the Senate is not a continuing body, he should resign and should let the Governor of his State appoint someone else to his place in the Senate, because under such a belief such Senator would not be entitled to hold the office of Senator, if the Senate is not a continuing body.

Mr. LONG of Louisiana. Is it not also true that a Senator who contends that the Senate is not a continuing body would be much like a person who signed a contract, but later did not want to accept all the burdens of the contract?

Mr. TALMADGE. That is correct. I would not wish to reflect on one who did that; but I would say that if some Senators had that view when they took the oath of office, they would have had their fingers crossed when they took that oath.

Mr. LONG of Louisiana. Is it not also true that if Senators took that view and that position, they would then be in violation of the oath they took to uphold the Constitution of the United States?

Mr. TALMADGE. I think that is entirely correct.

Mr. LONG of Louisiana. I thank the Senator from Georgia.

Mr. TALMADGE. I thank my friend, the Senator from Louisiana.

Mr. President, I refer the Senate to the following portion of the Vice President's statement as found on page 493 of volume 105, part 1, of the permanent CONGRESSIONAL RECORD. Said he:

> Finally, the third provision of this resolution would write into the rules a simple statement affirming what seems no longer to be at issue; namely, that the rules of the Senate shall continue in force, at all times, except as amended by the Senate.
>
> This preserves, indisputably, the character of the Senate as one continuing body in our policymaking process.
>
> It precludes the involvement of the Senate in the obstruction that would occur—or could occur—if, at the beginning of each Congress, a minority might attempt to force protracted debate on the adoption of each Senate rule individually.

Mr. President, I submit that if legislative history means anything—that if the rules of the Senate mean what they say and are enforcible—then any proposal to adopt or change rules properly should come before the Senate on report from the Committee on Rules and Administration.

Certainly such a course is clearly indicated when rule XXXII is considered in the light of rule XXV which reads in subsection (o) as follows:

> (o) (1) Committee on Rules and Administration, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
>
> (E) Matters relating to parliamentary rules; floor and gallery rules—

Of course, it goes without saying, Mr. President, that a majority of the Senate can change any rule at any time. Under rule XL motions to amend the rules are declared to be in order "on 1 day's notice in writing, specifying precisely the rule or part proposed to be amended, and the purpose thereof."

But I would point out and emphasize, Mr. President, that the proper and or-

derly procedure is that of rule XXV which contemplates committee deliberation and recommendation as prerequisites to Senate consideration of proposed changes in its rules.

Any other procedure not only would fly directly in the face of logic but worse would serve to render meaningless the committee system upon which the American legislative process is based.

Mr. President, we find in the Federalist extensive testimony describing the Senate as a continuing body with continuing rules.

Hamilton, writing in letter No. 17, distinguished between the senatorial trust and membership in the House of Representatives. He wrote:

> The mutability in the public councils, arising from a rapid succession of new Members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government.
>
> The internal effects of a mutable policy are calamitous. It poisons the blessings of liberty itself. The want of confidence in the public councils, damps every useful undertaking; the success and profit of which may depend on a continuance of existing arrangements. No government, any more than any individual, will long be respected, without being truly respectable, without possessing a portion of order and stability.

Commenting further on this legislative branch of our Government, Hamilton urged that there be a legislative department with sufficient permanence to handle such matters as require continued attention.

The Senate, as viewed by Hamilton, is a body which must possess "great firmness." It should "hold its authority by a tenure of considerable duration." In order that the Government be made safe from "the impulse of sudden and violent passions" and the seduction "of factious leaders into intemperate and pernicious resolution."

This then, Mr. President, is the mission of the Senate of the United States. It has been so since its organization April 6, 1789, and never since then has there been a time when the Senate as an organized body has not been available to the President's call or in accordance with the terms of its adjournment, for the transaction of public business.

We have a ruling by the U.S. Supreme Court in support of this fact. In 1926, in the case of *McGrain* v. *Daugherty* (273 U.S. 135), the Court held:

> The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. President, session after session of the Congress, there are attempts to put the Senate in a straitjacket of gag rule, to forever banish free and open debate from these halls.

I suggest that we are confronted with more than just the mere modification of the rules of the Senate.

This, Mr. President, goes to the very heart of our Government.

This is an attempt to repudiate the Senate's assigned Constitutional role in the checks and balances system of our Government.

This is an effort to take away the constitutional guarantee that each State be equally represented in the Federal Congress.

It would make a mockery of State sovereignty.

The rights of the minority would be a thing of the past.

It would destroy the best aspects of the Federal-national system and substitute therefor the worst aspects of a national system, making big government bigger and less responsive to the will of the people.

This, Mr. President, is not a constructive evolution of our governmental processes.

It is nothing less than revolution.

I would refer the Senate once more to James Madison, writing in Federalist Letter No. 51:

> Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign, as in a state of nature where the weaker individual is not secured against the violence of the stronger.

Mr. President, I beg this Senate not to repudiate the continuity of its rules or to move another step toward majority cloture.

I beg the Senate to respect its historical heritage, not to forsake traditions which for so long have made this country great, this body the only free forum in the world.

Mr. President, when the day comes that a "gag rule" majority can work its will in the Senate, it will make the beginning of the end of our republican form of government.

That will be the day the Senate of the United States surrendered its integrity, its constitutional responsibilities.

That will be the day when the Senate abdicated its duty as the preservator of individual liberty.

During the delivery of Mr. TALMADGE'S speech,

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from Oregon [Mr. MORSE] and the Senator from Minnesota [Mr. HUMPHREY] without losing my right to the floor, and with the understanding that their remarks will follow my remarks.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection? The Chair hears none, and it is so ordered.

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## VISIT TO MEXICO BY SENATOR MORSE

Mr. MORSE. Mr. President, yesterday, January 28, I had the privilege and the honor of representing the Committee on Foreign Relations of the Senate at the dedication of the beautiful archway that has been built between Brownsville, Tex., and Matamoras, Tamps., Mexico. The great President of Mexico, Hon. Lopez Mateos, attended the dedication.

I had the privilege of flying with President Lopez Mateos to Mexico City yesterday afternoon. Following the dedication I discussed with President Lopez Mateos some of the problems which are arising from United States-Mexican relations in connection with the Alliance for Progress program and other matters. I should like to take this moment to thank the President of Mexico for his courtesy, and also for his kind participation in and understanding of the problems of the Alliance for Progress vis-a-vis Mexico and the United States. I consider the President of Mexico to be one of the great democratic leaders of all Latin America. One could not confer with him, as I did yesterday, and not appreciate fully that we have in him a great friend of freedom in Latin America and an understanding ally in the great purposes of the Alliance for Progress program.

The major speech at the dedication was delivered by another great Mexican, Senator Antonio J. Bermudez, who, under appointment by the President of Mexico, is Director General of the Mexican National Border program. Before I finish these comments, I shall ask unanimous consent to have the speech by Senator Bermudez printed in the RECORD. It sets forth in detail and with great clarity the purposes and objectives of the inspiring Mexican National Border project.

Mr. President, not only is this program one which seeks to build a series of bridges and archways connecting the United States and Mexico; it is also a program which seeks to help to industrialize the cities on the Mexican side of the border. In many respects, it is an urban renewal program. It seeks to eliminate some of the troublesome and unfortunate slum areas which exist in those Mexican cities. They are areas which create many of the social and economic problems which always arise when human beings have to live in a below-standard condition. It is a program that seeks to improve the housing conditions of many of the people of low income in those Mexican border cities, who are living under the present slum environment conditions.

Senator Bermudez is one of the finest humanitarians I have ever known anywhere in the world. Although he is a man of some wealth, at least so I understand, his greatest wealth is his understanding and personal dedication to the spiritual teaching that we are our brother's keeper. He knows that each one of us has the moral obligation to face up to the human misery that many of our fellow men live in. He believes that society as a whole must assume a societal responsibility for the substandard living conditions of the victims of slums.

Senator Bermudez does not ignore the fact that communism breeds in slums and feeds upon the hopelessness of hunger, disease, and discouragement. The housing needs of the border cities of Mexico make the Mexican border program a noble endeavor if it contained

none of its many other fine objectives and inspiring ideals and visions.

The problem of housing in Mexico—and, for that matter, in all of Latin America—is not only one of the most vital problems facing millions of Latin American people, but, in my judgment, it is one of the great problems facing the United States in connection with the implementation of the Alliance for Progress program. We all recognize, that if there is family farm ownership in the country and private home ownership in the cities, it is not necessary to worry about communism in such a society. If I were to be asked, as chairman of the Subcommittee on American Republics Affairs, the greatest economic service we could help to perform, not only for Mexico, but also for all of Latin America, I would say: Let us place emphasis upon family-farm ownership in the country and private home ownership in the cities. If we give emphasis to that economic problem, we will strike a body blow into the heart of communism.

The border project on which Mexico plans to spend a good many millions of dollars for development is one of the greatest hopes for the improvement of the standard of living of a great many Mexicans who at the present time live under very substandard conditions.

But we, in the United States too, have a responsibility in connection with this border project. As Mexico improves her cities along the American border, numerous benefits will result to the U.S. economy. My subcommittee has received a series of telegrams and resolutions from one chamber of commerce after another along the entire United States-Mexican border, urging that the United States give favorable consideration to assisting Mexico in the development of this project. I think we ought to study the problem very carefully. In fact the Subcommittee on American Republics Affairs proposes to study it very carefully. We wish to make it very clear that we should give no approval at the present time, not even tentatively, other than to say that the project merits careful attention and cooperation on the part of the United States.

It was reported to me yesterday in my conference with Mexican officials that some American representatives of the Alliance for Progress program seem to be frowning on the national border program because it might help industrialize the Mexican border cities. Apparently they argue that more jobs for Mexicans in Mexico would result in Mexico selling more to the United States and buying less from the United States. Mr. President, what a silly non sequitur argument. As we build up the purchasing power of Mexicans through industrialization we increase their purchasing power to the benefit of both Mexican and United States business firms.

There is one project involved in this study about which I spoke with the President of Mexico yesterday afternoon, because it was raised by Senator Bermudez in his speech at the dedication yesterday. It is a very delicate problem. It has plagued United States-Mexican relations for about half a century. I think that all who have dealt with it realize that the time has come when this controversy between the United States and Mexico must be settled. It is imperative to settle it if we are to have good will and mutual understanding between these two great democracies in the Western Hemisphere. I refer, of course, to the Chamizal land. It is that very small area of not so many acres which has been a great bone of contention between Mexico and the United States for 50 years. The controversy is with respect to which country owns that little piece of land. In my judgment, the symbolism of this controversy has ballooned all out of proportion to its importance.

In his speech yesterday, Senator Bermudez presented a suggestion in regard to this controversy which I think deserves the very careful and, I hope, favorable attention of our State Department and our Government. It is a suggestion, as will be seen when I read that part of the speech, which has the complete approval of the Mexican Government. I discussed the problem with the President of Mexico yesterday. In his speech, Senator Bermudez said:

> Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the Great Gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic efforts of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.
>
> We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date.

Then he made a specific suggestion for its solution, as follows:

> However, in keeping with projects mapped out in principle by the President of the Republic, Adolfo López Mateos, we will go even further.
>
> On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group. There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.
>
> Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men.

Mr. President, the area called the Chamizal lands is of small acreage. It could be used in its entirety by the campus of a great continental university. That would be in keeping with a great tenet of Jeffersonian democracy—namely, that a democracy can be no stronger than the enlightenment of its people. Yesterday afternoon I suggested that if such a university were built, it would be very appropriate to have somewhere on the campus a statue of the great Jefferson, because he also symbolizes education as one of the most effective forms of enlightening the people of a democracy. I think the suggestion being made by the leaders of Mexico is a very constructive one. Certainly it is based on a great ideal which I believe we should cooperate in putting into action. I sincerely hope the leaders of our Government will give very favorable and serious consideration to the suggestion which a spokesman for the Mexican Government made yesterday at the dedication of the great archway at Matamoras. I hope our Government also will appreciate what such a settlement could do as a great symbol of friendship in the Western Hemisphere. Our agreeing to this Mexican proposal would show that we are willing to join in erecting a great continental university of the Western Hemisphere, to which the young people from all the Latin-American countries and from the United States could go for the intellectual commingling which is so important if we are to develop the continental understanding which is essential in the years ahead in order to maintain the peace and prosperity which must be maintained if we are to have in the Western Hemisphere not only a perpetuation but a strengthening of freedom.

To the President of Mexico and to Senator Bermudez, I extend from my desk in the Senate today my compliments for the foresight, the insight, and the idealism expressed yesterday at the dedication, in speeches such as the main speech given by Senator Bermudez. I believe we should give them, in return, the assurance that we intend to embrace them in the common cause of strengthening freedom in the Western Hemisphere.

I ask unanimous consent that the speech delivered by Senator Bermudez be printed at this point in the RECORD.

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

ADDRESS DELIVERED BY MR. ANTONIO J. BERMUDEZ, DIRECTOR GENERAL OF THE NATIONAL BORDER PROGRAM, AT THE DEDICATION, BY PRESIDENT ADOLFO LOPEZ MATEOS, OF THE "GREAT GATEWAY TO MEXICO" IN MATAMORAS, TAMAULIPAS, JANUARY 28, 1963

Mr. President of Mexico, Mr. Governor of the State, guests of honor, ladies and gentlemen, the presence of our Chief Executive enhances the high significance of the solemn ceremony in which we offer to the nation the Great Gateway to Mexico, in this heroic

city of Matamoras. His presence also gives us cause for gratitude, for it constitutes a singular stimulus toward continuing with greater dedication the endeavor of which he is the author: the transformation and ennobling of our border areas.

We are grateful also for the high honor bestowed on us by the presence of distinguished officials and other outstanding personages from Mexico and the United States.

The first impression the traveler receives on entering into Mexico through the Great Gateway is furnished by the Plaza of the Flags, conceived as a monument to the unity existing between the nations of this continent, bulwark of peace, liberty, and democracy. When we watch the flags of our sister republics to the south proudly flying, we will always be reminded of the highly significant fact that this spot at which we are gathered today marks the real beginning of the Latin American frontier.

Not too many years ago certain well-known Mexican politicians coined phrases describing the sad situation prevailing traditionally in Mexican-United States relations. We recall the famed complaint that "we are so far from God and so close to the United States," seconded by another motto: "Between Mexico and the United States—the desert."

Today, however, we have the right of regarding the future from another perspective. Inexorable international realities demand that the old patterns of policy between countries be discarded; moreover, the Mexican Revolution, by giving us a new and sounder sense of our standing as Mexicans, has definitely erased from our minds any feeling of inferiority or fear—a circumstance which has constituted the real and true basis of the increasing and local understanding at which we have arrived with our neighbors.

For this reason, facing the majestic Plaza of the Flags we have placed our tricolored insignia and our national coat of arms, symbols of our sovereignty and "Mexicanness." They stand for the thorough conviction we Mexicans have of our historic destiny, within which dealings with the other peoples of the world are governed by equality, mutual understanding and respect.

Only in this way is true friendship between nations possible, a friendship which we Mexicans hold in especial esteem. We believe that friendship, as a noble and generous sentiment filled with understanding and devoid of selfish interest, is the most powerful instrument for problem solving, whether between individuals or communities, for it always succeeds, even where diplomacy and politics fail.

It is for this reason that we have firmly resolved that this great gateway to Mexico—and here I particularly address our U.S. guests—shall be a constant invitation to friendship, and an important and valuable element of cooperation in the good neighbor policy.

Mexico's great gateway is a standing invitation for our friends to get to know us better. They will find that life in Mexico has an outline and contents that are unmistakably those of a people with a natural vocation for peace. Peace to us is a permanent ideal within our historic development, for in peace we see the fruit of liberty and social justice. We advocate peace with the moral authority and irrefutable testimony of a people that lives in peace, and for peace. And world peace, may we emphatically affirm, has in Mexico one of its most loyal and steadfast subjects; and in the person of her President, one of its most dedicated and intrepid leaders.

The great gateway to Mexico is hence also a symbol of peace, for it bears witness to the world how two nations, so different from each other, should be, and can be, neighbors and friends.

We are convinced that the national border program constitutes a very Mexican answer to the fact—materially quite important—that year in and year out 70 million people cross our border. This, in the first place, has stirred our traditional sense of hospitality. For the sake of courtesy and friendship, it is our duty to see to it that our guests find the cleanliness, order, facilities, and comfort that they deserve. With that aim in view, we have included within the complex forming the great gateway to Mexico certain buildings devoted to customs, immigration, health, and tourism services. These units have been designed in such way as to provide the habitual Mexican courtesy with an appropriate setting where it can be manifested in speed, efficiency, and cleanliness in our dealings with those who visit us. The basic intent is for our friends from the United States to confirm the fact that hospitality is one of the most typical Mexican characteristics.

We are aware, however, that most of our visitors do not go beyond the border areas. Of the $770 million they spend in our country, only $170 million are spent in the interior of the Republic. This is to be regretted, for we Mexicans know of natural beauties in our country that defy description but go unvisited; of regions filled with color and folklore; of impressive monuments, the heritage of our centuries' old culture; of cities that are so different from each other, and so interesting. Proud of our native land because of its natural features as well as the trail left by the millenia of human habitation and tradition, we sincerely want Mexico to be known in its entirety. For that reason, the great gateway to Mexico should also serve by way of introduction, however brief, to what we are. We believe that the impressive incoming tide of U.S. citizens can and should be the carrier of a dual and positive message: First, letting us become acquainted, by contact with the individual visitors, with what the United States is really like; and second, by enabling those visitors to take back with them a fairer and more realistic concept of what we are.

To round out the meaning for us Mexicans of Mexico's great gateway, may I quote the words of the President of Mexico, Adolfo López Mateos:

"Our boundary lines do not mark the end, but the beginning of our country. The frontier areas, because of their geographic characteristics and social conditions prevailing there, have been the subject of special attention on the part of the Government of the Republic." Referring on another occasion to our border regions, our Chief Executive also affirmed: "Just as they are a window to the outside, they must also be a showcase of the social progress of the Mexican people who, fully cognizant of their destiny, work for their own well-being and occupy a worthy and respected place in the concert of nations."

These two presidential statements express the essence of the work undertaken by the national border program. From the very moment of birth we Mexicans feel a complete devotion to our native land. Upon reaching individual maturity, this devotion is transformed into a true mystique, that ineffable mystique of Mexicanness that everyone who visits us experiences, as though inexplicably bewitched. And this mystique has today invaded the will and earnest endeavor of the men of the frontier, urging them to transform and exalt it, for the first firm step toward the betterment of our homeland lies in our conviction that it is within our power and up to us to do so.

Supplying authority and resources, President López Mateos' administration has, for the first time in our history, initiated the task of raising the standard of living of our border inhabitants by linking their economic, social, and cultural life with that of the rest of the country.

Every Mexican without exception should participate in this endeavor. However, this applies most particularly to those who by virtue of their work, intelligence, and willpower have managed to accumulate resources suitable for investment in this great task. Many of these persons should repatriate their savings or capital held abroad, in the United States or Switzerland, and make such funds available to the prodigious creative effort the country demands.

The border market represents 25 percent of that comprising the nation as a whole and has the highest economic potential in the country: Per capita income amounts to 656 U.S. Cy. per year, or 135 percent higher than the national average. Mexico needs markets to consume the output of her industries, and to capture and expand the border market constitutes a challenge to our intelligence, our ability, and our patriotism.

This conquest should favorably influence the solution of other national problems, among them, that of creating a greater number of job opportunities. (By the end of the next 6-year presidential term, we will have had to find jobs for no less than 4 million additional young Mexicans who will have joined the productive ranks.) With an eye to this problem, it is our earnest desire that the total transformation of the strip of territory constituting this frontier region will contribute to the creation of new sources of employment, and to the effective employment of our manpower, including the braceros (Mexican laborers who work in the United States).

Bracerismo, which came into being in May 1943 as a wartime contribution by Mexico in response to an express petition by President Roosevelt, addressed to Mexico's unforgettable President Avila Camacho, has with the passage of time become a matter of embarrassment and grave concern, for instead of commodities, we are exporting men. The strong arms of the Mexican braceros should contribute to a greater Mexico, and to her agricultural and industrial development.

National border program activities likewise qualify as an eloquent expression of the harmony that does and must exist between government effort and that of private enterprise.

Here in Matamoras we are certain that Mexican private enterprise, however modest, will join in the endeavor underway, since the Government cannot, should not, do everything. In modern Mexico there is no time to lose nor is there room for defeatism, inferiority complexes or pessimistic attitudes. We must not regard any problem as insuperable; there is but one motto, one conviction, and one insignia for all: the betterment of our country. For we have fought throughout our history to aggrandize Mexico and thereby make it more our own; we have learned from our elders that the first requisite for a better country is always that it be our country. It is in that spirit that we must understand the obligations inherent in frontier living.

Today we have completed this gateway to Mexico as the first stage in the projects planned for this city. Next we will construct a commercial center and a tourist zone. As fast as the availability of resources will permit, we will continue working in order to conduct the same program in all the cities along our northern and southern borders, bringing to them the excellent features of our historic and cultural values so that they may be the true and authentic reflection of our national essence. We expect to be able very soon—in the course of the present year—to repeat this invitation in order to have the pleasure of your company at other gateways to Mexico, and at the dedication of various other projects.

On this occasion the President of the Republic, Adolfo López Mateos, has honored us by delivering the master regulatory plans

that will govern the development of five major cities within this border zone. Consequently, the projects conducted by the program will not be in the form of building groups isolated from the other population centers. These are to expand in harmonious fashion, in keeping with the most precise technical indications, and each city is to become in its entirety a worthy gateway to Mexico, the object of admiration of outsiders and a cause for satisfaction on our part.

Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the great gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic effort of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.

We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date.

Once the new and legitimate boundary line is established, we plan to construct in Ciudad Juárez, as in other border towns, the great gateway to Mexico that will communicate with us the progressive and friendly city of El Paso, Tex.

However, in keeping with projects mapped out in principle by the President of the Republic, Adolfo López Mateos, we will go even further.

On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group.

There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.

Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men.

In closing, I should like to refer once again to the spirit which inspires the National Border program, in keeping with the directives issued by the President of the Republic, Adolfo López Mateos—to raise our standard of living and point up our "Mexican-ness." These two objectives, when achieved, will not only strengthen Mexican unity, but will facilitate genuine friendship between two great neighboring nations, for such friendship will be founded on reciprocal treatment characterized by respect, equality, and understanding.

## THE U.S. ECONOMY AND CONVERSION TO PEACE

Mr. HUMPHREY. Mr. President, in Sunday's Washington Post there appeared a significant article by the distinguished economist, Prof. Paul A. Samuelson. The article discusses a problem of overriding importance, and Professor Samuelson's conclusions deserve careful attention.

The gist of the article is the argument that the United States cannot repose blind faith in the ability of the American economy, if left entirely to its own resources, to adjust smoothly to disarmament and at the same time to satisfy neglected demand in the private and public sectors.

Professor Samuelson, like many other forward-looking economists and international relations experts, is urging us to plan for the outbreak of peace. This is a wise doctrine which, as I have repeatedly urged, should be carried out by Government and industry—either singly or together or both. As Professor Samuelson notes, we cannot accept some people's bland assurances that American business is so flexible, or that private and public demands are so insatiable, that special efforts are not needed to guarantee that the funds released from the military sector will be absorbed automatically for the full benefit of the Nation. After Korea, he points out:

> Only part of our swords went into plowshares; part went into unemployment and a deceleration of economic growth.
>
> No one familiar with the American scene can bet that a $30 billion cut in military expenditure would be soon matched by an equivalent increase in spending on urban renewal, foreign aid and other projects. At best I would judge that a third of this amount might, after a struggle and as a result of economic distress, be voted into being.

Indeed. In other words, a large portion of the responsibility for efficient conversion to peace rests with us here in the Congress. It is up to us to identify the needs of the whole Nation, not merely the needs of special groups, and to pass appropriate legislation. We have not yet entered the happy state known as the absence of cold war. International disputes will not be removed overnight; and not for many years, if ever, will the Senate be asked to ratify a comprehensive world disarmament treaty.

Nevertheless, the President's proposals for a tax cut this year, accompanied by tax reform, are part and parcel of the kind of forward planning which must take place now. There is no greater task than to modernize our economy for whatever challenges may lie ahead, be they peace or continued international tension. Indeed, in our response to these problems lies the key to the survival of our Nation and our position of world leadership.

Professor Samuelson notes that a United Nations report, signed last year by 10 economic experts on both sides of the Iron Curtain, concluded unanimously that:

> All the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures. There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions.

I have previously had occasion to refer to this report. I now ask unanimous consent to have the full text of the U.N. report, entitled "Economic and Social Consequences of Disarmament," printed in the RECORD at the conclusion of my remarks.

The significant aspect of the report is that it was concurred in and signed by two Soviet bloc experts: Mr. V. Y. Aboltin, of the Soviet Union; and Dr. Oskar Lange, of Poland. Their adherence represents a significant retreat from Marxist-Leninist-Stalinist doctrine—a retreat that ranks with the previous withdrawals from the theories of "capitalist encirclement" and the inevitability of war between the so-called imperialist and Socialist camps. The new line does not say that capitalism will necessarily take full advantage of disarmament; it merely concedes that the capitalist system has more to gain from disarmament than from continuation of the arms race. On December 17, 1962, the first secretary of the Soviet Embassy told the International Arms Control Symposium that recent studies published in the United States prove that general and complete disarmament is feasible from the point of view of the American economy. This is a big advance, if only verbally. I am especially pleased that "The Economic Impact of Arms Control Agreements," a study prepared at my request for the Senate Subcommittee on Disarmament, was one of the hopeful studies which the first secretary had in mind.

It cannot be stressed too often that with the proper allocation of economic resources the American people could be among the chief beneficiaries of disarmament. With another $30 billion, what could not be done to solve a whole catalogue of domestic problems which drain our national strength like leeches on the body of an otherwise healthy man? We all know these problems: chronic unemployment; a dearth of opportunities for unskilled, undereducated youth; shortcomings in educational facilities and the quality of instruction; underdevelopment and overexploitation of priceless national resources; the shame of our cities; the tangled mess of transport; and many others. Throughout the United Nations report there are references to the unmet requirements of the American people, as well as to the needs of the Soviet Union and all other major areas of the world.

Let us keep these problems in mind every time that we vote record appropriations for defense. I have no quarrel with these appropriations. The defense program is essential; and no necessary expense or effort should be spared to strengthen national security. What is highly objectionable, however, is the attitude that every proposal outside the sphere of military expenditure is "excess fat" to be trimmed from the budget.

On the contrary, as President Kennedy said in his state of the Union message:

We cannot lead for long the cause of peace and freedom if we ever cease to set the pace at home.

So, Mr. President, I ask unanimous consent that the report be printed in the RECORD, and that the article to which I have referred also be printed in the RECORD.

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

[From the Department of Economic and Social Affairs, United Nations, New York, 1962]

ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT

(Report of the Secretary General transmitting the study of his consultative group)

ACTING SECRETARY-GENERAL'S PREFACE

This report was prepared by a group of experts appointed by the late Secretary-General, Mr. Dag Hammarskjold, under General Assembly resolution 1516 (XV) to assist him in conducting a study of the economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development.

The members of the group acted in their personal capacities and their observations and recommendations were put forward to me on their own responsibility. I am convinced that their report represents a major step forward in the consideration of the economic and social consequences of disarmament and I am pleased to endorse their general findings. It is now my privilege to submit the report to the Economic and Social Council for its consideration and transmittal, along with its comments, to the General Assembly.

The members of the group were: V. Y. Aboltin, Deputy Director, Institute of World Economics and International Relations, Academy of Sciences of the Union of Soviet Socialist Republics; Mamoun Beheiry, Governor, Bank of Sudan; Arthur J. Brown, Head, Department of Economics, University of Leeds, England; B. N. Ganguli, Head, The Delhi School of Economics, India; Aftab Ahmad Khan, Chief Economist, Planning Commission, Government of Pakistan; Oskar Lange, Chairman, Economic Council, Council of Ministers of the Government of the People's Republic of Poland; W. W. Leontief, Professor of Economics, Harvard University, United States; José Antonio Mayobre, Ambassador of Venezuela to the United States; Alfred Sauvy, Director, National Institute of Demographic Studies, Government of France; and Ludek Urban, Economic Institute, Czechoslovakian Academy of Sciences. Mr. Sauvy was represented at the meetings of the second session of the group by Paul Paillat, also of the National Institute of Demographic Studies. Mr. Jacob L. Mosak, Director of the Division of General Economic Research and Policies of the United Nations Secretariat, served as Chairman.

In preparing the report the experts had available replies of Governments to a note verbale of the Secretary-General on the economic and social consequences of disarmament, which was sent in accordance with the unanimous recommendation of the group. Communications on the subject were also received from a number of the specialized agencies of the United Nations. The replies of Government, together with the relevant information from the specialized agencies, are reproduced in part II of the report.

The group was assisted in its work by members of the Secretariat from the Department of Economic and Social Affairs at United Nations Headquarters and from the Economic Commission for Europe, collaborating in accordance with that Commission's Resolution 1 (XVI).

It is everywhere recognized that the problems of disarmament considered in the present report are among the most vital before the United Nations today. In dealing with its economic and social consequences the experts have adopted the assumption that disarmament, once agreed upon, would proceed rapidly and would be general and complete. They have reviewed the resources devoted to military purposes and the peaceful uses to which these resources might be put when released. They have examined the conversion problems that might arise and the impact of disarmament on international economic relations and on aid for economic development, and they have called attention to some social consequences of disarmament.

It is a source of profound gratification to me, as I am sure it will be to all Governments, that, on a subject that has until recently been so beset by ideological differences, it has now proved possible for a group of experts drawn from countries with different economic systems and at different stages of economic development to reach unanimous agreement. It is particularly encouraging that the Consultative Group should have reached the unanimous conclusion that "all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures," and that "there should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions."

On behalf of the United Nations, I wish to thank the members of the group for their valuable contribution and to express my appreciation to the institutions with which the experts are associated for their willingness to release them from their normal duties so that they might undertake this extremely important task.

U THANT,
*Acting Secretary-General.*

LETTER OF TRANSMITTAL TO THE ACTING SECRETARY GENERAL

We have the honour to submit herewith the study, "Report on the Economic and Social Consequences of Disarmament," which we were invited to prepare in pursuance of General Assembly Resolution 1516 (XV).

An outline of the report was prepared during meeings held in Geneva between August 7 and 18, 1961, and the report was drafted during meetings held at the Headquarters of the United Nations between January 23 and February 16, 1962. Mr. Jacob L. Mosak, Director of the Division of General Economic Research and Policies of the United Nations Secretariat, served as Chairman at both sessions.

We are happy to be able to present, for your consideration, a unanimous report surveying the nature and magnitude of the economic and social benefits and the problems of conversion arising from disarmament, together with the general lines on which the main problems can be solved.

In preparing this report we have drawn, among other sources, upon the replies provided by governments to a note verbale which was sent by the Secretary General in accordance with a recommendation of the group. We should like to express our appreciation for these replies: in view of their authoritative nature, they are a valuable source of information and we have included them in part II of our report.

The members of the consultative group wish to express their very profound gratitude for the valuable assistance which they received from the members of the Secretariat, without which their task could not have been completed.

Respectfully yours,

_____ _____.

UNITED NATIONS, N.Y., *February 16, 1962.*

INTRODUCTION

1. Realization that the disarmament issue is important—as important as the survival of humanity itself—is worldwide. This is exemplified by a resolution adopted in 1959 by the General Assembly in which the question is called "the most important one facing the world today," and in which hope is expressed that "measures leading toward the goal of general and complete disarmament under effective international control will be worked out in detail and agreed upon in the shortest possible time." This sense of urgency springs mainly from the existence of a threat to mankind that has grown into one of mass destruction. But in part, also, it comes from the consciousness that the resources that make this threat possible, and many more resources devoted to less spectacularly destructive military uses, are being diverted from the tasks of lightening the burdens and enriching the lives of individuals and of society.

2. At the same time, it is seen that disarmament would affect individuals, countries, and the entire world economy in many different ways. A substantial part of the world's labor force now earns its living, directly or indirectly, in meeting military demands. To redeploy this force for nonmilitary purposes is an operation large enough to give rise to important problems of economic and social adjustment. Careful advance study is required for full advantage to be taken of the potential benefits disarmament could make possible. The following chapters attempt a survey of the magnitude of both the benefits it would bring and the difficulties that would have to be overcome in the economic and social fields.

3. In many respects the available data fall short of what is needed for a comprehensive and quantitative analysis. Nevertheless, the broad nature and magnitude of the economic and social benefits and the problems of conversion arising from disarmament, and the general lines on which the main problems can be solved, emerge sufficiently clearly from what is already known.

4. This consultative group on the economic and social consequences of disarmament has dealt with the subject on the assumption that disarmament, once agreed upon, would be general and complete and also rapid. It has done so in the belief that this was the intention of the General Assembly resolution under which it was appointed, and also because this interpretation gives the clearest form to both the benefits and the difficulties, thereby minimizing the risk that the latter will be underestimated.

5. The report represents the unanimous findings of the consultative group. It deals with the volume of resources devoted to military purposes and the peaceful uses to which these resources might be put when released, and with the transitional or conversion problems that would arise, both at the aggregate level of national production and employment and in particular sectors of the economy. The impact of disarmament on international economic relations is studied as well as the effects of disarmament on the volume and framework of aid for economic development. Finally, some social consequences of disarmament are considered.

CHAPTER 1—RESOURCES DEVOTED TO MILITARY PURPOSES

6. The most fundamental way in which disarmament affects economic life is through the liberation of the resources devoted to military use and their reemployment for

peaceful purposes. This shift in the composition of the aggregate demand for goods and services is simply a large-scale manifestation of a phenomenon that is constantly taking place in all economies as the demand for certain goods and services shrinks while the demand for other goods and services expands; thus disarmament in its economic aspects should not be considered as a unique phenomenon. Short-term shifts in demand on an even larger scale than that which would accompany any agreed disarmament programme have occurred when economies have been converted to war production, or when they have undergone conversion to peacetime patterns of production at the end of the war.

7. It is important, however, that countries, in preparing to disarm, should take stock of the various resources that disarmament would release for peaceful uses. Such a survey would facilitate economic planning and adjustment at all levels, public and private, national and international.

8. To assess the transitional problems that may arise and to determine the peaceful uses to which the resources released may be put, it is necessary to ascertain in some detail the volume and composition of resources so released. An approximation to the volume of resources that would be liberated by disarmament is provided by the published official estimates of military expenditure.[1] On the basis of available data there appears to be general agreement that the world is spending roughly $120 billion annually on military account at the present time. This figure is equivalent to about 8 to 9 percent of the world's annual output of all goods and services; it is at least two-thirds of—and according to some estimates may be of the same order of magnitude as—the entire national income of all the underdeveloped countries. It is close to the value of the world's annual exports of all commodities and it corresponds to about one-half of the total resources set aside each year for gross capital formation throughout the world.

9. The world's armed forces now number about 20 million persons. This figure does not include all those currently employed in supplying military goods or services directly to the armed forces or in producing the raw materials, equipment, and other goods that are needed indirectly in the production of military supplies and services. The total of all persons in the armed forces and in all productive activities resulting from military expenditure may amount to well over 50 million.

10. These figures demonstrate that the total volume of manpower and of other productive resources devoted to military use at the present time is very large indeed. The available data do not, however, make it possible to assess with the desired degree of accuracy the volume of resources that disarmament would actually release. For one thing, the existing estimates may not be comprehensive: some categories of military expenditure may be excluded. Further, there may be considerable inconsistency in the pricing of military output compared with the pricing of other production, as also in the relationship between the pay of the armed forces and civilian wages and salaries. For these and other reasons it would be wrong to interpret the share of military expenditure in total output as a precise measure of the real share of national resources allocated to military purposes, unless appropriate adjustments could be made for coverage, price differentials, and other elements of incomparability.

11. Although the data provide an inadequate basis for precise comparisons of the military burdens among countries, it can be safely asserted that within most countries military expenditure accounts for a very significant proportion of total output. In many countries the estimates of military expenditure range between 1 and 5 percent of gross domestic product, while in others, particularly in some of the larger countries, the corresponding ratio ranges between 5 and 10 percent.

12. While the burden of armaments is widespread, the great bulk of the world's military expenditure is highly concentrated in a handful of countries. Available indications are that about 85 percent of the world's military outlays is accounted for by seven countries—Canada, the Federal Republic of Germany, France, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Total military expenditure in all the underdeveloped countries amounts to about one-tenth of that of the industrial private enterprise economies. This means that although many underdeveloped countries devote significant proportions of their resources to military purposes, the great bulk of the resources released by disarmament would be concentrated in a very few countries.[2]

13. It should be noted that an agreed disarmament program would involve alternate security arrangements. Thus, the recent joint statement of the United States and the Soviet Union on agreed principles for disarmament negotiations provided that "during and after the implementation of the program of general and complete disarmament there should be taken, in accordance with the principles of the United Nations Charter, the necessary measures to maintain international peace and security, including the obligation of states to place at the disposal of the United Nations agreed manpower necessary for an international peace force to be equipped with agreed types of armaments."[3] While these arrangements would necessitate the continued allocation of funds and resources to military purposes, it may be assumed that these would be small in relation to current expenditure.

14. In order to formulate economic and social policies so as to take full advantage of the opportunities afforded by disarmament, it is necessary for the countries concerned to know in detail the possible alternative uses for the resources released. In general it can be said that the ease and effectiveness with which the various resources liberated by disarmament might be employed for peaceful purposes would depend on the extent to which the composition of the demand for additional civilian uses approximated that of the resources now devoted to armaments. Because of the relative immobility of some resources in the short run, systematic advance study is needed so as to minimize wastage in the transitional stage, though in the long run any country's industrial capacity can be adapted to meet the changing pattern of demand.

15. To prepare a list of the resources absorbed by armaments, it is desirable that each country should, at the appropriate time, determine the composition of military expenditure and estimate the productive resources that it absorbs. The latter calculation is straightforward with respect to certain components of military expenditure. The members of the Armed Forces, for example, constitute a labor supply that would otherwise be available for peaceful purposes. Similarly, those research facilities employed for military purposes which are adaptable to civilian research are readily identified. Other productive resources, however, are devoted to military use only in an indirect manner which may not be apparent at first glance. While it is clear, for example, that the labor and capacity in ordnance production are employed solely for military purposes, it is impossible to state, without careful analysis, what proportion of the manpower and other resources devoted to, say, coal mining are so employed. If ordnance factories use any coal, some portion of the productive resources of the coal mining industry are engaged, indirectly, in the production of armaments. But to take into account all the interindustry relationships in a national economy in order to provide a complete picture of the resources absorbed for military purposes requires considerable statistical information and a thorough economic analysis of an economy's productive structure. The degree of elaboration with which statistics should be compiled and economic analysis performed for this purpose varies from country to country according to the complexity and size of the national economy. Analogous considerations apply to the determination of the amount of resources required directly and indirectly to satisfy alternative peacetime needs.

16. Data made available by a number of countries show that military production is highly concentrated in a few industry groups, notably munitions, electrical machinery, instruments and related products, and transportation equipment, including airplanes and missiles. There is a similar concentration in the same industries of the employment resulting from military expenditure.[4] In most other industries military outlays account for a relatively small proportion of total demand. Industries dependent on military expenditure also have a high degree of concentration in certain regions and cities. While this pattern of concentration of output and employment is not necessarily characteristic of all countries, it appears to apply generally to the major military powers.

17. The situation is rather different in those countries that rely upon imports for their supplies of military goods or in which the major part of military expenditure is for the pay and subsistence of the armed forces, rather than for their equipment. In such cases, the resources devoted to military purposes consist essentially of manpower and foreign exchange. This is especially true of the underdeveloped countries. While disarmament would require all countries to make significant adjustments, the realization of the great potential gains from disarmament in underdeveloped countries would depend on a major intensification of efforts to promote economic development. Such efforts would be facilitated insofar as military spending were channeled to development expenditure and as scarce foreign exchange resources hitherto directly or indirectly utilized for military objectives were freed for development purposes; and still more to the extent that aid were forthcoming from the industrially advanced countries in the form of both capital equipment and technical assistance.

CHAPTER 2. THE PEACEFUL USE OF RELEASED RESOURCES

18. There are so many competing claims for usefully employing the resources released by disarmament that the real problem is to establish a scale of priorities. The most urgent of these claims would undoubtedly already have been largely satisfied were it not for the armaments race.

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[1] Available data on military expenditures in the national budgets of countries are given in annex 2, tables 2–1, 2–2, and 2–3.

[2] This is less true of manpower than of other resources, since the underdeveloped countries rely much more on numbers of men than on advanced and expensive armaments and equipment.

[3] See General Assembly Document No. A/4879, "Joint Statement on Agreed Principles for Disarmament Negotiations," submitted by the Soviet Union and the United States.

[4] See, for example, the reply of the Government of the United States of America.

19. The resources liberated by disarmament within any country could be employed in part to promote economic and social progress at home in part to expand foreign aid. The question of aid to underdeveloped countries is sufficiently important to warrant treatment in a separate chapter (chapter 6). The main civilian purposes for which the freed resources, whether domestic or foreign in origin, could be applied, may be classified as follows:

Raising standards of personal consumption of goods and services;

Expanding or modernizing productive capacity through investment in new plant and equipment;

Promoting housing construction, urban renewal, including slum clearance, and rural development; and

Improving and expanding facilities for education, health, welfare, social security, cultural development, scientific research, etc.

Part of the gain from disarmament could also take the form of an increase in leisure as, for example, through a reduction in average working hours without a corresponding reduction in real income, or through an increase in paid vacations.

20. The various claims upon resources listed above are, of course, closely interlinked. A rise in personal consumption may necessitate new investment in industry or agriculture or both. Enlarged aid from the industrial to the underdeveloped countries may involve expanding capacity for the production of the goods that the latter countries need, notably capital equipment. As regards the underdeveloped countries themselves, if additional aid is to bring the greatest benefits, a larger volume of investment out of domestic resources is likely to be required; this would be facilitated by the release of internal resources through disarmament.

21. Since it can be assumed that the economy as a whole is highly flexible in the long run, the resources freed by disarmament could ultimately be used for any one or more of the purposes listed above, and in any combination. Labor can be retrained and, where necessary, can move to other areas. As old equipment becomes obsolete it can be replaced by new equipment oriented to new patterns of demand. In the long run, there should be little difficulty in adapting resources to needs.

22. In the very short run, by contrast, the range of choice may be somewhat more limited. It takes time to turn swords into ploughshares or to make an office clerk or factory worker out of a soldier. Studies in some industrial countries have shown that the productive capacities released from military use would be much more immediately adaptable to the increased output of consumer durables and industrial equipment than to the production of houses, food, clothing or educational facilities. Thus, in the transition period, countries may wish to take into account not merely the unsatisfied needs for higher consumption, investment and foreign aid, but also the extent to which alternative patterns of new expenditure would take full advantage of the particular resources that disarmament would make available. It should, however, be borne in mind that some of the major military powers now have fairly comfortable margins of productive capacity available to them. In these cases it is unlikely that disarmament would generate many new demands that could not fairly readily be satisfied from available resources.[5]

23. In the centrally planned economies, even though they have generally been operating approximately at capacity, the transfer of industrial capacity and labour force to the production of goods for peaceful uses could be achieved in a relatively short time. This transfer could be readily achieved by measures formulated within the framework of the general economic plans which can ensure a desirable balance between demand and resources.

24. In the underdeveloped countries the principal resource released, apart from the purely financial, would be manpower, both skilled and unskilled. In some cases a significant proportion of industrial and transport capacity would also become available for other uses. In many there would also be considerable savings in foreign exchange. The effective utilization of released resources would depend upon the soundness and vigor of development programs and the volume and character of aid received.

*Personal consumption and productive investment*

25. Among the alternative uses of resources released by disarmament, increased personal consumption might well absorb a large share. It is fair to suppose that even in the developed countries there would be strong pressure on Governments to raise the level of living. Disarmament would, in particular, offer an important opportunity to raise incomes of low-income sections of the population and to facilitate equalizing the rates of pay for men and women.

26. In most countries, however, not all the resources freed by disarmament would be allocated directly to consumption, no matter what the level of income might be. In the first place, a substantial portion of the released resources would be used for expansion of productive capacities because only such expansion can provide a firm basis for further increases in consumption. Ministers representing the countries of Western Europe and North America recently set as a collective target the attainment during the decade from 1960 to 1970 of a growth in real gross national product of 50 percent for all the countries taken together.[6] In the Soviet Union, according to existing plans for economic development, industrial production should reach, in the course of the present decade, a level 2½ times the present volume. A more rapid rate of growth would also enable countries with a higher degree of industrialization to contribute more effectively—through greater financial and technical assistance and through the widening of markets for exports—to the development of countries that are less advanced industrially.

27. Recent experience in both private enterprise and socialist economies provides a rough guide in judging how much additional investment a specific growth target requires. Among the industrialized private enterprise economies, it appears that during the 1950's a country experiencing a 4-percent annual rate of growth needed, on the average, to devote about 2 percent more of gross national product to investment than did a country having a 3 percent rate of growth.[7] In most of these countries, 2 percent would constitute a very significant proportion of the resources disarmament would release. In the less developed countries which have low levels of income and saving, the utilization of released resources for capital formations must be considered vitally important.

*Social investment*

28. Social investment is an important alternative both to private consumption and to industrial and agricultural investment. Its claims rest partly upon the clear urgency of the direct need for improved social amenities, and partly upon the fact that growth of industrial and agricultural productivity is dependent upon developments in education, housing, health, and other fields. Since social investment has had to compete with military claims for State funds, it (like aid to underdeveloped countries) has probably been particularly affected by the armaments race. Recognition of the necessity to remedy the resulting deficiencies in the stock of social capital is widespread among countries at different stages of economic development and with different economic systems. There is no common measure of need according to which it is possible to add up, or to compare, the deficiencies in different fields of social investment of different countries. Nevertheless, the importance of the subject warrants an attempt to set out the main relevant pieces of evidence.

29. In the United States the National Planning Association estimated at the end of 1959 the cumulative exenditure requirements for selected Government programs over the next 5 years.[8] These estimates were not intended to be precise but simply represented a summary of the existing programs of development and improvement in various fields over the next 5 years. The significance of these estimates, which imply annual average expenditures of $66 billion, may be judged from the fact that the present spending of the Federal, State and local governments on all these programs amounts to about $30 billion per year. It is therefore apparent that these programs could absorb much or most of any resources released by disarmament.

30. In the Soviet Union the task has been set of achieving a sharp improvement in living standards within the next 20 years by raising the income of the population and also by expanding social benefits (education, health protection, social insurance, housing construction, etc.). As stated in an official document, "general and complete disarmament on the basis of an appropriate agreement between States would make it considerably easier to overfulfill the planned improvement in the living standards of the working people."[9]

31. It will be noted that the highest single figure among the programs for the United States mentioned above is that for urban renewal and development, including slum

[5] See, for example, W. Leontief and M. Hoffenberg, "The Economics of Disarmament," Scientific American (New York), vol. 204, No. 4, April 1961, pp. 47–55. An unpublished study made at the Department of Applied Economics, Cambridge, England, suggests that, if military expenditure in the United Kingdom ceases and were replaced in equal parts by increased private consumption, increased domestic fixed capital formation, and increased foreign aid, output would be reduced in only 2 out of 19 sectors of the economy (military services and ship, aircraft and railway vehicle construction) and would be required to expand in most others by between 3 and 6 percent—the main exceptions being textiles (9-percent increase) and and motor vehicles (14-percent increase).

[6] Organization for Economic Cooperation and Development, Press Communiqué, OECD/PRESS/A(61)10 (Paris) Nov. 17, 1961.

[7] For further details, see United Nations, "World Economic Survey, 1959" (sales No.: 60.II.C.1), ch. 1.

[8] National Planning Association, Looking Ahead, March 1960. The estimates covering the next 5 years were as follows:

| | Billion |
|---|---|
| Education | $30 |
| Classroom construction | 16 |
| Current operation | 14 |
| Highways and skyways | 75 |
| Urban renewal (slum clearance, low-cost housing and community redevelopment) | 100 |
| Water supply and conservation | 60 |
| Health and hospitals | 35 |
| Other programs (air pollution, research and development, etc.) | 30 |
| Total | 330 |

[9] Program of the Communist Party, adopted at the 22d party Congress.

clearance, low-cost housing and community redevelopment. The problem of urban renewal is worldwide. In 1950 about 80 percent of the world's population was still living in rural areas. Between 50 and 60 million people are being added to the world's total population every year, mainly to its urban areas. In Asia as many as 500 million persons may be added between 1950 and 1975 to the population of cities with over 20,000 inhabitants. In Latin America, 62 cities with over 100,000 people accounted in 1960 for some 40 perecnt of the region's total. In Africa a considerably higher rate of growth is taking place in urban areas than in rural areas. Rapid urbanization is characteristic of Europe and North America.

32. The rural and urban environments in many countries are both deteriorating, mainly under the impact of this rapid growth. The social and physical symptoms of this deterioration are bad housing, poor community services and delinquency, the paralysis of city traffic, and in many of the less developed countries an absence of sanitation accompanied by a high incidence of communicable disease. In many metropolitan cities of such less developed countries "squatters' settlements" already contain a considerable part of the population.

33. The magnitude of the resources required for dealing with the problem of urbanization is very large. In India alone, for example, approximately $1 billion a year will be required to house the new inhabitants of cities with over 100,000 people. The provision of citywide services, utilities and transportation would at least double the needed investment. In Latin America it was estimated by the Organization of American States in 1954 that an annual investment of $1.4 billion was required over a period of 30 years to wipe out the housing backlog, to replace obsolescent dwellings and to provide homes for new households. According to rough estimates by the United Nations Bureau of Social Affairs, as many as 150 million families in the less developed countries are in need of adequate homes. These immense requirements are contributing in many underdeveloped countries to the maintenance of a level of spending on housing and urban development such that the pressing claims of directly productive sectors have to be curtailed.

34. In the Soviet Union a housing shortage still exists despite the building of dwellings for nearly 50 million people in the last 5 years. "The housing problem remains acute. The growth of the urban population in the Soviet Union during the past few years is considerably in excess of the estimates."[10] In order to overcome the shortage and house every family in "a separate, comfortable apartment," an increase in 20 years of about 200 percent would be required in the existing housing facilities. To reach this goal it is required that average annual housing construction be raised from the target of 135 million square meters in 1961–65 to 400 million square meters in 1976–80.[11]

35. Another field in which the supply of social capital is deficient in many countries is road and air transportation.[12] The rapid increase in the stock of automobiles and the lag in road facilities in these countries during the postwar years have been accompanied by extraordinary congestion and numbers of accidents. Airports and other air facilities are also deficient in many underdeveloped areas as well as in some more advanced economies, and investment in civil aviation will claim a share of the resources freed by disarmament.

36. The development and conservation of natural resources provides another important field for increased outlays in the event of disarmament. In the United States it has been estimated that Federal expenditure requirements up to 1980 in the field of water resource development alone total almost $55 billion, while $173 billion will be needed for non-Federal programs.[13] The Soviet Union could advance the preparation and implementation of a number of important nature-transforming projects in various parts of the country in order to improve living and working conditions for the people. There is, for example, a plan to divert part of the waters of the Pechora, Vychegda, and Ob Rivers into the basins of the Volga and the Caspian and Aral Seas. This would bring about a considerable change in the climate and in living conditions in central Asia and in the southern European part of the Soviet Union. In underdeveloped countries there are also many important multipurpose schemes for the conservation and the utilization of water resources.

37. The world's demand for water is growing much more rapidly than the supply, and a continuation of present trends implies a growing deterioration in the balance of demand and supply. Increasing supplies of water are needed not merely in order to keep pace with the rapid rise in population, but also in order to meet the still faster growing needs for irrigation and industry. In many countries most of the cheapest sources of supply for water have already been tapped, so that further expansion of supplies necessitates increasingly heavy investment in obtaining access to other sources, including the purification of sea water.

38. Other urgent requirements for natural resource development and conservation exist in the fields of forestry, soil and watershed conservation, rangeland conservation, park and recreational development, and fish and wildlife conservation. In the United States the total Federal cost of proposed programs in these areas over a period of 10 years implies an annual rate of almost $4 billion, or almost twice the current rate of expenditure. In addition, scientific research and investigation in the field of natural resources will have to be expanded at considerable cost. In Western Pakistan a master plan has been prepared for soil reclamation and conservation in order to combat the twin menaces of waterlogging and salinity. The cost during the next 10 years is estimated at $1.2 billion.

*Investment in health, education, and social services*

39. Another major use of the resources released from disarmament is investment to raise standards of health, education, and social services. There is an urgent need for improvement in health services throughout the world. In many countries the ratio of doctors, dentists, and other medical personnel to the population is inadequate and even falling, and there are also great deficiencies in the supply of hospitals and hospital beds as well as of other basic health facilities. The backlog that many countries have to make up in order to attain the best current levels of hospital facilities is very large. In some of the poorer countries of Europe, for example, the medical facilities available to each doctor have been estimated to be as little as one-fiftieth of those prevailing in the better equipped countries. Yet even in the richest countries there is great need to improve standards of medical services. In Canada and the United States, for instance, the deficit in hospital beds has been estimated at from a quarter to a half of the existing number.[14] In underdeveloped countries the need for improved medical care is obviously greater. This is indicated, for example, by infant mortality rates in excess of 100 per 1,000 in many of these countries as opposed to rates of 20 to 30 per 1,000 in economically advanced countries.

40. An indication of the magnitude of investment requirements for medical care may be gained from projections for the United States. The present rate of construction, plus a limited program of renovation, modernization and increase in rehabilitation facilities, would require at least $15 billion over the next decade instead of the $9 billion that would be needed if such changes were not carried out.[15] In the Soviet Union it has been officially suggested that hospital accommodation might be increased by 40 percent (that is, by several hundred thousand beds) at low cost by converting into hospitals part of the buildings now in military use.[16]

41. In most developed countries educational needs are rising and are bound to expand even more rapidly; with the ever wider spread of technical progress there will be a rising premium on a higher educational background, on better scientific and technological skills and on a broader range of knowledge. At the same time greater efforts will be directed toward reducing the dropout rate of the less talented and toward insuring that an increasing proportion of the highly talented reach upper levels. The realization of all these purposes would imply the devising of new kinds of education and provision of adequate means so that people keep abreast of the latest developments in knowledge.

42. In the United States, existing standards currently require an expenditure level of $20 billion for school enrollments in kindergarten through 12th grade, and of $6.7 billion for institutions of higher education. Projections on this basis alone indicate for 1970 a rise of 50 percent in the first case and of more than 250 percent in the second case. In a disarmed economy it would also be easier to meet the demands for better standards of education.

43. According to recent estimates, Western Europe's expenditure on education may rise from $9 billion in 1958 (including both current and capital outlays) to over $18 billion, on a high estimate, in 1970—an increase of over 100 percent.[17] As a result, outlays for education may rise from 3.2 percent of gross national product to 4.0 percent. Western Europe would also face important problems at the university level if a target were set for raising the European enrollment in the 20–24 year age group from 5 percent as at present to the U.S. ratio of over 20 percent.[18]

44. In the Soviet Union general polytechnical secondary (11-year course) education for all children of schoolgoing age is to be introduced in the next 10 years. It

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[10] N. Khrushchev, "Report to the 22d Congress of the Communist Party" (Cross Currents Press, New York, 1961), p. 118.

[11] "Report on the Program of the Communist Party," delivered to the 22d Party Congress; Soviet booklet, No. 81 (London, 1961), p. 47.

[12] Even countries as industrially advanced as the United States may have such a deficiency. For example, the second largest figure in the National Planning Association estimates cited in the footnote to paragraph 29 is for highways and skyways.

[13] See the reply of the Government of the United States of America.

[14] Royal Commission on Canada's Economic Prospects, Housing and Social Capital (Ottawa, 1957, and annual reports of the U.S. Department of Health, Education, and Welfare (Washington, D.C.).

[15] See the reply of the Government of the United States of America.

[16] Embassy of the Union of Soviet Socialist Republics, Washington, D.C., Press Department release No. 66, Feb. 2, 1960.

[17] Organization for European Economic Cooperation, "Targets for Education in Europe," by Svennilson, Edding, and Elvin, p. 105.

[18] Dewhurst, Coppock, Yates, and Associates, "Europe's Needs and Resources" (New York, 1961), p. 343.

is planned that the number of students resident in boarding schools and extended day-care schools should increase from 1.5 million at present to 2.5 million in 1965. The shortage of space in schools has led to using the building facilities in shifts; but teaching on a shift basis is expected to stop completely in the near future. Besides the extension of secondary school facilities, it is estimated that the present enrollment of 2.6 million students in higher educational establishments will triple by 1980.[19] All these developments will require construction of many more schools and training of a large body of teachers, both of which would be facilitated by disarmament.

45. In the underdeveloped countries, the magnitude of the educational problem may be seen from the fact that most of them still have illiteracy rates of well over 50 percent of the population aged 15 years and over. The cost of educational requirements in underdeveloped countries for education is exemplified by a recently adopted African program.[20] On the basis of inventories of educational needs of the countries covered by the African plan[21] the total cost of the program is expected to increase from $590 million in the first year to $1,150 million in 1965, $1,880 million in 1970, and $2,600 million in 1980. It is assumed that the share of national income devoted to education will rise from 3 to 4 percent between 1961 and 1965, and thereafter will increase further, reaching 6 percent of national income by 1980. This means that the difference, amounting in the same years to $140 million, $450 million, $1,010 million and $400 million, respectively, would need to be covered by foreign aid.

46. Apart from needs in the fields of health and education, there are urgent requirements for expansion in social services. Even in the most advanced countries, there are pronounced shortcomings in the provision of child welfare services, vocational rehabilitation agencies, community centers, and other special services.

47. It is thus clear that, so far as social investment is concerned, there is already a heavy backlog of urgent need, and the recent acceleration of population growth and of technical change make it certain that the need, and the demand, will grow. Social investment therefore is likely to claim an increasing volume of resources, to which disarmament would make a welcome contribution.

*Scientific research for peaceful purposes*

48. The release of scientific and technical manpower would be one of the important consequences of disarmament. Among the major powers a significant part of the national research and development effort currently serves military purposes. The total elimination of military spending would bring about a sizable release of resources for civilian research and development. With disarmament it would thus become possible to encourage programs of basic scientific research in fields which have hitherto been neglected, and to mobilize great scientific potential for the solution of some of the world's greatest problems in such areas as medicine, urban development, and reorganization, and the technical problems associated with the economic development of underdeveloped countries. If human ingenuity, in the space of a very few years, has so vastly increased man's powers for destruction, it should be able to make an equally massive contribution to peaceful and constructive achievement.

49. Not all of the needs described above can be satisfied by single nations acting alone. In some instances their satisfaction will require international cooperation.[22] Serious gaps exist in the permanent worldwide network of meteorological observing stations and in the corresponding telecommunication facilities, and a marked increase is required in the funds available for basic research on improving meteorological services. Furthermore, the funds currently available for assisting meteorological development in the less-developed countries are far less than needed to satisfy current demands, not to mention prospective demands. Telecommunications are important to developing economies and there is need to pursue a number of objectives in this field, including the development of networks. There is also considerable scope for international cooperation in developing the world's air transport facilities.

50. Disarmament would also open up possibilities for joint international ventures of an even more ambitious kind, including the utilization of atomic energy for peaceful purposes, space research, the exploration of the Arctic and Antarctic for the benefit of mankind and projects to change the climates of large areas of the world. Joint research into the earth's interior may lead to discoveries that would be of real value to the whole world. In addition, joint projects to assist the development of underdeveloped countries as well as programs of cooperation in the social and economic field could be undertaken. These international projects could have a major impact on world living standards and civilization.

51. It is evident from the foregoing illustrative discussion of the magnitude of current and impending needs that the resources freed by disarmament would not be large enough for the many claims upon them. Though it would take active decisions by Governments in the light of national and international needs to set in motion the necessary programs for employing the released resources, it seems abundantly clear that no country need fear a lack of useful employment opportunities for the resources that would become available to it through disarmament.

CHAPTER 3. THE IMPACT OF DISARMAMENT ON NATIONAL PRODUCTION AND EMPLOYMENT

52. Disarmament would raise both general problems of maintaining the overall level of economic activity and employment and specific problems insofar as manpower or productive capacity might require adaptation to nonmilitary needs. Structural problems of conversion of the latter type will be discussed in chapter 4. Successful maintenance of the level of aggregate demand, production, and employment would facilitate the solution of specific structural or frictional problems. Conversely, economic policies which dealt smoothly and effectively with the structural or frictional problems would help to promote the solution of the general problems. In both cases, careful preparation would be required to insure that the various stages of the disarmament process were accompanied by as little disturbance of economic life as possible.

53. In the economic life of all countries, shifts in the pattern of demand and in the allocation of productive resources are continually occurring in response to changes in technology, foreign trade, consumer tastes, per capita income, the age distribution of the population, migration, and many other factors. Some industries grow more rapidly than others, while the output of certain industries may even decline in absolute terms. Such shifts involve a transfer of manpower and capital between occupations, industries and regions. The reallocation of productive resources which would accompany disarmament is in many respects merely a special case of the phenomenon of economic growth.

54. There are, however, some aspects of the process of disarmament which would raise problems significantly different from those that have been experienced in the usual process of economic growth. While many of the continuous changes in the composition of demand work themselves out only over a long period of time, it seems reasonable to assume that disarmament, once decided upon, would occur more rapidly—over a period of only a few years. For some components of military demand, the whole of the shift might occur within a very short period of time such as a single year. The reallocation of resources attendant upon disarmament would therefore pose some special problems. The more rapid the rate of growth of an economy, however, the easier it would be to bring about the economic changes disarmament might require.

55. The conversion of resources that would be required as a result of disarmament at the present time would be far smaller, in the aggregate, than that which took place at the end of the Second World War. Thus an examination of the early postwar conversion may help to give perspective to the present problem. The experience of the smaller-scale conversion that followed the end of the hostilities in Korea also deserves consideration.

*The postwar conversion*

56. The postwar conversion was a much larger one and involved a more rapid transfer of resources than total disarmament would require at present. During the last years of the war, the world devoted about one-half of its resources to destruction. The real military expenditure and the number of people in uniform were about four times as high as today. The extent of devastation in the areas overrun by armies or bombed from the air was immense. The usual network of trade both within and between countries was thoroughly disrupted. Despite these difficulties, huge armies were quickly demobilized without a significant rise in unemployment in most countries, and the pace of recovery, particularly of industrial output, was impressively rapid.

57. During the postwar conversion, the major concern of economic policy was to restrain, rather than to maintain, overall demand. This period was characterized by intense pressure of excess demand for both consumption and investment. Most commodities were in short supply. Their distribution was carried out nearly everywhere with the aid of rationing or at least under a system of price controls. The wartime accumulation of liquid savings in the hands of the population guaranteed a high level of continued effective demand. As plant and equipment were released from war production and repaired or replaced, they were immediately turned to producing goods for which demand had remained unsatisfied or deferred in some countries during nearly 15 years of the great depression and the war. Most of the demobilized manpower found employment in civilian occupations, while the total labor force declined, reflecting a voluntary withdrawal of some women, minors, and veterans from the labor market. As supply conditions improved, price and distribution controls were progressively eased.

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[19] Based on information in "Report on the Program," op. cit. p. 66, and N. Khrushchev's "Report," op. cit., p. 122.

[20] United Nations Economic Commission for Africa and United Nations Educational, Scientific and Cultural Organization, "Outline of a Plan for African Educational Development" (UNESCO/ED/180); and final report (UNESCO/ED/181).

[21] The plan covers only 35 States and territories of Africa. Is excludes in particular, the countries bordering on the Mediterranean and the Union of South Africa.

[22] For communications received from specialized agencies of the United Nations on matters discussed in these paragraphs, see vol. II of this report (E/3593/Rev.1/Add.1).

58. There were large arrears not only of consumption but also of investment. The capital stock had in many countries been run down by destruction, obsolescence and lack of maintenance. Technological progress had continued and in fact sharply accelerated in some fields during the war years. But much of it had remained unincorporated in plant and equipment—during the depression because of lack of effective demand, and during the war because of diversion of resources to wartime needs. Residential construction had undergone successive postponement in some countries. These factors led to an upsurge in business and residential investment after the war, financed in part by the accumulated liquid resources of corporations and of consumers and in part by various forms of public assistance.

59. In the United States, by the end of the Second World War, the military budget had accounted for over 40 percent of the gross national product. Between 1945 and 1946, expenditure on national security was reduced by 80 percent. The decline in military expenditure was equal to one-third of the gross national product and nearly two-thirds of personal consumption in 1944. By way of comparison it may be said that the military budget in the United States in recent years has been somewhat less than 10 percent of the gross national product and about 15 percent of personal consumption.

60. The decline in total real demand was less than half the drop in military spending because of the advance in all other sectors of demand. The small decline in national output was perhaps no more than could have been expected as a result of voluntary withdrawals from the labor force and from the shortening of working hours.

61. The sharpest increase took place in gross private domestic investment which rose from $21 billion to $51 billion—or from less than 6 percent of gross national product to about 15 percent. The rise in consumption also contributed in absolute terms nearly as much as investment, although its relative contribution was not so large. There were also increases in public expenditure for civilian purposes and in net foreign investment. Assistance through UNRRA, other grants and credits to various countries for relief and rehabilitation helped toward a substantial expansion of U.S. exports. Thus the economy showed a high degree of flexibility even in the relatively short run.

62. Between August 1945 and June 1946, the size of the U.S. Armed Forces was reduced by over 9 million men. There was a small reduction in the labor forces as women and minors returned to home and school, and veterans continued their interrupted education. As a result of this, and of the cutting back of overtime, unemployment in 1946 remained below 4 percent of the labor force, despite the very extensive and rapid demobilization.

63. While the large backlog of demand of private business and consumers was responsible for much of the ease with which the postwar adjustment was made, effective Government policies also helped. Taxes were reduced. There was a very great increase in transfer payments, principally veterans' cash benefits and payments related to the veterans' training and education program. As a result, despite the massive decline in military spending, disposable income fell hardly at all. As regards investment, a large veterans' loan program helped to finance the purchase of homes and farms, quick settlements were made to business on termination of war contracts, and an easy credit policy was maintained. The Government of the United States of America notes that:

"Tried measures such as there would be under active consideration again in the event of the acceptance of a disarmament program." [23]

64. In Western Europe the conversion process took somewhat longer than in the United States because of the damage or destruction to productive facilities and the fact that the total output had in many cases fallen below prewar levels. Inflationary pressures were severe. Confidence in currencies was shaken. Many key products, notably coal, steel, certain imported materials, and foodstuffs were in short supply.

65. Despite these difficulties the conversion was relatively rapid. Eighteen months after the cessation of hostilities, industrial output had recovered its prewar level nearly everywhere except in the Federal Republic of Germany and in Italy. The demobilized armed forces were rather quickly absorbed in employment in civilian occupations. Except in the two countries just mentioned, unemployment declined well below prewar levels. The recovery of Western Europe was assisted by a considerable amount of external aid.

66. In the United Kingdom, it is estimated that at the end of the war, 9 million persons, or 42 percent of the total working population, were either in the armed forces or engaged in the manufacture of equipment and supplies for them. Sixteen months later, the total number in these two categories had fallen by almost 7 million. Of this total about 1.2 million corresponded to a voluntary decline in the labor force, while involuntary unemployment rose by about 0.7 million. Thus over 5 million people were absorbed into civilian employment in the short space of 16 months, whereas the corresponding number that would have to be absorbed in the event of disarmament now is just over 1 million. It is noteworthy that the number unemployed at any one time never greatly exceeded 6 or 7 weeks' release at the maximum rate reached, and that it stood at this level only so long as releases continued at a substantial rate. Even so, unemployment remained below 4 percent of the labor force.

67. In some of the underdeveloped countries, the postwar recovery presented special problems. This was partly because agriculture, which formed a much larger proportion of the output of the underdeveloped than of the developed countries, was generally slower to recover than was industry. The long years of war had led in many cases to heavy exhaustion of farms and livestock and to disturbance of trading patterns. There was a world shortage of fertilizers, and recovery was also delayed in many cases because initially inadequate industrial, transport and mining equipment had been strained beyond its rated capacity during the war. For some time after the war, too, delivery of equipment was delayed by conversion and reequipment needs in the industrial countries.

68. There is, however, no reason to believe that any future disarmament would be attended, in the underdeveloped countries, by the same types of problem as prevailed after the Second World War. As indicated previously, the main question in these countries would be whether development programs could be enlarged and stepped up significantly—and in sufficiently good time—to permit the absorption of the demobilized armed forces and other resources into productive employment.

69. In the Soviet Union, experience of conversion immediately following the Second World War was significantly different from that in other countries, because of the much greater destruction and devastation which had taken place during the war. Much equipment had been damaged or was in a bad state of repair. Plant and equipment constructed during the war had been designed entirely for military purposes, and was therefore somewhat less convertible than facilities constructed in peacetime. Superimposed on all this was the problem of transferring workers in the eastern territories—who had been evacuated from areas occupied by the Germans—back to their home districts in the western part of the country. For all these reasons there was a decline in industrial production from 1945 to 1946, concentrated in the producer goods sector. Since some manpower had to be employed in tasks for which it was untrained there was a decline in output per man. These developments, however, were the result of the devastation and dislocation referred to above. The subsequent recovery was very rapid and by 1948 industrial production was already nearly one-fifth above the 1940 level. The circumstances of any future disarmament would be much more favorable to a smooth conversion process than those at the end of the Second World War.

70. In other Eastern European countries the conversion process had also to overcome heavy human and material losses caused by the Second World War. In Poland alone, over 6 million people perished during the war and Nazi occupation. The respective governments had to face the great damage caused to productive capacity, transport and housing, apart from dislocation of populations, monetary disturbances and other difficulties. Recovery was facilitated by the planned direction of the process of reconstruction and readjustment which was made possible by the gradual nationalization of banking, of most industry and of transportation. The recovery proceeded relatively quickly, so that in 1948 in most countries the prewar level of production was surpassed.

*Conversion after the Korean war*

71. In the United States at the end of the Korean hostilities many of the special features associated with demobilization after the Second World War were no longer present. Military spending fell from $62 billion (in 1960 prices) in 1953 to $51 billion in 1954. This was accompanied by a liquidation of inventories that in part was associated directly with the fall in military expenditure itself, and in part reflected some business uncertainty regarding the immediate outlook for demand. The total decline in the national product, however, was less than half the reduction in military spending, largely because of increases in consumption and domestic investment. The latter, in turn, were made possible by a reduction in taxes and a policy of monetary ease which was particularly important in stimulating expenditure on housing. Unemployment, after rising to 5.6 percent of the labor force in 1954, declined to less than 4.4 percent in 1955 in the face of further cutbacks in military spending.

72. Characterizing the effectiveness of policies during this period, the Government of the United States of America observes that:

"Despite the mildness of the 1954 recession it now is clear that fiscal and monetary policies might have been applied with more vigor. The reason they were not is that the decline in defense spending following the Korean war was not treated by the policymakers as a major demobilization requiring strong compensatory action. For this reason the 1953–54 period does not provide a significant guide to the behavior of the American economy in a disarmament program during the 1960's." [24]

73. In other countries, for which information is available, the degree of involvement in the Korean war was not such that

[23] See the reply of the Government of the United States of America.

[24] Ibid.

its end provided experience of comparable relevance for the purpose of this study. With the cessation of hostilities in Korea, however, there was a diminution of international tensions which brought about reductions in military expenditure and releases from armed forces in various countries. No significant problems of reabsorption of the demobilized personnel arose in these countries.

*Experience in the centrally planned economies*

74. The experience of the centrally planned economies in reducing the armed forces is also of interest. In the Soviet Union, the armed forces were reduced from 5.8 million men in 1955 to 3.6 million men in 1958.[25] There were also reductions in military forces in other centrally planned economies during that period. No significant problems were created by the demobilization in these countries since the demand for labor was continually increasing. Discharged officers were absorbed in administrative posts in industry or agriculture and were provided with opportunities for retraining at government expense. In a number of countries in eastern Europe, expansion in output of durable consumer goods was greatly facilitated after 1954 by utilizing the equipment which had earlier been devoted to producing armaments.

*Impact on national production and employment*

75. National experience with general economic policies during previous conversion periods will unquestionably be valuable for policymakers in the future. In adopting a program of general and complete disarmament, governments would certainly wish to assess very carefully the probable impact of disarmament on national production and employment, and to examine their economic policies to insure that these were as well thought out as possible. It would be important to maintain a high general level of domestic demand for goods and services and thereby to support satisfactory levels of output and employment. This is already a well-established objective of national policy, but it would have additional urgency both during the conversion period and also in the long run, after general and complete disarmament had been achieved.

76. The economic measures needed to maintain overall effective demand are different in the private enterprise economies from those in the centrally planned economies. In the latter, economic decisionmaking is centralized. Most of the productive capacity is government owned. The national economic plans are directed toward the achievement of a set rate of growth and higher levels of living. In the private enterprise economies, on the other hand, where the private sectors are much larger than the government sectors, the power to make economic decisions is diffused. Governments must therefore rely heavily, in influencing economic decisionmaking in the private consumption and investment sectors, on relatively indirect means such as fiscal and monetary policies. In general, the governments of underdeveloped countries cannot count as readily as those of the more developed countries on an expansion of private investment. Greater attention needs therefore to be given to undertaking whatever volume of expenditure may prove necessary in the government-owned sector in the underdeveloped countries.

77. Much attention has already been given in the industrialized private enterprise economies to the methods by which total effective demand can be maintained. Member countries are pledged under the United Nations Charter to maintain full employment. A number of governments have further undertaken in national statements of policy to adopt measures toward that objective. The instruments available for the prevention of any substantial shortfall of demand are well known. Their relative merits, however, vary widely from one country to another and from one time to another because of differences in institutions and attitudes.

78. The nature and magnitude of the task of maintaining total demand at an adequate level to assure the fullest possible employment would depend to some extent upon the purpose to which the resources released from military use were applied. In some cases, it might be decided to use the released resources by reducing taxes on income, particularly of lower income groups. In others, it might be decided to reduce the burden of indirect taxes on mass consumption goods borne mainly by the lower income groups in the community. It might, also, be seen fit to adopt fiscal measures designed to stimulate investment expenditure. In yet other cases importance might be attached to reduction of the public debt. Alternatively, a decision might also be taken to replace military expenditure by other kinds of government expenditure. These different policies would have different impacts upon the level of effective demand. In practice, different combinations of them would be likely to be used in different countries.

79. Disarmament would lead to an immediate reduction of effective demand only insofar as total expenditure of the government-owned sector were reduced. It might seem at first sight that this result would be avoided if tax revenue were reduced by the same amount as government expenditure, but this is not, in general, the case, since some of the increased disposable income would be saved rather than spent. The effect on consumption would depend on which type of tax were reduced, whether direct or indirect, and on which income group were affected. Generally, reduction in taxes diminishing the burdens of low-income groups are the most effective. Even so, however, some fall in income would result under these assumptions. A setback of this kind, unless counteracted by other measures, might also discourage private investment and thus lead to a further fall in income.

80. It should, perhaps, be observed that insofar as it is desired to raise private consumption, the appropriate means cannot lie exclusively in reductions in direct taxation because those benefited by such a measure do not include the poorest sectors of the population whose incomes are too low to be taxed. Supplementary measures of various types would be required to insure that all parts of the community benefited to some extent from the higher consumption levels made possible by disarmament.

81. The effect of using the money saved by a reduction of military expenditure for repaying public debt would be twofold. On the one hand Government expenditure on goods and services would be lower, since debt repayment does not in itself constitute a direct offset to the reduction in military spending. On the other hand, by substituting holdings of money for holdings of public debt some private spending on goods and services would probably be stimulated. The extent of this stimulation is difficult to assess, and would vary with the kind of debt redeemed, but it would be unlikely to offset the deflationary impact of the original reduction in Government expenditure.

82. Monetary and fiscal policy could be used to offset the effect of a shortfall in total demand that might result from a decline in Government expenditure. Monetary policy, whether operated mainly through interest rates or mainly through a more direct control of credit, gives some scope for the encouragement of both capital formation by business and purchases of durable goods by consumers. Changes in taxation, or transfers, in addition to their immediate effects on purchasing power, to which some reference has already been made, may also be expected to exert some influence on the formation of business capital; tax concessions may be designed to encourage private investment in general or to give special encouragement to investment in particular industries or localities where it will most effectively employ resources formerly in military use. Moreover, although in some countries there are severe limits to the extent to which it is practicable to use unbalanced budgets as a means of adjusting the level of effective demand, such measures, where they are acceptable, are powerful instruments for this purpose. Tax revenue might be deliberately reduced by more than the net reduction in Government expenditure brought about by disarmament. In some countries, the changes that have already taken place in the net budget balance of the government sector within small numbers of years appear to have been of the same order of magnitude as those that might be required to offset a shortfall of demand consequent upon disarmament.

83. If a shortfall of effective demand cannot be fully dealt with by the foregoing methods, there always remains the possibility of an increase in civilian government expenditure designed at least in part to help in solving this problem. Expenditure on goods and services is, in general, likely to be more effective for this purpose than transfer expenditure—the increase of grants and subsidies to various sections of the community—but in the not unlikely event of the recipients being disposed to spend nearly all the cash benefits they receive, the difference would be small.

84. The instruments of adjustment referred to above are more highly developed, easier to bring into operation, and may be expected to work more effectively in some countries than in others. Bearing in mind, however, that a substantial part of military expenditure would probably be replaced by other government expenditure in most countries, it may be concluded from the foregoing paragraphs that the maintenance of effective demand in the face of disarmament should not prove difficult. Indeed, it should be practicable not merely to maintain the level of demand during the transition period, but to move forward to the more rapid growth in total real income that a transfer of resources from military use to productive investment would render physically possible.

85. It has been argued that insofar as disarmament might lead to a reduction in the relative size of the government sector, the stabilizing effect that the existence of a substantial public sector exercises upon the general level of activity might be diminished. Military expenditure, however, has itself been notoriously subject to variations which, being unconnected with the requirements of stabilization policy, have disturbed the level of activity in the economies in question and in the world as a whole. Disarmament need not therefore increase the difficulty of economic stabilization, even if it should lead to a fall in the relative size of the government sector.

86. For many underdeveloped countries, the effect of disarmament upon the industrial countries' demands for primary products, and thus on the export earnings of the primary producing countries, would be of great importance. So would the methods of dealing with the liquidation of strategic stockpiles. These problems are discussed in chapter 5. It is necessary to add here that

[25] There was a government decision for a further reduction to 2.4 million men in 1960. Statement by Prime Minister Khrushchev reported in Pravda, Jan. 15, 1960.

the industrial countries' success in maintaining effective demand during the immediate period of disarmament would be of great concern to all primary producing countries. The significance of disarmament for an expansion of aid to underdeveloped countries is dealt with in chapter 6.

87. The effects of disarmament within the underdeveloped countries themselves would vary from one to another. In some cases, the ratio of the military budget to the gross domestic product is of the same order of magnitude as in the major military powers (4 to 10 percent). In the majority of cases (including most of the larger underdeveloped countries), it is less than 4 percent. So far as growth rates are concerned, however, the effects of the release for nonmilitary purposes of these proportions of the national resources, whether high or low, might be greater than the figures would by themselves suggest. Both total capital formation and government expenditure are generally smaller in relation to gross domestic product in the underdeveloped countries than in the richer ones. The ratio of military expenditure to gross domestic capital formation in the majority of underdeveloped countries for which the data exist lies in the same range (10 percent and upward) as in the majority of other countries. Thus the contribution of disarmament to their economic growth would be very substantial.

88. Underdeveloped countries usually obtain their supplies of munitions from abroad either as direct purchases or as grants under military agreements or both. To the extent that these imports are received without payment, their cessation would have little economic impact on underdeveloped countries. On the other hand, to the extent that these imports have required the expenditure of foreign exchange, disarmament would make it possible to reallocate foreign exchange to imports of capital goods and of other equipment needed for economic growth. There are, however, a few countries which have been receiving considerable foreign exchange from foreign military aid and military expenditure including the outlays of foreign personnel. In consequence, it is important that any disarmament program should include measures to relieve the strain on the external balances of such countries.

89. Reductions in the military budgets of most underdeveloped countries would have their main effects through the reduction of manpower in the armed forces and the associated decrease in local expenditure on the products used by the armed forces. The release of unskilled military personnel would to some extent aggravate the already difficult problems of unemployment and underemployment. On the other hand, the members of the armed forces in the underdeveloped countries are frequently better provided with potentially useful skills than the rest of the population. The more skilled men should be easier to absorb into productive employment and their absorption should contribute substantially to the development of the economy.

90. As was pointed out above with respect to the industrialized private enterprise economies, the maintenance of the level of effective demand may require sustaining the level of government expenditure. This consideration appears to apply with greater force to the underdeveloped countries, where tax reduction may be less effective in stimulating private expenditure than it is in the more developed economies. The need to plan alternative government expenditure would therefore be particularly great.

91. In the centrally planned economies, the maintenance of effective demand while reducing military expenditure would be simply a matter of efficiency of planning techniques. Since decisions concerning the production of military output as well as of investment and consumer goods are coordinated through the national economic plan, the substitution of one type of expenditure for another does not raise any basic problems for the maintenance of effective demand. The reply from the Government of the Czechoslovak Socialist Republic indicates that this can be accomplished by certain adjustments in the current economic plans without necessitating the establishment of any special economic institutions. The effect of the decline in armaments expenditure could be largely offset by corresponding increases in investment in plant and equipment and for other purposes such as housing as well as by increases in personal consumption. A rise in personal consumption could be brought about by a reduction in taxation corresponding in magnitude to that part of armament expenditure which was not replaced by investment.

92. In consequence, effective demand could be readily maintained, and the principal problems of conversion would concern the physical adaptation of plants producing armaments to the production of goods for civilian use. The problems of reallocation of resources are discussed in some detail in the reply from the Government of the Polish People's Republic.[26] It is indicated that the period of short-term transition may be divided into three major stages. In the first stage, the main concern would be to utilize the existing military fixed assets and skilled manpower for facilitating and increase in the output of civilian goods and services. The role of new investment and development of additional supplies of raw materials would be relatively minor. It is suggested that the warehouses, transport and communications equipment, repair shops and other capital equipment and raw materials used for military purposes would be converted as far as technically possible to the production of civilian goods. Military personnel with specialized higher education would be transferred to civilian functions in the departments of health, education, and social services.

93. The second stage involves an expansion of plant and equipment, in which there is relatively limited or no excess capacity at present, for the absorption of the manpower released from military use. Particular attention would have to be paid to overcoming the shortages of raw materials that might develop. For this purpose, an increase in the domestic output of these commodities as well as in exports to pay for imports would be called for. With an adequate expansion of productive capacities and of the raw materials base, it would then be possible in the third stage to reap the full benefits of conversion—in the form of a higher rate of growth of the economy and of levels of living than is currently envisaged.

### CHAPTER 4. STRUCTURAL PROBLEMS OF CONVERSION

94. Even with the successful maintenance of total effective demand during a period of disarmament, significant problems of adjustment would remain in specific sectors and areas of the economy. Part of the personnel released by the armed forces and the armaments industry would have to be trained or retrained so as to permit absorption into peacetime occupations. Some plant and equipment would have to be converted. Productive capacity might contract in some industries, and might have to be expanded in others. Where the manufacture of armaments has been concentrated in particular regions, it would be necessary either to shift resources out of those regions to other areas of growing demand, or alternatively to undertake schemes of redevelopment. The necessary steps would have to be taken to modify the direction of research and of technological development.

95. It has already been suggested that the broad problem of readaptation of industry and manpower resulting from disarmament is not basically dissimilar from that experienced in the normal process of economic growth. For example, a decline in demand for coal in Western Europe and North America has created special problems in the coal mining communities. The position in some of the textile towns is similar. In the centrally planned economies, problems of this type can be handled by planning. In private enterprise economies, where adjustments may be delayed because of such circumstances as immobility of some labor or capital and rigidity of prices, they can be dealt with by special government measures.

96. The higher the rate of growth of the economy, the easier the process of adaptation. In the longer run, disarmament would allow each country to raise the rate of investment and to adapt productive capacity more adequately to the needs of the population and to the requirements of economic growth, both in the private enterprise and the centrally planned economies.

97. In the shorter run, the smoothness of the transition would largely depend on the ability of governments to anticipate the types of problem that might arise, and on the adequacy of preparations. This calls for an adequate assessment of the direct and indirect demands of military expenditure on each industrial sector and region, and of the extent to which a replacement of military by other expenditure would involve a modification of the structure of demand. Such a confrontation of military demands and of civilian alternatives can be carried out in detail only by national governments. The present discussion sets out only some of the more important considerations involved.

98. The resources now supplying military requirements could be adapted to peacetime needs partly by shifts within industries and plants, and partly by shifts between industries.

(a) Shifts within industries and plants: In a large number of cases, it may be possible for a given plant to shift the nature of the end product from military equipment to durable consumer goods and investment goods while using the same productive equipment and manpower. For instance, there might be a shift from tanks or tractors, from military to civilian aircraft, from naval vessels to merchant ships, or from electronic equipment for military purposes to television sets. This might be a relatively easy procedure, in many cases involving little more than changes in designs, retooling, and minor adaptations of skills, particularly in plants and enterprises which already produce both military and civilian goods.

(b) Shifts between industries: Other cases, however, might call for a more complex form of conversion requiring the output of some industries to be completely stopped or sharply curtailed and that of others to be correspondingly expanded. Many ordnance factories might cease to produce altogether. In some countries, the total output of aircraft, ships and boats would have to be reduced since civilian demand for such products would not fully offset the fall in military demand. On the other hand, a considerable expansion of output in the cement, brick, glass, and building industries might be required should there be a shift in expenditure in favor of civilian construction. Shifts of this type cannot be accommodated within the same plant but require instead a movement of resources from one industry to another.

99. Shifts between industries would necessitate acquisition of different types of skill by the working force as well as new investment in plant and equipment. They would

[26] See the reply of the Government of the Polish People's Republic.

take a somewhat longer time to accomplish than shifts within industries, the length of time depending on how major or far-removed were the shifts. If the two industries were to have a similar resource content—as do the aircraft industry and the general engineering industry, for instance—the adaptation would be easier and would take a shorter time than if the two industries were to differ significantly in resource content—as do the aircraft industry and the building materials industry, for example. The extent to which the conversion would involve shifts within industries and plants as opposed to shifts between industries can be judged from studies made in a number of countries.

*The problem of interindustry shifts*

100. In the United States, owing to the concentration of military expenditure in a limited number of industries, only a few industries would be affected sharply by reductions in military demand. Professor Leontief has prepared a hypothetical study of the interindustrial ramifications of conversion in the United States on the assumption that military expenditure is replaced wholly by increases in expenditure on other kinds of goods and services in proportion to their shares in total demand in 1958.[27] Such a reallocation of military expenditure would release 1,320,000 employees from the contracting industries for employment elsewhere. Over four-fifths of the decline in employment would be in four industries—aircraft and parts (which includes missiles), radio, ordnance, and ships and boats (see annex 3, table 3-1). Employment would be totally eliminated in the ordnance industry and would fall by more than 90 percent in the aircraft and parts industry; expansion of demand for civilian aircraft would have only a minor influence on output in the latter industry.

101. In addition to the 1,320,000 employees released from contracting industries, the 2,530,000 members of the armed forces and about 790,000 civilian employees of military agencies would become available for alternative employment. Thus, about 4.5 million persons—some 6 or 7 percent of the total labor force in employment in 1958—would, on these assumptions, have to change their employment from one industry group to another or find civilian instead of military employment.

102. Professor Leontief estimates the number absorbed into expanding sectors to be some 600,000 less than that released from the military establishment and the contracting industries. This difference, taken literally, would imply that an increase of about 1 percent in total government and private expenditure, spread over the duration of the disarmament process, would be required to preserve the general level of employment. It is, however, a residual figure which should be treated with reserve, since it is less than the margin of error of this hypothetical calculation.

103. A similar calculation, though with less narrowly defined industry groups, has been made for the United Kingdom by Prof. J. R. N. Stone and his colleagues of the University of Cambridge, Department of Applied Economics. The assumption in this case is that military expenditure is replaced as to one-third by increased private consumption expenditure, one-third by fixed capital formation at home, and one-third by increased foreign aid. The only industrial group in which output (and hence employment) is estimated to decline is that including the manufacture of ships and aircraft, in which the fall is about 20 percent (see annex 3, table 3-2). Including the members of the armed forces themselves, and civilian employees of the military establishment, the number of persons required to change their industry group would be about 900,000, or between 3½ and 4 percent of the labor force.

104. In both cases, these calculations indicate the numbers who would have to move from one industry to another (or out of direct military employment) in the event of very rapid disarmament. If the operation were to extend over a number of years, the change per annum would be only a fraction of the total. Moreover, a substantial proportion of the shrinkage in the Armed Forces and in the contracting industries might take place through the normal process of turnover, thereby diminishing the number of persons actually required to move from one kind of employment to another.

105. The replies received from a number of other countries of Western Europe indicate that the problem of shifts from one industry to another would be a relatively small one.[28] According to these replies, the rate of economic growth is now limited by labor shortages and it could be accelerated if manpower were released from military uses.

106. Underdeveloped countries generally have been meeting their requirements for military goods and services by imports, so that their disarmament would release foreign exchange rather than industrial workers. As indicated in chapter 3, it would also free members of the forces with many useful skills and training. Some of these would be absorbed by the growing labor market; others could be usefully employed in the development of social capital by construction of minor irrigation works, feeder roads and other community development projects, which would help to mitigate the already acute problem of underdevelopment.

107. In some of the semi-industrialized countries, however, the newly started basic industries which manufacture, for example, chemical fertilizers, heavy machine tools, heavy vehicles, aircraft and electronic equipment, have been serving both military and civilian needs. In the event of disarmament these industries could concentrate, without any transitional difficulty, on the manufacture of capital goods so urgently needed for both consumer goods industries and capital goods industries. Transport capacity, particularly vehicles, released from military uses, would supplement the inadequate transport facilities available in the present stage of their development.

108. In the centrally planned economies, as indicated previously, productive capacity is usually fully utilized. Thus it would be necessary to convert plants producing military equipment to production of durable consumer goods and of such investment goods as can be produced in them with only minor retooling. Such conversion could be achieved rapidly. Many plants producing military equipment produce also certain goods for civilian purposes. In Poland, for instance, plants which manufacture military equipment also account for about 50 percent of the national output of motorcycles and scooters, 80 percent of the sewing machines, 70 percent of the washing machines, and 30 percent of the refrigerators produced in the country.[29] The reply of the Government of the Czechoslovak Socialist Republic mentions experience with conversion of a number of plants from military production to production of medium-sized trucks, tractors, and television sets, in all of which no more than 3 to 4 percent of the productive equipment was found to be unutilizable after conversion.[30]

109. In the longer run, disarmament would make possible substantial increases of investment, so that the more adequate adaptation of productive capacity to the needs of the population and to the requirements of economic growth could proceed fairly rapidly. In Poland, for instance, it is estimated that total disarmament would allow the total amount of capital investment to rise by over 9 percent as compared with the level of 1962.[31] In Bulgaria an increase of investment by 10 to 12 percent would be possible in consequence of disarmament.[32] A considerable increase in investment would also take place in Hungary.[33]

110. The replies of the governments of the centrally planned economies state that there will be no difficulty in absorbing released manpower. In countries such as Czechoslovakia, the German Democratic Republic, and Hungary, the supply of labor in recent years has not kept pace with growing labor requirements. In Poland it is estimated that in the next few years the increase of the industrial labor force will be drawn mainly from the natural increase of the urban population with relatively little influx of workers from agriculture to industry. In these circumstances it would appear that demobilization of manpower might slow down the transfer of labor from agriculture to industry. But the increase of investment following disarmament would raise considerably the requirement of labor for industry and construction. The final effect, therefore, would be to stimulate rather than to slow down the transfer of labor from agriculture to industry. In the Soviet Union the absorption of demobilized personnel would be greatly facilitated by the growing demand for manpower in the rapidly expanding eastern territories. The construction of new industrial centers and the expansion of cultivation of land in the less populated Asian parts of the Soviet Union, particularly in Siberia, has generated a demand for labor which cannot be fully met by local resources. Migration to these territories is being encouraged and disarmament would provide a welcome source for addition to the manpower required.

Special problems

111. The preceding analysis of the changes resulting from the process of reallocation of military expenditure to other purposes suggests that the net shifts in employment and output would be relatively small. As already indicated, however, special problems would arise from a concentration of the military effort in certain industries or areas. These problems may be broadly classified as follows:

(i) Adaptation of skills to peacetime requirements.

(ii) Problems of assistance to particular enterprises, industries, and localities, heavily oriented to military use.

(iii) Reorientation of research and technological development.

(i) Adaptation of Skills

112. In some instances, the skills that are essential for service in the armed forces or in some of the major industries producing military goods may not be readily adaptable to the requirements of civilian employment. Consequently, there would arise a necessity to retrain part of the skilled manpower and to train some of the unskilled.

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[27] W. Leontief and M. Hoffenberg, "The Economic Effects of Disarmament," Scientific American (New York), vol. 204, No. 4, April 1961, pp. 47–55.

[28] See vol. II of this report (E/3593/Rev. 1/Add.1).

[29] See the reply of the Government of the Polish People's Republic.

[30] See the reply of the Government of the Czechoslovak Socialist Republic.

[31] See the reply of the Government of the Polish People's Republic, Addendum.

[32] See the reply of the People's Republic of Bulgaria.

[33] According to the reply of the Government of the Hungarian People's Republic, military expenditure in 1959 was 2.5 thousand million forints while total investment was 19.5 thousand million forints. If only half of the military expenditure were turned to investment, the latter would increase by about 6.5 percent.

113. (a) Armed personnel and employees in the Ministry of Defense: Most of the officers in modern armed forces have received training that would fit them easily for technical, engineering, medical, and similar posts in civilian life. As the reply of the Government of the United States of America indicates, 85 percent of the commissioned officers in that country have completed some form of college training. However, some of the senior officers in the armed forces have been trained for purposes significantly different from those that are needed in civilian life. A special effort would have to be made to find suitable employment for them. Some of them might be called on to serve in various capacities in the international organs to be set up for control of disarmament. Some would find useful occupations in civilian activities where their organizational abilities may be a special requirement. Since the number of officers is usually not very large, it should not be hard to absorb them into civilian life.

114. The demobilization of the nonprofessional members of the armed forces would involve a much larger number of persons. But most of these men have been drawn from civilian life where they were previously engaged in nonmilitary occupations. They are usually young and relatively mobile. Military service has often interrupted their education. In many cases, however, they have acquired new technical skills while in military service. In most of the underdeveloped countries, the regular armed forces possess a much higher level of industrial and technical skills than the civilian population; this would tend to give them a relatively greater chance of being absorbed into civilian employment, particularly in an expanding economy.

115. The release of the armed forces, over some years, would imply only that the number of new entrants for that period would be augmented by this special factor. In some countries, particularly in Europe, which are faced with shortages of manpower, the availability of a larger labor force could indeed contribute to an acceleration of the rate of economic growth. Moreover, the financial resources released by disarmament should make it possible to arrange for termination pay and special allowances for various types of training. For instance, the Government of the United States carried out, after the Second World War, a large program for education, training and job placement for demobilized army personnel. Nearly 8 million veterans took advantage of the training program. Similarly, 2 million, or one-third of the eligible veterans of the Korean war have benefited from such training facilities.[34]

116. The reply of the Government of the Polish People's Republic indicates the magnitudes involved in re-employing the nonprofessional members of the armed forces. It is anticipated that a majority of the draftees from rural areas would return to the countryside to help in the projected intensification of agriculture. Some 20 to 30 percent are expected to be employed in plants which now produce military equipment but could immediately be converted to produce investment goods, export commodities and raw materials. This would further facilitate the productive employment of the remainder.

117. (b) Industries producing military goods. As pointed out above, the problem of conversion in the industrial countries[35] is likely to be a short-term one for most industries. In industries, depending heavily on military orders, many of the employees possess a level of skill that should find gainful employment in other branches of production,[36] so long as overall effective demand is rising. Moreover, where some form of retraining or additional training would be needed for employment, it could be acquired through the facilities for apprenticeship and on-the-job training often provided by individual firms or plants for their new labor force. Even so, there might be some special cases which would require special assistance to encourage the adaptation of skills to new jobs. Such help could be provided through opportunities for vocational training financed by such means as termination pay or other special measures.

118. In this age of automation the demand for highly skilled labor is rising faster than the demand for semi-skilled and unskilled. Therefore a significant number of those who would be released in the latter categories might be faced with difficult problems, particularly if they were of an advanced age. While the experience of a much more extensive demobilization and conversion at the end of the Second World War suggests that the problems thus arising are by no means insuperable, governments should stand ready to assist the reabsorption of such workers into productive employment.

(ii) Particular Enterprises and Localities

119. Owing to the concentration of military output in a few industries, termination of military contracts would bear specially upon the activities of particular enterprises. These would have a choice of three courses of action: complete shutdown, the adaptation of existing plant and equipment to the production of other goods through major retooling, and investment in entirely new plants. Similar problems on a much larger scale were faced at the end of the last war and tackled with a considerable degree of success.

120. The geographical distribution of the activity based on military expenditure is very uneven in many countries. The readjustments necessitated by disarmament would therefore impinge particularly heavily on certain areas and localities. Various forms of public and other assistance would thus prove necessary to facilitate readjustment. Measures of three types would be required. First, attempts should be made to diversify the structure of employment by developing new industries where possible. Secondly, adequate relocation allowances should be provided to facilitate the movement of those who are mobile to areas where the labor market is expanding. Thirdly, adequate relief should be granted to those whose attachment to the locality is too deep or whose age is too advanced to contemplate moving to other areas. The costs of the necessary measures would be very small in relation to the resources that disarmament would release.

(iii) Reorientation of Research and Technological Development

121. In the centrally planned economies, governments have always played a major role in promoting research and development. In the private enterprise economies also, this role has expanded everywhere in recent years, particularly through the growth of research for military purposes. In the United Kingdom, direct military expenditure is responsible for nearly two-fifths of the total spent on research and development. Approximately half of the research and development effort in the United States is financed out of the military budget; this part of research is highly concentrated in a few industries.

122. The magnitude of the task of shifting scientific and technical personnel to nonmilitary fields of research would differ from country to country, but the estimates that have been made for the United States may have some relevance elsewhere. In that country, expenditure on research and development is six to seven times higher per dollar of military demand than per dollar of final civilian demand.[37] Therefore, on the hypothetical assumption of an unchanged proportional allocation of funds to science by the civilian sector, the reply of the Government of the United States of America estimates that a reallocation of total military expenditure to civilian purposes would lead to a reduction of about 40 percent in spending for research and development. The corresponding decline in the employment of scientific personnel would amount to only half the decline in research and development spending, or about 20 percent.[38]

123. No reduction in the actual employment of scientific and technical personnel need be feared, however, because the demand for civilian research would increase rapidly. Indeed, one of the main reasons why scientific research is still far from adequately applied in many civilian fields is the fact that highly qualified personnel have been scarce, and have been preempted by military demands. A more adequate supply of specialists would make it possible to open up new fields of inquiry, hitherto virtually neglected, as well as to devote larger resources to existing lines of scientific investigation in both the developed and underdeveloped countries. The scope for peaceful research in the physical, chemical, biological, and human sciences is unlimited, and the potential benefits to the whole of humanity incalculable.

CHAPTER 5. THE IMPACT OF DISARMAMENT ON INTERNATIONAL ECONOMIC RELATIONS

124. Disarmament would be bound to have favorable effects on the development of international economic relations. The political détente that would accompany an international disarmament program would in itself imply that nations were willing to reconsider their economic relations with one another. The consequent relaxation of international tensions would provide a sound basis for reduction of trade barriers and for modification of existing trade agreements and trading practices. In the long run this would encourage an expansion of international trade, a more rational international division of labor and a more effective use of the world's resources. In the short term it might help conversion by generating new demand for exports from existing sources of supply that could be satisfied fairly easily from existing capacities.

125. The relaxation of international tension would benefit trade through the elimination of the concern with national defense as a factor affecting national trade policies. The needs of national defense have long been accepted as a legitimate reason for the pursuit of discriminatory and protectionist

[34] See the reply of the Government of the United States of America.

[35] Owing to virtual absence of major military goods industries in the underdeveloped countries, this question has relatively limited relevance for them.

[36] Of the 2.5 million persons employed directly or indirectly in producing military goods and services in the private sector in the United States in 1960, nearly 1.5 million, or 60 percent of the total, possessed various types of skills such as professional, technical, managerial, clerical or skilled craftsmanship. See the reply of the Government of the United States of America.

[37] See the reply of the Government of the United States of America.

[38] The smaller decline in employment is due in part to the fact that the materials and equipment content of research expenditures is much higher for military than for civilian research and in part to the fact that more scientists and engineers are required in posts not directly connected with research and development in the nonmilitary industries than in the military.

policies.[39] Among the justifications advanced for the protection of agriculture and mining in many industrial countries has been the need to guarantee an adequate national supply of food and raw materials. In many instances, the domestic production of manufactured goods, as well, has been promoted on security grounds, to the detriment of international trade. Security is not the only consideration in such cases, and may not even be the decisive one; nevertheless, it carries considerable weight with governments at the present time. After disarmament, however, its force would be lost; and an opportunity would be afforded to reexamine and improve the framework of world trade.

126. An important aspect of this matter is trade between the centrally planned economies and the rest of the world. Although this trade has been rising in relation to world trade in recent years, its share is still low in comparison with the levels prevailing before the Second World War and, especially, in comparison with the share of these economies in world output and with the levels that could be achieved under favorable conditions in the future. The centrally planned economies are expanding rapidly and form a growing market, particularly for durable producers' goods and raw materials. At the same time, they are capable of serving as a source of supply to the rest of the world for certain primary products and manufactures. The obstacles that stand in the way of closer economic relations between state trading and private enterprise economies are not basically of a technical character. To a considerable extent they reflect mutual lack of confidence. A lessening of international tensions and a rebuilding of confidence would help to remove them.

127. Disarmament would bring about a change in the composition and rate of growth of output and thus affect the structure and rate of expansion of world trade. While the composition of the nonmilitary production that would replace military output cannot be precisely foreseen, it appears to be a safe assumption that all the main categories of civilian output would increase their share in national product. Insofar as increased investment and greater economic aid would accelerate the rate of economic growth in developed and underdeveloped countries, a more rapid expansion of world trade could be anticipated. However, there are more immediate effects that might follow the shift in demand; these hinge on the difference between the import content of military expenditure and the import content of the increments to consumption, investment and foreign aid that disarmament would facilitate.

128. It is possible in principle to estimate the import content of any country's military expenditure, as well as of the civilian expenditure that would replace it, by means of an analysis of an economy's interindustry structure. Such an analysis would indicate whether a shift from military expenditure to, say, housing construction would result in a net increase or a net decrease in the demand for imports both in the aggregate and for specific commodities.

129. Some exports of primary products, such as petroleum, rubber and most metallic ores depend significantly at present on direct and indirect demand generated by military purchases. An estimate of this dependence with respect to the U.S. economy is summarized in annex 3, table 3-3. These figures show, for instance, that the direct and indirect demand for copper generated by U.S. military expenditure in 1958 amounted to 7.8 percent of that year's total world supply and to 7.4 percent of the supply in 1959. On the assumption that the demand generated by the combined military outlays of all industrialized countries may be about twice as large as that computed for the United States alone, the table indicates that some 15 to 16 percent of world copper output has served, directly and indirectly, military purposes (see columns 3 and 4). For tin, nickel, lead and zinc the corresponding figure is over 9 percent; for petroleum, between 8 and 9 percent. In view of the well-known sensitivity of the prices of these products to changes in demand, the elimination of all armament expenditure, if there were no offsetting rise in civilian demand, could have a seriously adverse effect on the income of those underdeveloped countries whose exports consist largely of such raw materials.

130. Table 3-4 (in annex 3) shows, however, that the demand of the United States and of the world for these raw materials would be reduced only fractionally—by less than 2 percent—if the elimination of military expenditure were accompanied by a corresponding increase in private and public nonmilitary expenditure. These hypothetical estimates, it should be noted, are based on the assumption that private consumption, investment, nonmilitary government purchases and other categories of nonmilitary demand would all increase in the same proportion. However, since the content of these raw materials in military production does not differ significantly from that of the most important categories of nonmilitary production, the impact on overall demand for the items listed in the table would appear to be only marginal for any likely change in the composition of civilian demand.

131. Since the importance of military expenditure for most other primary commodities is smaller than for those discussed above, its cessation, even if not offset by an equal increase in nonmilitary expenditure, would produce a smaller percentage of reduction in demand for them. The reallocation of military expenditure to nonmilitary purposes would probably bring about a net increase in this demand. The hypothetical calculations made for the United States and the United Kingdom, for instance, suggest that this reallocation would increase the demand for both food and clothing and thus for foodstuffs and textile materials in general.

132. Since disarmament may be expected to result in an acceleration of economic growth, it should stimulate the growth of demand for primary production in general. Coupled with the fact that disarmament should be associated with a tendency for the advanced countries to open their markets more widely to foodstuffs, for instance, this would make for a substantial growth of primary commodity trade. Accelerated economic growth would be still more powerful in increasing total demand for manufactures. In the past, an increased world demand for manufactures has normally been associated with increased international trade in them. The tendency to reduce trade barriers should be particularly important in enabling developing countries to increase their exports of manufactures to the more highly developed.

133. The overall impact of disarmament on the trade of underdeveloped countries is likely to be favorable, not only because of the acceleration of economic growth but also because of the greatly expanded aid to be expected from the more advanced countries. Both private enterprise and centrally planned economies should also be prepared to open their markets more widely to underdeveloped countries once the trade restrictions imposed for security reasons are lifted. There might, however, be instances in which declines in demand for particular commodities would cause appreciable difficulties. In these cases consideration should be given to special aid for the countries concerned, in the same way as for particular industries or areas within the principal disarming countries.

134. The immediate impact of disarmament on international economic relations during the conversion period is a matter that needs to be given careful study along with the other conversion problems already discussed in chapters 3 and 4. Changes in the level of aggregate economic activity associated with disarmament in the major industrial countries would be a major determinant of the level of international trade during the conversion period. In the international field, as in the domestic, nations need to be prepared to take whatever measures may prove appropriate to facilitate the reallocation of resources and to ensure that any temporary dislocations of economic life that might occur are minimized. The degree to which special policies might be called for would depend partly on the speed of the disarmament process.

135. If appropriate steps are taken it should be possible even in the short run to avoid any significant reductions in the general level of primary product prices, but it needs nevertheless to be realized that any failure to achieve this goal could have serious consequences. For many of the countries mainly dependent on the export of primary commodities, a percentage decline in their export earnings which might appear small arithmetically could cause grave damage. For example, a 6-percent drop in their average export prices, were it to take place, would imply for the underdeveloped countries a decline in their foreign exchange earnings equivalent to something like one-half of all official economic grants and loans currently received from abroad in a year.[40] Recessions in activity in the industrial countries have caused declines of this order of magnitude in the recent past. Concerted international action would, therefore, be required to prevent any such decline in the prices and incomes of primary producing countries as a result of disarmament.

136. Even with favorable prospects for total trade, however, special problems might arise during the conversion period for particular countries or for trade in particular commodities. One such problem stems from the fact that a few countries have been receiving considerable foreign exchange from military aid and military expenditure, including the outlays of foreign personnel. In these cases, special attention should be given to the possibility of arranging future programs of developmental assistance, and especially their timing, so as to avoid adverse effects on their balances of payments.

137. A more widespread problem relates to particular countries that are largely dependent on the export of those commodities for which world demand might suffer a temporary decline. In conjunction with the formulation of any disarmament program, therefore, it is highly desirable that a detailed study be undertaken on the changes in demand for the various primary commodities which would result from disarmament. The

[39] It is true that at certain times national security considerations have led to higher trade flows in particular directions than might otherwise have taken place; strategic stockpiling, for example, has stimulated purchases of some commodities. However, this stimulus has not been an unmixed blessing, and in any case stockpiling is no longer significant in world trade.

[40] In 1956–59 the sum of net official donations and official net long-term lending to underdeveloped countries averaged $3.2 billion annually, or about 12.6 percent of the $25.2 billion annual average value of these countries' exports during the same period. (See, respectively, United Nations, "International Flow of Long-term Capital and Official Donations, 1951–59" (Sales No. 62.II.D.1), table 3 and United Nations, Monthly Bulletin of Statistics, February 1962, table 43. The two sets of statistics differ somewhat in country coverage.)

reduction of strategic stockpiles of primary commodities should be planned in such a way as to cause a minimum of disturbance to international markets, and consideration should be given to the adequacy of already existing compensatory measures and the possibility that additional measures might be required during the conversion period. Regardless of the technique employed, no country should be allowed to suffer a disruption to its economic life, even temporarily, as a result of disarmament.

CHAPTER 6. THE EFFECTS OF DISARMAMENT ON THE VOLUME AND FRAMEWORK OF AID FOR ECONOMIC DEVELOPMENT

138. The promotion of economic and social development in underdeveloped countries is one of the most important ways in which the resources released by disarmament could be put to use. Two-thirds of the world's population lives in countries that obtain only a modest part of the benefits which modern technology and science are capable of providing. The peoples of the underdeveloped areas are determined to raise their levels of living, and the peoples of the more industrialized countries have undertaken to help them do so. Progress has been made since the Second World War in raising real incomes per capita in many underdeveloped countries. The planning of economic and social development has been intensified in some and initiated in others, and the mobilization of domestic resources for national development has become a major policy objective. In many instances, domestic resources have been supplemented by foreign loans, grants, private capital flows and technical assistance.

139. National efforts and international cooperation in the development of the underdeveloped countries have so far not brought about the desired acceleration of economic growth. The average rate of growth in per capita income over the past decade was still less than 2 percent per annum, and possibly as little as 1 percent.[41] The absolute gap between per capita incomes of rich and poor countries has been progressively widening.[42] Even if future growth in the developed areas is left out of account and the present levels of income in the developed areas are taken as a target, the recent experience of underdeveloped areas still appears disappointing. In underdeveloped areas the average level of real income per capita is now less than one-sixth—and in many of them less than one-tenth—of that enjoyed in such countries as Belgium, Denmark, Norway, and the United Kingdom. Consequently, a future growth rate no higher than 2 percent per annum could be expected to raise the level of living in poor countries to that now prevailing in the countries just mentioned only after a very long time.

140. An acceleration of the rate of growth of underdeveloped countries depends upon many factors, including the adoption of appropriate national development programs and, in many cases, social and institutional reforms. Among these programs an important role must be assigned to encouragement of productive investment both from domestic and foreign resources. To this end world disarmament could make a major contribution. Despite the inadequacies of the available statistics, it appears the world's military expenditures far exceed the combined gross investment expenditures of the less developed areas; they are probably at least five times as large and may be much greater. A much larger volume of resources could thus be allocated to investment for productive development in these countries even if only a fraction of the resources currently devoted to military purposes were used in this way.

141. Assuming that the necessary national development programs and social and institutional reforms were effectively realized, underdeveloped countries would be able to absorb a considerably larger flow of productive investment. The consequent effect upon the rate of growth may be illustrated by a hypothetical example in which it is assumed that these countries devoted half of the resources liberated by disarmament to investment in productive capacity and that at the same time the rate of total capital flow from more advanced countries (both private enterprise and centrally planned) rose to around $15 billion annually, or somewhat more than 1 percent of their aggregate national product. This is a modest increase in view of the 8 or 9 percent they now devote to military purposes. Under these conditions, the less advanced countries might be expected to increase their annual rate of growth of national product from, say, 3 to 5 percent. Assuming an annual rate of population growth of around 2 percent, this could mean a trebling of the rate of increase in per capita income from 1 to 3 percent.

142. The hypothetical example just given is based on certain assumptions concerning income and investment and their interrelationship in underdeveloped areas. Although different sets of assumptions would inevitably lead to somewhat different estimates of acceleration in the rate of growth in underdeveloped areas, there clearly emerges the general conclusion that disarmament could bring about a marked increase in the rate of growth of real income in the poorer parts of the world.

143. These conclusions are reinforced by a comparison of the volume of resources now being devoted to military use with the various estimates made in recent years of the external financial needs of the underdeveloped countries. Four relatively comprehensive estimates of global aid requirements are available,[43] apart from a number of estimates of aid needed for specific purposes. In these calculations, the total amount of foreign capital required by the underdeveloped areas, over and above their domestic resources devoted to investment, is estimated to range from $6 to $10 billion annually. These figures are based on conservative assumptions: the target rates of growth of per capita real income are about 2 percent, and the computations are based on assumed ratios between increments to real income and, on the one hand, increments to employment, or, on the other hand, increments to the stock of capital, which past experience suggests are reasonable but which could conceivably turn out to have underestimated the capital needs should conditions prove to be less favorable than anticipated. After allowing for the present flow of foreign capital through existing institutions and arrangements, the authors cited believe that there is a deficiency of about $3 billion a year that needs to be made good in order to achieve the modest annual rate of growth in income of 2 percent per capita.[44]

144. Two further questions arise. First, would disarmament release in sufficient quantity particular resources required for economic development? Secondly, is the present institutional framework of aid to underdeveloped countries likely to be affected by disarmament?

145. In the longer run, productive capacities can be adapted to any changed patterns of demand, and provided that the needs of underdeveloped countries are known in sufficient detail, no serious problems should arise in matching resources to uses. Even in the short run, however, it seems probable that a significantly large proportion of the resources absorbed for military use would indeed prove to be of a type useful for investment in underdeveloped countries. An important proportion of military expenditure absorbs the output of heavy industry and of the engineering and construction industries. The output of these industrial sectors could undoubtedly make a valuable contribution to the industrialization of the less developed areas and to their accumulation of social capital. Transportation and communication equipment, for example, is an important component of military expenditure and is urgently required by underdeveloped countries. When a disarmament program is adopted it would be desirable for governments to estimate what resources would become available for peaceful purposes in the various stages of the program. In the light of these data and detailed information concerning the resources which underdeveloped countries could usefully employ in their developmental programs, it would be possible for governments to assess the share of the released resources to be allocated to the investment needs of the less industrialized parts of the world.

146. Disarmament would also release personnel, such as scientific research workers and engineers, who could be utilized for other purposes. In the event of disarmament, it should prove possible for the industrialized countries to provide greater technical assistance and thereby help remove one of the serious limitations to development efforts in these countries. Furthermore, disarmament would free from military service in both the more advanced and the less developed countries large groups of young people. Past experience in utilizing their good will and enthusiasm in a number of countries indicates that when completely freed from military preoccupations, many of them could make an important contribution to economic and social development in underdeveloped areas.

147. With respect to the impact of disarmament on the framework and structure of aid to underdeveloped countries several points need to be made. If we leave out of account—as seems proper in the present context—short-term finance of all kinds, private grants, and military and defense-support aid, the principal international flows of

[41] Owing to the margin of error in the population estimates of many underdeveloped countries (especially the intercensal estimates), estimates of real income in these areas, which are rather crude in any case, are subject to an even wider margin of error when expressed in per capita terms.

[42] To narrow the gap, underdeveloped areas must experience a substantially higher growth rate than the more advanced areas, since in the higher income areas a given rate of growth implies much larger absolute increments to income.

[43] These estimates of financial needs are based on fragmentary data. They have been compared in a United Nations document prepared for the committee on a United Nations Capital Development Fund: "The Capital Development Needs of the Less Developed Countries" (A/AC. 102/5). The earliest estimate is contained in a report prepared for the United Nations: "Measures for the Economic Development of Underdeveloped Countries" (Sales No.: 51.II.B.2). Its estimates concerned the 1950's, and were based on data for 1949 and earlier years. The second estimate is contained in Max F. Millikan and W. W. Rostow, "A Proposal, Key to an Effective Foreign Policy" (New York, 1956). It is based on data for 1953 and earlier years. The third estimate, contained in Paul G. Hoffman, "One Hundred Countries, One and One Quarter Billion People" (Washington, 1960), is based on information available in 1959, and concerns the decade of the 1960's. The fourth is contained in P. N. Rosenstein-Rodan, "International Aid for Underdeveloped Countries," Review of Economics and Statistics (Cambridge, Mass.) XLIII (May, 1961) and covers the years 1962–76.

[44] Ibid.

capital to underdeveloped countries consist of (1) official grants, (2) official loans and credits on noncommercial terms, (3) long-term loans and credits on commercial terms made by national governments and by international authorities, and (4) private long-term loans or direct investment. Unlike capital flows of the last three types, official grants do not, of course, burden the recipient country's balance of payments. Official loans and credits on noncommercial terms are less burdensome than public or private lending on commercial terms; hence the distinction between the second and third categories.

148. Comprehensive statistics of loans and grants to underdeveloped countries are not available according to the fourfold classification just mentioned. However, an impression of the overall magnitude and composition of loans and grants to underdeveloped countries can be obtained from various sources.[45] During the past few years the total net flow of capital, as just defined, from private enterprise developed countries to underdeveloped countries averaged between $3.5 billion and $4 billion annually. About half represented official grants. The remainder consisted mostly of private lending.

149. In the 15 years from 1945 to 1960 the sum total of credits granted by the centrally planned countries to underdeveloped countries and of mutual assistance among the centrally planned countries themselves amounted to about 52 billion old rubles. In the earlier years the greater part of the credits was granted to other centrally planned economies; in more recent years the emphasis has shifted to credits to underdeveloped countries.

150. The increased international flow of capital to underdeveloped countries that is certain to result from disarmament could take any one or more of the forms referred to above. Their relative importance would be likely to change, however, since each of them would be affected somewhat differently by the implementation of a disarmament program.

151. As regards the flow of private capital, it may be assumed that this would continue to respond to commercial considerations. Diminished world tension resulting from disarmament, coupled with additional means of encouraging private foreign investment in underdeveloped countries, might be expected to lead to a greater movement of private capital into these countries.

152. At the present time, nine-tenths or more of official grants and loans are given under bilateral programs. Bilateral and multilateral programs of aid each have their own particular advantages and disadvantages, and many of the considerations which now prompt governments to favor bilateral rather than multilateral aid might continue to hold good even in a disarmed world. On the other hand, insofar as political circumstances have had any weight in determining the direction and form of aid, effective disarmament and the related lessening of international tensions should improve the prospects for more cooperative international action.

153. The discussions that have been held in the Economic and Social Council and the General Assembly during the past 8 years concerning the need for an increased flow of aid through an international fund within the framework of the United Nations have frequently emphasized the importance of the savings to be derived from general disarmament. The basic position of the General Assembly on this matter remains Resolution 724 (VIII), adopted unanimously in 1953. Under this resolution the General Assembly made the following declaration:

"We, the governments of the states members of the United Nations, in order to promote higher standards of living and conditions of economic and social progress and development, stand ready to ask our peoples, when sufficient progress has been made in internationally supervised worldwide disarmament, to devote a portion of the savings achieved through such disarmament to an international fund, within the framework of the United Nations, to assist development and reconstruction in underdeveloped countries."

154. It should be realized that the repayment of loans granted on commercial terms may impose heavy burdens on the balances of payments of these countries. Concern has already been expressed in recent years regarding the heavy accumulated indebtedness of a number of countries and the growing difficulties they have been experiencing in servicing outstanding loans. It seems urgent that as large a proportion of economic aid as possible should take the form of grants or soft loans. Disarmament would likely facilitate the increased flow of such aid. This is so because the savings afforded by disarmament would provide the aid-giving countries with a favorable opportunity to increase their assistance without imposing an additional burden on civilian expenditure. This should also lead to a desirable broadening of the existing basis of aid to include types of projects not adequately covered under existing policies, and should therefore facilitate a balanced execution of development plans. Increased aid in the fields of social investment should also become possible, as it is now generally recognized that substantial investment in health facilities and particularly in education is a prerequisite for obtaining the maximum benefits from other development efforts.

155. Because the competing claims in developed countries are also urgent, there is a serious possibility that the financial resources released by disarmament might be rapidly absorbed by purely national aims. It is therefore desirable that an appropriate proportion of these resources should be allocated to international aid in its various forms simultaneously with their use for domestic purposes.

156. It must be emphasized that foreign aid can play only a supplementary role in the development of these countries and that the responsibility for initiation and intensification of development efforts would continue to lie entirely with the governments and peoples concerned. There are many countries in which foreign exchange resources are by no means the only nor even the main limitation on the rate of economic growth. Such countries are not likely to be in a position to utilize larger amounts of aid effectively unless they take the domestic measures necessary to encourage such growth. There is reason to look to the major powers to be generous in allocating resources freed by disarmament to the development of underdeveloped countries. But there is also every reason to look to the underdeveloped countries themselves to create the conditions favorable to their economic growth. In this as in other fields discussed in this report, advance planning and preparations are likely to enhance greatly the favorable impact of general disarmament.

CHAPTER 7. SOME SOCIAL CONSEQUENCES OF DISARMAMENT

157. The economic and social consequences of disarmament are inextricably intertwined. As already discussed, it would be possible to bring about a significant improvement in many aspects of social life, provided that some of the resources released by disarmament were earmarked for fields such as education and scientific research, health, housing and urban development. An idea of the magnitude of the needs in these fields has been given in chapter 2. There are, however, some aspects of social life which elude measurement, but which none the less greatly affect individual and family life and on which smoother human relations within and between nations largely depend.

158. In a disarmed world, a general improvement could be expected in the level of living and in the conditions of underprivileged and low-income groups such as the old and retired people whose share in the social well-being is often meager, even in the more developed countries. With the end of the armaments race, governments would accord these social objectives a higher priority than in the past. The implementation of measures discussed in chapter 2 would lead to a cumulative diffusion of social benefits.

159. The more rapid rate of economic growth and the increase in productivity that may be expected to result from disarmament might well permit a reduction in working hours, an improvement in the conditions of work and a lengthening of paid vacations. To take full advantage of the resultant longer leisure and the higher level of living, wider cultural facilities would be required. In this context, education acquires special significance as a means for disseminating culture.

160. In the domain of personal and family life, disarmament and recession of the threat of war would decrease tensions which often bring about psychosomatic illnesses. Human life would acquire a new meaning, once war and preparations for war were eliminated. The whole prospect of life would be brightened, especially for young people about to enter a profession or found a family. There would no longer be any separation from the family for compulsory military service, so that the psychological, moral and material evils which this creates would be avoided. A greater stability in the family nucleus would be likely to exert a favorable influence on morality.

161. The very fact of disarmament would lead to a diminution of tensions between nations and races. The tendency to divert individual and national frustrations into national and racial hatreds would be lessened significantly.

162. In a disarmed world, the danger that security considerations and armed forces might play an excessive role in forming the values of the community would be eliminated. It is important to note, however, that attention would need to be paid to constructive outlets for individual and collective aspirations.

163. If confidence is one of the necessary conditions for concluding a disarmament agreement, an increase of confidence would also be one of its happiest consequences. A decrease in tensions and in the influence of groups interested in armaments would bring about a profound change in the form and content of international relations. Political and economic conflict between nations, with its attendant risk of war, would more rapidly be replaced by constructive emulation. Scientific cooperation between nations would advance more rapidly, and the peaceful utilization of science and technology would be accelerated. The arts, too, would greatly benefit from an extension of international exchanges. All the great civilizations in the past have gained from such cultural contacts and have exerted their influence beyond their own frontiers. Disarmament would remove the main barriers to the far greater exchanges that are now technically possible. Humanity would thus be able to carry out cooperatively the projects which lie beyond the resources of a single country or a group of countries.

164. In short, disarmament would release resources from uses in which they are not only wasted but also in many ways make the remainder of mankind's wealth less effective

[45] See "International Flow of Long-term Capital and Official Donations, 1951–59" (Sales No.: 62.II.D.1) ch. 1, and "World Economic Survey, 1960" (Sales No.: 61.II.C.1), pp. 119–121.

in promoting welfare than it would otherwise be. In reckoning the gains from it, one must take into account a general easing of tension and frustration and an enhanced possibility of cooperation that would reinforce the direct economic contribution of the resources released.

165. In view of this, as well as the conclusions reached in previous chapters, there should be no doubt that the diversion to peaceful purposes of the resources now devoted to military expenditure could and should be of benefit to all countries and would lead to improvement of world social conditions.

CHAPTER 8. SUMMARY AND CONCLUSIONS

166. The present level of military expenditure not only represents a grave political danger but also imposes a heavy economic and social burden on most countries. It absorbs a large volume of human and material resources of all kinds, which could be used to increase economic and social welfare throughout the world—both in the highly industrialized countries, which at the present time incur the bulk of the world's military expenditures, and in the less developed areas.

*Resources devoted to military purposes*

167. There appears to be general agreement that the world is spending roughly $120 billion annually on military account at the present time. This corresponds to about one-half of the total gross capital formation throughout the world. It is at least two-thirds of—and according to some estimates, of the same order of magnitude as—the entire national income of all the underdeveloped countries.

168. It is important that countries, in preparing to disarm, should take stock of the various resources that disarmament would release for peaceful uses. In the major military powers, military production is highly concentrated in a few industry groups. In those countries that rely upon imports for their supplies of military goods or in which the major part of military expenditure is for the pay and subsistence of the Armed Forces, rather than for their equipment, the resources devoted to military purposes consist essentially of manpower and foreign exchange.

*The peaceful use of released resources*

169. There are so many competing claims for usefully employing the resources released by disarmament that the real problem is to establish a scale of priorities. The most urgent of these claims would undoubtedly already have been largely satisfied were it not for the armaments race.

170. Increased personal consumption might well absorb a large share of the released resources. A substantial portion of them, however, would be used for expansion of productive capacities because only such expansion can provide a firm basis for further increases in consumption. In the less developed countries, the utilization of released resources for capital formation must be considered vitally important.

171. Social investment is an important alternative both to private consumption and to industrial and agricultural investment. Its claims rest partly upon the clear urgency of the direct need for improved social amenities, and partly upon the fact that growth of industrial and agricultural productivity is dependent upon developments in education, housing, health, and other fields.

172. The release of scientific and technical manpower would make it possible to encourage programs of basic scientific research in fields which have hitherto been neglected. Disarmament would also open up possibilities for joint international ventures of an ambitious kind, such as the utilization of atomic energy for peaceful purposes, space research, the exploration of the Arctic and Antarctic for the benefit of mankind and projects to change the climates of large areas of the world.

173. Thus, though it would take active decisions by governments in the light of national and international needs to set in motion the necessary programs for employing the released resources, it seems abundantly clear that no country need fear a lack of useful employment opportunities for the resources that would become available to it through disarmament.

*Impact on national production and employment*

174. Disarmament would raise both general problems of maintaining the overall level of economic activity and employment and specific problems insofar as manpower or productive capacity might require adaptation to nonmilitary needs. In the economic life of all countries, shifts in the pattern of demand and in the allocation of productive resources are continually occurring. The reallocation of productive resources which would accompany disarmament is in many respects merely a special case of phenomenon of economic growth.

175. The postwar conversion was a much larger one and involved a more rapid transfer of resources than total disarmament would require at present. Nevertheless, huge armies were quickly demobilized without a significant rise in unemployment in most countries. The pace of recovery, particularly of industrial output, was impressively rapid. During the postwar conversion, however, the major concern of economic policy was to restrain, rather than to maintain, overall demand.

176. Much attention has already been given in the industrialized private enterprise economies to the methods by which total effective demand can be maintained. Monetary and fiscal policy could be used to offset the effect of a shortfall in total demand that might result from a decline in military expenditure to the extent that it were not offset by a rise in civil government expenditure. Bearing in mind that a substantial part of military expenditure would probably be replaced by other government expenditure in most countries, it may be concluded that the maintenance of effective demand in the face of disarmament should not prove difficult.

177. For many underdeveloped countries, the effect of disarmament upon the industrial countries' demands for primary products, and thus on the export earnings of the primary producing countries, would be of great importance. So would the methods of dealing with the liquidation of strategic stockpiles.

178. In the centrally planned economies, the maintenance of effective demand while reducing military expenditure would be simply a matter of the efficiency of planning techniques. In consequence, effective demand could be readily maintained, and the principal problems of conversion would concern the physical adaptation of plants producing armaments to the production of goods for civilian use.

*Structural problems of conversion*

179. Even with the successful maintenance of total effective demand during a period of disarmament, significant problems of adjustment would remain in specific sectors and areas of the economy. The resources now supplying military requirements could be adapted to peacetime needs partly by shifts within industries and plants. This might be a relatively easy procedure, in many cases involving little more than changes in designs, retooling, and minor adaptations of skills, particularly in plants and enterprises which already produce both military and civilian goods. Shifts between industries would necessitate new investment and acquisition of different types of skill by the working force. In the longer run disarmament would allow each country to raise the rate of investment and to adapt productive capacity more adequately to the needs of the population and to the requirements of economic growth, both in the private enterprise and the centrally planned economies.

180. Hypothetical studies on the assumption that military expenditure is replaced wholly by increases in expenditure on other kinds of goods and services suggest that in the event of very rapid disarmament some 6 or 7 percent (including the Armed Forces) of the total labor force in the United States and 3½ to 4 percent in the United Kingdom would have to find civilian instead of military employment or change their employment from one industry group to another. These shifts would be small if spread out over a number of years and would be greatly facilitated by the normal process of turnover. The higher the rate of growth of the economy, the easier the process of adaptation.

181. Underdeveloped countries generally have been meeting their requirements for military goods and services by imports, so that their disarmament would release foreign exchange rather than industrial workers. It would also free members of the forces, many with useful skills and training. Some of these could be usefully employed in the development of social capital. In some of the semi-industrialized countries, newly started basic industries could concentrate, without any transitional difficulty, on the manufacture of capital goods.

182. In the centrally planned economies, where productive capacity is usually fully utilized, it would be necessary to convert plants producing military equipment to production of durable consumer goods and of such investment goods as can be produced in them with only minor retooling. This could be done rapidly.

183. Some special problems would arise with regard to reemployment and training of manpower and reorientation of scientific research. While most members of the Armed Forces have received training that would fit them easily for civilian life, a special effort would have to be made to find suitable employment for the rest. The demobilization of the nonprofessional members of the Armed Forces would imply only that the number of new entrants for that period would be augmented by this special factor.

184. In industries depending heavily on military orders, many of the employees possess a level of skill that should find gainful employment in other branches of production, so long as overall effective demand is rising. Even so, there might be some special cases which would require special assistance to encourage the adaptation of skills to new jobs. The uneven geographical distribution of the activity based on military expenditure would give rise to a need for various forms of public and other assistance to facilitate readjustment.

185. The task of shifting scientific and technical personnel to nonmilitary fields of research in some countries would be considerable. No reduction in the actual employment of scientific and technical personnel need be feared, however, because the demand for civilian research would increase rapidly.

*Impact on international economic relations*

186. Disarmament would be bound to have favorable effects on the development of international relations. The political détente that would accompany an international disarmament program would in itself imply that nations were willing to reconsider their economic relations with one another. The relaxation of international tensions would provide a sound basis for reduction of trade barriers and for modification of existing trade agreements and trading practices. An important consequence of this would be a substantial increase in trade between the

centrally planned economies and the rest of the world.

187. Since disarmament may be expected to result in an acceleration of economic growth, it should stimulate the growth of demand for primary production in general. Accelerated economic growth would be still more powerful in increasing total demand for manufactures. The overall impact of disarmament on the trade of underdeveloped countries is likely to be favorable, not only because of the acceleration of economic growth but also because of the greatly expanded aid to be expected from the more advanced countries.

188. Some exports of primary products, such as petroleum, rubber and most metallic ores, depend significantly at present on direct and indirect demand generated by military purchases: Provided, however, that military expenditure were fully replaced by public and private nonmilitary spending, the impact on overall demand for these commodities would be only minor. There might, however, be instances in which declines in demand for particular commodities would cause appreciable difficulties. In these cases consideration should be given to special aid for the countries concerned, in the same way as for particular industries or areas within the principal disarming countries. For most other primary commodities, the reallocation of military expenditure to civilian use would probably bring about a net increase in demand.

189. During the conversion period changes in the level of aggregate economic activity associated with disarmament in the major industrial countries would be a major determinant of the level of international trade. It is believed that significant fluctuations in the general level of international trade could be avoided, but it should nevertheless be realized that any failure to achieve this goal could have serious consequences. Regardless of the technique employed, no country should be allowed to suffer a disruption to its economic life, even temporarily, as a result of disarmament.

*Effects on the volume and framework of aid for economic development*

190. National efforts and international cooperation in the development of the underdeveloped countries have so far not brought about the desired acceleration of economic growth. A much larger volume of resources could be allocated to investment for productive development in these countries even if only a fraction of the resources currently devoted to military purposes were used in this way. Disarmament could thus bring about a marked increase in the rate of growth of real income in the poorer parts of the world.

191. Bilateral and multilateral programs of aid each have their own particular advantages and disadvantages, but insofar as political circumstances have had any weight in determining the direction and form of aid, effective disarmament and the related lessening of international tensions should improve the prospects for more cooperative international action. Since repayment of loans granted on commercial terms may impose heavy burdens on the balances of payments of the underdeveloped countries, as large a proportion of economic aid as possible should take the form of grants or soft loans.

192. Because the competing claims in developed countries are also urgent there is a serious possibility that the financial resources released by disarmament might be rapidly absorbed by purely national aims. It is therefore desirable that an appropriate proportion of these resources should be allocated to international aid in its various forms simultaneously with their use for domestic purposes.

193. Foreign aid, however, can play only a supplementary role in the development of these countries and the responsibility for initiation and intensification of development efforts would continue to lie entirely with the governments and peoples concerned.

*Some social consequences*

194. In a disarmed world, a general improvement could be expected in the level of living, including an increase in leisure. With the end of the armaments race, governments would accord social objectives a higher priority. The psychological, moral, and material evils of compulsory military service and of stationing troops away from their homes would be avoided; so would the danger that security considerations and the armed forces might play an extensive role in forming the values of the community. Scientific cooperation and the arts would benefit from an extension of international exchanges.

*Conclusion*

195. The consultative group is unanimously of the opinion that all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures. There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions. The achievement of general and complete disarmament would be an unqualified blessing to all mankind.

ANNEX 1. TERMS OF REFERENCE

*Resolution 1516 (XV), adopted by the General Assembly on economic and social consequences of disarmament*

The General Assembly,

Recalling its resolution 1378 (XIV) of November 20, 1959,

Conscious that the impact of disarmament is likely to set in motion great changes in the domestic economies of states and in international economic relations, as a result of the progressive diversion of human and material resources from military to peaceful purposes,

Recognizing that effective action at the national and international levels will need to be taken to make use of material and human resources becoming available as a consequence of disarmament, in order to promote social progress and better standards of living in the world,

Bearing in mind the importance of comprehensive and systematic studies in this field to enable member states, especially those which are underdeveloped, to make the necessary economic and social adjustments in the event of disarmament,

Convinced that it is both timely and desirable to undertake such studies,

1. Requests the Secretary General to examine:

(a) The national economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development, including, in particular, the problems of replacing military expenditures with alternative private and public civil expenditures so as to maintain effective demand and to absorb the human and material resources released from military uses;

(b) The possible development of structural imbalances in national economies as a result of the cessation of capital investment in armaments industries, and the adoption of possible corrective measures to prevent such imbalances, including expanded capital assistance to the underdeveloped countries;

(c) The impact of disarmament on international economic relations, including its effect on world trade and especially on the trade of underdeveloped countries;

(d) The utilization of resources released by disarmament for the purpose of economic and social development, in particular of the underdeveloped countries;

2. Recommends that the Secretary General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of economic development;

3. Appeals to governments of member states to give full cooperation to the Secretary General in the fulfillment of the task entrusted to him;

4. Requests the Secretary General to submit a preliminary report on the results of the examination to the Economic and Social Council at its 33d session; [46]

5. Requests the Economic and Social Council to transmit the report with its views to the General Assembly at its 17th session.

The 948th plenary meeting, December 15, 1960.

ANNEX 2. OFFICIAL MILITARY EXPENDITURE STATISTICS

1. Information concerning military expenditure is contained in the official public accounts of central governments and the national accounts dealing with gross national or material product and related data. Countries differ, however, in their definitions of military expenditure, and information concerning their methods of classification is commonly not available. It is therefore impossible in many instances to determine the content of the official statistics from an economic and social point of view. Some expenditures that would be considered as military from this viewpoint may be excluded from the official data, while others that would be considered as nonmilitary may be included. In addition, there are commonly differences within countries in the basis of pricing of military output as compared with that of the output of the rest of the economy. These differences alone, even if the coverage of the expenditure statistics were appropriate, would make it impossible to indicate with any precision the proportion of resources devoted to military purposes. Furthermore, different countries have different economic structures and patterns of prices, so that in comparing countries one would obtain different ratios of military expenditure to national product and its components merely from using the different price patterns. For all these reasons, official statistics of military expenditure have only limited value as a basis for measuring the economic burden imposed by the armaments race.

2. The following tables include the most readily available official statistics on military expenditure and compare these with domestic product and fixed capital formation. These three tables cover industrial private enterprise, underdeveloped and centrally planned countries respectively. In accordance with usual statistical practice, the concept of domestic product in the first two tables is different from that in the third table. In tables 2–1 and 2–2, domestic product includes output originating in both material production and services. In table 2–3, domestic product includes output originating in material production only. A further difference is that domestic product in tables 2–1 and 2–2 is gross, depreciation not having been deducted from gross investment or income, while domestic product in table 2–3 is net of depreciation. Accordingly, military expenditure is compared with a more broadly defined measure of product in tables 2–1 and 2–2 than in table 2–3.

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[46] In response to a suggestion by the group of experts, made at their first session, the Economic and Social Council agreed to defer consideration of this item to its 34th session.

TABLE 2-1.—*Industrial private enterprise countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59* [1]

| Country, period, and currency unit | Military budget expenditure | Gross domestic product [1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of: Gross domestic product | Military budget expenditure as percentage of: Gross domestic fixed capital formation |
|---|---|---|---|---|---|
| **AMERICA, NORTH** | | | | | |
| Canada (million dollars): | | | | | |
| 1957 | [2] 1,668.5 | 32,347.0 | 8,590.0 | | |
| 1958 | [2] 1,424.7 | 33,186.0 | 8,292.0 | | |
| 1959 | [2] 1,506.1 | 35,110.0 | 8,456.0 | | |
| Average 1957–59 | [2] 1,533.1 | 33,548.0 | 8,446.0 | 4.6 | 18.4 |
| United States (million dollars): | | | | | |
| 1957 | [3] 43,270.0 | 441,764.0 | [4] 76,981.0 | | |
| 1958 | [3] 44,142.0 | 443,869.0 | [4] 72,270.0 | | |
| 1959 | [3] 46,426.0 | 481,253.0 | [4] 80,374.0 | | |
| Average 1957–59 | [3] 44,613.0 | 455,628.0 | [4] 76,542.0 | 9.8 | 58.3 |
| **ASIA** | | | | | |
| Japan (billion yen): | | | | | |
| 1957 | 176.0 | 10,135.8 | [5] 2,727.0 | | |
| 1958 | 178.0 | 10,414.8 | [5] 2,772.8 | | |
| 1959 | 189.0 | 12,561.4 | [5] 3,509.6 | | |
| Average 1957–59 | 181.0 | 11,037.3 | [5] 3,003.1 | 1.6 | [5] 6.0 |
| **EUROPE** | | | | | |
| Austria (million schillings): | | | | | |
| 1957 | 1,714.0 | [6] 121,800.0 | 27,000.0 | | |
| 1958 | 1,986.0 | [6] 126,700.0 | 28,400.0 | | |
| 1959 | 1,989.0 | [6] 134,600.0 | 30,700.0 | | |
| Average 1957–59 | 1,896.0 | [6] 127,700.0 | 28,700.0 | [6] 1.5 | 6.6 |
| Belgium (million francs): | | | | | |
| 1957 | 16,638.0 | 550,100.0 | 95,900.0 | | |
| 1958 | 16,433.0 | 547,600.0 | 91,600.0 | | |
| 1959 | 18,047.0 | 565,700.0 | 95,400.0 | | |
| Average 1957–59 | 17,039.0 | 554,467.0 | 94,300.0 | 3.1 | 18.1 |
| Denmark (million kronor): | | | | | |
| 1957 | [2] 941.0 | 32,939.0 | 5,705.0 | | |
| 1958 | [2] 973.0 | 34,374.0 | 6,020.0 | | |
| 1959 | [2] 1,015.0 | 38,100.0 | 7,025.0 | | |
| Average 1957–59 | [2] 976.0 | 35,138.0 | 6,250.0 | 2.8 | 15.6 |
| Finland (billion markkaa): | | | | | |
| 1957 | 18.4 | 1,112.0 | 294.5 | | |
| 1958 | 20.6 | 1,186.3 | 303.0 | | |
| 1959 | 22.4 | 1,259.6 | 331.2 | | |
| Average 1957–59 | 20.5 | 1,186.0 | 309.6 | 1.7 | 6.6 |
| France (million new francs): | | | | | |
| 1957 | 14,120.0 | 211,200.0 | 39,100.0 | | |
| 1958 | 14,190.0 | 239,100.0 | 43,100.0 | | |
| 1959 | 15,830.0 | 258,400.0 | 45,100.0 | | |
| Average 1957–59 | 14,713.0 | 236,200.0 | 42,433.0 | 6.2 | 34.7 |
| Germany (Federal Republic) (million Deutchemark): | | | | | |
| 1957 | [2] 7,547.0 | 214,200.0 | 46,650.0 | | |
| 1958 | [2] 8,824.0 | 228,510.0 | 50,350.0 | | |
| **EUROPE—continued** | | | | | |
| Germany, etc.—Continued | | | | | |
| 1959 | [2] 9,403.0 | 247,520.0 | 57,200.0 | | |
| Average 1957–59 | [2] 8,591.0 | 230,077.0 | 51,400.0 | 3.7 | 16.7 |
| Ireland (million pounds): | | | | | |
| 1957 | [2] 8.1 | 545.0 | 77.2 | 1.5 | 10.5 |
| Italy (billion lire): | | | | | |
| 1957 | [3] 496.1 | 15,638.0 | 3,434.0 | | |
| 1958 | [3] 543.6 | 16,656.0 | 3,481.0 | | |
| 1959 | [3] 548.9 | 17,656.0 | 3,730.0 | | |
| Average 1957–59 | [3] 529.5 | 16,650.0 | 3,548.0 | 3.2 | 14.9 |
| Netherlands (million guilders): | | | | | |
| 1957 | 1,725.0 | 35,120.0 | 9,044.0 | | |
| 1958 | 1,546.0 | 35,830.0 | 8,210.0 | | |
| 1959 | 1,438.0 | 38,170.0 | 9,120.0 | | |
| Average 1957–59 | 1,570.0 | 36,373.0 | 8,791.0 | 4.3 | 17.9 |
| Norway (million kroner): | | | | | |
| 1957 | [3] 986.6 | 28,826.0 | 8,187.0 | | |
| 1958 | [3] 967.8 | 28,645.0 | 9,067.0 | | |
| 1959 | [3] 1,058.7 | 30,294.0 | 8,799.0 | | |
| Average 1957–59 | [3] 1,004.4 | 29,255.0 | 8,684.0 | 3.4 | 11.6 |
| Sweden (million kronor): | | | | | |
| 1957 | [3] 2,450.0 | 52,558.0 | 10,605.0 | | |
| 1958 | [3] 2,663.0 | 54,825.0 | 11,615.0 | | |
| 1959 | [3] 2,748.0 | 58,386.0 | 12,926.0 | | |
| Average 1957–59 | [3] 2,620.0 | 55,256.0 | 11,715.0 | 4.7 | 22.4 |
| Switzerland (million francs): | | | | | |
| 1957 | 930.1 | 30,800.0 | [7] 7,700.0 | | |
| 1958 | 1,019.1 | 32,000.0 | [7] 7,300.0 | | |
| 1959 | 972.4 | 33,400.0 | [7] 8,000.0 | | |
| Average 1957–59 | 973.9 | 32,067.0 | [7] 7,667.0 | 3.0 | [7] 12.7 |
| United Kingdom (million pounds): | | | | | |
| 1957 | [2] 1,429.7 | 21,719.0 | 3,340.0 | | |
| 1958 | [2] 1,467.7 | 22,623.0 | 3,476.0 | | |
| 1959 | [2] 1,504.0 | 23,741.0 | 3,631.0 | | |
| Average 1957–59 | [2] 1,467.1 | 22,694.0 | 3,482.0 | 6.5 | 42.1 |
| **OCEANIA** | | | | | |
| Australia [2] (million pounds): | | | | | |
| 1957 | 183.4 | 5,751.0 | [8] 1,408.0 | | |
| 1958 | 172.0 | 5,829.0 | [8] 1,522.0 | | |
| 1959 | 181.9 | 6,250.0 | [8] 1,613.0 | | |
| Average 1957–59 | 179.1 | 5,943.0 | [8] 1,514.0 | 3.0 | [8] 11.8 |
| New Zealand [2] (million pounds): | | | | | |
| 1957 | 24.2 | 1,096.0 | 245.0 | | |
| 1958 | 25.5 | 1,154.0 | 242.0 | | |
| 1959 | 27.3 | 1,247.0 | 251.0 | | |
| Average 1957–59 | 25.7 | 1,166.0 | 246.0 | 2.2 | 10.4 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.
[2] Fiscal years beginning Apr. 1.
[3] Fiscal year ending June 30.
[4] Excluding government expenditure on equipment.
[5] Including increase in stocks of local government enterprises.
[6] Gross national product.
[7] Including increase in stocks.
[8] Including expenditure on maintenance of roads and expenditure on motor vehicles for personal use.

Source: United Nations, Statistical Yearbook and Yearbook of National Accounts Statistics, various issues.

TABLE 2-2.—*Underdeveloped private enterprise countries: Military expenditure, as stated in budget accounts, compared with other statistics, 1957–59* [1]

| Country, period and currency unit | Military budget expenditure | Gross domestic product [1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of: Gross domestic product | Military budget expenditure as percentage of: Gross domestic fixed capital formation |
|---|---|---|---|---|---|
| **AFRICA** | | | | | |
| Sudan [2] (million pounds): | | | | | |
| 1957 | 3.4 | ---------- | 26.2 | -------- | -------- |
| 1958 | 4.9 | ---------- | 42.8 | -------- | -------- |
| 1959 | 5.0 | ---------- | 38.2 | -------- | -------- |
| Average 1957–59 | 4.4 | ---------- | 35.7 | -------- | 12.3 |
| Union of South Africa (million pounds): | | | | | |
| 1957 | [3] 18.1 | 2,345.0 | 485.0 | -------- | -------- |
| 1958 | [3] 19.6 | 2,411.0 | 544.0 | -------- | -------- |
| 1959 | [3] 21.8 | 2,518.0 | 525.0 | -------- | -------- |
| Average 1957–59 | [3] 19.8 | 2,425.0 | 518.0 | 0.8 | 3.8 |
| **AMERICA, LATIN** | | | | | |
| Argentina (million pesos): | | | | | |
| 1958 | [4] 6,924.8 | 318,400.0 | 65,610.0 | -------- | -------- |
| 1959 | [4] 15,589.4 | 604,547.0 | 107,985.0 | -------- | -------- |
| Average 1958–59 | [4] 11,257.1 | 461,474.0 | 86,798.0 | 2.4 | 13.0 |
| Brazil (billion cruzeiros): | | | | | |
| 1957 | 34.6 | 1,063.1 | 124.5 | -------- | -------- |
| 1958 | 40.8 | 1,299.3 | 165.6 | -------- | -------- |
| 1959 | 41.1 | 1,837.4 | 228.5 | -------- | -------- |
| Average 1957–59 | 38.8 | 1,399.9 | 172.9 | 2.8 | 22.4 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.
[2] Fiscal year ending June 30.
[3] Fiscal year beginning April 1.
[4] Fiscal year ending Oct. 31.

TABLE 2-2.—*Underdeveloped private enterprise countries: Military expenditure, as stated in budget accounts, compared with other statistics, 1957–59* [1]—Continued

| Country, period and currency unit | Military budget expenditure | Gross domestic product [1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of: Gross domestic product | Military budget expenditure as percentage of: Gross domestic fixed capital formation |
|---|---|---|---|---|---|
| **AMERICA, LATIN—Continued** | | | | | |
| Chile (million escudos): | | | | | |
| 1957 | 73.1 | [5] 2,252.7 | 247.0 | -------- | -------- |
| 1958 | 82.2 | [5] 2,971.8 | 309.9 | -------- | -------- |
| 1959 | 91.1 | [5] 4,163.0 | 405.0 | -------- | -------- |
| Average 1957–59 | 82.1 | [5] 3,129.2 | 320.6 | [6] 2.6 | 25.6 |
| Colombia (million pesos): | | | | | |
| 1957 | 288.6 | 17,651.0 | 2,630.0 | -------- | -------- |
| 1958 | 306.4 | 20,477.0 | 3,350.0 | -------- | -------- |
| 1959 | 274.7 | 22,995.0 | 3,919.0 | -------- | -------- |
| Average 1957–59 | 289.9 | 20,374.0 | 3,300.0 | 1.4 | 8.8 |
| Costa Rica (million colones): | | | | | |
| 1957 | 13.4 | [5] 2,302.7 | 434.8 | -------- | -------- |
| 1958 | 12.8 | [5] 2,465.0 | 404.0 | -------- | -------- |
| 1959 | 13.1 | [5] 2,529.8 | 451.4 | -------- | -------- |
| Average 1957–59 | 13.1 | [5] 2,432.5 | 430.1 | [6] .5 | 3.0 |
| Ecuador (million sucres): | | | | | |
| 1957 | 289.0 | 12,007.0 | 1,561.0 | -------- | -------- |
| 1958 | 282.0 | 12,355.0 | 1,586.0 | -------- | -------- |
| 1959 | 273.0 | 12,424.0 | 1,553.0 | 2.2 | 17.6 |
| El Salvador (million colones): | | | | | |
| 1957 | 19.2 | [7] 1,218.2 | -------- | -------- | -------- |
| 1958 | 19.0 | [7] 1,249.9 | -------- | -------- | -------- |
| 1959 | 17.0 | [7] 1,226.7 | -------- | -------- | -------- |
| Average 1957–59 | 18.4 | [7] 1,231.6 | -------- | [7] 1.5 | -------- |
| Guatemala (million quetzales): | | | | | |
| 1957 | [2] 8.9 | 652.5 | [8] 97.5 | -------- | -------- |
| 1958 | [2] 9.7 | 647.0 | [8] 97.4 | -------- | -------- |
| 1959 | [2] 9.9 | 659.1 | [8] 84.1 | -------- | -------- |
| Average 1957–59 | [2] 9.5 | 652.9 | [8] 93.0 | 1.5 | [8] 10.2 |
| Honduras (million lempiras): | | | | | |
| 1957 | 8.9 | 688.3 | 94.1 | 1.3 | 9.5 |
| Mexico (million pesos): | | | | | |
| 1957 | 791.7 | [9] 103,000.0 | 15,544.0 | -------- | -------- |
| 1958 | 861.5 | [9] 114,000.0 | 16,282.0 | -------- | -------- |
| 1959 | 971.0 | [9] 122,000.0 | 18,066.0 | -------- | -------- |
| Average, 1957–59 | 874.7 | [9] 113,000.0 | 16,631.0 | [9] .8 | 5.3 |
| Peru (million soles): | | | | | |
| 1957 | 1,083.8 | [5] 34,342.0 | 9,149.0 | -------- | -------- |
| 1958 | 1,265.4 | [5] 37,691.0 | 8,643.0 | -------- | -------- |
| Average, 1957–58 | 1,174.6 | [5] 36,016.0 | 8,896.0 | [5] 3.3 | 13.2 |
| Venezuela (million bolivares): | | | | | |
| 1957 | [2] 419.3 | 23,847.0 | [10] 5,950.0 | -------- | -------- |
| 1958 | [2] 572.0 | 24,585.0 | [10] 5,964.0 | -------- | -------- |
| 1959 | [2] 630.2 | 24,904.0 | [10] 6,721.0 | -------- | -------- |
| Average 1957–59 | [2] 540.5 | 24,445.0 | [10] 6,212.0 | 2.2 | [10] 8.7 |
| **ASIA** | | | | | |
| Burma [11] (million kyats): | | | | | |
| 1957 | 368.5 | 5,429.0 | 1,018.0 | -------- | -------- |
| 1958 | 407.6 | 5,299.0 | 1,135.0 | -------- | -------- |
| 1959 | 403.3 | 5,493.0 | 1,015.0 | -------- | -------- |
| Average 1957–59 | 393.1 | 5,407.0 | 1,056.0 | 7.3 | 37.2 |
| Cambodia: | | | | | |
| 1957 | -------- | -------- | -------- | 4.0 | -------- |
| Ceylon (million rupees): | | | | | |
| 1957 | [11] 39.9 | 5,382.0 | 660.6 | -------- | -------- |
| 1958 | [11] 64.1 | 5,662.6 | 682.6 | -------- | -------- |
| 1959 | [11] 72.4 | 6,032.9 | 805.5 | -------- | -------- |
| Average 1957–59 | [11] 58.8 | 5,692.5 | 716.2 | 1.0 | 8.2 |
| China (Taiwan): | | | | | |
| Average 1957–59 | -------- | -------- | -------- | [12] 10.8 | -------- |
| **ASIA—continued** | | | | | |
| Federation of Malaya (million dollars): | | | | | |
| 1957 | 160.6 | 5,310.0 | 610.0 | 3.0 | 26.3 |
| India [3] (million rupees): | | | | | |
| 1957 | 2,828.0 | [13] 114,100.0 | -------- | -------- | -------- |
| 1958 | 2,787.0 | [13] 124,800.0 | -------- | -------- | -------- |
| Average 1957–58 | 2,808.0 | [13] 119,450.0 | -------- | [13] 2.4 | -------- |
| Indonesia (million rupiah): | | | | | |
| 1957 | 6,052.0 | [14] 171,000.0 | 7,600.0 | -------- | -------- |
| 1958 | 11,085.0 | [14] 180,200.0 | 8,299.0 | -------- | -------- |
| 1959 | 8,788.0 | [14] 210,000.0 | 8,895.0 | -------- | -------- |
| Average 1957–59 | 8,642.0 | [14] 187,100.0 | 8,265.0 | [14] 4.6 | 104.6 |
| Israel (million pounds): | | | | | |
| 1957 | [3] 197.1 | [15] 3,054.0 | [10] 829.0 | -------- | -------- |
| 1958 | [3] 217.1 | [15] 3,501.0 | [10] 897.0 | -------- | -------- |
| 1959 | [3] 251.1 | [15] 4,022.0 | [10] 961.0 | -------- | -------- |
| Average 1957–59 | [3] 221.8 | [15] 3,526.0 | [10] 896.0 | [15] 6.3 | [10] 24.8 |
| Korea (Republic of) (billion hwan): | | | | | |
| 1957 | 112.9 | 1,615.7 | 200.9 | -------- | -------- |
| 1958 | 127.8 | 1,706.8 | 219.4 | -------- | -------- |
| 1959 | 141.1 | 1,840.0 | 265.0 | -------- | -------- |
| Average 1957–59 | 127.3 | 1,720.8 | 228.4 | 7.4 | 57.8 |
| Lebanon (million pounds): | | | | | |
| 1957 | 39.1 | [13] 1,503.0 | -------- | -------- | -------- |
| 1958 | 45.6 | [13] 1,325.0 | -------- | -------- | -------- |
| Average 1957–58 | 42.4 | [13] 1,414.0 | -------- | [13] 3.0 | -------- |
| Pakistan: | | | | | |
| Average 1957–58 | -------- | -------- | -------- | [13] 3.0 | -------- |
| Philippines (million pesos): | | | | | |
| 1957 | [2] 157.0 | 10,119.0 | 890.0 | -------- | -------- |
| 1958 | [2] 181.1 | 10,666.0 | 851.0 | -------- | -------- |
| 1959 | [2] 183.6 | 11,161.0 | 901.0 | -------- | -------- |
| Average 1957–59 | [2] 173.9 | 10,649.0 | 881.0 | 1.6 | 19.7 |
| Syrian Arab Republic (million pounds): | | | | | |
| 1957 | 140.0 | [16] 2,514.0 | 266.0 | 5.6 | 52.6 |
| Thailand (million baht): | | | | | |
| 1957 | 1,566.7 | 44,670.0 | 6,434.0 | 3.8 | 24.4 |
| 1958 | 1,389.7 | 45,458.0 | 6,669.0 | -------- | -------- |
| 1959 | 1,439.0 | 49,010.0 | 7,334.0 | -------- | -------- |
| Average 1957–59 | 1,465.1 | 46,379.0 | 6,812.0 | 3.2 | 21.5 |
| Turkey (million lires): | | | | | |
| 1957 | [17] 959.1 | 30,668.0 | 4,033.0 | -------- | -------- |
| 1958 | [17] 956.2 | 38,652.0 | 5,278.0 | -------- | -------- |
| 1959 | [17] 1,146.1 | 46,640.0 | 7,463.0 | -------- | -------- |
| Average 1957–59 | [17] 1,020.5 | 38,653.0 | 5,591.0 | 2.6 | 18.3 |
| **EUROPE** | | | | | |
| Greece (million drachmas): | | | | | |
| 1957 | 4,500.0 | 80,772.0 | 12,531.0 | -------- | -------- |
| 1958 | 4,560.0 | 85,750.0 | 15,320.0 | -------- | -------- |
| 1959 | 4,590.0 | 88,515.0 | 18,470.0 | -------- | -------- |
| Average 1957–59 | 4,550.0 | 85,012.0 | 15,440.0 | 5.4 | 29.5 |
| Portugal (million escudos): | | | | | |
| 1957 | 1,754.0 | 57,396.0 | 8,808.0 | -------- | -------- |
| 1958 | 1,845.6 | 59,017.0 | 9,625.0 | -------- | -------- |
| Average 1957–58 | 1,799.8 | 58,206.0 | 9,216.0 | 3.1 | 19.5 |
| Spain (million pesetas): | | | | | |
| 1957 | 10,881.0 | [9] 437,200.0 | -------- | [9] 2.5 | -------- |

[5] Including a statistical discrepancy.
[6] Including current international transfers.
[7] At market prices of 1950.
[8] Including increase in stocks.
[9] Gross national product.
[10] Including change in stock of livestock held on farms.
[11] Fiscal year ending Sept. 30.
[12] Ratio to net national product.
[13] Net domestic product at factor cost.
[14] Gross domestic product at factor cost.
[15] Including interest on public debt.
[16] Net domestic product at factor cost of 1956.
[17] Year beginning Mar. 1.

Source: United Nations, "Statistical Yearbook and Yearbook of National Accounts Statistics," various issues, except for Cambodia, China (Taiwan), and Pakistan, the source for which is United Nations, Economic Survey of Asia and the Far East, 1960 (Sales No. 61.II.F.1), table 32, p. 83.

TABLE 2-3.—*Centrally planned countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59* [1]

| Country, period, and currency unit | Military budget expenditure | Net domestic product [1] | Gross fixed investment [2] | Military budget expenditure as percentage of: Net domestic product | Military budget expenditure as percentage of: Gross fixed investment |
|---|---|---|---|---|---|
| Bulgaria (million leva): | | | | | |
| 1957 | 1,540 | 32,089 | 5,172 | -------- | -------- |
| 1958 | 1,729 | 34,863 | 6,321 | -------- | -------- |
| 1959 | 1,628 | 42,198 | 10,103 | -------- | -------- |
| Average 1957–59 | 1,632 | 36,383 | 7,199 | 4.5 | 22.7 |
| China (mainland) (million yuan): | | | | | |
| 1957 | 5,510 | [3] 93,500 | [3] 12,400 | -------- | -------- |
| 1958 | 5,000 | [3] 125,400 | [3] 21,400 | -------- | -------- |
| 1959 | 5,800 | [3] 152,500 | [3] 24,800 | -------- | -------- |
| Average 1957–59 | 5,437 | [3] 123,800 | [3] 19,533 | [3] 4.4 | [4] 27.8 |
| Czechoslovakia (million koruna): | | | | | |
| 1957 | 9,319 | -------- | 29,090 | -------- | -------- |
| 1958 | 8,933 | -------- | 31,470 | -------- | -------- |
| 1959 | 8,789 | -------- | 36,094 | -------- | -------- |
| Average 1957–59 | 9,014 | -------- | 32,218 | -------- | 28.0 |
| Eastern Germany (million marks): | | | | | |
| 1958 | 1,650 | 64,899 | 9,798 | 2.5 | 16.8 |
| Hungary (million forints): | | | | | |
| 1957 | 1,912 | 107,310 | 11,100 | -------- | -------- |
| 1959 | 2,500 | 126,500 | 30,500 | -------- | -------- |
| Average 1957 and 1959 | 2,206 | 116,905 | 20,800 | 1.9 | 10.6 |

See footnotes at end of table.

TABLE 2-3.—*Centrally planned countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59* [1]—Continued

| Country, period, and currency unit | Military budget expenditure | Net domestic product [1] | Gross fixed investment [2] | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Net domestic product | Gross fixed investment |
| Poland (million zloty): | | | | | |
| 1957 | 10,136 | 301,400 | 47,356 | | |
| 1958 | 11,220 | 321,300 | 52,106 | | |
| 1959 | 14,259 | 345,800 | 61,653 | | |
| Average 1957–59 | 11,872 | 322,833 | 53,705 | 3.7 | 22.1 |
| Rumania (million lei): | | | | | |
| 1957 | 3,817 | | [3] 13,966 | | |
| 1958 | 3,597 | | [3] 15,234 | | |
| 1959 | 3,446 | | [3] 17,803 | | |
| Average 1957–59 | 3,620 | | [3] 15,668 | | [3] 23.1 |
| Soviet Union (million rubles): | | | | | |
| 1957 | 95,000 | [6] 1,258,000 | 237,800 | | |
| 1958 | 93,600 | [6] 1,357,000 | 273,580 | | |
| 1959 | 93,700 | [6] 1,466,000 | 309,330 | | |
| Average 1957–59 | 94,100 | [6] 1,360,333 | 273,570 | [6] 6.9 | 34.4 |
| Yugoslavia (million dinar): | | | | | |
| 1957 | 158,300 | 1,829,400 | 550,000 | | |
| 1958 | 178,500 | 1,833,600 | 587,000 | | |
| 1959 | 195,600 | 2,269,000 | 750,000 | | |
| Average 1957–59 | 177,500 | 1,977,300 | 639,000 | 9.0 | 27.8 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.
[2] In state and cooperative sector, excluding capital repairs. Figures for China (mainland) pertain only to budgetary fixed investment; figures for Eastern Germany exclude cooperative investment from own resources.
[3] Product and investment in 1952 prices.
[4] Before exchange of 1961.
[5] Investment in 1959 prices.
[6] Product in 1960 prices.

Source: Division of General Economic Research and Policies of the United Nations Secretariat, based on official sources.

ANNEX 3. ANALYTICAL TABLES ILLUSTRATING CERTAIN HYPOTHETICAL ECONOMIC CHANGES DURING DISARMAMENT

*Tables for chapter 4 and 5*

**Table 3-1. Changes in employment in the United States following a reallocation of military expenditure, 1958 (pars. 100–102).**

**Table 3-2. Influence of complete disarmament on various industrial sectors in the United Kingdom, 1959 (par. 103).**

**Table 3-3. Direct and indirect military demand for selected raw materials (par. 129).**

**Table 3-4. Change in world demand for selected raw materials after proportional reallocation of military purchases to other demand categories (par. 130).**

TABLE 3-1.—*Changes in employment in the United States following a reallocation* [1] *of military expenditure, 1958*

| Production sectors | Change in employment in man-years (thousands) | As percentage of employment in the production sector |
|---|---|---|
| (a) Showing decline: | | |
| Armed Forces | −2,532 | 100.0 |
| Civilian employment of military agencies | −791 | 100.0 |
| Aircraft and parts | −705 | 93.1 |
| Radio | −172 | 31.6 |
| Ordnance | −142 | 100.0 |
| Ships and boats | −137 | 57.1 |
| Instruments | −31 | 12.6 |
| All others | −133 | |
| Total decline | −4,642 | |
| (b) Showing increase: | | |
| Nonmilitary Government service and domestic service | 1,196 | |
| Trade | 752 | 7.9 |
| Professional and service | 565 | 7.6 |
| Restaurants, hotels, amusements | 244 | 9.4 |
| Banking, finance | 204 | 8.6 |
| Business services | 136 | 5.2 |
| Railroads, trucking | 64 | 3.5 |
| Automobile and other repairs | 28 | 7.9 |
| Other transportation | 16 | 3.1 |
| Construction | 188 | 7.1 |
| Food products | 77 | 8.0 |
| Textile mill | 58 | 6.4 |
| Lumber, wood products | 50 | 5.1 |
| Motor vehicles | 34 | 5.3 |
| Livestock, poultry | 31 | 7.3 |
| Nonmetallic minerals | 27 | 4.2 |
| *All others* | 344 | |
| Total increase | 4,014 | |

[1] The estimates relate to reallocation of total military purchases to each demand category proportionally to its 1958 share.

Source: Based on data in W. Leontief and M. Hoffenberg, "The Economic Effects of Disarmament," Scientific American, April 1961.

TABLE 3-2.—*Influence of disarmament* [1] *on various industrial sectors in the United Kingdom, 1959*

| Industrial sector | Changes in net output | | |
|---|---|---|---|
| | Million pounds, 1959 | As percentage of— Gross national product | As percentage of— Net output of sector |
| I. Showing declines: | | | |
| Military services | −547 | −2.7 | −100.0 |
| Ships, aircraft, etc | −124 | −.6 | −19.8 |
| Total | −671 | | |
| II. Showing expansion: | | | |
| Distribution | 126 | .3 | 4.9 |
| Transport | 42 | .2 | 2.6 |
| Other services | 24 | .3 | .5 |
| Engineering | 96 | .5 | 4.6 |
| Building | 84 | .4 | 7.1 |
| Motors | 59 | .3 | 13.9 |
| Textiles | 47 | .3 | 8.7 |
| Metals | 43 | .2 | 6.4 |
| Coal, etc | 38 | .2 | 4.1 |
| Chemicals | 33 | .1 | 5.2 |
| Food | 33 | .2 | 4.0 |
| Agriculture | 30 | .2 | 3.5 |
| Other manufactures | 27 | .2 | 3.5 |
| Clothing | 20 | .1 | 6.0 |
| Gas, water, electricity | 19 | .1 | 3.5 |
| Wood | 11 | .1 | 5.6 |
| Total | 732 | | |

[1] Assuming that armament expenditure is distributed equally among personal consumption, capital formation, and foreign aid.

Source: Unpublished study by the University of Cambridge, Department of Applied Economics.

TABLE 3-3.—*Direct and indirect military demand for selected raw materials (as percentage of their total world supply 1958 and 1959)*

| | 1958 U.S. military demand [1] | | Estimated aggregate military demand of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 (col. 1) | 1959 (col. 2) | 1958 (col. 3) | 1959 (col. 4) |
| Crude petroleum | 4.5 | 4.1 | 8.9 | 8.3 |
| Natural rubber (crude) | 1.5 | 1.4 | 3.0 | 2.9 |
| Metallic ores: | | | | |
| Copper | 7.8 | 7.4 | 15.7 | 14.7 |
| Nickel | 6.0 | 4.8 | 12.0 | 9.5 |
| Tin | 4.9 | 4.7 | 9.8 | 9.3 |
| Lead and zinc | 4.7 | 4.7 | 9.4 | 9.4 |
| Molybdenum | 4.2 | 3.4 | 8.3 | 6.8 |
| Bauxite | 3.5 | 3.3 | 7.1 | 6.6 |

**See footnotes at end of table.**

TABLE 3-3.—*Direct and indirect military demand for selected raw materials (as percentage of their total world supply 1958 and 1959)*—Continued

| | 1958 U.S. military demand [1] | | Estimated aggregate military demand of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 (col. 1) | 1959 (col. 2) | 1958 (col. 3) | 1959 (col. 4) |
| Metallic ores—Con. | | | | |
| Iron ore | 2.6 | 2.5 | 5.3 | 4.9 |
| Manganese | 1.3 | 1.3 | 2.7 | 2.6 |
| Chromite | 1.1 | 1.1 | 2.3 | 2.2 |

[1] Generated by $41,585,000,000 of goods and services purchased under the U.S. military budget of 1958.
[2] As a rough approximation, assumed to be equal to twice the U.S. military expenditure.

Sources and methods: Direct and indirect military demand for raw material was computed from the worksheets for "The Economic Effects of Disarmament" (by W. W. Leontief and Marvin Hoffenberg, Scientific American, April 1961) obtained from the Harvard Economics research project. World supplies of natural rubber are from Rubber Statistical Bulletin, 16:2 (November 1961), p. 2. World supplies of mineral are from U.S. Department of the Interior, Minerals Yearbook, 1959, vol. I, pp. 124, 125.

TABLE 3-4.—*Change in world demand for selected raw materials after proportional reallocation of military purchases to other demand categories (as percentage of world supply, 1958 and 1959)*

| Item | After reallocating 1958 U.S. military purchases [1] | | After reallocating 1958 military purchases of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 | 1959 | 1958 | 1959 |
| Crude petroleum | −0.09 | −0.08 | −0.18 | −0.16 |
| Natural rubber (crude) | .05 | .05 | .10 | .09 |
| Metallic ores: | | | | |
| Copper | −.96 | −.90 | −1.92 | −1.81 |
| Nickel | −.76 | −.60 | −1.51 | −1.21 |
| Tin | −.33 | −.32 | −.67 | −.63 |
| Lead and zinc | −.32 | −.32 | −.64 | −.64 |
| Molybdenum | −.06 | −.05 | −.11 | −.09 |
| Bauxite | −.52 | −.48 | −1.04 | −.96 |
| Iron ore | −.04 | −.03 | −.07 | −.07 |
| Manganese | −.02 | −.02 | −.04 | −.04 |
| Chromite | −.02 | −.02 | −.03 | −.03 |

[1] Equal to $41,585,000,000.
[2] Assumed equal to twice the U.S. military expenditure.

Source: See table 3-3. The figures in this table were derived by multiplying the appropriate entries in table 3-3 by those in col. 2 of W. Leontief and M. Hoffenberg, op. cit., table 8.

[From the Washington Post, Jan. 27, 1963]

IT CAN'T HAPPEN BY ITSELF—PEACE ECONOMY NEEDS A HAND

(By Paul A. Samuelson)

Does American prosperity depend on armament expenditure? Would a massive cut in defense and security spending usher in a serious recession of some years duration, involving chronic unemployment, low profits, and stagnant growth?

A strong no is being given by a strange source. Premier Khrushchev and Soviet economists now say peace will benefit the capitalistic system.

This is in contrast to the doctrines of Marx, Lenin, and Rosa Luxembourg which hold that advanced capitalism must lack the purchasing power needed for prosperity unless it can squander money on armaments or find colonial peoples to provide outlets for investment.

The optimistic view was reinforced last year by a United Nations report, Economic and Social Consequences of Disarmament. Ten economic experts from both sides of the Iron Curtain, including Harvard's Leontief and Poland's Lange, studied the problem in detail and reported:

"Conclusions: We are unanimously of the opinion that all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures.

"There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions. The achievement of general and complete disarmament would be an unqualified blessing to all mankind."

I do not relish playing the role of the fabled child who blurted out that the emperor had no clothes. But scientific integrity requires someone to let the cat out of the bag and insist that it still is questionable whether the American people have the will to do what has to be done if the breaking out of peace is to be an economic blessing rather than a nightmare.

The coming year will provide something of a laboratory experiment to shed light on how likely we are to be able to handle the conversion to peace.

Specifically, consider the effect upon the U.S. economy of a cut in defense expenditures of $30 billion. I have no concern over the initial reconversion problem. If industries could look forward confidently to strong dollar demands in the future, they and the Government could plan to make the transition an orderly one.

But does the evidence suggest that businesses need not worry about an intermediate period involving years of recession or sluggishness? Two quite different answers can be given, both optimistic.

1. Rely on the spontaneous resilience and flexibility of American capitalism. This answer was given by many who doubted the popular prediction by economists of mass unemployment after World War II. Events proved these optimists right.

2. Recognize the insatiability of private and public needs here and abroad. Release of resources from military uses could permit a vast expansion of public expenditure. And it could give people income to spend on unsatisfied private wants. Finally, resources not needed for war could be used to erase poverty and insure growth for the low-income nations.

Though superficially optimistic, neither answer is reassuring when examined coolly. Employment remained high after 1945 because the war's end left people and businesses with literally hundreds of billions of dollars that they had not been able to spend.

Consider, for example, what happened after the end of the Korean war released a smaller amount of resources. Only part of our swords went into plowshares; part went into unemployment and a deceleration of economic growth. Certainly there was no necessity for this sluggishness. What was not needed for war could have been used for other domestic and foreign governmental programs; or it could have resulted in a massive rise in private disposable income for the people to spend on private goods.

It is important to stress the word "could" both here and in the quotation from the U.N. report. Every scientist and bookmaker knows that "could do" is not the same as "will do."

No one familiar with the American scene can bet that a $30 billion cut in military expenditure would be soon matched by an equivalent increase in spending on urban renewal, foreign aid and other projects. At best I would judge that a third of this amount might, after a struggle and as a result of economic distress, be voted into being.

Of course, an increase in private investment on inventories, plant and equipment would be a help. And sizable reductions in taxes ought to go some of the way toward bringing this about.

We would still need, however, a large increase in disposable incomes if the rest of the $30 billion is to be offset by expanded private consumption. To accomplish this, we would have to legislate a large enough reduction in taxes to create a really substantial deficit.

If full employment with high Government expenditure entails a moderate deficit, economic analysis and experience tell us that tax cuts must be bigger than spending cuts if unemployment is to be prevented.

I foresee no depression as the aftermath of drastic cuts in military expenditure. What does give me apprehension is the prospect that we may do politically only part of what needs to be done.

In summary, as an economist I must state in tones loud enough for Moscow and Washington to hear: Our mixed system is capable of converting peace into an economic blessing. But it cannot happen by itself. And it will not happen if we constrain ourselves by the ideology of 1900 or 1929.

That is why the fate of President Kennedy's tax proposals this year will teach economists much about what to expect should peace break out.

## AGRICULTURE AND THE COMMON MARKET

Mr. HUMPHREY. Mr. President, recently the Secretary of Agriculture, Mr. Freeman, delivered an excellent address at Paris, France, on the subject of the Common Market and its impact upon American agriculture. I shall later ask unanimous consent that the address be printed in the body of the RECORD. As we know, trade in agricultural commodities is extremely important to our country. I am sure that the Presiding Officer [Mr. BAYH], who comes from the great State of Indiana, recognizes with me, the great importance to the American economy of a continuing flow of agricultural exports, and, indeed, their expansion.

So, Mr. President, I should like to call attention to two important developments which will have far-reaching implications in our trading relations with the Common Market and in international trade in agricultural commodities. These developments are the evolving implementation of the agricultural policies of the European Economic Community and the British bid for membership in the Common Market.

Trade in agricultural commodities is extremely important for the United States. The United States is the world's largest exporter of agricultural products and is second only to Great Britain in the value of its agricultural imports.

Currently, we are exporting $5 billion of agricultural commodities each year and importing about $4 billion of such commodities. U.S. agricultural exports to the European Economic Community are particularly important and are valued at a level close to $1.1 billion. Should Great Britain be successful in her request to join the Community, the combined European Economic Community-United Kingdom market for our agricultural products would be $1.6 billion. This is without a doubt the single most important export market for U.S. agricultural commodities and, as such, its importance for the well-being of our country cannot be overexaggerated.

Thus, the future decisions to be made by the Community in the implementation of its common agricultural policy will be decisive, not only for our agricultural exports, but also for our future trading relations with the Common Market. For the negotiations to be conducted with the Common Market under the authority granted to the President by the Trade Expansion Act cannot and will not be concerned with trade liberalization for industrial products alone. The United States fully intends to use the provisions of the new act to promote liberal trade policy for both industrial and agricultural products. It would be inconceivable for the United States to further liberalize trade in industrial goods while acquiescing in a narrow, protectionist approach to trade in agricultural commodities.

It is no surprise, then, that we view the impending decisions to be taken by the European Economic Community in establishing its common agricultural policy with such interest and concern. The Community has already commenced to establish a system of minimum and maximum target prices for wheat. The nature of the system will be extremely important for our exporters of wheat and feed grains. If the target price is set at a high enough level, expanded Community production is likely to displace third-country imports almost completely. Also, the establishment of a system of minimum import gate prices and a uniform sluice gate differential levy has adversely affected U.S. poultry exports. We can only hope that the variable levy and minimum import system by which the European Economic Community regulates its imports will be applied in a way to promote liberal trading policies and not to exclude third-country imports.

One of the most forceful statements underlying U.S. concern in this matter was made by Secretary of Agriculture Freeman at a ministerial meeting of the Agricultural Committee of the OECD November 19, 1962, in Paris. Secretary Freeman expressed U.S. concern lest the agricultural policy of the European Economic Community hinder the realization of expanding international trade in industrial and agricultural products. He stressed the fact that decisions taken by

the Community in respect to the common agricultural policy will be the single most important factor in influencing the future developments of international trade in agricultural commodities.

Mr. President, the future development of the common agricultural policy and, indeed, the evolving nature of the Community—whether it will be a narrow, autarchic, protectionist group of states or whether it will be the nucleus for an expanding Atlantic community—will depend in no small measure upon the success or failure of the United Kingdom to join the Common Market. That decision is now hanging in the balance, and, indeed, at the moment it looks rather discouraging.

The French position, as enunciated by President de Gaulle at a press conference 2 weeks ago, all but dashed hopes for a successful outcome of that bid. This week negotiators from the six members of the Community are meeting to determine whether the British application for membership will be rejected out of hand or studied further. Although the possibility of a successful outcome is uncertain, we can only hope that the interests of an expanding and outward-looking Atlantic community will be served by the decision in Bussels. U.S. representatives in Brussels are watching developments closely and will, to the extent possible, attempt to safeguard the concept of an enlarged Western European community.

I can think of no subject that is of greater importance to the welfare of the American people right now than the decisions that are being made in Brussels, Belgium, relating to the scope, the extent, the attitude and purpose of the European Economic Community. It surely is important to the welfare of the West—the free nations of the world—that there be closer economic integration between us and that, indeed, the United Kingdom, which is one of the great consuming nations as well as one of the great producing nations, be brought within this sphere or the orbit of the Common Market area of Western Europe. If this can take place, it appears to me that we might look forward to an expanding prosperity not only in Western Europe and in the free countries of the world, but also in particular to an expanding prosperity and growth here in the United States.

It has always been my contention that the prospect of new markets is not only at home, with an expanding economy here, but also abroad, with the development of many new nations, the economic growth in those new nations, and in particular in the economic growth and prosperity of Western Europe.

I ask unanimous consent that the remarkable address to which I have referred—and it is a forceful address—by the Secretary of Agriculture be printed at this point in the RECORD so that it may be studied by Senators and, I hope, by the civic leaders of thought in our Nation, because we are in for some trouble in the days ahead unless our Government maintains a firm and resolute position on the question of insisting that our exports, particularly in agricultural commodities, be given fair treatment in the Western European markets.

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

STATEMENT BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT MINISTERIAL MEETING OF THE AGRICULTURAL COMMITTEE OF THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, PARIS, NOVEMBER 19, 1962

It is a pleasure and a privilege to be meeting with you again here in Paris.

Our Committee can and will be an increasingly important forum for reviewing problems of mutual concern to the nations of the Atlantic Community.

At our first meeting a year ago we discussed three important topics of mutual concern to the nations of the Atlantic Community—international agricultural trade, a harmonization of national agricultural policies, and food aid to developing countries. The importance of these topics has grown rather than diminished since that time. Also, we have continued to gain useful new experience which we can apply to our mutual endeavors.

Efforts and programs directed toward each of these goals are of great significance to the nations in the OECD because of their impact on domestic economies and because of their effect on the strength and security of the free world. I should therefore like to present for your consideration, first, some observations on the role of food aid in economic development, and, second, the concern of the United States for the expansion of international agricultural trade, including need for national agricultural programs that support this objective.

In our meeting last year we discussed the task of sharing our agricultural abundance with emerging nations that are experiencing food shortages while they are striving for economic development. I am happy that this interest helped to crystallize support for the launching of the experimental world food program of the FAO and the United Nations. We have thus given expression to our recognition of the critical need for food in many countries, and of the principal that, in worldwide terms, there is no real surplus of food as long as people are hungry.

This recognition is nothing new for the United States. For 9 years we have conducted, bilaterally, a program of assistance in which we have exported over $11 billion worth of food and fiber. In the last fiscal year alone, we have exported more than $1.6 billion worth of agricultural products for this purpose. These programs, unprecedented in scope and magnitude, have taught us much about both the potential gains and the very great difficulties involved. They have taught us valuable lessons that we willingly share—lessons that can help us materially to judge the value of multilateral food assistance programs by which I hope we can add a new dimension to the use of food aid to further economic development.

We are trying continually to improve our own bilaterial programs, and in this respect in the last year we have stepped up and broadened our efforts to use food to help finance both labor and capital in projects for economic growth. This approach has stimulated such works projects as cropland restoration, irrigation and drainage facilities, and new schools and roads. In the last year, new programs of this kind have been initiated in Bolivia, Brazil, India, Ecuador, Taiwan, Hong Kong, and others.

We have learned how assistance in the form of food for school lunch programs can support health and stimulate education. Currently, 35 million children in 90 countries are being served by our programs, an increase of about 50 percent over 2 years ago.

We have gained experience in making low interest, long-term dollar credit sales of commodities to assist economic growth. We have completed agreements with 11 countries, 10 of these new during the past year.

We have learned how sales for foreign currency and other concessional programs can be of material assistance in preventing inflation and encouraging economic growth in developing countries. We have learned about the potential that lies in the use of voluntary nongovernmental agencies, such as religious organizations and groups like CARE, to which we donate food for use in their programs in participating countries. We are developing programs of business-to-business relationships in implementing an effective use of food aid. We have in some instances learned how assistance programs translate themselves into mutually advantageous commercial trade when a country that has received such assistance learns to stand on its own feet.

And we have learned that, to achieve this goal, we must do more than give of our food. Just as we respond to the appeal of a starving man by first giving him food to build his strength, and then helping him find a job, so we must provide to developing countries the kind of technical assistance that will help them to gain in strength and grow toward economic maturity and self-support.

On the other hand, we have learned much of the difficulties and the complexities, the hazards and the costs, the very real limitations of such programs. Precautions must be taken to prevent a disruption of normal commerce or a deterrent effect on local agricultural development. Costs of effective distribution can be higher than the cost of food itself. Many countries lack both the physical facilities and the administrative experience to receive, handle, and distribute food aid.

In other words, we have learned of both the opportunities and the limitations of a food assistance program.

We have learned enough of the opportunities so that we continue to enhance and improve our own bilateral programs, and so that we urge further development and participation in multilateral programs.

We have learned enough of the limitations so that we recognize that food assistance cannot—and must not—be either regarded or relied upon as a surplus disposal program. We have learned enough of its difficulties to recognize that, even with the greatest foreseeable success, food assistance programs are not in themselves an answer to the problems that arise from the Atlantic Community.

We have learned, too—and the Committee on Agriculture is to be commended for its work in this field—that assistance through food aid is no long-term substitute for the more efficient use of economic resources, in both giving and receiving nations.

We have learned that the fundamental answer to this problem must lie in sound and effective programs to manage our abundance, to direct our efficient agricultural productivity into amounts and kinds that we can use, and to channel resources used for inefficient agricultural production into other areas offering better economic use of the land, labor, and capital involved. All of the nations in the OECD are now facing, or will face in the years ahead, this problem.

This means that we must of necessity be concerned with each other's agricultural policies and programs. There must be a broad sharing of views and experiences. OECD is the appropriate forum for the pooling of our experiences under the various bilateral programs so that we can help each other make our food aid programs more effective. The report which the staff already has prepared on this subject is extremely useful.

I would like to turn now to my second topic of discussion—the expansion of inter-

national agricultural trade. In this highly essential area, I think that a frank and candid exchange of views will be most helpful.

I well recall that during the years when I was Governor of the State of Minnesota, I often saw statements by international leaders giving us advice on ways to manage our agricultural abundance in the interest of international harmony. Upon coming to Washington as Secretary of Agriculture, I found our National Government to be very sensitive to such advice. I found that any time I proposed a major action, its consequences had to be weighed in the balance of world opinion. I found this to be true throughout the U.S. Government. As a nation, we operate before an open window.

I do not think we are unique in this respect. All of us, as members of the Community of Free Nations, must respect the rights and needs of our neighbors. My remarks are offered in the spirit that all of us here must rightfully expect both to review and to be reviewed.

I have frequently encountered misinformation and confusion about the U.S. position regarding agricultural trade. I should like to make clear the U.S. position on this matter.

The United States is committed to a liberal trade policy, and we have tried to apply this policy to agricultural products. Like most industrial countries, the United States has found it necessary to use government program to protect the income of farmers. Virtually every industrial country has experienced a growing disparity between the incomes of farm and nonfarm people, and has had to undertake corrective measures. We have tried, however, in our efforts to improve farm income to give due regard to our position both as an exporter and importer of agricultural commodities.

The United States is the world's largest exporter of food and agricultural products. What is sometimes not realized is that we are also one of the world's largest importers of food and agricultural products, ranking second after the United Kingdom in this respect. In 5 of the past 10 years, the value of our agricultural imports actually has exceeded the value of our agricultural exports. Currently, we are exporting agricultural products at a rate somewhat in excess of $5 billion a year, and we are importing agricultural products at a rate approaching $4 billion a year. Of the $5 billion worth that we export, we sell about $3½ billion as commercial exports and the remainder we make available on generous terms to the less developed countries.

With respect to imports, I think it is not generally understood either at home or abroad how liberal our trade policy has been.

Many of our agricultural imports are, of course, such products as coffee and rubber, which are noncompetitive with U.S. agricultural production. More than half our agricultural imports, however, are competitive products. These include fresh and frozen beef and lamb, pork, a large variety of canned meat products, vegetable oils, fruits and vegetables, tobacco, and even feed grains. The Netherlands alone exports to the United States annually about $30 million worth of canned hams. Only our imports of sugar, peanuts, cotton, wheat, and certain dairy products are subject to import limitations—and on these products, except dairy, we also limit our domestic production and marketing. All other agricultural imports of the United States, including those listed earlier, are permitted unrestricted entry and are subject to only moderate tariffs.

Most of our commercial agricultural exports take place without benefit of special Government payments. There are, of course, export payments on such commodities as wheat and cotton for which domestic prices are maintained above world levels. Here again, however, we have sought to act responsibly. Export payments have been used only to maintain our fair share of world trade. We have not tried to use them to take markets away from traditional suppliers, and I think the record shows we have met this test. Generally speaking, the U.S. portion of commercial world markets has not been increased beyond its traditional share.

As a second test, export prices of commodities for which special payments have been made have been fairly stable in recent years. For example—wheat. This is in contrast to the wide fluctuations which have occurred in world prices of many primary materials.

As a third test, our policies have led to the accumulation in the United States of large stocks of several staple commodities that conceivably could have been dumped onto world markets. We believe our policy of withholding supplies and regulating the flow of our commodities to world markets has been a stabilizing influence of considerable benefit both to exporting and to importing nations.

Supply management constitutes an essential element of U.S. domestic agricultural progress. Essentially this means that in exchange for price and income assurance, farmers must accept limits on their efforts to produce and to market. I use the words "supply management" rather than "production control" deliberately because it more accurately reflects the basic objective of U.S. domestic agricultural programs. Supply management implies the adjustment of production to amounts that can be used, and this is actually what we try to do. Thus, our position as a major importer and exporter of agricultural commodities figures heavily in the development of our domestic programs.

The increasing interdependence within the free world community of nations, we believe, imposes on every member country—whether an importer or exporter—the obligation to develop domestic agricultural programs within an international context. It would be difficult, for example, to convince our farmers in the United States that they should accept limits on their productive efforts if at the same time farmers in other major producing countries were expanding their production of identical or similar products with Government encouragement.

It is for these reasons that we take a keen interest in the developing agricultural policies of the European Economic Community. The six countries which presently comprise the European Economic Community account for a significant fraction of the world's imports of agricultural commodities. Whatever policies are followed by these six will profoundly influence the directions to be taken by others.

The United Kingdom is now negotiating with the Common Market for membership. She is the world's largest importer of agricultural products on a relatively unrestricted basis. With the United Kingdom in the European Economic Community, her agricultural industry and her trade with third countries will be subject to the rules and regulations of the European Economic Community. The policies of an expanded European Economic Community that included the United Kingdom would, therefore, have even more significance for third country exporters of agricultural products.

The eyes of the whole agricultural world are on this great new Community. The actions the Community is now taking are going to be the largest single factor in determining whether the agricultural systems of the world are mindful of the need for international harmony or whether agriculture retreats into a shell of nationalism.

On the decisions of the European Economic Community depend largely the course not only of agricultural trade but international trade generally. We have been sharply troubled by the mounting evidence such as the recent action on poultry which suggests that the European Economic Community, instead of moving toward a liberal trade policy for agriculture, actually is moving backward with regressive policies that could impair existing trading arrangements. We cannot be internationally minded in the industrial areas of our respective economies and nationally minded and protectionist in the agricultural sectors. Either the two great sectors move forward together under the banner of liberal trade or both will succumb to protectionism.

My country has recently conducted a searching examination of international trade policy. From this examination emerged the Trade Expansion Act of 1962. This act will provide the framework within which U.S. participation in trade negotiations must take place. In the debate which preceded the enactment of this law and in the provisions which were included in the final version, it was made crystal clear that as far as the United States is concerned agricultural trade policies cannot be separated from trade policies applied to industrial products.

In the past negotiations, we have included tariff bindings on both agricultural and industrial products in the package of concessions negotiated with other countries. The Congress and the American public find it difficult to understand why the United States should maintain liberal access for a wide range of competitive imports if our own agricultural exports are restricted in foreign markets. There is considerable feeling that in past negotiations we have not done well in providing export opportunities for U.S. agricultural products, while at the same time granting concessions that expose our domestic market to increased competition from imports.

Do you think that we could maintain these arrangements if our major agricultural export market in an expanded European Economic Community were impaired?

Do you think we could continue to apply the rules and principles of GATT to our own agricultural imports while other major importers followed a different and more restrictive set of rules?

It is essential that U.S. negotiators obtain at future trade conferences adequate assurances that access to export markets for our agricultural products is maintained. This is the mandate we have in the new trade act.

The recognition of the initial importance of this matter on the part of the American public and the American Congress is typified by section 252 of the act, which was inserted by the Congress on its own initiative. This section takes note of the many nontariff measures which unjustifiably and unreasonably restrict trade in agricultural products.

It directs the President to take all appropriate and feasible steps to eliminate unjustifiable import restrictions on agricultural products maintained by any country against U.S. agricultural products. Such steps may include retaliatory action, if necessary, against imports from the country in question, and the withholding of concessions and most favored nation treatment from that country.

It is against this background that I should like to outline to you some of my own Government's views on trade problems and policies, and to suggest procedures for arriving at decisions that assure the maintenance of a high level of international trade in food and agricultural commodities.

First, as provided for in the OECD convention, trading arrangements should be global and nondiscriminatory in character. Existing preferences should be phased out over a reasonable period of time.

Second, we should like to see trade in the widest possible range of agricultural commodities and foodstuffs regulated by moderate fixed tariffs. Moderate duties constitute the simplest nondiscriminatory method of regulating trade.

As a third principle, I should like to emphasize the need for nations and economic groupings to act responsibly in developing agricultural income support policies to the end that such policies do not interfere with normal patterns of trade.

The need to find solutions to these problems has been made particularly acute by the emergence of the European Economic Community's agricultural policies with their emphasis on variable levies and minimum import prices rather than fixed tariffs.

These nontariff devices tend to insulate producers within the European Economic Community from the effects of outside competition. This system could be used to exclude imports completely—or it could be used to promote liberal trading practices. In this connection, much will depend on the decision taken by the European Economic Community member states with respect to their internal price levels. It is fair to say that the United States and other agricultural exporters await these decisions with concern but also with the hope that economic reason will prevail. Some limits on the use and application of nontariff controls are required so they will not constitute a major interference with international trade.

The purpose of these devices is, of course, to equalize the cost of imports with the predetermined level of internal prices. We are in complete sympathy with measures to protect income and economic well-being of the farm segment of the economy. Our own efforts in this field are well known. We don't believe it necessary, however, to sacrifice international trade in the process of providing farmers with income assurances.

The system established by the common agricultural policy, if utilized to maintain high internal target prices, could provide a powerful stimulus to uneconomic production. Such a practice would entail tremendous economic and social costs to the nonagricultural sectors of the Common Market economy.

My Government, of course, is aware that one way to deal with some of the troublesome agricultural trade problems would be through the negotiation of international commodity arrangements.

We have observed with very real interest the reference to commodity arrangements included in the Declaration of Commonwealth Ministers last September. We have also noted the reports out of Brussels regarding the interest of the European Economic Community in negotiating commodity arrangements for temperate zone agricultural products, and Mr. Pisani's stimulating remarks on the same subject.

For our part, we believe that international commodity arrangements merit consideration. We would be willing at the proper time to seek to negotiate such arrangements.

We think that a pragmatic approach is best, one which undertakes to examine, commodity by commodity, beginning with grains, the possibility of using commodity arrangements as a means of maintaining trade.

The variable levies imposed on grain imports by the European Economic Community, and the decisions which the European Economic Community must make soon with respect to grain prices, lend a sense of urgency to this task. As you know, a special GATT group has been set up to study the problem of grains. It has held one meeting but adjourned without really coming to grips with the issues involved. We would like to see this group reconvened as early in 1963 as possible.

The principal objective of commodity arrangements, as we see it, would be to develop measures for maintaining trade in those commodities which do not lend themselves to regulation by fixed bound tariffs. Within this context, exporters would expect to obtain meaningful assurances of access to traditional markets. The elements which we believe should be considered in such agreements include international prices, producer prices, supply management including supply control, import quotas, export shares, stocking, and contributions in the form of food aid to less developed countries. Obligations with respect to any of these elements included in the agreement should apply equally to importing countries as well as to exporting countries. If it is not possible to agree on fixing producer prices in importing countries, then specific assurances as to the maintenance of established levels of imports would be required.

I cannot emphasize too strongly the need to include in any commodity arrangement effective measures of supply management. The productive capabilities of our agricultural industries simply exceed possible outlets for the foreseeable future.

We are fully aware of the difficulties that would be encountered in negotiating agreements that include elements which I have just indicated. It is for this reason that the list of commodities for which commodity arrangements are considered should be limited. This problem needs to be studied carefully.

International commodity arrangements of the complex nature I have described do not offer the only possible solution to trade problems arising from the use of variable levies. Other possible solutions are available.

I have in mind such measures as establishing a maximum on the variable levy, the negotiation of the level of internal prices, or provisions which would give reasonable assurances that imports would be maintained at some specified level, possibly on a basis that allowed exporters to retain a percentage share of a market.

Negotiation of commodity arrangements is likely in any event to be a time-consuming process. In the meantime, trade in a number of commodities is threatened by European Economic Community regulations. Where the possibility exists that trade will be impaired by these regulations, we believe that interim measures should be adopted which assure the maintenance of trade pending the negotiation of permanent arrangements. These interim arrangements might take the form of appropriate adjustments in European Economic Community regulations affecting external trade so as to assure the maintenance of a specified volume of imports.

There are other features of the common agricultural policy which cause us great concern. One of these is the system of minimum import gate prices which is being applied to some products. We think this device should be used only to prevent dumping. As we understand this feature, however, the consequences are much broader than protection against dumping.

The gate prices already announced for poultry serve to illustrate my point. U.S. poultry is offered on world markets at reasonable prices because of the efficiency achieved by American producers, and our poultry is exported by the private trade without any subsidy. But a minimum import price higher than the U.S. export price for poultry subjects our exports to an additional duty and denies consumers in the European Economic Community part of the benefits of the efficient low cost American production.

We have just learned that the European Economic Community Commission has recently authorized a uniform sluice gate differential levy (i.e., an additional uniform entry fee) on U.S. poultry. This will constitute an additional penalty against our export trade, and steps have been taken to urge reconsideration of this action. We are most seriously regarding the need for limitations on the variable levy and the gate price with respect to poultry. The consequences of overprotectionism in this area would be most damaging.

The United States is fully prepared to play its part in carrying forward negotiations aimed at maintaining international trade at satisfactory levels. The new Trade Expansion Act recently passed by the Congress and signed by the President provides us with additional tools for doing this.

The new trade act gives the President broad authority to negotiate reductions in duties up to 100 percent. There are special provisions which will facilitate negotiating tariff reductions with the European Economic Community in broad categories of products, agricultural as well as industrial. The reductions negotiated under this authority will continue to be applied in a nondiscriminatory basis and will thus benefit all members of the GATT.

We intend to utilize the provisions of the new act fully in promoting more liberal trade policies for agricultural commodities. We expect the broad concessions we are authorized to negotiate by the Trade Expansion Act will enable the negotiation of a great interlocking system of more liberal and expanded trade. This system of concessions must necessarily include satisfactory arrangements for our agricultural trade as well as for our industrial products.

We have noted and are concerned over the attitudes and disposition of several important trading communities at recent tariff negotiations to exclude from the negotiations in major part, if not altogether, trade in agricultural products. There is currently a strong inclination, especially among industrial countries, to separate negotiations on agricultural trade from the trade in industrial goods. We do not approve of this practice. It is obvious that in order for the many countries which are principally exporters of agricultural goods to participate in tariff and trade negotiations for the reduction of trade barriers, they must have some assurance that they can negotiate meaningful terms of access to foreign markets for their products. This can best be accomplished by including trade in agriculture in the traditional tariff negotiating procedures of the GATT.

Greater attention must also be paid, both in the short and long term, to the effect on agricultural trade of nontariff obstacles: import restrictions, quotas, subsidies, dumping, export aids, and various other nontariff devices in use by member countries, including my own. Not enough progress has been made in reducing obstacles, despite the relative degree of prosperity we have together obtained since World War II. We now have in the Agricultural Committee of the OECD and particularly in the joint working party it has formed with the Trade Committee, the mechanism for dealing with these problems. We intend to confront other members on restrictions applied against U.S. exports; we hope for redress of unfair practices. We expect other members to confront us on difficulties they may be experiencing in the U.S. market. In these confrontations there are good chances for progress toward more liberal trade policies.

I assure you that my Government will be willing to discuss any aspect of our agricultural trade policies, and will be as forthcoming as any other member in its efforts to find equitable solutions to these specific trade problems.

The trade problems confronting us in agriculture are so serious that the time is overdue for frank, plain talk. That is exactly what I am doing today, and I am very hopeful that we can use the OECD effectively to develop a better understanding of trade problems and possible solutions.

The United States would have difficulty in concluding a general round of negotiations if trade problems on major items of agricultural trade were left unresolved.

In conclusion, let me assure you that by no means would we want to exempt American agriculture from making its own contribution to the solution of the international trade problems that face us. We would not ask others to adopt rules that we would not apply to ourselves. Naturally, in urging the European Economic Community to maintain moderate internal price levels and liberal trading practices, we recognize that the United States must also undertake comparable obligations. We are prepared to consider constructively your suggestions for modifications of our practices, including export aids and import restrictions maintained under section 22 of the Agricultural Adjustment Act, as part of more satisfactory global arrangements for agricultural trade. I should remind you, however, that the U.S. Congress will not agree to any major alteration of U.S. agricultural policies unless other nations are prepared to take similar steps.

The European Economic Community, in turn, has a great moral and practical responsibility in the maintenance of international trade just because its weight in that trade is going to be so important. We have no doubt of EEC's awareness of this responsibility. Hence, we look with hope and confidence to future cooperation in the free world to solve satisfactorily the twin problem of agricultural protectionism and trade.

Each of us here recognizes the difficulty of the problem. Equally, we must recognize the necessity of finding solutions. Not only maintenance of trade but the continued unity and strength of the Western World is at stake.

Mr. HUMPHREY. We helped to rebuild markets in those countries, and we can at least expect, and should expect, that we will be treated as a friend and not as an outsider. We should be treated as a partner, and not as a competitive enemy.

I am pleased to note that the response from most of the countries in Western Europe is favorable and friendly, but that the agriculture decisions have not as yet been fully consummated. We still have some time to press our case. Our case is stated succinctly and, I think, brilliantly and forcefully by the Secretary of Agriculture, who speaks not merely for himself, on these questions, but also for the Government of the United States. He is supported by the President of the United States, the Secretary of State, and our other important officials.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article appearing in the Washington Post of recent date describing the situation in Brussels on the eve of today's momentous discussions.

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

MARKET BATTLE REOPENS TODAY

(By Tom Streithorst)

BRUSSELS, January 27.—The struggle of de Gaulle versus the United Kingdom returns to Brussels Monday as another round opens here in the 15-month-old battle over British entry into the European Common Market.

The struggle, however, will be fought without British presence at the opening session. The dispute now lies within the actual membership of the European Economic Community (EEC), as the Common Market is called.

The key question for the negotiators from six-member states is do they or do they not want to continue trying to find a way of bringing Britain into the Community? France has announced its determination to end the talks; the others want to continue.

Present in the negotiations will be delegations from France, Italy, West Germany, and the Benelux nations, plus the nonvoting representatives of the European Economic Community's executive, the Common Market Commission.

As the six-nation talks go on on the seventh floor of the new Belgian Foreign Ministry building, the British delegation, under Lord Privy Seal Edward Heath, will be a few doors away on the same floor awaiting the results.

The West German delegation under Foreign Minister Gerhard Schroeder—a stanch supporter of British membership—is expected to propose that the Common Market Commission's president, Walter Hallstein, draw up a report outlining progress to date and problems remaining in the now faltering negotiations and proposing solutions.

Much depends on how strong a mandate the German proposal gives Hallstein and his Commission. The French would like to see the Commission limited to the role of bookkeeper, drafting a simple balance sheet of successes and failures to date. If this approach were adopted, the Commission's report would amount to little more than an epitaph to the British bid to join Europe.

It is doubtful that Hallstein, who sees the supranational Commission's role as an ever-expanding one, would agree to undertake a report bound to failure from the start. He and the other five delegations favor a Commission report which suggests solutions to outstanding problems and amounts to a virtual mediator's role for the Commission.

The problem for the German Foreign Office has been to frame a proposal that can be effective in keeping the talks alive, but one getting Britain into the Common Market that would not be so strongly worded that France would not accept it. While the proposal is believed to have been completed its terms remain unpublished.

In an apparent effort to provide maximum backing for British entry, West Germany's Minister of Economy, Ludwig Erhard, another British entry supporter, will be among the members of the West German delegation. Erhard dines tonight with Chief British Negotiator Heath and it is likely that Heath will have an advance look at the German proposal.

Before meeting Erhard, Heath conferred with Christian A. Herter, former U.S. Secretary of State who is here as a special American representative on trade matters. Heath also called on Belgian Foreign Minister Paul-Henri Spaak, an outspoken advocate of British entry.

Spaak earlier had suggested in a radio interview that the five Common Market proponents of British membership consider continuing the negotiations alone if France persists in her efforts to exclude the United Kingdom.

All observers here agree that West Germany's role is the fundamental one. Italy and the Benelux countries are outspokenly on the side of the British entry. The nonvoting but influential Commission, with its role of safeguarding the interests of the Community—seems to have swung to the view that the British should be inside—if only to prevent the Community from tearing itself apart by internal disputes.

Germany, in the opinion of experienced observers here, must remain solidly with the pro-British entry forces if there is to be any chance of turning French President de Gaulle from his anti-British course.

## THE COMING DEBATE ON TAXES

Mr. HUMPHREY. Mr. President, during the debate on the proposed changes in the Senate rules, the Senator from Minnesota remarked that he preferred to deal in substantive issues rather than procedural ones. He urged that the opponents of the proposed rules changes take positive action that would bring the issue to a point of decision.

The Senator from Minnesota regrets that this has not happened. We have a number of substantive issues already before the Senate and I believe it is not too early to begin careful analysis and study of the more important ones.

In terms of total impact on the Nation, I know of no more importance issues than those raised in the President's tax message delivered to the Congress last week. It does not require deep prophetic wisdom to realize that tax reduction and reform will be the principal issues before us this session.

As my colleagues know, I called for a substantial tax reduction last spring. I maintain that maximum economic impact would have been achieved if my recommendations had been implemented. Nevertheless, as I said in a policy statement in December, significant results—both of a short and a long term nature—could be achieved if the 88th Congress acted promptly in response to President Kennedy's request for a comprehensive program of tax reduction and reform.

I wish to compliment President Kennedy and his staff of economic advisers, particularly Dr. Walter Heller, Chairman of the Council of Economic Advisers, for submitting the tax proposals early in the session. I know that much study, analysis, and debate will take place before Congress will complete its work. But there are few issues more demanding of the concern of every Member of Congress.

I also wish to compliment the President for explicitly urging upon the Congress the adoption of a Federal fiscal policy designed to expand dramatically the utilization of productive resources of this country, both human and industrial.

For the first time in history, the President of the United States has laid the economic chips on the table. He has acknowledged that our actual rate of economic expansion is lagging behind the potential growth rate. He has attributed this undeniable fact—at least in part—to the Federal Government's irrational fiscal policy. He has admitted that drastic steps are necessary if the practices of the Federal Government are to follow the most basic economic guidelines that have been developed over the past decades. He has proposed a comprehensive tax program that seeks to establish a rational Federal tax policy.

In taking this bold and historic step, the President also has attacked the No. 1 economic heresy that has bedeviled the body politic for the past 15 years, namely that a balanced Federal budget—regardless of other related consequences—is the highest possible economic achievement open to mortal man.

Without engaging in an extended debate on this subject at this time, I only

wish to indicate that President Eisenhower's much-heralded attempts to balance the Federal budget in 1957 proved to be the fundamental underlying cause of the 1958 recession, which then produced a totally unexpected and unplanned record peacetime deficit of $12.4 billion. A more rational and informed understanding of the impact of Federal fiscal policy on the entire economy of the country would have avoided such an unfortunate result.

The goal of a rational fiscal policy is achievement of the full utilization of available manpower, plants, and machines while avoiding the dangers of inflationary shortages. The Federal Government should continue to add to the demand for goods and services until the economy approaches full employment. Our existing tax policies are incapable of achieving this goal.

As we begin this great debate on taxes, I believe it is essential for every American to have a clear understanding of what is involved in establishing a rational Federal tax policy. I would like to recommend to all economic laymen like myself an article entitled, "The Positive Role of Fiscal Policy," that appeared in the January issue of the American Federationist, the official monthly magazine of the AFL-CIO. This article presents an easily understood, comprehensive summary of the components of a rational fiscal policy and indicates how such a policy would be a major ingredient to revitalizing the economy of the United States.

Mr. President, I ask unanimous consent that the full text of this article be printed in the RECORD at this point.

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

THE POSITIVE ROLE OF FISCAL POLICY

THE KEY BUDGET CONCEPTS

Administrative budget: This is the Federal budget usually discussed in the newspapers and over radio and television. It includes the expenditures for which yearly appropriations by Congress are needed and the tax receipts that are paid into the Government's general fund. The administrative budget deals with the general operations of the Government. It includes Federal expenditures for national defense, the operation of Government agencies, veterans and farm programs, housing and natural resources programs and interest payments on the Federal debt. Federal receipts, under this budget, essentially come from individual income and corporate profit taxes, excise taxes and customs duties.

This budget, however, does not include operations of the Federal Government's various trust funds—neither the specially earmarked payroll taxes for the social security trust fund nor expenditures to those who receive old-age, survivors' and disability insurance payments; neither the special gasoline taxes for the highway trust fund nor expenditures for the Federal highway program.

The administrative budget includes the bulk of the Government's financial operations but not all of them. Since the trust funds are excluded from this budget, it is an incomplete presentation of the Government's fiscal operations.

Cash budget: This is the budget that shows the flow of Federal receipts from the public and payments to the public. It includes the operation of the various trust funds—tax receipts and expenditures of the social security and highway trust funds, deposits and withdrawals by States for the unemployment insurance system, payments into and out of the veterans' life insurance program.

The difference between the administrative budget and the cash budget can be seen this way: In the fiscal year that ended June 30, 1962, the administrative budget showed receipts of $81.4 billion and expenditures of $87.7 billion. With the addition of trust fund operations, the cash budget's receipts from the public were $101.9 billion and payments to the public were $107.6 billion.

The cash budget measures all Federal Government cash transactions with the public.

National income accounts budget: This budget measures the impact of Federal taxing and spending on the economy—on the flow of the Nation's income and production. It includes the operation of the trust funds and records Federal receipts and expenditures that directly affect the income and production of the Nation.

The national income accounts budget records taxes and spending on an accrual basis at the time they affect economic activities rather than when taxes are actually paid or Government checks are issued. Corporations, for example, set aside funds for tax payments about 6 months before they are actually paid; the economic impact occurs when the funds are put aside for future tax payments. Expenditures are recorded in the national income accounts budget when goods are delivered or services performed rather than when the Federal Government's check is issued.

In the fiscal year ending June 30, 1962, the national income accounts budget indicates that receipts were $104.8 billion while expenditures were $105.7 billion—thus the Federal Government placed $900 million more funds into the economy's spending stream than it took out.

Capital budget: This form of budget has been proposed for the Federal Government but has not yet been adopted. It is used by private business corporations, many States and scores of municipalities as well as many foreign nations. It has been recommended by President Franklin Roosevelt, the Hoover Commission, and the 1960 Democratic Party platform.

A capital budget would present a separate accounting and financing of Federal expenditures of an investment nature—separate from current transactions such as salary payments to employees of a Government agency in Washington. Among Federal investment outlays are such programs as loans for housing, agriculture, and maritime that are repaid to the Government with interest; capital investments for highways, hospitals, airports, and public buildings, the development of public lands. In general, the Government's capital investments include self-liquidating loans and expenditures which provide services over a period of years.

Under a capital budget, such investment outlays would be listed separately in the Government's books and in a businesslike manner, as corporations account for their investments in plants, machines, and loans separately from expenditures for raw materials. At present, however, the Federal Government's investment outlays are simply lumped together with all other forms of spending. Current expenditures for such items as office supplies for Government agencies, for example, are combined with outlays for reimbursable loans and the construction of hospitals. A capital budget would separate out expenditures for investments from other Government outlays.

Federal budget policy can be a powerful tool for achieving and maintaining full employment and maximum use of plants and machines. It must become such a tool if the American economy is to regain a vigorous forward momentum.

Other countries use their fiscal policies—the combined effects of government taxing and spending—as a means of maintaining rapid economic growth. Unfortunately, fiscal policy in the United States has not been used in a rational and flexible manner as a key element in the Nation's economic policies.

Indeed, the Federal budget's actual operations have become a braking force on the economy's forward progress. Emphasis on trying to achieve balanced budgets, under almost any kind of condition, has resulted in budget deficits. It has slowed down needed increases in Government investment for the improved public services required by a rapidly growing, urban population. And it has dampened down necessary increases in sales, production and employment while the economy's ability to produce more goods and services has continued to grow rapidly.

Too many Americans still think of Federal taxing and spending in terms of the America of the 1800's. That America was a much simpler society of farms and small towns in which most of the workforce were self-employed farmers, storekeepers, and artisans; a country with a much smaller population, much smaller defense needs, and much smaller Government expenditures. That America, which required a minimum of Federal action, has disappeared along with the buffalo.

Most Americans now live in large metropolitan areas and work for companies that sell their products in nationwide markets. World War II and the cold war have made large defense expenditures a continuing necessity and have placed the United States in the forefront of the free world. From a small factor that accounted for less than one-twentieth of total national production, Federal taxing and spending now account for about one-fifth of national output.

If America is to meet its needs and responsibilities, then Federal budget policy must be modernized.

Why have Federal spending and taxation become an important factor in the American economy?

After World War I, Federal expenditures were at a yearly average of $3.2 billion in the 1922–29 period. Defense spending was only about $745 million a year and the bulk of Federal outlays—78 percent—was for civilian purposes. Federal taxes accounted for approximately 4 percent of total national output and almost the same share of national production was put back into the spending stream through Federal expenditures.

In the 1930's, Federal programs to halt the havoc of the great depression caused increases in Government outlays. Farm programs, public works efforts, and relief programs for the unemployed brought increases in the Federal Government's administrative budget expenditures. Creation of the unemployment insurance and social security systems meant the establishment of specially earmarked Federal trust funds—separate accounts of special payroll taxes that are paid out only for the specific purposes of social security and unemployment insurance benefits.

By 1938, the last New Deal year before Europe moved to the brink of war, administrative budget expenditures for defense and general operations of Government were $6.8 billion or 7.7 percent of the depression-level total national production. Including the operations of the trust funds, which were in their early beginnings, all Federal cash payments to the public were $7.2 billion or 8.2 percent of the depressed level of national output.

New Deal programs did not increase the size of Federal fiscal operations very sharply. Expenditures soared, however, during World

War II. By 1944, the peak of the war effort, Federal expenditures reached $95 billion—45 percent of the Nation's rapidly growing total production—with defense outlays of $80.4 billion.[1]

Federal spending was slashed in the years after World War II despite the increased expenditures for veterans programs and the payment of interest on the war-induced national debt. In 1949, national defense spending fell to $19 billion while the costs of war's aftermath—veterans programs and interest on the debt—were $12.2 billion.

In 1949, administrative budget expenditures for defense and the general operations of Government were $39.5 billion, 15.1 percent of total national production. Spending for defense and the aftermath of the war were almost 80 percent of administrative budget expenditures. With the inclusion of the operations of the specially earmarked trust funds, total Federal cash payments were $40.6 billion or 15.5 percent of national output.

World conditions changed in 1950 with the outbreak of the Korean war and the clear realization that the Soviet Union and Communist China would persist in their conflict against the free world. In 1953, national defense expenditures were up to $52.7 billion while the cost of the war's aftermath was an additional $10.9 billion—the cost of past and current defense efforts was 86 percent of administrative budget outlays. The administrative budget expenditures of $74.1 billion were 20.6 percent of national output while total cash payments to the public, including the operations of the trust funds, were $76.8 billion or 21.4 percent of national production.

The continuing cold war meant large Federal outlays for national defense, even after the end of the Korean war. In the fiscal year ending June 30, 1962, national defense expenditures were $55 billion while veterans programs and interest payments on the war-induced debt were an additional $14.6 billion. Past and present defense spending were almost 80 percent of administrative budget expenditures of $87.7 billion, which accounted for 16.3 percent of total national production. After adding the expenditures of the social security, unemployment insurance, highway, and other trust funds, Federal cash payments to the public totaled $107.6 billion or 19.9 percent of national output.

While the compelling requirements for national defense in a period of cold war have been essentially fulfilled, the pressing needs of a rapidly growing urban population, neglected during the war, have been only partly met in the postwar period. The great bulk of Federal expenditures in recent years has gone for national defense purposes. All civilian, nondefense related expenditures under the administrative budget came to only 3.3 percent of total national production in fiscal year 1962—merely about $97 per man, woman, and child in the population.

Persistence of the cold war and America's international obligations in the future will require continuing large outlays for national defense. The pressing needs of a growing, urban population for direct Federal programs as well as Federal grants-in-aid to the States and local governments—for such programs as education, health, housing, urban redevelopment, and improved transportation facilities in metropolitan areas—require additional Federal expenditures for civilian purposes. The outlook, therefore, is for continuation of large Federal expenditures to meet the Nation's defense and civilian needs in the second half of the 20th century.

[1] References to fiscal operations in specific years are for the Government's fiscal years, which end June 30. Reference to 1944, for example, is to the fiscal year that ended June 30, 1944.

A significant part of these Federal outlays, of course, is for investment purposes—such as reimbursable loans and investments in public buildings, the conservation and development of natural resources. In this sense, many Federal expenditures are similar to business investments in new plants and machines rather than outlays that are immediately consumed or that go up in smoke.

There is no doubt the required levels of expenditures and investments can be met by the great productive and wealth-creating ability of the American economy. They will be more easily met by a rapidly growing economy, expanding personal incomes and business profits than by the slow economic growth of recent years.

Outlays of $100 billion are 20 percent of $500 billion national production, but 20 percent of a $600 billion total national output would mean $120 billion. A concentrated effort is needed to increase the economy's rate of economic growth and its ability to more easily absorb the required costs of meeting America's needs.

WHAT ABOUT THE FEDERAL DEBT?

Opponents of a rational fiscal policy usually focus their attention on the Federal debt. What does the record show about the debt of the Federal Government?

In 1938, before the outbreak of World War II, the Federal debt was $37.2 billion or 42.3 percent of the depression level of total national output. Under the impact of wartime expenditures, the debt jumped to $269.4 billion by mid-1946; at that point, the debt was 132.8 percent of the Nation's expanding total production. This sharp rise of the Federal debt clearly was due to World War II.

During the early postwar years, prosperous conditions and rapid economic growth produced substantial tax revenues despite a reduction of wartime tax rates—sufficient revenues to create surpluses in Federal fiscal operations after wartime expenditures were cut. In 1949, the Federal debt was down to $252.8 billion. The moderate decline of the debt in those years was accompanied by a rapid rise of sales and production so that, by mid-1949, the Federal debt was down to 96.6 percent of the Nation's growing national output.

After 1949, however, Federal expenditures increased substantially, mainly due to the Korean war and the continuation of the cold war. Although tax rates were raised at the outbreak of the Korean war, increased defense expenditures brought the debt up to $271.3 billion in mid-1954, after the end of the war. National production, however, increased much faster than the debt in the early 1950's. As a share of total national output, the Federal debt was 74.9 percent in the fiscal year ending June 30, 1954.

Surpluses in the Government's fiscal operations were achieved in the fiscal years ending June 30, 1956 and 1957, reflecting the high and rising personal increases in business profits of the period.

But in most years since 1954, tax revenues were less than expected. Recurring recessions in 1954, 1958, and 1961, accompanied by rising unemployment and short workweeks, meant lower Federal revenues from lower personal incomes and business profits. The deficits in Federal cash operations were $13.1 billion in fiscal 1959 and $5.1 billion in fiscal 1962—mainly due to the recessions and relatively depressed personal incomes and business profits of 1958 and 1961.

In the fiscal year ending June 30, 1962, the Federal debt was $298.2 billion. Overwhelmingly, this debt was the result of World War II, the Korean war, and continuation of the cold war.

Although the Federal debt has tended to move upward since the World War II years its burden of weight on the national economy has been reduced considerably by increases in national production. Between 1946 and 1962, the Federal debt increased from $269.4 billion to $298.2 billion. But total national output rose much faster. Therefore, while the debt was 132.8 percent of national production in 1946—nearly 33 percent greater than the Nation's total production—it was down to 55 percent or about half of the much greater gross national product in 1962.

The Nation was in a much stronger position to carry its increased debt in 1962 than it was in 1946, when the debt was smaller. A country's ability to carry a debt is best measured by its total national production. Rising total national output can continue to reduce the burden of the Federal debt in the future.

The cost of the Federal debt, of course, is the interest payment to those who own the debt—the people and businesses that hold Government bonds and other Government securities. In 1962, interest payments were $8.9 billion, which accounted for only 1.6 percent of the Nation's total output. These interest payments in 1962 were greater than the $4.7 billion interest payments of 1946. But they accounted for a much smaller portion of the greater national production—1.6 percent in 1962, in contrast with 2.3 percent of the Nation's total output in 1946.

Rising national production in the postwar years lightened the burden of both the Federal debt itself and the interest payments on the debt. Concentration on the increased debt and interest payments alone gives a partial and distorted view of the Nation's economic power.

It must be remembered that the Federal debt is quite different from a family debt. A family's debt is owned by people or businesses outside the family and payments on the debt go to others. Almost all of the Federal debt is owned by Americans. Interest payments on the Federal debt are made to Americans and these payments add to the Nation's consumer spending and business investments. Interest payments on the Federal debt, therefore, remain within the United States.

GENERAL IDEA OF RATIONAL FISCAL POLICY

The level of national production and the state of affairs in the economy have a direct bearing, as we have seen, on whether Federal spending and taxing are a heavy or light burden.

But it works the other way around as well. Federal fiscal policies have a direct impact on national production and the direction in which economic activities are moving.

The aim of a rational and modern fiscal policy should be much more than merely the bookkeeping records of Federal tax revenues and expenditures. The proper and necessary goal of fiscal policy in industrial economies of the second half of the 20th century should be to sustain maximum and balanced growth of the economic system.

When taxes and expenditures account for 1 percent, 2 percent, or 5 percent of total national production, as in earlier days, the impact on the national economy is small. But when the Government's fiscal policies have a direct bearing on about 20 percent of total national output, the impact on economic activities becomes substantial.

The Federal Government adds to increases in sales, production and employment when it injects more funds into the economy's spending stream through expenditures than it takes out of the spending stream in the form of taxes. Deficits in the Federal Government's fiscal operations have an expansionary impact on the economy—they add to sales, production and employment.

When the Federal Government takes more money out of the spending stream through taxes than it puts in through expenditures, however, it dampens down further increases in economic activities. Surpluses in Federal fiscal operations have a braking effect on

additional increases in sales, production and employment—they restrain further expansion in the demand for goods, services and manpower.

Under a rational fiscal policy, the Federal Government's taxing and spending, in combination, would continue to add to the demand for goods and services until the economy approaches full employment. Expansionary deficits in Federal fiscal operations—with the Government putting more funds into the spending stream than it is taking out—would be deliberately sought and planned so long as unemployment remains high and there are considerable amounts of idle plants and machines.

Surpluses of tax receipts over expenditures would be sought, under a rational fiscal policy, when the economy is operating at full employment and maximum use of plants and machines. Under such conditions, Federal fiscal operations should properly restrain additional increases in sales, production and employment in order to curb the danger of inflationary shortages.

The amount of deficit or surplus in Federal fiscal operations should vary with the needs of the economy. When unemployment is high, the deficit should be great enough to add to sales, production, and jobs as rapidly as possible in order to achieve maximum use of manpower, plants, and machines. When the economy is operating at full blast and shortages threaten, the surplus should be great enough to restrain effective demand and reduce the danger of shortages without throwing the economy into a recession.

A rational fiscal policy, therefore, would require concentrated attention on the state of affairs in the national economy rather than focusing solely on whether or not the books are in balance. The needs of the economy for maximum and balanced growth would come first.

The goal of such a fiscal policy would be to maintain full use of available manpower, plants, and machines while avoiding the danger of inflationary shortages. Such a rapidly growing, full-employment economy would produce budget balances and surpluses from high and rising personal incomes and business profits.

The record shows that shortsighted emphasis on trying to balance the budget under almost all conditions tends to be self-defeating. President Eisenhower, for example, sincerely tried to achieve budget balances and surpluses under almost all conditions. But this policy in 1957 was an underlying cause of the 1958 recession, which produced a record peacetime deficit of $13.1 billion in the Government's cash operations in the fiscal year ending June 30, 1959. Greater attention to the economy's needs in 1957 would have resulted in a more prosperous economy and in a smaller deficit in fiscal year 1959 or, possibly no deficit at all.

Sometimes people say they can go along with the idea of a rational fiscal policy * * * but. They then usually pose the danger of inflation that supposedly will arise from deficits in Federal fiscal operations.

This concern over the danger of inflation arising from a rational and flexible fiscal policy is needless. Deficits in Federal fiscal operations would be sought only when there is slack in the economy. The goal of such a deficit—the Government putting more funds into the spending stream than it is taking out—would be to eliminate the economy's slack. When the economy is operating at full blast and there are dangers of inflationary shortages, a rational fiscal policy would seek budget surpluses to restrain increases in effective demand.

Furthermore, the record shows that deficits in the Government's fiscal operations are not inflationary in themselves. It depends on the state of affairs in the national economy.

Deficits during World War II or the Korean war, when the economy was at full blast operations, were obviously inflationary. Under such conditions, a rational fiscal policy would seek restraining budget surpluses—as were achieved in 1951 and 1952—to the extent such surpluses are possible. But the $13.1 billion peacetime record deficit in fiscal year 1959 was not inflationary at all—both wholesale and retail prices remained at about the same level while the deficit was building up. The deficit of fiscal 1959 prevented unemployment from rising even more than the 7.5-percent rate of mid-1958 and took up some of the large amount of slack in the economy.

SIZE OF THE PRESENT PROBLEM

A rational and flexible fiscal policy is a necessity for the American economy in the 1960's—to provide a major part of the needed foundation to sustain rapid and balanced economic growth.

What would a rational fiscal policy for 1963 look like? Before one can outline the shape of a rational fiscal policy for the period ahead, it is necessary to examine the state of affairs in the nationl economy.

Ever since 1953, the pace of the economy's forward momentum has slowed down. The real volume of total national production has increased at a yearly rate of only about 2.7 percent in the 9 years, 1953–62, in contrast to a rate of approximately 4.8 percent in the earlier postwar years, 1947–53.

This slowdown has not been due to a lack of sufficient manpower, plants and machines. The economy's growing labor force and increasing productive efficiency since 1953 have made it possible for the real volume of total national production to advance at a yearly rate of at least 4 percent. Indeed, the more rapid growth of the labor force and the continuing spread of automation in the 1960's mean the economy's ability to produce in the period ahead will advance about 5 percent a year.

The slow growth of the economy in these past 9 years—with frequently recurring recessions—has resulted in idle manpower, plants and machines. Rising unemployment and considerable amounts of idle plant and equipment are a measure of the economy's failure to operate at maximum use of its capabilities.

The major deficiency in the American economy, in these past 9 years, has been a lack of enough demand for the goods and services that can be produced. In the second half of 1962, it would have required approximately $65 billion (yearly rate) of additional total national production to bring the economy to maximum use of manpower, plants and machines.

A substantial boost in sales—at a yearly rate of about $65 billion—was needed in the second half of 1962. But by that time Federal fiscal operations almost ceased adding to the rise of sales, production and employment.

In the second quarter of 1962, when 5.5 percent of the labor force were unemployed and only about 85 percent of industrial capacity were in operation, Federal receipts and expenditures, on a national income and product account basis, were almost in balance. The deficit in Federal fiscal operations was only $600 million. Federal budget operations, therefore, almost stopped adding to the demand for goods and services when the economy was still far short of maximum use of its capabilities. This economic lack of balance was generally true of the third quarter of 1962 as well, although the Government's figures are not yet available.

These events of 1962 are merely the most recent examples of the illogical operations of the Federal Government's fiscal policies. Should these trends continue, they can set the foundation for another recession in 1963, just as similar developments contributed to the recessions of 1958 and 1961.

The conservative economist, Dr. Arthur F. Burns, Chairman of the Council of Economic Advertisers during the the Eisenhower administration, points out the upturn from the 1958 recession was cut short by a sharp swing of Federal fiscal operations, from deficit to surplus, before full employment was reached. Among the major causes of the 1961 recession, according to Dr. Burns, was the Federal Government's financial operations. He declares:

"We had a violent shift in Federal finances. Between the first quarter of 1959 and the third quarter of 1959, the Federal cash deficit, allowing for seasonal factors, fell from an annual rate of $17 to $2 billion. By the second quarter of 1960, we were already operating with a surplus at an annual rate of $7 billion. Thus in a period of little more than a year, we had a turnaround in Federal finances of about $24 billion. This was undoubtedly one of the very sharpest shifts of Federal finances in our Nation's history."

In 1959 and 1960, according to Dr. Burns, Federal fiscal operations contributed to cutting short the pickup from the 1958 recession—like slamming on the brakes of a fast-moving car. By mid-1962, Federal fiscal operations once again failed to advance the economy's momentum toward maximum use of manpower, plants and machines. Federal fiscal operations were not a braking force on the economy in 1962 as they had been in 1960. But the economy's continued need for accelerator assistance from Federal fiscal operations were not met. Although unemployment was high, the economy was permitted to merely coast along slowly.

The economy's needs in 1962 were for a substantial and continuing rise in effective demand to achieve maximum use of the economy's capabilities. Federal fiscal policy, however, failed to meet these needs. The economy's needs for a rapid rise in effective demand for goods and services should be met in 1963 by a decisive change in fiscal policy.

A RATIONAL FISCAL POLICY FOR 1963

How can the Federal Government's fiscal operations in 1963 contribute to the economy's forward advance toward full employment? What changes in fiscal policy are needed to provide the basis for a continuing balance between effective demand and the economy's increasing ability to produce a growing volume of goods and services?

Possible alternative answers to these questions are:

1. A substantial tax cut, with no change in the level of Federal expenditures.

2. A substantial rise of Federal expenditures while the level of Federal tax revenues remains the same.

3. A combination of tax cut and rising Federal expenditures.

The best practical approach—although not necessarily the ideal approach—is a combination of a tax cut and rising Government expenditures to reduce the slack in the economy as rapidly as possible.

A tax cut, combined with reduced Federal expenditures, as implied by former President Eisenhower and Gov. Nelson Rockefeller, would not meet the economy's need for a rapid rise in sales, production and employment. Such a combination would mean that part of the expansionary impact of a tax cut would be offset by reduced Federal spending. Needed Federal programs for improved public services probably would be cut and the overall economic impact of such a combination would prove too small to significantly boost economic activities.

A substantial tax cut, with no change in the level of Federal expenditures, could meet the economy's needs only if there were no pressing requirements for improvements in national defense, education, health, urban redevelopment and a host of other public services. But to rely only on increased Government expenditures to boost economic activities in 1963 would be impractical since

Federal outlays would not be raised sufficiently and rapidly enough.

The practical alternative, therefore, is a substantial and immediate tax cut of about $10 billion while Federal expenditures continue to increase. This view was adopted by the majority of the President's Advisory Committee on Labor-Management Policy, which includes leading business executives and public officials as well as trade union leaders.

The Labor-Management Committee pointed out, in its statement of November 19, 1962, that such a tax cut will boost economic activities and "over the longer run, it may well generate increased tax revenues." The Committee declared, however, that "in the near future, the significant tax reduction we recommend is likely to mean appreciable deficits in the Federal administrative budget."

An immediate $10-billion tax cut while Federal expenditures increase can provide the basis for a rational fiscal policy in 1963. A tax reduction of that size could add as much as $20 billion to $25 billion to national production as the increased funds spread through the economy. It could create over 1 million jobs. But the kind of tax cut also is important—in terms of economic impact as well as fair tax treatment of all groups in the population.

A $10 billion tax cut, with most of the benefits concentrated among low and middle income taxpayers, would have a quick and decisive impact on the economy. Low and middle income families spend all or almost all their incomes. They spend additional incomes rapidly. There would be a fast and substantial boost of consumer sales from such a tax cut. As the increases in sales spread through the economy, they would be accompanied by rising business profits and investments as well. Over the course of the year, the increases in employment, personal incomes and business profits would begin to generate additional tax revenues.

Compared to such a direct and substantial impact on economic activities, tax cuts for wealthy families and corporations would have much smaller and much slower results. Business is holding back from a considerable increase in outlays for new plants and machines not because of a lack of funds but due to the considerable amount of idle productive capacity that already exists. The primary need at present is for a rise in sales and production to increase the utilization of existing plant and equipment. Furthermore, business taxes were cut about $2.5 billion in 1962. A tax cut in 1963 which concentrates its benefits on business incomes would be unfair and there would be little, if any, early impact on economic activities.

Similarly the economic benefits, in 1963, of a substantial reduction of taxes for upper income families would be minimal. A significant part of additional incomes for such families would be saved rather than spent. The effect of such a tax reduction on sales, production and employment would be small.

The greatest and quickest lift to economic activities would come from a substantial reduction in taxes for low and middle income families, who have the most need for tax relief. The major benefits of a $10 billion tax cut, early in 1963, should go to low and middle income taxpayers—through a substantial reduction of taxes on the first $2,000 of taxable income.

Such an immediate tax cut should be followed, during 1963, by a reform of the tax structure accompanied by an across-the-board reduction of tax rates. Loopholes of special tax privileges should be closed—such as the special tax treatment of dividend income, the special treatment of profits from the sale of property and excessive depletion allowances for oil and natural gas. Additional revenues from the closing of such loopholes should be offset by general reductions of tax rates, including cuts in tax rates on the incomes of corporations and upper-income families. In that way, the entire structure of Federal taxing would be made more efficient and equitable—so that needed Federal revenues could be obtained fairly and effectively.

These steps toward a rational fiscal policy in 1963—an immediate and substantial tax cut quickly followed by reform of the tax structure—would greatly strengthen the basic fabric of the American economy. They would provide a foundation for sustaining maximum use of manpower, plants and machines and balanced growth of the economy in the 1960's.

During the course of the next several years, a further step should be taken to modernize the Federal Government's fiscal operations—adoption of a capital budget that would place the Federal budget on a firm, businesslike basis.

First things, however, should come first. The urgent need in 1963 is for a substantial tax cut to lift economic activities and a reform of the tax structure to establish a fair and efficient means of obtaining needed Federal revenues.

## ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses today, it recess to meet at 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. In explanation, I make the request because, as I understand, there is to be a meeting of Democratic Senators tomorrow with the President at the White House. In order to be in agreement with that situation, I have asked that the Senate convene at 11 o'clock tomorrow.

## IMPROVEMENT OF EDUCATIONAL QUALITY AND OPPORTUNITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 54)

Mr. MANSFIELD. Mr. President, the message of the President of the United States on education, transmitted to the Congress today, has been read in the House. Therefore, I ask unanimous consent that reading of the message in the Senate be waived and that it, with the accompanying document, be referred to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(For President's message, see House proceedings of today, pp. 1247–1252.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 11 Leg.]

| | | |
|---|---|---|
| Aiken | Byrd, Va. | Edmondson |
| Allott | Byrd, W. Va. | Ellender |
| Anderson | Cannon | Engle |
| Bartlett | Case | Ervin |
| Bayh | Clark | Fong |
| Beall | Cotton | Fulbright |
| Bennett | Curtis | Goldwater |
| Bible | Dirksen | Gruening |
| Boggs | Dodd | Hart |
| Brewster | Douglas | Hartke |
| Burdick | Eastland | Hayden |
| Hickenlooper | McClellan | Ribicoff |
| Hill | McGee | Robertson |
| Holland | McGovern | Russell |
| Hruska | McIntyre | Saltonstall |
| Humphrey | McNamara | Scott |
| Inouye | Mechem | Simpson |
| Jackson | Metcalf | Smathers |
| Javits | Miller | Smith |
| Johnston | Morse | Sparkman |
| Jordan, Idaho | Morton | Stennis |
| Keating | Moss | Symington |
| Kefauver | Mundt | Talmadge |
| Kennedy | Muskie | Thurmond |
| Kuchel | Nelson | Tower |
| Lausche | Neuberger | Williams, N.J. |
| Long, Mo. | Pastore | Williams, Del. |
| Long, La. | Pell | Yarborough |
| Magnuson | Prouty | Young, N. Dak. |
| Mansfield | Proxmire | Young, Ohio |
| McCarthy | Randolph | |

The PRESIDING OFFICER. A quorum is present.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

## REREFERENCE OF A BILL—ORDER OF BUSINESS

Mr. MAGNUSON. Mr. President, will the Senator from Alabama yield, with the provision by unanimous consent that he will not lose his right to the floor?

Mr. SPARKMAN. Yes, I yield with that understanding.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of the bill (S. 451), which is a bill to prohibit the destruction of wild birds, animals, and so on, in Yellowstone National Park, with reference to controlling their number. The bill should be referred, and I ask unanimous consent that it be referred to the Committee on Interior and Insular Affairs, which has jurisdiction over that subject.

Mr. DIRKSEN. Mr. President, reserving the right to object, is the Senator from Washington asking unanimous consent?

Mr. MAGNUSON. Yes.

Mr. DIRKSEN. The majority leader made it abundantly clear yesterday—and I reexamined his statement this morning—that there was to be no business whatsoever. An order of reference obviously is business, under the Senate rules. In order to protect the majority leader's position, I shall have to object.

Mr. MAGNUSON. I was not familiar with that agreement, but we wanted to get this bill rereferred, and I knew there would be no objection to reference of the bill. But I withdraw my request, and shall bring it up at another time.

Mr. ANDERSON. Mr. President, if the Senator will yield, will the Senator from Illinois go so far as to say that an obvious error should not be corrected? The obvious error was made in the reference of the bill to the wrong committee.

Mr. DIRKSEN. I must submit to the Senator from New Mexico that this request is business under the Senate rules. It is a request for an order of rereference.

Mr. ANDERSON. Did we have the reading of the Journal this morning?

Mr. DIRKSEN. The majority leader is now here. I will submit the matter to him.

I call to the attention of the majority leader that there is pending a request for rereference of a bill, and, under the statement of the majority leader of yesterday, I interpret such a request to be business, and the majority leader wanted no business to be transacted.

Mr. MANSFIELD. Mr. President, the Senator is correct. I object.

The PRESIDING OFFICER. Objection is heard.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. SPARKMAN. Mr. President, I rise to speak on the pending motion, which, after all, is a continuation of the fight that we have been making for some time.

In my earlier talk, I was speaking on the question of the proposal to change rule XXII. My purpose in that earlier debate was more or less to outline to the Senate my plans for further debate when I had the opportunity to speak. I am back today to expand my remarks and to make a sincere attempt to insure that that bastion of democracy, rule XXII, will be maintained in its present form.

In my talk so far in this debate, I have touched lightly on a number of topics.

First of all, I reviewed briefly the history of extended debate in the Senate.

Second, I reviewed for Senators events leading to cloture on the Treaty of Versailles. I pointed to the hesitancy of the Senators of that day to invoke cloture because of the possibility that cloture would backfire on them.

Third, I quoted statements of prominent persons, past and present, who realized the value to democracy of free and unlimited debate.

Fourth, I reviewed the 1957 Talmadge subcommittee hearings at which three-fourths of the witnesses, from all parts of the country, testified they favored no change in rule XXII.

Fifth, I dwelt at some length on the individual report of the Senator from Georgia [Mr. TALMADGE] on the hearings and urged Senators to go back and read that classical document.

I would urge again that Senators read the individual report made by the Senator from Georgia [Mr. TALMADGE] as a result of those hearings.

Finally, I pointed out that State legislatures have ways of insuring full discussion of proposed legislation.

A few days ago the Senator from Mississippi [Mr. STENNIS] and I discussed briefly the Senate as a continuing body. My purpose in being here today is to enlarge upon the subject in order that the Senate may know and understand how important the continuing body concept is in our system of checks and balances.

I especially urge the many young, new Senators in this body to pay close attention to my remarks. Furthermore, I invite them to submit questions to me at any time during my speech in order that I may answer for them any question they may have about the Senate as a continuing body.

May I say, also, Mr. President, that I shall be glad to sit down off the floor and discuss this with any Senator who is genuinely interested in maintaining the system of checks and balances that has been so much a part of moving our Nation into the forefront as a world leader.

### THE SENATE AS A CONTINUING BODY

It seems that all too frequently in recent years we hear utterances made on the floor of the Senate that we should rely entirely on majority rule and forget the rules of this historic body formulated in the past by the great weight of experience. We have heard utterances already in this the 88th Congress to the effect that there is something rather magic in nature surrounding the opening of the Senate which empowers this body to adopt rules at the beginning of a session of Congress which would not otherwise exist after we had proceeded with the session and had adopted at least by implication the Standing Rules of the Senate.

This argument is by no means a new argument because at various times in the history of the Senate, a relatively small number of Senators have emphasized the power of the Senate to adopt rules at the beginning of each term of Congress as though this body in essence is similar to the House of Representatives elected de novo every 2 years. Fortunately, we have not taken action to this effect and in my opinion we would violate the spirit of the Constitution as well as the traditions of the Senate were we to take such a course of action.

I believe firmly that the Senate is a continuing body in law and in fact. It is surprising to me that the question has been debated many times in the history of the Senate. As a matter of fact, Mr. President, I thought that we had settled this question for all intents and purposes when, on January 12, 1959, in the 86th Congress, the Senate adopted Senate Resolution 5 as offered by the then majority leader who is now our distinguished Vice President. While that resolution on the one hand reduced the cloture rule—rule XXII—from a constitutional two-thirds to two-thirds of those present and voting, it also added on the other hand a provision to Senate rule XXXII as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

To my mind this expression of the continuing nature of the rules was unnecessary, but nevertheless the Senate adopted the resolution and the vote was 72 to 22. The language added to rule XXXII in reality was merely a recognition in writing of the customs and traditions of the Senate.

Parenthetically, I might add that most of the Senators, if not all, who are today advocating these changes in rule XXII voted for that particular provision in 1959, less than 4 years ago.

Nevertheless, we hear insurgent arguments by those who would foist rank majority rule arbitrarily on the rights of minorities and who would usurp the few remaining rights of the smaller States in the Senate, that the continuing nature of the Senate should be relegated to a secondary role, if not forgotten altogether, so that a rule of the past may not prevent quick or even hasty action at any given present time.

Such is not my concept of the U.S. Senate. It is not the Senate as conceived by our Founding Fathers. It is not the Senate under the Constitution of the United States when that document is viewed in its entirety as it should be so viewed. We hear arguments repeatedly that article 1, section 5, of the Constitution provides that "each House may determine the rules of its proceedings" and that, therefore, the Senate may and should do whatever it pleases whenever it pleases without being guided by the hand of the past. We are told also that proposed legislation dies with each Congress—that as a legislative body one Congress cannot bind another.

I have read and have listened to these arguments without being deeply impressed by them, realizing that they are motivated for the most part by a feeling against the principle of unlimited debate. I have felt also that some of these arguments have been uttered under the erroneous banner of promoting civil rights. Frankly I have wondered how some of the advocates of this theory would feel if and when they wished to use the privilege of unlimited debate to protect a minority to which they belonged from the hasty action of quick majority rule. I wonder also how they would feel if they wished to protect their State or the Nation from disastrous legislation until full debate could reveal its entire consequences.

The most fundamental objection that I have to these arguments, however, is that they ignore the fact that the Senate is a continuing body inherently as well as by custom simply because the Constitution itself requires it.

James Bryce, in his book "The American Commonwealth," at page 101, explained one of these constitutional requirements most appropriately, as follows:

> The Senate does not change all at once, as do bodies created by a single popular election but undergoes an increasing process of gradual change, and renewal, like a lake into which streams bring fresh water to replace that which the issuing river carries out. This provision was designed to give the Senate that permanency of composition which might qualify it to conduct or control the foreign policy of the Nation.

What Mr. Bryce refers to, of course, is article I, section 3, of the Constitution which provides a 6-year term of office for Senators and divides them as equally as may be into three classes so that only

one-third stand for election or reelection every 2 years.

The reasoning of our Founding Fathers in providing this system must have been to give the Senate continuing stability. How could it have been otherwise? Had they intended for the whole of Congress to be a spontaneous type of body immediately reflecting the demands of constituents, they would have established the Senate in a manner not too unlike the House of Representatives—a body that finishes the work of one Congress and then faces a popular election to return with the fresh mandates of the populace to begin de novo the work of a new Congress.

The advocates of changing the rules of the Senate seem to place the Senate in this general category despite the absolutely contrary requirements of the Constitution. This is not only straining a false and forced interpretation of the meaning of the Constitution, but it is ignoring plainly written law as well.

The debates at the Constitutional Convention as well as the writings of our Founding Fathers clearly indicate that their purpose in so establishing the Senate was to provide an "upper" or second Chamber more representative of balance between large and small States and stability as well as continuity in its deliberations and processes.

James Madison or Alexander Hamilton—historians do not definitely agree on which of these men wrote No. 62—in the Federalist No. 62 wrote:

> The mutability in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government.

Language most clear in its import to this effect and indicating an intent to make the Senate a continuing body is also found in the Federalist Nos. 59, 63, and 64, depicting the thoughts of Messrs. Hamilton, Madison, and Jay.

The great compromise, as some historians call it, was to offset the direct popular representation and short term of the House of Representatives with a smaller and continuing body more given to deliberation, more able to protect the rights of minorities, and in which each Senator stands on an equal footing regardless of whether he comes from a large or a small State. Attempts to "gag" the Senate or impose more rigid rules on limiting debate go directly against the letter and spirit of this great pillar in our form of government. As a matter of fact, they are nothing more or less than attempts to pull out a vital cornerstone of our form of government.

By the stronger reasoning it appears practically ridiculous to argue that the Constitution forbids the Senate from adopting or enforcing a rule that extends over from one Congress to the next unless that rule is changed as provided in the rules of the Senate. Yet we have heard this argument, this threat of unconstitutionality of the more than a century and a half of our customs and traditions as well as of the action that we took in this body on Senate Resolution 5 in 1959, made already in this debate. Should the parliamentary situation be such that constitutionality becomes an issue—and that is the issue that is now before the Senate, on the motion that was made yesterday by the distinguished Senator from New Mexico [Mr. ANDERSON]—I believe that there is but one course to take, and that is in favor of the rules that we now have; in favor of the overall mandate of the Constitution clearly indicating to all that the Senate is a continuing body.

I could place the instant RECORD full of eloquent words of able Senators of the past who have hailed the Senate as a continuing body. I shall refer to a few of them briefly.

The previous question rule was abolished by the Senate in 1806 after having been used only infrequently and then in the main as a means of avoiding a vote on an undesirable issue. Henry Clay, although he believed in the continuity of the Senate, attempted to reinstate the previous question rule for a special occasion, but the great John C. Calhoun triumphantly defeated his attempt. Calhoun thunderously defended the continuing nature of the Senate and scoffed at the previous question rule as being completely out of place in the dignity and structure of the Senate.

On March 8, 1841, Senator—later President—Buchanan agreed with the views expressed a few days earlier by Senator Allen, of Ohio, his remarks being summarized in the Congressional Globe of that date as follows:

> There could be no new Senate. This was the very same body constitutionally and in point of law which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives.

On January 10, 1876, Senator Hamlin, from the Committee on Rules, in reporting a resolution on rules, stated:

> The Senate has its rules. The Senate is an existing body and its rules exist with the body. The House of Representatives is a body which expires once in 2 years and its rules expire of course with each expiring Congress (CONGRESSIONAL RECORD, vol. 4, p. 309).

Senator Elihu Root, of New York, on February 15, 1915, stated:

> The Senate is a continuous body and its rules once adopted continue until they are changed. Does anybody dispute that? Does anybody dispute that the Senate is a continuing body?
>
> The purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary repression on the part of the majority.

The late Senator Taft, of Ohio, when he was the majority leader in the 83d Congress, strongly opposed a motion by the Senator from New Mexico [Mr. ANDERSON], in 1953, to consider the adoption of new rules. Senator Taft stated at that time:

> It is vitally important to the Nation that the Senate be a continuing body. Let us consider the situation which will arise on the 20th of January when new Cabinet officers are to take office. We must have Cabinet officers appointed as quickly as possible.
>
> We must have officials to operate the Government.

It would be an easy matter to present a law brief on court holdings to the effect that the Senate is a continuing body or on matters relating to the functions of the Senate that are within its continuing functions.

The Supreme Court stated directly that the Senate was a continuing body in *McGrain* v. *Dougherty*, 273 U.S. 135, and its doctrine in this case was reiterated in *Sinclair* v. *U.S.*, 279 U.S. 263 (1928). These two cases have been cited in numerous other cases in the lower Federal courts and in State courts.

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

Mr. SPARKMAN. I yield.

Mr. HILL. Is it not true that there is no authority whatever, really, on the other side?

Mr. SPARKMAN. I think the Senator is correct; except for arguments, which I do not think are well based, that have been made here in the Senate. I think the Senator is correct.

Mr. HILL. Rather, the prevailing view has been, whether in the Senate, in Congress, or wherever else, for some 173 or 174 years, to recognize the Senate as a continuing body; and the actions of the Senate during all that long period of time, through all those years, have been based on the proposition that the Senate is a continuing body. Is that not true?

Mr. SPARKMAN. The Senator is absolutely correct. I think we can certainly feel reinforced by the quotations to which I have referred, from the persons who themselves helped to write the Constitution and helped to get it adopted.

The great function that was performed by the Federalist letters was to convince the States that they ought to adopt the Constitution. I quoted from four different Federalist letters, if I recall correctly, in which the Senate was referred to as a continuous or a continuing body.

There is something else, too. Senator Taft verged upon it in his statement about the necessity for appointing Cabinet officers. There are certain things under the Constitution that the Senate is directed to do, or functions that are directed to be performed, without any break in the Senate. For instance, my colleague from Alabama will recall that if the President of the United States sends a treaty to the Senate to be approved under a constitutional provision—and that constitutional provision requires, by the way, a two-thirds vote—and if Congress adjourns without taking action, that treaty does not go back to the White House or to the archives of the State Department; it remains right here in the Senate of the United States, and stays here from Congress to Congress, from session to session. A treaty could lie in the Senate of the United States over a period of years. Would that be possible if there were a break in the Senate during that time, if an old

Senate went out and a new Senate came in?

Furthermore, would our forefathers ever have conceived of the idea of having one-third of the Senators go out of office every 2 years, and have the other two-thirds retain office, if it had been intended that there be a break in the Senate?

Of course, the House of Representatives adopts rules anew every 2 years. Likewise, all the Members of the House of Representatives are sworn in every 2 years, and the officers of the House of Representatives are elected every 2 years. The Speaker of the House must be elected or reelected at the beginning of each Congress, and at that time he takes the oath of office along with all the other Members of the House of Representatives.

But that is not true of the Senate. When the Senate meets at the beginning of a new session, two-thirds of its Members are already Senators, and are not required to take the oath of office again. But in the House of Representatives, the entire membership stands at once and is sworn in at the beginning of each session.

Mr. HILL. Mr. President, will my colleague yield?

Mr. SPARKMAN. I yield.

Mr. HILL. Until the Members of the House of Representatives are sworn in, there is no House of Representatives.

Mr. SPARKMAN. That is correct; until all of them are sworn in, there is no House of Representatives.

Mr. HILL. Under the Constitution, the old House of Representatives, together with the term of each of its Members, dies and ends at that time.

Mr. SPARKMAN. Yes, at noon on that day; and the new one then has to organize, just as any brandnew organization must organize.

But that is not the case with the Senate. Two-thirds of the Senators walk into this Chamber at the beginning of a new session and take their seats at their regular desks, which previously have been marked with their names; and those Senators do not have to be sworn in again. Only the newly elected one-third of the Members of the Senate have to be sworn in at that time. When they are sworn in, they are ready to participate in the work and the business of the Senate. So in the Senate there is no such organization as is required in the House of Representatives at the beginning of a new session.

I cannot understand how anyone can advocate a proposal of the sort which has been made, although I know it will impress different Senators in different ways. But I should like to state the impression which this attempted approach makes upon me. I suppose that at some time every Senator has been a member of a new group at the time of its organization—perhaps a group in school or in college. When the group organizes, the organization ordinarily occurs under Robert's Rules of Order. At that time, one of the first things done is the preparation of a constitution and the preparation of bylaws. Those bylaws are the rules of the organization, and it lives under them. I never saw a set of bylaws of an organization that did not contain a rule or statement in regard to how the rules could be amended. That is true of the Constitution of the United States, which is written as the rules for our Government, generally speaking; and one of the provisions of the Constitution states how it can be amended. If it were constitutional for a Member of the Senate to propose a new rule in the Senate or a new order of procedure in the Senate, and then to request that an immediate vote be taken on it, and if he were then able to have it voted on, and if his proposal were carried by a majority—and let us remember that if a bare quorum were present, only 51 Senators would be present, and a majority of those would be 26; furthermore, if no Senator questioned the absence of a quorum, a quorum would not even have to be present at that time—it seems to me that would create a chaotic situation, because it could prevail at all times—not only at the beginning of a session, but at any time during a session.

I cannot understand how an organization could be conducted without having a set or rules which would state how the business of the organization would be conducted and how the rules themselves could be amended. Furthermore, in order to amend the rules, it is nearly always required that certain specific procedures be followed, rather than merely to make a motion which could be adopted by the affirmative votes of a simple majority.

Mr. President, how would the Senate be able to operate if, when a piece of proposed legislation was before it, some Member could suddenly move that the bill be passed and could have his motion voted on at once? One of the rules of the Senate provides that legislation cannot be proposed to an appropriation bill unless notice is given one day in advance; I believe that is the rule. My colleague the Senator from Alabama [Mr. HILL] is a member of the Appropriations Committee, and can correct me if I am in error about this. But I believe the requirement is that one day's notice must be given; and if that is done, a motion to suspend the rule can be agreed to only if there is a two-thirds vote in its favor. Does any Senator maintain that is contrary to the Constitution?

It was generally recognized that the inclusion of legislation in an appropriation bill should be made more difficult than the ordinary procedure; therefore that provision was included. The rules of almost every organization contain a similar provision.

Mr. President, if the motion of the Senator from New Mexico [Mr. ANDERSON] were agreed to, it would strike out or remove any more difficult or added requirement in connection with the adoption of a motion to amend the rules. Certainly no organization of citizens, set up for purposes of business, pleasure, culture, or otherwise, would ever adopt a set of rules on such a basis.

I cannot conceive that the Senate—which for all these years has proceeded on the assumption that it is a continuing body—could now undertake to change its rules and to get into such a chaotic condition.

The Senate has unquestioned continuing powers relating to committees. Frequently, as has been done down through the years, Senate committees hold public hearings between sessions of Congress.

Officers of the Senate are elected generally until their successors are elected. The recent election of our distinguished President pro tempore was occasioned only because his 6-year term in the Senate expired, thereby creating a vacancy in the office of President pro tempore; and he was reelected to office.

The Senate has empowered to ratify treaties by a two-thirds vote. This is an important and continuing power.

Mr. President, as I pointed out a few minutes ago, if a treaty is presented to the Senate, and if action on the treaty is not taken during that session, the treaty does not die or lapse with that session of Congress, but it remains a live matter and is pending in the next Congress.

The Senate also has continuing functions in other fields—for example, as an executive body in giving or withholding "advice and consent" to certain Presidential appointments. The Senate may sit in special sessions, as distinguished from special sessions of Congress. Most of the special sessions of the Senate have been for executive, rather than legislative, purposes. Of this, President Wilson wrote in his book entitled "Constitutional Government in the United States," at page 127:

> The continuity of the Government lies in the keeping of the Senate more than in the keeping of the Executive even in respect of matters which are the especial prerogative of the Presidential office.

To my mind, the issue of whether the Senate is a continuing body is so obvious that I hesitate to call it an issue. Nevertheless, because the constitutional theory on which the doctrine of continuity rests appears to be questioned by some, at least by implication, I have proceeded to place in the RECORD a brief statement of my views on this matter.

Turning now more specifically to the issues of first, why we should not close debate on a motion based on the so-called constitutional right of majority rule; second, why we should not adopt a three-fifths cloture rule; and third, why we should not adopt a majority cloture rule, I shall discuss them in the order mentioned.

It is a peculiar interpretation of the Constitution to advocate that a motion is in order for the majority to close debate merely because the Constitution authorizes each body of Congress to make its own rules. A motion of this nature instead of being a constitutional right strikes at the very core of the constitutional right of the Senate to make its own rules. It is a motion to declare the action of the Senate of January 12, 1959, amending rule XXXII unconstitutional. If adopted that would be its effect because rule XXXII states that the rules of the Senate continue from one Congress to another "unless they are changed as provided in these rules." Rule XXII requires two-thirds of those present and voting to invoke cloture. Hence the opposition advocates that we

can ignore rule XXII because it is not in effect. We are told also to ignore rule XXXII or to hold in substance that it is unconstitutional. This appears to me to be circuitous argument to gain the precarious position that the present requirements for cloture can be circumvented. I cannot accept this argument. I believe firmly that the rules of the Senate are now in effect and that the opening of the session does not strengthen or weaken the right of a majority of the Senate to change these rules in accordance with the rules. There is no difference in cloture in debate on the rules and in cloture in debate on other subjects. Cloture is cloture and it should be dealt with only after serious consideration and in the most urgent of circumstances as we were told by Thomas Jefferson and a host of great minds who have commented on this subject in the past.

Moreover, I believe that the Senate purposely and wisely used the word "shall" in the rules. "Shall" means that it is mandatory—not permissive. The word "shall" is used in three Standing Rules of the Senate applicable here.

Rule XXV states:

> Each standing committee shall continue and have the power to act until their successors are appointed.

This rule in itself shows the continuing nature of the Senate and conforms to the manner in which the Senate was designed to act under the Constitution. Moreover, this continuity of standing committees is not only a rule—it is law. It was embraced in the Reorganization Act of 1946, duly passed and signed by the President. Would our opponents say that this action too is unconstitutional?

Rule XXXII states that Senate rules "shall continue from one Congress to the next unless they are changed as provided in these rules." It does not state that they may continue. It states that they "shall" continue until another system has been adopted and this has not been done.

Rule XXXVII states that when treaties have been transmitted to the Senate by the President for ratification, proceedings thereon continue through each session of the Congress at which they were transmitted, but all proceedings on treaties shall terminate with the Congress and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon. I call attention to the words "shall be resumed at the commencement of the next Congress." This language is mandatory. Moreover, it shows clearly the continuing nature of the Senate in line with the constitutional prerogative of ratifying treaties.

Would the proponents of ignoring rules XXII and XXXII have us ignore or declare this part of rule XXXVII unconstitutional and thereby attempt to require the President to resubmit a treaty to the Senate after he had once submitted it for ratification? This would appear to be wrong and out of keeping with accepted constitutional procedures. Yet the instant threat to rules XXII and XXXII are just as grave and just as important.

This word "shall" is used in all of the aforementioned rules and if it is ignored in one it may be ignored in all of them. If we start casting aside the rules of the Senate and acting arbitrarily about one of our rules, then the whole structure of the Senate—the great bulwark that constitutes the last vestige of individual and States rights and is the shield that protects minorities—is in danger of being victimized by impulsive, hasty action.

What magic is there in the beginning of a session that authorizes a motion to close debate by majority rule? I see none whatsoever. If the right to change the rules exists at the beginning of a session, it exists at the end of the session or anytime during the session. This would amount to functioning not by rules but merely by majority rule. Our opponents are saying that under the Constitution we can move to close debate without any consideration of a committee of the Senate and without abiding by the standing rules. This type of procedure could result in chaos.

I trust that the Senate never has the burden of attempting to operate under such a procedure. In essence the drastic change we are asked to make if we recognize a so-called constitutional motion to close debate by majority vote, is more of a change than would be implied in a request to cast aside the traditions of the Senate and have it function under procedures identical to the House of Representatives. While this in itself would be unwarranted as extreme action, at least we would follow a procedure under rules. The instant proposal of a "constitutional right" ignores rules. In my opinion it has no place in the Senate. It fosters a concept of sudden, radical parliamentary procedure as against the accepted procedure of rules governing the conduct of proceedings in the Senate.

I should like to speak further about rule XXV because the constitutional concept it represents and its specific language have led to a body of case law in which the judicial branch of the Government has declared the Senate to be a continuing body.

Under rule XXV standing committees of the Senate continue until their successors are appointed. This is also law, as I have previously stated and as the senior Senator from Georgia has most ably advised the Senate, because it is embodied in the Reorganization Act of 1946.

That was a statutory enactment; not merely a Senate resolution. It was signed by the President of the United States, and it became a part of our statutory law.

The Senate by custom as well as legal authority orders investigations, interim reports, recommendations and final reports, without reference to the ending of one Congress or the beginning of another. The composition of committee membership does not affect this procedure, at least from the point of view of legal authority.

Many a time a committee has been appointed to investigate, with a term going beyond the particular term of Congress which was in session. There might even be a changeover in the party in control of the Senate, but the committee would merely change its membership to conform to the proper division according to the membership of the Senate and the party in power in the Senate. The work of the committee would continue as if there had been no election or as if nothing had happened at all.

I have already mentioned the Supreme Court case of *McGrain* v. *Daugherty* (273 U.S. 135 (1926). Some of the language of the opinion is most appropriate here. The question before the Court in that case was whether the brother of the Attorney General who had been subpenaed to appear before a Senate investigating committee, could refuse to appear. I quote from the unanimous decision of the Court in that case—pages 180 to 182:

> We conclude that the investigation was ordered for a legitimate object; that the witness wrongfully refused to appear and testify before the committee and was lawfully attached; that the Senate is entitled to have him give testimony pertinent to the inquiry, either at its bar or before the committee; and that the district court erred in discharging him from custody under the attachment.
>
> Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the 68th Congress. That Congress expired March 4, 1925. The resolution ordering the investigation in terms limited the committee's authority to the period of the 68th Congress; but this apparently was changed by a later and amendatory resolution authorizing the committee to sit at such times and places as it might deem advisable or necessary. (CONGRESSIONAL RECORD, 68th Cong., 1st sess., p. 4126). It is said in Jefferson's Manual (Senate Rules and Manual, 1925, p. 303): "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two Houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

I think that is a material point which was made in a case before the Supreme Court as recently as 1926 in a unanimous decision. The question whether the Senate was a continuing body was directly involved because the case concerned an investigating committee which had moved from one Congress into another without any additional authorization from the subsequent Congress. The Supreme Court held that it was acting within its bounds of jurisdiction because the Senate, unlike the House, is a continuing body.

I think it is most material to keep those words in mind and to remember that decision of the U.S. Supreme Court, not back in the misty past, but not too many years ago.

The Senator from Mississippi [Mr. STENNIS], I am sure, recalls that only a few minutes ago I remarked that this decision is one which many of us remember. The decision involved Daugherty in 1926. It was an outgrowth of, more or less, or at least correlated with, the Teapot Dome investigation.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STENNIS. Mr. President, I think the Senator from Alabama is making a very strong point in a clear and emphatic manner, citing a recent case. If I may, I should like to refer the Senator to another recent case in another forum; not the Supreme Court but this forum, the U.S. Senate.

The Senator from Alabama will remember that in 1954 there were proceedings in the Senate concerning one of the Members of the Senate. A special committee was appointed to take testimony and make recommendations to the Senate. In the course of the hearings points involved came up which had happened in a preceding Congress. In other words, the Congress was moving in its work when these incidents happened, and that Congress expired and a new Congress came into being. The point was particularly raised before the select committee and before this body that the things which happened in a previous Congress had transpired and were dead, having gone out with that Congress, and therefore the Senate could not reach back and hold a Member to an accounting. As I say, that was in the nature of a plea in bar. The select committee which made the report took up that point, which had been made before the committee, and disposed of it in the following brief words:

> The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority. While the rule with reference to the House, whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress. (S. Doc. No. 99, 83d Cong., 2d sess., "Congressional Power of Investigation," p. 7.)
>
> Senate rule XXV(2) provides that each standing committee shall continue and have the power to act until their successors are appointed. That rule was followed in the case of the committee in question. The testimony taken in the hearings of the select committee shows that Senator HAYDEN, chairman of the Committee on Rules and Administration in the 82d Congress, certified the payroll for that committee for the 1st month of the 83d Congress.

That was a matter of having money provided.

> The continuity of the Senate was questioned at the beginning of the 83d Congress, and the issue was decided in favor of the precedents.

In other words, the issue in the debate was similar to the one now before the Senate. I do not think it is necessary to read further, but one of the cases cited is the one the Senator referred to, *McGrain* v. *Daugherty*, 273 U.S. 135, 182, where the Court said:

> This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense.

Here are two forums, the Supreme Court and the Senate, joining hands, locked in embrace, so to speak, bottomed on the authority that there can be no question about the Senate's being a continuing body.

Mr. SPARKMAN. Yes; I agree.

Mr. STENNIS. If I may point out one further fact, the Senate acted on that rule and actually voted for the resolution of censure with reference to one of its Members. That is a real test. It was recognized not only academically and in debate; it was not merely a theory any more; the Senate did it, just as the Supreme Court had applied that rule in a case before it. We act on these rules. They are not merely cold letters in a book. The Senate has acted on them even when a Member of this body was concerned—as the Senator from Alabama has said, not 100 years ago, but yesterday, or within this decade. I think the Senator brought out a very important point.

Mr. SPARKMAN. I thank the Senator for calling the Senate's attention to that incident. I remember it quite well.

By the way, the Senator from Mississippi, who has had a distinguished career as a judge in presiding over a court of justice in his State, was a member of that subcommittee. I believe the chairman of the subcommittee was former Senator Watkins, of Utah. For the moment I do not recall who the other Senators were. I wonder if the Senator would remind me.

Mr. STENNIS. Senator Watkins, of Utah; Senator Ervin, of North Carolina; the late Senator Case, of South Dakota.

Mr. SPARKMAN. And the Senator from North Carolina [Mr. ERVIN] is a past supreme court justice.

Mr. STENNIS. That is correct.

Mr. SPARKMAN. If I remember correctly, Senator Watkins was a judge in his State of Utah.

There were two more.

Mr. STENNIS. Senator Case of South Dakota was a member of the subcommittee.

Mr. SPARKMAN. Yes; a very meticulous and thorough Senator.

Mr. STENNIS. The Senator from Kansas [Mr. CARLSON] was a member of the subcommittee.

Mr. SPARKMAN. Yes; a very able Member of this body.

Mr. STENNIS. And former Senator Johnson, of Colorado.

Mr. SPARKMAN. That is correct. The Senator has not mentioned it, but I presume the report was unanimous.

Mr. STENNIS. That is correct.

Mr. SPARKMAN. The report was unanimous and the vote in the Senate was an overwhelming one. I think a few Senators voted against it, but I think they were very few in number. So that action stands completely in line with the 1926 Supreme Court case, which was decided by a unanimous Court.

Earlier I cited that case, and cited a subsequent case which was decided 2 years later, United States against Sinclair, which, it may be recognized by the names, were companion cases. Consistently, the Court has held the Senate to be a continuing body.

The Senator from Mississippi had to leave the Chamber for a few moments, and while he was out I quoted from the founders of the Constitution, the writers of the Constitution. I suppose that the few gentlemen who were responsible for the Federalist letters performed the greatest—I do not know; I was about to say they performed the greatest function of anyone with reference to the Constitution. I will not make that statement, because those who wrote it likewise performed a similar function; but so far as relates to their getting it adopted is concerned, they certainly did perform an outstanding service.

Mr. STENNIS. I agree with the Senator.

Mr. SPARKMAN. I quoted three or four different letters written by Madison, Hamilton, or John Jay, three of the great minds of that time. All of them were in agreement with reference to the makeup of the Senate—that it was to be a continuing body. Their views were completely in line with the views expressed by the Supreme Court and by a special committee of the Senate of just a few years ago.

Mr. STENNIS. Mr. President, will the Senator yield so that I may ask him one more question?

Mr. SPARKMAN. Yes.

Mr. STENNIS. Since the Senator has so well established, from so many sources of authority, as well as practice, that the Senate is a continuing body, how can it be said, with any force of logic, that it is not a continuing body for the purpose of adopting a resolution to change the rules, without its also being said that at any time in the session a Senator can rise and in effect move the previous question? It is not called the previous question; it is called a motion in the nature of the previous question. The effect is the same as that of the previous question. Why could not a Senator rise and move the previous question with respect to any question or motion for the passage of a bill?

Mr. SPARKMAN. Or anything any Senator might bring up.

Mr. STENNIS. Or any step a Senator might wish to take.

Mr. SPARKMAN. The Senator is correct. While the Senator from Mississippi was out of the Chamber, I brought out the fact that, if it can be done at the opening of Congress, it can be done in June or in October or at any time when the Senate is in session. Senators could rise on the floor and, by a simple motion, move to do anything they wanted to, and insist that they had a right to have such a motion agreed to as the constitutional right of a majority. I brought out that point. Of course, a majority would be 51 Members of the Senate. I said a majority, assuming a quorum to be present. The number could be 26. I said it would not have to be 26, because a quorum is presumed to be present unless a Senator questions

it. Therefore, merely a small number of Senators could agree to such a motion.

I remember one time we had a distinguished Senator who rose in his place, looked around, saw there was not a single Republican present here, and said, "Mr. President, I ask unanimous consent to abolish the Republican Party." Of course, he was doing it facetiously, but I suppose a Senator could make a motion that one not be allowed to speak any more during a certain period, or perhaps for a week.

Of course, I realize that I am citing a ridiculous situation, but a chaotic condition could be created.

Let me repeat something I said a while ago. I am sure the Senator from Mississippi has, at different times in his life, been a member of a group which got together to organize for some purpose. It may have been to establish a fishing lodge, or to build a country club, or perhaps to establish a debating society, or whatever it might have been. What is the first thing a group does? It organizes. It adopts a constitution and bylaws. The bylaws are the rules of the organization. In other words, it is recognized that there must be standing rules in order for it to be an organization that can do anything. By the way, usually, at the end of the bylaws is a special bylaw which provides how the bylaws can be amended. Usually, the provision is much stricter than anything that can be found in the Senate rules. It is so provided on purpose. So it is with the rules of the Senate.

The Senator is correct in the suggestion that a so-called constitutional right could be proposed at any time the Senate is in session. The result would be a chaotic condition. A group or organization cannot operate or carry on business unless it has rules to go by. As a matter of fact, that requirement is generally recognized. They either write their own constitution and bylaws, or they provide that Robert's Rules of Order shall apply.

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

Mr. SPARKMAN. I yield.

Mr. STENNIS. It proves the logic and necessity for having such procedures, and the same rule of common sense applies.

Mr. SPARKMAN. Yes.

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

Mr. SPARKMAN. I yield for a question.

Mr. JAVITS. I should like to ask the Senator whether it is not a fact that the proponents of the rule change contend for no such proposition as the Senator from Alabama wishes on them, but that the proponents of the rule change contend that the one time that they can change the rules—otherwise we would have accepted them tacitly—is when Congress opens; and the only relevance of the constitutional provision, they contend—and that includes me—is that it prescribes that the Senate may adopt rules, and that we, therefore, believe that the time for the adoption comes before we tacitly accept them by proceeding under them, at the beginning of a new Congress? In short, is it not a fact that we do not contend for any such broad-scale proposition as the Senator from Alabama, having postulated, argues is ridiculous?

Mr. SPARKMAN. I would merely say, in answer to the Senator's question, regardless of what someone may have in mind as to what they would like, I am saying that the effect would be to do what I have said. I say that because if the constitutional right lies today, it lies tomorrow and next week and next month and any other time that a Member wishes to assert the right. I cannot see any escape from that conclusion. That is my version of it.

Regarding the statement the Senator from New York has made, that the Constitution gives the right to each House to make its own rules, it does that, and I believe it very wisely and properly does so; however, it does not say that it shall be done at the beginning of each session of Congress; but it says that each House shall make its own rules.

The Senate has made its rules. It started off with a set of rules in 1789. I imagine when it started off it started off very much like any other group starts off, perhaps as a debating society, for instance, would start off.

Down through the years the Senate amended its rules. The rules have been amended from time to time.

Originally there was a provision for the previous question, but in 1806 the Senate dropped that provision by amending the rules and eliminating the previous question. As a matter of fact, that provision had been infrequently used up to that time.

From 1806 to 1917 the Senate legislated without any provision for cutting off debate. So many people believe that rule XXII is a rule which allows unlimited debate. It is just the opposite. It is a rule that provides a means for cutting off unlimited debate.

Prior to 1917 there was no way of cutting off debate. It is interesting to go back and read the arguments of the Senators who advocated those rule changes. By the way, a man from my State, a distinguished former majority leader in the House of Representatives, and former chairman of the Ways and Means Committee in the House, which rescued the tariff—Oscar W. Underwood, of Alabama—was one of the leading advocates of the change in the rule and the adoption of rule XXII, so as to provide for cloture in debate.

Many southern Senators helped write that rule. The rule remained practically the same without material change until 1949, when a rule change was made. I remember that debate. I remember the debate that preceded the change of the rule in 1949.

Up to that time, cloture was not allowed except on a pending measure. There was no limitation on debate on a motion to take up, and no limitation on debate on any other matter, except on a matter that was pending already before the Senate.

A great many people held that that was unreasonable, and I believe most of the Senate agreed. Finally an agreement was worked out, in the course of that debate, whereby it was changed to include motions to take up. The other side agreed, on their part, instead of providing for a simple two-thirds majority, it would be a constitutional two-thirds majority.

That rule was agreed to and it remained that way until 1959, when again we had an extended debate. An agreement was worked out, or at least a compromise was proposed which further amended the rule, under which the Senate dropped back to a simple two-thirds majority. That was a point on which one side gave in. The other side gave in on section 2 of rule XXXII, which provided in so many words that the rules of the Senate will continue from one Congress to another. That was done by a vote of the Senate. I believe the vote was 72 to 22. It was done in 1959. It was voluntarily done. It was a part of a compromise.

The makeup of the Senate itself is really a part of a compromise. It is a part of the great compromise whereby States were given representation. It was a part of the system of checks and balances, one of the greatest plans that was ever worked out, a system of checks and balances which obtains throughout the Federal Government.

Here was the House of Representatives, in which every State was guaranteed one Representative and as many more as the population formula would entitle the State to have.

However, the Senate was made a different body—a coordinate body, but a different body. It was made a body in which every State, regardless of size, was given exactly the same representation, and the Senators were made representatives of the States, rather than of the people. I believe it was one of the wisest decisions ever made. The Senate was given certain powers which were not given to the House of Representatives. The House was given some powers that the Senate was not given. For instance, the House was given the absolute right to originate revenue measures.

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

Mr. SPARKMAN. I yield for a question.

Mr. LONG of Louisiana. Does it not follow from the fact that the House had the right to deny the Senate an opportunity to act on revenue measures?

Mr. SPARKMAN. Yes; it does. There is a reason for it. If we go back into English history, back to Runnymede, when the barons wrested powers from King John, we find that the people were getting hold of the power, and they soon learned that the real power lay in the power of the purse.

This relates back to that time. The House really has represented, down through the pages of history, the people who wrested powers from King John at Runnymede. The House represents the population. But the Senate was made to represent, not the people, but the States. We know—at least, within my memory, although perhaps not within the memory of the Senator from Louisiana—that Senators were formerly

elected by the State legislatures. Then the law was changed so as to provide for the election of Senators by popular vote. Still, the Senate is the body that gives the States representation at the national level.

The Senator from Louisiana will remember, in connection with the Senate's being a continuing body, that treaties are entrusted to the Senate for consideration and ratification. One of the rules of the Senate provides—and this rule is sustained by the Constitution itself, if not in these exact words, then certainly by implication—that a treaty sent to the Senate for ratification does not die at the expiration of a Congress. It is not called back to the White House, to the State Department, or anywhere else. A treaty does not have to be resubmitted to the next Congress. It stays in the Senate, and the Senate can act upon it at its pleasure. The treaty may remain here for years.

The Senate has certain powers. I quoted from a Supreme Court decision while the Senator from Louisiana was absent from the Chamber. I am certain the Senator will remember, from his reading of the law, the Daugherty and Sinclair cases, which followed the investigation into the Teapot Dome scandal. In those cases, the Supreme Court, by unanimous votes, sustained, in so many words, the contention that the Senate is a continuing body. In those cases, the question was whether the Senate was a continuing body having power to investigate from one Congress to another.

The question arose because it had been contended that such an investigation could not be continued from one Congress to another, but the Supreme Court held that that was not a correct interpretation; that the Senate was a continuing body and continued from one Congress to the next.

Decisions down through history and the practice of the U.S. Senate itself have sustained the viewpoint that the Senate, unlike the House, is a continuing body. The House comes to an end at noon on January 3 of every odd-numbered year. But the Senate does not. Two-thirds of the Senators retain their membership, without having to do a single thing except to walk into the Chamber and take their seats at their desks; whereas in the House every Member has to stand for election in the preceding November, and those who are elected come to the House, stand as a group, and hold up their right hands to be sworn into office.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not true that when the Senate met on the first day of the present session, two-thirds of the Senators remained in their seats, or else escorted other Senators, while one-third of the Senators took the oath? Is that not at complete variance with the situation in the House, where every Member is required to take the oath of office at the beginning of a Congress?

Mr. SPARKMAN. The Senator is correct. By the way, yesterday I raised the constitutional question as to whether the Senate is a constitutional body and is actually proceeding as such. Under the law, the President must submit to Congress every year—and he submits it about the 20th of January—his report on the economic conditions of the Nation, together with his recommendations to Congress. Then the Joint Economic Committee meets to consider the report. I refer to this because I am a member of that committee and have been ever since it was organized in 1947. I was made a member of it then and have served on it ever since. It is a very interesting committee, one which has very little glamour, if any, attached to it, one which entails much hard work. However, it is a most interesting committee, because it enables one who is a member of it to keep up with what is taking place in the economics of the Government and of the country.

That committee is directed by law, as soon as the President has delivered his message on the economic conditions of the country, to hold hearings on the report. At least, the committee is required to study the report, and we hold hearings as a part of our study. We are given until a certain date to report to both Houses of Congress on the Economic Report.

The Joint Economic Committee is now holding hearings. They are taking place right now. I am sorry I cannot be in attendance now. We held hearings all day yesterday. We spent yesterday with the Council of Economic Advisers to the President. This morning the Director of the Budget and his associates appeared before the committee. This afternoon the committee has the Secretary of Agriculture before it. Tomorrow it will have the Secretary of the Treasury before it.

The big center pole, we might say, of this year's economic study and recommendations will be the tax bill which the Senator from Louisiana will have much to do with just a little later. But the committee is studying the Economic Report now. Most of the hearings center around it.

A law enacted by Congress and signed by the President directs the Joint Economic Committee to conduct that study. How could we do it if we did not hold hearings? And if the Senate were not a continuing body, how could we hold the hearings? Even the majority leader's request to prevent committees from holding hearings does not apply to the Joint Economic Committee. We are acting under a law in holding those hearings. That law extends to the Senate because the Senate is a continuing body.

The Senator from Louisiana is exactly correct when he says that two-thirds of the Senate do not have to be elected every 2 years; that only one-third must be elected; that the other two-thirds are Members of the Senate and continue to hold membership in this body and constitute a body. That has been so held by the Supreme Court.

The Senator from Mississippi [Mr. STENNIS] called my attention to a very interesting fact that I had overlooked. The Senator from Louisiana will remember that in 1954 the Senate had before it the unpleasant task of considering a motion to censure a Member of this body. A special committee was created, composed of some of the ablest minds in the Senate. A majority of that committee were able jurists. The Senator may remember that the chairman of the committee was the former Senator from Utah, Mr. Watkins, who was a former judge in his State. The Senator from North Carolina [Mr. ERVIN], a former justice of the supreme court of his State, was a member. The Senator from Mississippi [Mr. STENNIS], a former judge in his State, was a member of the committee. Our late departed colleague, Francis Case, of South Dakota, one of the most studious and hard working Senators, was a member of the committee. For the moment, I cannot name the other members of the committee. Anyhow, that is a good cross section to show the makeup of that committee.

The committee specifically held in a unanimous report that the Senate is a continuing body. A question arose in the committee about investigating something which had occurred in a previous Congress.

The committee ruled that they were eligible to investigate it because the Senate is a continuing body. That was the unanimous report.

The Senator from Louisiana will recall that the report of the committee was accepted by the Senate by an overwhelming vote. I do not remember what the vote was, but it was an overwhelming vote to censure. So two of the three branches of the Government have specifically declared that the Senate is a continuing body.

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield again to me?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not true that the report spelled out the fact that in order to have the charge of censure proposed at that time lie against the Senator involved, it would have to be predicated on the existence of the Senate as a continuing body?

Mr. SPARKMAN. Yes. I am not sure that was the only charge, but certainly it was one of the material charges. The Senator from Mississippi was a member of the committee, and he will recall whether other charges were included. But certainly one of the material charges involved the question of the Senate's being a continuing body.

Mr. LONG of Louisiana. Is it not correct that two charges were being proposed by the committee after it had studied the conduct of the Senator? Is it not true that one of them involved an incident which occurred in the examination of a member of the armed services during the Congress in question, and that that charge was not voted; and is it not also true that the other charge was one of contemptuous conduct toward a Senate committee which had been required to investigate the conduct of that very Senator, and that that charge involved events which occurred in the previous Congress; and is it not also true that the entire basis or gravamen of the charges in that case involved activity in a preceding Congress?

Mr. SPARKMAN. That is correct; and certainly that charge could not have been sustained if the Senate had taken the position that it was not a continuing body.

I stress the fact that the Senate found that unanimously, for the Senate overwhelmingly adopted the report, and, in other words, overwhelmingly approved that finding.

Mr. LONG of Louisiana. Is it not correct that on that occasion all Senators on this side of the aisle—in other words, all Democratic Senators—voted in favor of finding that charge well taken, when they voted in favor of having that Senator censured?

Mr. SPARKMAN. I believe that is correct, although, of course, the RECORD will speak for itself.

Mr. LONG of Louisiana. If the Senator from Alabama has any doubt of that, may I suggest that I do not need to look up the RECORD, because it is my impression that I was the last Democratic Senator to decide to vote in favor of adoption of the censure resolution.

Is it not correct that every Democratic Senator, plus half of the Republican Senators, voted that the resolution of censure should be adopted? Furthermore, would not the Senate have, in effect, censured itself if it had taken the position that the statute had run with the expiration of the previous Congress, and nevertheless voted the censure?

Mr. SPARKMAN. I believe that is correct.

In the Daugherty case, in 1926, the Supreme Court of the United States by unanimous vote held, in so many words, that the Senate is a continuing body. The Court actually used the words, "The Senate is a continuing body."

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield again to me?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Could anyone ask for a clearer statement of the law, the facts, and the equity in a matter than a vote by the Senate itself that it is a continuing body and a statement by the Supreme Court of the United States that the Senate is a continuing body?

Mr. SPARKMAN. Certainly not. As I have said, two of the three branches of Government—the only two really concerned with this matter—have reached that decision.

Of course, the Senator from Louisiana recalls that only 4 years ago the Senate itself again voted that it is a continuing body, and then said, in so many words, that its rules are carried over from one Congress to the next, as set forth in section 2 of rule XXXII. Again, that was adopted by an overwhelming vote. As I recall, the vote was 72 yeas to 22 nays; and that vote was taken only 4 years ago.

Some Senators may say, "Oh, well, we really did not believe in that; we were doing it just to get along." But the Senator from Louisiana will recall that at that time there was quite prolonged debate; and finally the Senate entered into a compromise by which one side agreed to change the two-thirds constitutional majority rule to a simple two-thirds majority rule, and the other side agreed to let that rule be written in.

Certainly I thought—and I believe most other Senators thought so, too—that ended the dispute as to whether the Senate was a continuing body, because section 2 of rule XXXII provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. President, I appreciate very much the very penetrating questions the Senator from Louisiana has asked.

Mr. LONG of Louisiana. I thank the Senator.

Will he yield further?

Mr. SPARKMAN. I am glad to yield.

Mr. LONG of Louisiana. Does the Senator from Alabama recall that 14 years ago it was more or less agreed by a very substantial number of Democratic Senators—not including the southern Senators—and was also agreed to by what appeared to be a majority of the Republican Senators, that that rule should be changed, so as to provide that a two-thirds majority of the Senate present and voting should be able to bring debate to a close? Was not that the so-called Hayden-Wherry proposal which was submitted at that time?

Mr. SPARKMAN. Mr. President, let us not confuse the rule change of 1949 with that of 1959.

In 1949, the rule was changed. Let us remember that until 1949 the Senate had a rule to the effect that a simple two-thirds majority of Senators could end debate in the Senate. But the catch was that ever since the adoption of the cloture rule, in 1917—in other words, ever since the adoption of a rule making it possible to close debate—many persons thought rule XXII permitted a filibuster. However, just the opposite is true. Rule XXII provides a means by which debate can be stopped; but from the time when rule XXII was adopted—in other words, from 1917—until 1949, it applied only to matters which were under consideration by the Senate; and it had been ruled that that meant that the bill, resolution, or other matter involved had to be before the Senate at that time. In other words, cloture could not be applied to a motion to take up or to a motion to consider, or to similar motions, or to anything except a bill or a resolution already under consideration. But in 1949—14 years ago—the Senate changed that rule, so as to allow cloture to be voted on anything. Again, that was a compromise. One side gave in to the extent of permitting motions or anything else to be included and covered by that rule; and the other side said, "Then we will change the rule from a simple two-thirds majority to a constitutional two-thirds."

The change made in 1959 was from a constitutional two-thirds to a simple two-thirds; and the latter is now the rule. The other side allowed section 2 of rule XXXII to be included. I thought that ended the contention that the rules of the Senate could be changed at the opening of a Congress, by means of a motion, or, as I have said, in effect, by allowing a Senator to move at any time during a session that the rules be changed. If that were allowed, a chaotic situation would develop, and we would have no rules.

Mr. LONG of Louisiana. I should like to make this point with the Senator—and in doing so, I ask whether he recalls that the proposal originally proposed by the Committee on Rules and Administration in 1949 was not the one which was agreed to later in 1949, inasmuch as a compromise offered by the Senator from Oklahoma and certain other Senators was the final action taken by the Senate on that occasion?

Mr. SPARKMAN. That is correct.

Mr. LONG of Louisiana. Referring back to the committee proposal which was being debated at that time, I ask the Senator if he recalls that the proposal was that a two-thirds majority of Senators present and voting should be able to terminate debate on any question.

Mr. SPARKMAN. On all questions.

Mr. LONG of Louisiana. The proposals covered a reading of the Journal and a motion to proceed to consider a question, no matter what the measure might be.

Mr. SPARKMAN. A motion to take up an issue, no matter what it might be. I think the Senator is correct on that point. A compromise was arrived at which was two sided. It was a balanced compromise.

Mr. LONG of Louisiana. I ask the Senator if he can recall that after all the controversy about whether we should provide for two-thirds of the Senators present and voting or a simple constitutional two-thirds to shut off debate, the only vote we have had which would have made any difference in this body in the 14 years was on the motion to close debate on the so-called communications satellite bill. In that instance, I believe, cloture was voted by a two-thirds majority of the Senators present, but not two-thirds of those elected.

Mr. SPARKMAN. A constitutional two-thirds.

Mr. LONG of Louisiana. Yes; a so-called constitutional two-thirds. As a practical matter, even in that case I believe the Senator would recognize that it would have been possible for those who were supporting that measure to have brought a few more absentees to the Chamber, or eventually to have persuaded another Senator or two to vote to terminate debate.

Mr. SPARKMAN. I assume that would be true. The question of extended debate has not had the disastrous effect on American legislation that a great many people would have us believe that it would.

I believe William S. White, in a recent column, described that situation as well as anyone could.

That column has been quoted before.

In a speech I made on the subject a week ago yesterday, I believe, I quoted from Mr. White's column. In effect he said that it was not good legislation that was killed. If good legislation—and by "good" legislation he meant legislation that was popularly accepted by the country—was brought up, it would be passed. If not, then cloture would work.

Mr. LONG of Louisiana. When the Senator from Louisiana came to this body, one of the civil rights bills of the time which had been kicking around for 20 years was the proposal to make the crime of lynching a Federal offense.

Mr. SPARKMAN. Yes; the Senator refers to the anti-lynching bill.

Mr. LONG of Louisiana. I ask my friend whether he is familiar with any recent lynchings that have taken place.

Mr. SPARKMAN. None at all. Tuskegee Institute is one of the great schools of our Nation. It is a school of which my State is very proud, and one which my State helps to support. It is a privately endowed school, but for many years my State has made annual appropriations to it. I assume it still does. Every year for many, many years, Tuskegee Institute made a report on lynchings. Many years have now passed since the institute has reported a lynching. If I recall correctly, a year or two ago the institute announced that it would not make any more reports because lynching had disappeared.

Mr. LONG of Louisiana. Does that fact not indicate that there is no real need for such a measure?

Mr. SPARKMAN. Certainly. We used to point out that lynching was virtually a thing of the past. Goodness knows, anywhere a mad crowd could get out of control. In some of the big cities of the North there have been occurrences in many respects comparable to lynchings. Yet the proposed legislation was always drawn so that the effect of such legislation would not touch those places but would hit a county, a city, or a State in which some mob had taken out some person and lynched him.

Mr. LONG of Louisiana. Does the Senator recall how extreme some of those anti-lynching proposals were toward proceeding against the whole people of a community, whether they had anything to do with it or not?

Mr. SPARKMAN. Yes. A fine without a hearing would have been authorized to be levied.

Mr. LONG of Louisiana. Did not some proposals even go so far as to suggest that the Federal Government should seize the courthouse of the community involved, or proceed against the sheriff of that community, whether he had any knowledge of the crime or not?

Mr. SPARKMAN. While I do not recall the exact provisions, I would not for one moment question what the Senator has said. Some of the proposals were ridiculous and absurd. Even the proponents of such measures would today wonder why they ever made such proposals.

Mr. LONG of Louisiana. Does the Senator recall some of the FEPC proposals that have been advanced through the years?

Mr. SPARKMAN. I certainly do.

Mr. LONG of Louisiana. I ask my friend from Alabama if some of those proposals were not far more extreme than anything the people of our country would be willing to consider today.

Mr. SPARKMAN. Yes. Some of them would have taken away from employers the right to employ their own help. They would take control completely out of the hands of the employer. I do not think there is any question about it.

Mr. LONG of Louisiana. Does the Senator agree that some of the title III proposals were so broad that even their authors could not support all that such measures would do.

Mr. SPARKMAN. The Senator is correct. As I recall, one of the proposals was withdrawn by unanimous consent, or there was a unanimous vote against striking it out. I do not remember which. That occurred only 3 or 4 years ago. I believe that happened in 1957.

By the way, if I recall correctly, cloture has been invoked five times during the time the cloture rule has been in effect, and not a single time has it been applied in connection with civil rights measures.

Each of the columnists, William S. White, Walter Lippmann, and Arthur Krock, all of whom have been quoted at length, called attention to the fact that cloture had never been applied against civil rights measures because they were not measures that had the popular approval of the people of our country. If they had been good legislative proposals, the country would have demanded them and they would have been passed.

Mr. LONG of Louisiana. I thank the Senator.

Mr. SPARKMAN. I thank the Senator from Louisiana. He has made a valuable contribution. He has been dealing with things in which he has taken a part of during the time he has been in the Senate. He has been one of our great and able Senators, and I pay my respects to him.

Mr. LONG of Louisiana. I should like to ask the Senator one further question. Should not Senators who wish to change the rules to give themselves some advantage that they do not now have under the rules at least have the forthrightness to show us the bill on which they believe they would be able to get a 60-percent vote, but upon which they think they would not be able to get a two-thirds majority to close debate?

Mr. SPARKMAN. Of course. An impression has been created over the country that the question that is involved primarily is civil rights. I say that is not true. The change in rules is sought to obtain passage of proposed legislation for which the proponents of the rules change know they cannot muster sufficient strength to go through the regular procedures under the Senate rules, and to set up instead a system whereby they can rise at their desks any day of the year that the Senate is in session and try to ram a measure through.

Mr. LONG of Louisiana. Did the Senator hear what the President had to say in his state of the Union message on the subject of civil rights?

Mr. SPARKMAN. Yes, I heard it. It was quite brief, as I recall.

Mr. LONG of Louisiana. Does not the Senator recall that the only thing the President recommended was that something be done to further implement the voting rights of minority groups, having Negroes in mind?

Mr. SPARKMAN. That is correct. The reference was to voting rights.

Mr. LONG of Louisiana. The Congress took action on two occasions; I believe in 1957 and again in 1959.

Mr. SPARKMAN. Either 1959 or 1960.

Mr. LONG of Louisiana. On at least two occasions in that general period the Senate passed civil rights legislation.

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. To improve and to implement the voting rights of colored citizens who might feel that they were denied their rights by some procedures.

Mr. SPARKMAN. The law referred to all citizens.

Mr. LONG of Louisiana. It was to protect the rights of all citizens, actually, but was it not true that particularly in mind were the rights of colored citizens?

Mr. SPARKMAN. That was the driving force at the time, but the law applied to all citizens. Any citizen who felt he was aggrieved could follow the procedure set out.

Mr. LONG of Louisiana. Therefore, on at least two occasions, without gag rule——

Mr. SPARKMAN. Yes; without gag rule.

Mr. LONG of Louisiana. These matters have been permitted to come to a vote and have been passed.

Mr. SPARKMAN. Yes. As I said, gag rule has never been imposed in the case of civil rights measures. We might use a more dignified term of cloture or closure, whichever is preferred; but cloture has never been applied on a civil rights measure during the 46 years the procedure has been in effect.

Cloture has been applied five different times.

Two civil rights measures have been enacted into law without cloture being applied, or even extended debate. I think I am correct in saying that those were the only civil rights measures enacted into law since the Civil War. I am not sure that is correct; but it seems to me that someone made that statement at one time.

Mr. LONG of Louisiana. Mr. President, can the Senator see any reason why in good conscience any group should ask for a special advantage to try to pass proposed legislation, particularly with respect to the problems not of their own State but to the problems of some other State?

Mr. SPARKMAN. I am now serving in my 17th year in the Senate. The Senator from Louisiana is starting his 15th year of service in the Senate.

I have offered a great deal of legislation from time to time which I urgently wished to see passed, and the Senator knows about it, because many times I have talked with him about it. The Senator has sought to have proposed legislation passed, and he has fought tenaciously for it. As a matter of fact, one of the things I admire about the Senator from Louisiana is his tenacity. When he wants something, when he believes in something and believes it is right, he holds on to his convictions and he fights for it.

I have presented bills to the Senate. To use an example, the Senator will re-

member the bill which the Select Committee on Small Business favored, of which committee both he and I are members. The committee recommended the bill beginning in 1951. It was proposed that there be set up some kind of financial scheme to make it possible for small businesses to obtain equity capital, because they were practically shut out from the money markets of the country.

I introduced a bill, as the Senator will remember, about that time. I tried to get it passed, but I could not. I introduced the bill in the next Congress and tried to get it passed, but I could not. I introduced the bill in the following Congress and tried to get it passed, but I could not even then. And I introduced it in the Congress following that, and in that Congress the bill was made into law.

Today we have the Small Business Investment Company Act. There are some 600 or 700 small business investment companies operating throughout the country, with a vast network, making loans available for equity capital purposes for small businesses.

I learned a long time ago that having proposed legislation passed was a long and hard job requiring tenacious effort.

I have been very well satisfied with the things I have been able to accomplish from a legislative standpoint, but I have done so under the rules of the Senate. I have found them to be workable.

I said something a while ago about the Senator having a responsibility in respect to the tax bill. I might do a little lobbying now with him, but I feel I will not have to lobby with the Senator from Louisiana.

The Senator will recall that our committee several years ago recommended a change in the corporate tax structure. Of course, one of the things we recommended was a variable income tax for corporations; but we also recommended a reversing of the percent of the corporation tax, so that, instead of having the 30 percent apply at the base level, the 22 percent would apply at the base and the 30 percent would be applied as a surtax. That would have been of tremendous benefit to small business.

We worked on that recommendation for several years, yet we were never able to get it passed.

While the tax bill was under consideration, I wrote a letter to the President, urging that proposal again. I was delighted, when the tax bill came out, to see that the principle had been encompassed in it.

The tax bill did not include all I asked for. I asked that the exempted base be raised from $25,000 to $50,000, and that was not included, but the reversing of the 22 percent and the 30 percent was included. I am delighted that was done.

I certainly hope that, when the time comes for the Senator from Louisiana to consider that bill, he will consider that proposal favorably. If he does, and if it is enacted into law, that will be something else which has been brought about by long and tenacious work, but which has been done under the rules of the Senate. Nobody has been hurt by observing them.

Mr. LONG of Louisiana. Mr. President, I might suggest to the Senator that is one of the things on which I believe I joined him as a cosponsor, on occasion.

Mr. SPARKMAN. It is in the bill this time.

Mr. LONG of Louisiana. Many of us find that to be one of the more attractive things in that proposed legislation.

Mr. SPARKMAN. Yes. The President's chief economic adviser, who testified before the Joint Economic Committee yesterday, pointed to that as one of the most desirable features of the bill. He said it would be of inestimable value to small businesses throughout the country.

Mr. LONG of Louisiana. I ask the Senator if it is not correct that many of the prolonged studies of legislative matters, lasting over a period of two or more Congresses, result in the final product being a more reasonable bill?

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. And a better bill, all considered, that the original proposal which was introduced?

Mr. SPARKMAN. The Senator is correct. As an example, I cite the Small Business Investment Company Act. I think the finished act was a great improvement over my original proposal.

One of the last things we did was to have the Banking and Currency Committee ask the Federal Reserve Board and either the Securities and Exchange Commission or the Treasury Department to make a study of the problem and to come up with recommendations by a certain date—March 15, 1958, if I remember correctly.

Well, they had it there, and it was largely on the basis of their recommendations and the staff work of the Banking and Currency Committee and the staff downtown that the final version was worked out. Yes, I think there was a vast improvement. Again, it was done under the rules of the Senate. I do not believe that any legislator chafed at having to proceed under the rules laid down in the Senate. I certainly have not done so.

I am proud of some of the legislative achievements for which I have been largely responsible. Some of the housing programs that were enacted into law failed one year, perhaps failed the next year, and failed in other years, but they were finally enacted into law, under the rules of the Senate.

We have accomplished a great deal in the small business field, in which the Senator from Louisiana has worked with me. Very good legislation for small business has been enacted, all of it having been done under the rules of the Senate. No one complains about having had to operate under those rules. If we did not get favorable action under the rules one year, we said we would come back the next year. That is the only way to operate, in my judgment.

Mr. LONG of Louisiana. Is it not true that, under the procedures we have been discussing, and the bases or reasons why we should change the rules, measures have been allowed to come to a vote in the Senate on which the House should have voted?

Mr. SPARKMAN. Yes. I thank the Senator for his fine and worthwhile contribution. I would have expected nothing less from him. By the way, in my statement I mentioned the five times in which cloture had been applied. When I spoke last Monday, I think it was, I gave those five occasions and told something of the circumstances surrounding them. I have the list in front of me, and I will read those occasions off.

In the consideration of the Treaty of Versailles, cloture was applied on the 15th day of November 1919.

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

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Would the Senator not say that the Treaty of Versailles had some very serious and doubtful provisions in it? As a matter of fact, have not many historians felt that that treaty actually sowed the seeds of World War II?

Mr. SPARKMAN. There has been much controversy over the Treaty of Versailles. By the way, the Senator might find it interesting to read the comments I made on it in my talk a week ago yesterday, in which I told something of some of the reservations. By the time it got to a vote, the Senate was pretty well tied up, and it was not too clear as to what it was voting on and what the effect would be. Most of the Senators felt it had reached the point of futility. Of course, it was not the treaty President Wilson had proposed. It was not the treaty he had recommended to the American people and to the world. A great many persons have attributed to that treaty the seeds of World War II.

Mr. LONG of Louisiana. Is it not true that in voting on any measure under a gag rule we find ourselves in the type of procedure that took place last year, when many of those who voted to impose the gag rule on this body had something of a gentlemen's agreement among themselves that no amendments would be agreed to, so that no matter how wrong the bill might be or how strong the arguments a Senator might make that an amendment should be agreed to in an attempt to perfect a very controversial bill, the leadership simply moved to table the amendment and he had the votes to go along with that type of procedure?

Mr. SPARKMAN. Of course, a Senator virtually loses his right to try to have considered properly an amendment to a pending measure, whatever it may be, when cloture is applied. We are not legislating under normal conditions in such a situation. The Senator from Louisiana is absolutely right. The conditions are abnormal, and it is no way to legislate.

Mr. LONG of Louisiana. Is it not a fact that the right to debate freely in this body gives a Senator offering an amendment an opportunity to make his case and to convince the Senate to go along with him unless opponents can point out the fallacies of his position?

Mr. SPARKMAN. I do not know that I would go that far. He has an opportunity to make his argument and state the logic in favor of it. Then the

opposition has an opportunity to answer that argument. Then it is given to the Senate as a whole to vote upon it. But it is true that, after cloture is applied, there is not the time or leisure that is normally available in trying to legislate.

Mr. LONG of Louisiana. May I put the thought to the Senator in this way: When there is not in effect a tacit understanding among Senators that no amendments will be accepted, does not the offerer of an amendment have a much better chance to have the amendment agreed to?

Mr. SPARKMAN. I just never have thought of the question in that light. I would rather make this statement, and I wish to leave it in this way: That legislating under cloture conditions is abnormal and certainly one cannot hope to get the best results when legislating in other than normal conditions. I think that is about the same thing the Senator from Louisiana is saying, but perhaps it is not quite as specific.

I was naming the five instances in which cloture was applied. The first was in the discussion of the Treaty of Versailles, on November 15, 1919.

Then came the debate on adherence to the World Court, on January 25, 1926.

Then the question of branch banking. That was on the 15th of February 1927.

Next came the creation of the Bureau of Customs and the Bureau of Prohibition. Cloture was imposed on the 28th day of February 1927. Two clotures were imposed within less than 2 weeks, on two different subjects.

There was not another imposition of cloture until last June 14, 1962, when the Senate had before it the communications satellite bill.

Those were the only five impositions of cloture since the cloture rule has been in existence.

I see before me reference to the Antilynching Act. I refer now to some of the occasions when imposition of cloture was refused. One was in 1928. There was another one in 1928.

The antipoll tax in 1942.

The antipoll tax in 1944.

The FEPC in 1946.

The antipoll tax in 1946.

The FEPC in 1950.

The Civil Rights Act on March 10, 1960.

Amending rule XXII, September 19, 1961.

Literacy test for voting, April 9, 1962.

Literacy test for voting, April 14, 1962.

In all of those so-called civil rights issues, the Senate has declined to grant cloture during the arguments.

The impression which gets around over the country that what is now under consideration is a matter involving civil rights is simply not a correct impression. It does not operate that way. As I stated earlier in the day, cloture has been tried 21 different times, and has been successful 5 times, not one of those 5 occasions being on a civil rights measure.

I believe civil rights measures have been involved in just half of the number in which an attempt has been made to impose cloture.

It has not been so true in the last few years, but I can remember back in the days when I first came to the Congress, in the House of Representatives, and even after I came to the Senate, in every election year we got a civil rights bill, almost regularly. If Senators will notice, when I was calling off the list of the years when cloture was attempted, they will see that it was in even years, when elections would be held.

I became early impressed with the fact that unfortunately the whole question of civil rights was being made a political football; and it is largely true in the present case, insofar as the impression in the country is concerned, that this pertains to civil rights matters.

At the time I left my manuscript, I was talking about the Supreme Court decision in McGrain against Daugherty. I wish to pick up that quotation, because I had not finished it. This is a case in which the committee had been carried over from one Congress to another and in which Mr. Daugherty was being charged with contempt of Congress. The Supreme Court went on to say:

Mr. Hinds in his collection of precedents says—

I ask Senators to listen to this quotation, because I was speaking about the Supreme Court having unanimously held that the Senate was a continuing body. Then the Senator from Mississippi in a very timely fashion reminded me of the report of a committee right here in the Senate, which was adopted by the Senate. This is the quotation from the Supreme Court decision:

Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress" (vol. 4, sec. 4544) and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress" (vol. 4, sec. 4545). So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revived now by motion to that effect, and, if continued or revived, will have all its original powers (Hines' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405).

The following is quoted from *Robertson* v. *State* (109 Indiana 79, 10 N. E. 582 (1887)):

In response to much that has been said upon the subject in argument, I feel quite assured that the senate of this State is not, like the Senate of the United States, a continuous body. In the Senate of the United States a majority constitutes a quorum and as there is always more than a quorum of qualified Senators holding seats in that body, its organized existence is necessarily continuous. But in the senate of this State two-thirds of its members are necessary to make a quorum. As one-half of its members go out of office at the end of each legislative term of 2 years—that is to say, on the day after each general and biennial election—it becomes, at the end of each such legislative term a disorganized body; and, as the officers of the senate comprise an essential part of its organization, it necessarily results that the terms of such officers expire when the body becomes disorganized for want of a quorum (see also, *State* v. *Rogers*, 56 N.J. Law 480, 622 (1894)).

It would seem from the foregoing quotations that our courts, both Federal and State, have recognized that the Senate is a continuing body. It is my view that we should not here attempt to ignore this judicial finding or concept and change our entire structure merely to augment a temporary or immediate feeling on any particular legislation or class of legislation.

I may say to the Senator from Louisiana and the Senator from Mississippi, both of whom engaged with me in a little colloquy a short time ago, that earlier I called attention to the fact that there were three different rules in the Senate in which the word "shall" is used—mandatory—and that one of them was with respect to treaties, the fact being that treaties continue. For the moment I do not recall what the others are. However, I wish to refer to the use of the word "shall" in rule XXXVII.

Turning now to rule XXXVII where the word "shall" is used in stating that treaties submitted to the Senate for ratification hold over from Congress to Congress unless otherwise disposed of, I call attention to the fact that the present argument that there is something magic in the Senate about the beginning of a new Congress is also an attack in a collateral way on this rule. The existence of this rule stems largely from the fact that the Constitution itself empowers the Senate to consider and ratify treaties by a two-thirds vote. Inasmuch as treaties are a part of the supreme law of the land and are indeed vital in our increasingly important international affairs, anything that takes place here on the floor of the Senate that is related even remotely to our system respecting treaties is of special interest to me as it should be to all Senators.

Under the present rule XXXVII, if a treaty was submitted to the Senate by the President in the 87th Congress and no final action was taken on it, then all proceedings on the treaty in the Senate terminated with the 87th Congress, but they may be resumed at the beginning of the 88th Congress as if no proceedings had previously been had thereon.

If that is not continuity, I do not know what it is. A treaty stays right here, and it is stated in the rules of the Senate that this shall be the case.

If the concept of those who would change the rules is correct, namely, that the Senate like the House of Representatives starts out again in a de novo sense at the beginning of a Congress, then it would follow that the President should withdraw the treaty from the Senate and resubmit it at the new Congress. That this should be done is so far from my concept of customary and constitutional proceedings that I could hardly imagine it happening. It only goes to show in a rather effective way the consequences that might follow if we in the Senate construe this body as a new body at the beginning of each Congress and start to adopt motions not in accord with our standing rules and

our normal functions under the Constitution.

I am opposed to both proposals to change the cloture rule—rule XXII. That is to say, I am opposed to reducing the required vote from two-thirds to three-fifths of those Senators present and voting.

By the stronger reasoning I am opposed to the proposal to allow a majority of Senators to close debate regardless of the time specified in the proposal.

As I stated in my remarks on January 21, 1963, there is a great body of history in the Senate which warns us against adopting rules that make it easy to close debate. I referred to the warning of Thomas Jefferson in his "Manual of Parliamentary Procedure," when he stated:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right we should assure ourselves that what is lost will not be greater than what is gained.

I think that is one of the strongest and most sensible definitions that we could possibly have on this subject. Certainly it was from a man who had one of the clearest minds and was from one of the best thinkers that this country has ever produced.

I repeat that statement by the great "sage of Monticello" as he has been called in some quarters, because I construe it as a warning by one of our great Founding Fathers against doing just what is proposed here. He puts in very eloquent words what we have been debating. Freedom of debate in the Senate is a part of the "warp and woof of our Constitution." We cannot remove free and full freedom of debate without "damaging the whole fabric." Let us remember these words of Jefferson and take heed of them.

I have noticed in some of the remarks heretofore made in the instant debate on rule 22 that proponents of changing the rule have reminded us that the previous question was allowed in Jefferson's Manual, the implication being that Jefferson would therefore sanction the use of the previous question in Senate debate to close debate.

Inasmuch as I quoted Jefferson previously and quote him now as an advocate of full freedom of debate in the Senate, I wish to state that references to the previous question rule as used in Jefferson's Manual only serve to cloud the present issue unless they are explained in the light of parliamentary and Senate history. The previous question rule as it existed in 1789 had purposes different from those for which it has been used in the House of Representatives since 1811 as a vehicle to close debate.

Prof. Joseph Cooper, of Harvard University, has clarified this matter in his exhaustive dissertation entitled "The Previous Question—Its Standing as a Precedent for Cloture in the U.S. Senate," which the senior Senator from Georgia presented and which was made Document No. 104 of the 87th Congress, 2d session.

Dr. Cooper took each use of the previous question in the period 1789 to 1806 and analyzed it. He then concluded:

> We may conclude that the Haynes-Stidham-Russell position is the correct one. The fact that a previous question mechanism existed and was used in the early Senate furnishes no precedent for the imposition of majority cloture in the Senate today. As we have shown in part I, the previous question was not understood functionally as a cloture mechanism. As we have shown in part II, it was not designed to operate as a cloture mechanism. As we have shown in part III, it was not in practice used as a cloture mechanism. Indeed, it is even improbable that the Senate could have used the previous question for cloture, given the obstacles which existed and the lack of any evidence to show that these obstacles could in fact be overcome.

I think that is a clear, succinct statement.

I had the privilege to serve in the House for 10 years. There we had the previous question. The House has a rule whereby a Member may speak for 5 minutes; that is all; unless he can get unanimous consent to proceed for a longer time. The previous question as used in the House is a cloture mechanism. It closes debate. It is almost necessary there because of the numerous membership.

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

Mr. SPARKMAN. I yield.

Mr. STENNIS. The Senator has given us the reason for the nonuses of the previous question up to about 1806. Did the Senator cover what the positive uses of the rule, as it was then, were?

Mr. SPARKMAN. No.

Mr. STENNIS. I think it would be helpful and pertinent to have that point developed.

Mr. SPARKMAN. I am not sure that I have seen that point discussed, although in the document to which I have referred, Senate Document No. 104, 87th Congress, 2d session, entitled "The Previous Question," I believe an explanation will be found. I do not have it in mind just now. At any rate, Professor Cooper cites three instances: First, the previous question was not understood, meant, or intended to function as a cloture mechanism. Second, it was not designed to operate in that way. Third, it was not in practice used as a cloture mechanism.

I am rather of the opinion—although, let me say, I would not stand on this view—that the previous question was used somewhat in the same way as unanimous consent was used. As a matter of fact, there was a period in the history of the country, probably during the Civil War, when there was a kind of unanimous-consent arrangement, and a great deal of legislation was handled in that way, but it was done under special conditions. Again, it was done by unanimous consent.

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

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not correct that Robert's Rules of Order requires a two-third vote to move the previous question?

Mr. SPARKMAN. I believe that is correct.

Mr. LONG of Louisiana. That is, to sustain a motion for the previous question?

Mr. SPARKMAN. Yes, I believe the Senator is correct.

Let me read an excerpt from Senate Document No. 104, 87th Congress, 2d session, entitled "The Previous Question." It may throw some light on this question:

> On January 12, 1792, consideration of the nomination of William Short to be Minister resident at The Hague was resumed. After a committee had reported certain information concerning Short's fitness to be appointed a resolution was moved which stated that no Minister should at that time be sent to The Hague. The previous question was then moved in its negative form, i.e., "That the main question be not now put," despite the fact that the rules provided only for the positive form of the mechanism. At this point, however, the Senate decided that "the nomination last mentioned, and the subsequent motion thereon, be postponed to Monday next." On that day, January 16, 1792, the Senate resumed its consideration of the nomination and the resolution moved on the nomination. The previous question was put in negative form and carried with the help of a tie-breaking vote by the Vice President. This removed the resolution which would have prohibited sending a resident Minister to The Hague. The Senate then proceeded to the Short nomination and approved it.
>
> Here again Brant and Douglas concede that the previous question was not used for the purpose of cloture, i.e., for the purpose of closing debate in order to force a vote. Instead, they recognize that it was used to avoid or suppress an undesired decision and they also argue that it was used to suppress a discussion of certain conditions at The Hague which might have jeopardized Short's appointment.

I realize that that is a somewhat roundabout way of getting the point, and the negative is involved; but certainly I think it helps to bear out Jefferson's contention that the previous question was not intended for cloture.

The previous question was abolished in the Senate in 1806; and as Dr. Cooper has concluded, its use prior thereto is no argument in favor of cloture. We have a cloture rule at present, and, as we saw in the last session of Congress, it is a workable rule.

We certainly should go no further with the rule. We should not have a rule making it any easier to close debate. We should keep in mind that the closer we come to straight majority rule on this question, the closer we come to damaging the whole fabric of our Constitution, as Thomas Jefferson warned. The difference between two-thirds and three-fifths may not appear to be very great; but the danger involved in one step, large or small, away from the right of free and full debate in the Senate is great. That would be a step away from equal representation by the States in the Senate. It would be a step away from protecting the rights of minorities. It would be, indeed, a step away from the concepts of balance in our Government, the protection of individual rights, and the guarding against hasty or impassioned action, which have made and preserved us as a great nation.

So, Mr. President, I hope that no step of that sort will ever be taken.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. SPARKMAN. I yield.

Mr. STENNIS. The Senator from Alabama certainly has presented in most able fashion some very fine points and logic and reason. I wish to ask a question. Much has been said about majority rule, and much has also been said about the fact that in many instances the Constitution requires a different rule. However, I do not recall that there has been mention of the fact that a jury trial is another forum under our system of government. Is it not true that in all the States it is required that if an accused is to be convicted of a serious crime called a felony, there must be a unanimous verdict of the jury, in other words, a vote of 12 to 0?

Mr. SPARKMAN. I am not prepared to say that is true in every State; but so far as I know, it is true. Certainly it is true in the Federal courts. In those courts there must be a unanimous verdict.

Mr. STENNIS. Yes. That is the gage and standard by which justice is measured in connection with serious criminal trials, is it not?

Mr. SPARKMAN. Yes. I believe it was Lord Coke who said it would be better that 99 go free, rather than that 1 innocent person be punished. That is the purpose of requiring unanimity of the verdicts in criminal cases.

Mr. STENNIS. Is it not also true that in civil trials in practically all civil forums, from the justices of the peace on up to the higher courts, in both State and Federal jurisdictions, either 8 or 9 out of the 12 must agree—and usually 9 are required—on the verdict, before there can be a conviction?

Mr. SPARKMAN. Yes; and in many cases the verdict must be a unanimous one. I practiced law in both the Federal courts and the State and local courts, and I believe that in every court in which I practiced there was a requirement of unanimity in connection with both civil matters and criminal matters, although I believe that in some States there is a requirement for a three-fourths majority.

Mr. STENNIS. I believe it is true that in quite a few jurisdictions, three-fourths of the entire jury must agree on the verdict in connection with civil matters.

Mr. SPARKMAN. That is correct.

Mr. STENNIS. At any rate, even in civil trials of cases involving only two or three persons, it is not sufficient for only a majority of the jury to agree on a verdict. So there is all the more reason why, when we are passing legislation which will bind 185 million Americans, there must be some safeguard above and beyond a majority vote.

Mr. SPARKMAN. Certainly that is true.

Mr. STENNIS. Such a requirement is necessary in order to keep the rush or the passions of the moment, and so forth, from overwhelming a bare minority.

Mr. SPARKMAN. I certainly agree. I cannot forget the very wise statement of Thomas Jefferson, which I have already quoted, when he warned against cutting down on debate in the Senate. He said a single step away from it would endanger the whole fabric of the Constitution.

Mr. STENNIS. I thank the Senator from Alabama.

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

Mr. SPARKMAN. I yield for a question.

Mr. LONG of Louisiana. Is it not true that every Member of this body, without exception, would refrain from engaging in extended debate, in order to defeat a piece of proposed legislation by more or less talking it to death, unless he really felt it was an extremely bad measure and should not be permitted to pass?

Mr. SPARKMAN. I believe that is true. I certainly attribute to every Member of the Senate sincerity; and I am sure Senators would not speak at length against a measure unless they really believed they should oppose it.

Mr. LONG of Louisiana. Has not the Senate passed many very important and crucial measures which in the first instance commanded a majority of only one, two, or three votes?

Mr. SPARKMAN. That is true.

Mr. LONG of Louisiana. Is it not also true that the Senate passed in that fashion the bill extending social security to disabled persons?

Mr. SPARKMAN. I believe that is correct. The Senator from Louisiana was very active in that connection, and undoubtedly he remembers the circumstances more clearly than I do. But I recall that the vote on that measure was a very close one.

Mr. LONG of Louisiana. Was not that issue decided by a two-vote majority; and would not a change of one vote have resulted in a tie, in which case the Vice President could have voted, and thus could have broken the tie?

Mr. SPARKMAN. Is the Senator from Louisiana referring to the measure extending social security, or is he referring to the medicare bill?

Mr. LONG of Louisiana. I am referring to the bill which was actually passed by the Senate some years ago.

Mr. SPARKMAN. Is the Senator from Louisiana referring to the bill which extended social security to persons suffering from disability?

Mr. LONG of Louisiana. Yes. The vote was 49 to 47.

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. Is it not true that as to that measure, the medical profession could dream up hobgoblins and could imagine that the bill was fraught with peril; but is it not true that the Senate was willing to abide by majority vote in that case—which is also true in the great majority of cases?

Mr. SPARKMAN. Yes.

## THE 15TH ANNIVERSARY OF THE VOICE OF AMERICA

Mr. MORSE. Mr. President, on January 27, 1948, 15 years ago, the President of the United States signed Public Law 402, which was labeled "The U.S. Information and Educational Exchange Act of 1948." Its purpose was "to promote a better understanding of the United States among the peoples of the world and to strengthen cooperative international relations."

During the past 15 years the U.S. Government has endeavored to create and perfect methods of disseminating information designed to inform the peoples of the world about the life, aspirations, and intentions of the people of the United States. Although the Voice of America is probably the best known public channel to the outside world, impressive developments have taken place in related fields.

For example, libraries, information centers, and binational centers have been established in every part of the free world by the USIA. These libraries and centers are stocked with representative selections of American books, in English and in foreign languages, which depict the major aspects of American life. Visits to these libraries have demonstrated that they are well attended. Many others have become well-recognized institutions in foreign countries. "Meet me at the USIS library" has become a familiar phrase in many lands. In these centers the people of foreign countries can read American books and publications; they can see American movies; they can hear the Voice of America; they can obtain answers to their questions about the United States; they can see exhibits of every kind; they can listen to American music; they can learn English; they can participate in seminars and discussion groups; and they can listen to lectures. These centers are educational centers in the best sense.

In addition to these centers and to the Voice of America, we have seen the slow but steady construction of a worldwide communications mechanism which enables the U.S. Government to disseminate accurate official information almost instantaneously to the far corners of the world by radioteletype.

With the recent construction of new radio transmitter facilities at Greenville, N.C., the U.S. Government now has one of the most powerful stations in the world. The radio signal is now strong and competitive; and, with the new construction of transmitters in Liberia, the important areas of Africa and the Near East will receive better coverage.

The USIA has also produced motion pictures and television programs which present the American story visually and vividly. These media are especially effective in areas where illiteracy is high.

Thus, the past 15 years have seen an increasingly effective use of the mass media, as facilities have become modernized and as the personnel have become better trained and experienced and more professionalized.

Public Law 402 also called for the creation of a bipartisan Advisory Com-

mission on Information, which has had the responsibility of advising the Director of the USIA on the formulation of policies and programs. The Commission has also counseled on the Agency's personnel, organization, and operations.

In its reports to Congress—the 18th has just been released—this Commission has served as an important friendly critic of the information program. It has commended and encouraged the program. At times, it has prodded it; and at times it has severely criticized it. Its numerous recommendations, many of which have been accepted and incorporated into the information program, have helped strengthen the USIA and its policies and programs. Its reports have contained advice and counsel from private American citizens who have served without compensation.

It is my hope that as we move further into the sixties, the USIA, together with the U.S. Advisory Commission on Information, will continue to move forward. In particular, I hope this Agency will strengthen its contacts and its programs with farm, labor, and youth groups, in order to help strengthen these groups, and thus strengthen the sinews of freedom throughout the world.

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## ADDRESS BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE ANTHONY J. CELEBREZZE

Mr. MORSE. Mr. President, on Friday, December 14, 1962, the distinguished new Secretary of Health, Education, and Welfare, Mr. Anthony J. Celebrezze, addressed the autumn quarter commencement at Ohio State University, in Columbus, Ohio.

In his moving speech, Secretary Celebrezze discusses the need for more and improved education for our country's youth in the years to come. In his discussion of the present conditions of our young people in the field of education, Mr. Celebrezze said:

> Out of every 10 youngsters now in grade schools, only 2 will graduate from college; 2 more out of that 10 will enter college but never finish; 3 out of 10 will not complete high school.

The Secretary goes on to point out that one of the major reasons for this failure of our youngsters to achieve a higher education is the prohibitive cost of higher education today.

It was most appropriate in this age of the explosion of scientific technological knowledge that the Secretary closed his inspirational address with a metaphor devised from Cape Canaveral. After having pictured the magnificent opportunities the present offers to achieve boldly and creatively a new world at peace shaped by justice he said:

> May the countdown for tomorrow signal the release of a glorious burst of human energy and an increase in the power of the human will and intellect, guided by moral and spiritual values, which will carry mankind to its true destiny.
>
> That destiny is not the darkness of oblivion.
>
> I am convinced that we shall not, in the words of Maxwell Anderson, "shut out the light, close our minds, and be like a million cities of the past that came up out of mud, worshipped darkness a little while, and went back, forgotten, into darkness."
>
> May we be a Nation drenched with lasting light. May our destiny be achieved in the enternal light of truth, wisdom, and goodness. May we realize that human destiny is the sum of our individual destinies which we shape through our personal goals.

Mr. President, each of us here in the Senate can surely share in the hope the Secretary has so well expressed. May his words enable us to surmount our transient difficulties in order that we may legislate effectively to bring into being this splendid affirmative of the ideal.

I congratulate Secretary Celebrezze on his address and in view of the fact that the Senate will be considering educational legislation in the 88th Congress, and that the address contains much information which is pertinent to the future legislation to come before us, I ask unanimous consent that it be printed at this point in my remarks.

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

ADDRESS BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

I am very pleased to have this opportunity to visit Ohio State University—one of the Nation's great intellectual communities—an outstanding symbol of the unique partnership through which the State and Federal governments have, over a long period and in varying ways and degrees, worked together in the establishment and support of education.

It is a unique partnership, because, although direct Federal participation in higher education began with the Morrill Land Grant Act a century ago and has in the past two decades been intensified, there has been no Federal control of education. The principle of State responsibility for education, established under the 10th amendment of the Constitution, has been preserved, and this great university exemplifies the successful discharge of that responsibility.

I welcomed your gracious invitation to me, as Secretary of Health, Education, and Welfare, to address this commencement audience, not only because of the pleasant associations which are renewed by a visit here but because I consider this a most appropriate time and place for reviewing our present educational position as a nation and for looking to the future.

President Kennedy gave expression to a recognition of the present and future crucial role of education when he said last year in his message to the Congress, "Our progress as a nation can be no swifter than our progress in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this, all require the maximum development of every young American's capacity."

We have in recent years come to recognize more clearly the vital role of education as one of the basic solutions to a wide range of problems and challenges.

Education, in one form or another, inevitably assumes a prominent place, not only in plans for space exploration but in plans for solving the problems of dependency, unemployment, juvenile delinquency, mental illness and mental retardation, and a wide variety of other social, economic, and cultural challenges.

We have come to realize that we must educate oncoming generations, not only for space age vocations and professions but also for space age citizenship in the broadest sense.

There has come to us a realization that education—once considered primarily a personal interest—has, in this space age, become a crucial matter of the national interest.

H. G. Wells observed, more prophetically than he perhaps knew, shortly after World War I, that "history becomes more and more a race between education and catastrophe." Much has happened since then to underline the literal truth of the observation.

How are we faring in this fateful race?

How adequate a job are we doing in preparing our young people to make their necessary vocational or professional contribution in the new atomic age which was born under the stadium stands of a great university such as this just 20 years ago?

How well are we preparing our young people, not only as productive individuals but as citizens and leaders of the future?

How effectively are we giving them an awareness of their place in the family of man drawn close in a now small world?

How well are they being prepared to preserve and carry forward our own culture and tradition toward the ultimate destiny of our democratic society?

These are sober questions which in recent years have come to trouble the conscience of responsible citizens throughout the land.

These are questions which you young people, at this significant point in your personal growth, need to ask—about yourselves and about the other millions of your generation who will soon inherit the responsibilities that all Americans share for the continued vitality and safekeeping of this democracy.

Here, in the company of some 25,000 fellow students, led by a distinguished faculty of more than 2,000 teachers and scholars, surrounded by laboratories and libraries, it is sometimes difficult to realize just how small an oasis of knowledge this campus actually is—how relatively few of your generation have enjoyed the splendid opportunities offered by this and some 2,000 other institutions of higher learning to nurture their talents and to bring them to full fruition.

Under present conditions, out of every 10 youngsters now in grade schools, only 2 will graduate from college; 2 more out of that 10 will enter college but never finish; 3 out of 10 will not complete high school.

Some of the reasons for this rather bleak forecast are readily apparent. I scarcely need tell this audience that a major barrier to higher education for thousands of able students is simply its high cost. The cost of a medical education has become almost prohibitive for the majority of young people. Even in our great public institutions, general tuition charges during the last 10 years have risen by about 80 percent. In private colleges they have more than doubled.

This economic pinch has led to a major shift in the traditional enrollment ratio between public and private institutions. Tax-supported institutions, with their lower tuition costs, today are accommodating more than 60 percent of our college students, while 10 years ago they were serving about half the college population.

But your president, Dr. Fawcett, as well as the head of any private institution, will be quick to tell you that these sizable fees fall far short of covering the actual cost of the instruction you have received and the facilities essential for giving it. These costs are met by public and private funds—by State and local taxes, private gifts, and in some specific areas—principally in agriculture and the sciences—by grants from the Federal Government.

We are faced with a triple need: The need for expanding educational opportunity on the basis of our present population, the need to accommodate an increasing population, and the need to provide for an increasing proportion of high school seniors who want

to continue their formal education beyond high school graduation.

The Ohio State Department of Education has estimated that the number of high school graduates in Ohio in 1964 will be twice what it was in 1954. Furthermore, enrollment in Ohio colleges is estimated to double by 1970. The U.S. Office of Education has predicted an approximate doubling of college enrollment for the Nation during the sixties, with the largest increases in the next 3 academic years—that is, 1963–64, 1964–65, and 1965–66.

Even today, without considering these additional needs, we are short nearly 130,000 classrooms. As a result, some one-half million students are attending school in double shifts. Nearly 2 million children in elementary and secondary schools are overcrowding our classrooms, a condition that affects the education of all the students who share these classrooms—about 10 million students in all.

I have been talking about some of the quantitative dimensions of education's needs—the physical capacity of our schools and colleges to absorb the impact of our population increase. But education is not all brick and mortar and plate glass. It is the dissemination of knowledge to questioning minds, and its essential component is good teaching.

One of the most durable possessions of a college graduate is the recollection of an outstanding teacher and the exciting experience of having one's mind stretched until it fully grasps a new idea and is able to reach out toward other new ideas.

The potential influence of a teacher is virtually limitless. As Henry Adams observed, "A teacher affects eternity; he can never tell where his influence stops."

From my own experience I can recall certain teachers who profoundly influenced my life and my thought. Each of you here must have had a similar experience.

In spite of this recognition of the value of good teaching, we Americans have consistently failed to accord the teaching profession the support it deserves—and needs—in order to meet the demands placed upon it.

I am inclined to feel that education—its teachers and administrators—have on occasion been unjustly criticized in recent years for the shortsightedness of others in failing to provide them the means to achieve excellence in the schools.

The educational process itself—the "how" of learning—has not been given adequate attention, although we are investing billions in research and development of new processes which depend ultimately for their success on equal advances in education.

All this has been the subject of intensive public soul searching as our concern with the problems of education has increased.

I think there is little doubt left in anyone's mind about the importance of education to economic growth, to the national defense, and to the maintenance of our position of leadership in the free world.

There is little disagreement among us about what is needed for education:

An increase in our physical establishment—more buildings, more classrooms.

Expansion of educational opportunities so that every citizen is able to make the most of his talents.

An upgrading of the quality of education—bringing the curriculum and teaching techniques up to date with modern times.

These basic goals for education are clear to all of us now. The next question is how we shall reach them.

If the States and local communities, which bear primary responsibility for education, could meet these needs fully with their own resources, there would be no massive problems for education today.

The disparity of educational opportunities and educational facilities among the various States is evidence that much more needs to be done in many places. Actually, many of the poorer States are making a far larger proportional contribution of their income to education than some States which are better off. For these States, however, a maximum effort for education does not necessarily result in excellent schools.

The great and growing mobility of the American people creates another complicating factor. With families increasingly on the move, the educational deficiencies of one State as compared with another cease to be a matter of purely local concern. For it is the education they received back home which determines whether the newcomers become productive members of their new communities or a financial and social burden on them.

The whole national effort to stimulate our economy, to achieve growth, to strengthen our defenses, to establish a society where it is possible for every individual to build for himself and his family a good life—all these are dependent to one degree or another on our progress in education.

The Federal Government has a stake in these matters. With its vast resources for cooperative action and its equally vast responsibilities for the well-being of the Nation, it cannot in good faith sit idly by while the States struggle along unaided. Such a course would lead to catastrophe, for education will lose the race if we do not come to its support.

We have not and do not propose to usurp the rights and responsibilities of the States.

We have not and do not propose to violate either the spirit or the word of the Constitution which reserves these rights to the States.

We have no intention of exercising "Federal control" over the separate State educational establishments. Under our democratic system of government, with its built-in checks and balances, the possibility of such Federal interference is remote, indeed.

Basic proposals for Federal assistance to American education were defeated in the last Congress. This legislative program is being reassessed and efforts to secure approval of a Federal aid to education program will be renewed when the 88th Congress convenes next month.

I am hopeful that the proposals presented will be studied and debated with objectivity and considered on their merits alone. It would be a great disservice to our young people—and to the well-being of our society—if progress in education is again thwarted by controversy over racial and religious differences among our people. Failure to meet our educational needs will deepen these cleavages and make the ultimate resolution of these differences all the more difficult.

I have been talking about the need for making educational opportunity available. There is another important factor, beyond the need for classrooms and teachers.

That factor is the personal commitment of the student. This only you and those young people who will follow you can provide. Opportunity for an education can be made available to an individual, but this is only the beginning. From that point on it is a personal matter.

Ralph Waldo Emerson, a little more than a century ago, wrote in his journal, "The days come and go like muffled and veiled figures sent from a distant friendly party, but they say nothing, and if we do not use the gifts they bring, they carry them as silently away."

Our days bring gifts far beyond anything of which Emerson could have dreamed. They come to us bearing the keys to the secrets of the universe. They place in our hands the means to provide a better life for all mankind. They offer each of us, individually, opportunity for personal growth and achievement beyond anything dreamed of in times past.

If we do not use these gifts, the days will silently carry them away.

The diploma you are receiving this morning attests to your good use of the gifts of days past. Because of this, the days to come will be even more bountiful. Continue to use the gifts each new day will bring to you.

The months and years ahead will require more than mere competence, more than mere decency, more than mere acquiescence in the principles of freedom and enjoyment of their benefits.

You will be called upon to use all the power of imagination with which of all living creatures only human beings have been endowed.

This is the creative power—the power that enables us to see a better world.

You will be called upon for the personal commitment needed to create the better world your imagination visualizes.

We have the greatest opportunity history has ever afforded the human race—the opportunity to do something bold and creative in shaping a new world, a peaceful world, in which justice shall reign and spiritual and physical well-being prevail for all mankind.

If we are to achieve such a world, we must continue to face the large issues of complex international relationships, of nuclear weapons, and of war and peace with courage and with confidence in the knowledge that these issues are manageable and that we are neither the captives nor the pawns of history.

We are in period of great change. It is, in a sense, a period of countdown for the launching of a new era.

May the countdown for tomorrow signal the release of a glorious burst of human energy and an increase in the power of the human will and intellect, guided by moral and spiritual values, which will carry mankind to its true destiny.

That destiny is not the darkness of oblivion.

I am convinced that we shall not, in the words of Maxwell Anderson, "shut out the light, close our minds and be like a million cities of the past that came up out of mud, worshipped darkness a little while, and went back, forgotten, into darkness."

May we be a nation drenched with lasting light. May our destiny be achieved in the eternal light of truth, wisdom, and goodness. May we realize that human destiny is the sum of our individual destinies which we shape through our personal goals.

As you leave this university may you remember always why you were here, and may the enthusiasm and determination that has brought you this far not diminish but grow with the years.

Mr. MORSE. Mr. President, I offer the speech of the Secretary of Health, Education, and Welfare because I think it really is a fitting introduction to the task which it is now my privilege to perform in behalf of the administration.

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## NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

Mr. MORSE. Mr. President, I proceed now to introduce the administration's bill, thoroughly backed and supported by President Kennedy, for a comprehensive Federal aid to education program for this session of the Congress. I send to the desk a bill introduced by myself and cosponsored by Senators McNamara, Yarborough, Clark, Randolph, Williams of New Jersey, Burdick, Pell, Mansfield, and Humphrey.

Mr. President, I shall have a few remarks to make shortly in regard to certain reservations that are made by some of the cosponsors of the bill, particularly

by the Senator from Rhode Island [Mr. PELL] and the Senator from North Dakota [Mr. BURDICK], although similar reservations really are held by all of us. We think it is important that a comprehensive bill be introduced, and that there be the earliest possible hearings on the bill. For the benefit of the press, some members of which have asked me this afternoon on several occasions what my plans are for hearings on the bill, I repeat now in the Senate what I have said to them. As soon as the Senate organizes itself for business, committee vacancies are filled, and committees are in a position to proceed with their work, or within a few days thereafter, I intend to start the first hearings on the comprehensive education bill which the administration is offering today, and which I have the honor and the privilege to introduce.

I send to the desk a bill to strengthen and improve education quality and educational opportunities in the Nation, and I ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 580) to strengthen and improve educational quality and educational opportunities in the Nation, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MORSE. Mr. President, earlier today the Senate received from the President of the United States a message on education, which, in my judgment, will rank among his great state papers.

It is a long message, because it is a comprehensive message; yet it is also an eloquent message. The President has set forth a comprehensive statement of the need for legislation affecting the entire educational spectrum from the first grade through the graduate school. He has pointed out to us that our Nation's strength is based upon "our traditional system of free, universal elementary and secondary education, coupled with widespread availability of college education." His message is factually based upon the evidence presented to him by his Science Advisory Committee. He has cited the economic research which has demonstrated that one of the most beneficial of all investments is education which accounts for some 40 percent of the Nation's growth and productivity in recent years.

I wholeheartedly believe that there is widespread agreement with his view that—

> Education is of paramount concern to the national interest as well as to each individual. Today we need a new standard of excellence in education, matched by the fullest possible access to educational opportunities, enabling each citizen to develop his talents to the maximum possible extent.
>
> Our concern as a nation for the future of our children—and the growing demands of modern education which Federal financing is better able to assist—make it necessary to expand Federal aid to education beyond the existing limited number of special programs. We can no longer afford the luxury of endless debate over all the complicated and sensitive questions raised by each new proposal on Federal participation in education. To be sure, these are all hard problems—but this Nation has not come to its present position of leadership by avoiding hard problems. We are at a point in history when we must face and resolve these problems.

There is widespread agreement, in my judgment, with his statement that—

> I do not say that the Federal Government should take over responsibility for education. That is neither desirable nor feasible. Instead its participation should be selective, stimulative, and, where possible, transitional.

These goals include the following:

> First, we must improve the quality of instruction provided in all of our schools and colleges. We must stimulate interest in learning in order to reduce the alarming number of students who now drop out of school or who do not continue into higher levels of education. This requires more and better teachers—teachers who can be attracted to and retained in schools and colleges only if pay levels reflect more adequately the value of the services they render. It also requires that our teachers and instructors be equipped with the best possible teaching materials and curricula. They must have at their command methods of instruction proven by thorough scientific research into the learning process and by careful experimentation.
>
> Second, our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970, college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools.
>
> Third, we must give special attention to increasing the opportunities and incentives for all Americans to develop their talents to the utmost—to complete their education and to continue their self-development throughout life. This means preventing school dropouts, improving and expanding special educational services, and providing better education in slum, distressed, and rural areas where the educational attainment of students is far below par. It means increased opportunities for those students both willing and intellectually able to advance their education at the college and graduate levels. It means increased attention to vocational and technical education, which have long been underdeveloped in both effectiveness and scope, to the detriment of our workers and our technological progress.
>
> In support of these three basic goals, I am proposing today a comprehensive, balanced program to enlarge the Federal Government's investment in the education of its citizens—a program aimed at increasing the educational opportunities of potentially every American citizen, regardless of age, race, religion, income, and educational achievement.

Certainly, it is my view that in this magnificent message the President has outlined the three great goals which we must meet in the field of education: Improvement of the quality of instruction, coping with the sheer quantity of instruction needed, and the special attention which should be given to increasing the opportunities and incentives for all Americans to develop their talents to the utmost.

In order to realize these goals, the President has brought together into one comprehensive bill a large number of proposals on the basis of three fundamental guidelines. They are:

> A. An appraisal of the entire range of educational problems, viewing educational opportunity as a continuous life-long process, starting with preschool training and extending through elementary and secondary schools, college, graduate education, vocational education, job training and retraining, adult education, and such general community educational resources as the public library;
>
> B. A selective application of Federal aid—aimed at strengthening, not weakening, the independence of existing school systems and aimed at meeting our most urgent education problems and objectives, including quality improvement; teacher training; special problems of slum, depressed, and rural areas; needy students; manpower shortage areas such as science and engineering; and shortages of educational facilities; and
>
> C. More effective implementation of existing laws, as reflected in my recent Budget recommendations.

I invite particular attention to the concluding paragraph of the message which, in capsule form, presents the major arguments for enactment of this comprehensive legislation in this session of the Congress. The President states:

> The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control. It provides for economic growth, manpower development and progress toward our educational and humanitarian objectives. It encourages the increase of the knowledge, skills, attitudes, and critical intelligence necessary for the preservation of our society. It will help keep America strong and safe and free. I strongly recommend it to the Congress for high priority action.

It has been with great pleasure that on my own behalf and on behalf of Senators MCNAMARA, YARBOROUGH, CLARK, RANDOLPH, WILLIAMS, of New Jersey, BURDICK, PELL, MANSFIELD, and HUMPHREY I have sent to the desk for appropriate reference, the National Education Improvement Act of 1963.

The Senator from Rhode Island [Mr. PELL], who, as a Democratic member of the Labor and Public Welfare Committee, has cosponsored this bill as a whole, has expressed strong reservations concerning the formula being used for the allocation of Federal funds and his belief in the particular importance of the fullest possible continuation of the impacted area school programs and that proper recognition must be given to those States where many of the children are being educated in the private schools.

It is hoped that the Senator's reservations will be fully resolved within the committee.

I can assure the Senator that these are matters which will receive serious consideration by the committee during the hearing process and in executive sessions. I am confident that all of us believe that it is imperative that educational legislation be passed by this Congress and that the way to do that is to bring before the committee at the earliest possible date for hearings this major and comprehensive proposal of the President of the United States.

Likewise, Mr. President, I wish to say, in behalf of the Senator from North Dakota [Mr. BURDICK], the Senator from New Jersey [Mr. WILLIAMS], and the

other cosponsors of the bill, each and every one of us reserves the privilege and the right to support any amendments to the bill, as hearings may show that amendments are needed.

Mr. President, we all feel that the President of the United States has performed such a great and statesmanlike service in bringing forth this very comprehensive bill that we want the country to know we stand behind the President in the emphasis he is giving to the need for the passage of some Federal legislation in the field of Federal aid to education at this session of Congress.

I shall not dwell on the matter further, Mr. President. I only wish to say as I introduce the bill this year, that I am deeply appreciative of the wonderful cooperation I received from the Democrats and Republicans alike on the Senate Committee on Labor and Public Welfare and the wonderful cooperation I received from the Senate last year as we passed through the Senate the administration's program. I am confident that the same cooperation will be extended this year.

I am pleased to say that in my opinion we are offering an educational legislative program which deserves the support of the Senate and the House of Representatives. I hope that by the end of this session of Congress we shall have given to the school children of America, to the college students of America, and to those great dedicated public servants—the faculties of all schools at every level—the support the Congress owes to them.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks sundry explanatory tables and memorandums prepared by the Department of Health, Education, and Welfare containing analyses of the measure.

I do not ask that the President's message on education be printed again in the RECORD, since it will appear as it was read in the House.

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

SHORT REVIEW OF THE PRINCIPAL PROVISIONS OF THE NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

A comprehensive program of Federal aid to meet selected and urgent needs of American education on all levels from elementary school through graduate education; to promote educational quality, expand opportunity for education, and to increase the capacity of our educational institutions; to provide for the Nation's needs in skilled manpower, national growth, and national security.

TITLE I—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Part A—Student loans (title II of National Defense Education Act): To remove the $90 million ceiling in the present law and replace it with $135 million for fiscal year 1964 and necessary sums for 2 succeeding years. Extends forgiveness of up to 50 percent of loan to all teachers—elementary, secondary, college, and university. Provides for a national study of why able students fail to attend or complete college. Students in public and private nonprofit higher education institutions eligible.

Part B—Insurance of student loans: Federal guarantee of student loans by banks and colleges and universities. Maximum aggregate loans insured during 3-year period, $150 million. Students in public and private nonprofit higher education institutions eligible.

Part C—Student work-study: Authorizes $22.5 million for fiscal year 1964, and necessary sums for 2 additional years to pay 50 percent of wages to needy students for campus employment of an educational character, up to 15 hours per week. Students in public and private nonprofit higher education institutions eligible.

Part D—Graduate fellowships (title IV of National Defense Education Act): Increase graduate fellowship program from 1,500 to 10,000 annually for fiscal year 1964 and for 2 succeeding years, plus 2,000 additional summer session fellowships. Students in public and private nonprofit higher education institutions eligible.

TITLE II—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Part A—Construction loans for institutions of higher education: Authorizes $1 billion aggregate over 3 years for Federal loans to institutions of higher education, or higher education building agencies for construction of academic facilities. Public and private nonprofit institutions eligible.

Part B—Public junior colleges: Authorizes $50 million in fiscal year 1964 and such sums as are necessary for 2 succeeding years for grants to States to construct public community junior colleges.

Part C—College-level technical education: Authorizes $20 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for project grants to institutions of higher education for 2-year college level programs to train semiprofessional technicians in engineering, science, and health occupations. Includes construction and equipment of academic facilities. Up to 50 percent of construction or program costs can be supported with a Federal grant. Both public and private nonprofit institutions eligible.

Part D—College libraries: Authorizes $40 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for grants to colleges and universities for acquisition of library books and other materials and for construction of library facilities. Up to 25 percent of fiscal year 1963 expenditures for library books and materials and 50 percent of construction costs can be supported by Federal grants. Both public and private nonprofit institutions eligible.

Part E—Graduate schools: Authorizes project grants to institutions of higher education for expansion of graduate schools including construction, equipment, expansion of faculty, not to exceed 50 percent of construction or program costs of the graduate school expansion program. Authorizes $40 million for fiscal year 1964 and necessary sums for the next 2 years. Both public and private nonprofit institutions eligible.

Part F—Modern foreign languages (amendments to title VI of National Defense Education Act): Extends for 2 years the language and area centers and studies program in institutions of higher education and authorizes an increase in appropriations from present $8 million annually to $13 million for fiscal year 1964; and such sums as are necessary for the 2 succeeding years. Public and private nonprofit institutions are eligible.

TITLE III—IMPROVEMENT OF EDUCATIONAL QUALITY

Part A—Teacher institutes: Expand the institute program in the National Defense Education Act (now limited to teachers of foreign languages and guidance and counseling personnel), to teachers of English, humanities, social sciences, and library personnel. Elementary and secondary school teachers, college language teachers, and library personnel, public and private nonprofit, eligible to receive stipends. Appropriations authorized are increased from present $14.5 to $37.5 million for fiscal year 1964, and necessary sums for next 2 years.

Part B—Teacher preparation programs: Project grants to colleges and universities to strengthen departments and programs which prepare elementary and secondary school teachers. Emphasis will be on subject matter courses. $7.5 million for fiscal year 1964 and necessary sums for next 2 years. Public and private nonprofit education institutions eligible.

Part C—Teachers and related personnel requiring specialized training: Project grants to colleges and universities to strengthen special training of teachers of gifted children and teachers of adult illiterates, culturally deprived children; training of librarians, and other specialized personnel. Public and private nonprofit higher education institutions eligible. $7.5 million for fiscal year 1964 and necessary sums for next 2 years.

Part D—Strengthening educational research and demonstrations (amendments to Cooperative Research Act and to title VII of National Defense Education Act (new media)): Authorizes Office of Education, under cooperative research program, to support educational research centers involving colleges and State and local education agencies. Both public and nonprofit private higher education and research institutions eligible. Extends title VII, National Defense Education Act, new educational media research and demonstration, for 2 more years.

Part E—Educational statistics: Extends, for 2 years, grants to State education agencies ranging up to a maximum of $125,000 to finance collection of statistics about the character, quality, and quantity of educational programs in the State. Public education agencies only.

TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

Part A—Selective and urgent improvement of public elementary and secondary education: Four-year $1.5 billion program of Federal grants to States for teacher salary improvement; i.e., increasing maximum salaries, raising low starting salaries, raising low average salaries in economically disadvantaged districts; support for critical classroom construction needs such as overcrowding, fire and health hazards; support for special projects to improve educational quality particularly in disadvantaged rural and urban areas. Appropriation would be authorized so as to phase out Federal support by the end of program. Public schools only.

Part B—Acquisition of science, mathematics, and modern foreign language instruction equipment (amendments to title III of National Defense Education Act): Extends for 2 years title III of National Defense Education Act for purchase of equipment needed in science, math, and modern foreign language instruction in elementary and secondary schools. Grants to public schools—loans to private nonprofit schools as in present law.

Part C—Guidance, counseling and testing (amendments to title V of National Defense Education Act): Extends counseling and guidance title of National Defense Education Act for 2 years and increases authorization from $15 million to $17.5 million for fiscal year 1964 and succeeding years. Authorizes testing program for all seventh and eighth grade students. Public schools only, except for testing in private nonprofit schools.

Part D—Federally affected areas (amendments to Public Laws 815 and 874): Extends all expiring provisions for 4 years; no modifications in payment formulas for first year, with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the

third year; and inclusion of the District of Columbia. Public schools only as in present law.

TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION AND SPECIAL EDUCATION

Part A—Vocational education (amendments to Vocational Education Acts, including title VIII of National Defense Education Act): Authorizes an increase in Federal expenditure for vocational education from present $50 million to $73 million for fiscal year 1964, and necessary sums for each of the succeeding 4 years. Allotments to the States will be based on various age groups needing vocational education and per capita income. State plans may continue to follow previous vocational education statutes for transitional period of 2 years but must conform to new plan requirements by fiscal year 1966. Grants under Smith-Hughes Act of 1917 may continue. Public school systems only are eligible as under present law.

Part B—Education of handicapped children: Authorizes grants to State education agencies and project grants to institutions of higher education to provide special training of teachers of handicapped children, i.e., deaf and blind, mentally retarded, emotionally disturbed, crippled, etc. Authorizes grants to institutions of higher education for scholarships to teachers of deaf children. Authorizes grants for research and demonstration projects in education of handicapped children. Both public and private nonprofit institutions eligible. Increases $2.5 million now authorized for mentally retarded or deaf children to $15 million for fiscal year 1964, and such sums as are necessary for the next 2 years.

TITLE VI—EXPANSION OF CONTINUING EDUCATION

Part A—General university extension education: Authorizes grants to States for expansion of university extension courses in land-grant colleges and State universities—$9,040,000 a year for each of 3 years is authorized.

Part B—Adult basic education: Authorizes $5 million for fiscal year 1964 and such sums as may be necessary for each of the 2 succeeding years in grants to States for basic education of adults up to eighth grade. Public schools only.

Part C—Public libraries (amendments to Library Services Act): Grants to States for library services are expanded from rural areas to include all areas of the State and to include construction of public library facilities. Appropriations authorized are increased from present ceiling of $7.5 to $45 million in fiscal year 1964, and such sums as may be necessary for each of the 2 succeeding years.

TITLE VII—GENERAL PROVISIONS

Defines educational institutions and agencies referred to in the bill; provides for interchange of personnel between Office of Education and State educational agencies. Authorizes the Commissioner of Education to establish advisory councils to advise and consult with him.

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SUMMARY EXPLANATION OF THE NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

TITLE I—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

*Part A—Student loans*

The bill would extend the present student loan program under title II of the National Defense Education Act of 1958 for an additional 2 years. (Existing authority to make new loans expires on June 30, 1964). Authorized appropriations would be increased from $90 million to $135 million for fiscal 1964, and there would be no dollar limitation on appropriations for subsequent years.

The present limits on loans to any student of $1,000 (annually) and $5,000 (in the aggregate) would be retained for undergraduates, but for graduate and professional students the bill would increase those limits to $2,500 (annually) and $10,000 (in the aggregate—including loans received as an undergraduate).

The "forgiveness feature," under which up to one-half of a student loan is canceled for service as a public elementary or secondary school teacher at the rate of 10 percent for each year of such service, would be extended to service as teachers in federally operated and nonprofit private elementary and secondary schools, and in institutions of higher education. In addition, the provision would be broadened to provide forgiveness of one-half of the loan at the rate of 25 percent (instead of 10 percent) for each year of such service in the case of borrowers who served as teachers in such schools or institutions prior to returning to study at an institution of higher education.

Other changes which the bill would make in the program include the following: The present $250,000 ceiling on the amount of the annual Federal capital contributions toward the student loan fund of a college would be removed. College loan fund agreements would be modified to provide for preference to students desiring to teach in institutions of higher education, as well as in elementary or secondary schools (as provided in existing law). And the provision for deferral of interest and postponement of payments on the loan would be extended to cover periods during which the borrower attends an approved institution of higher education outside the States (now limited to attendance at an institution within this country). The bill would also direct the Commissioner of Education to conduct a study of the reasons why able young persons fail to attend or complete college and the need for a program of Federal scholarships. The Commissioner's report on the study would be transmitted to Congress (through the Secretary of Health, Education, and Welfare) within 2 years.

*Part B—Student loan insurance*

This part of the bill would amend title II of the National Defense Education Act of 1958 to establish a program of Federal insurance of loans to students attending institutions of higher education, if made by such institutions or by recognized lending institutions in accordance with the requirements of the program. Insurance would not be available for initial loans to new borrowers beyond the third year of the program, i.e., June 30, 1966, but loans could be insured after fiscal year 1966 (and before fiscal year 1971) if made to assist students, who previously obtained insured loans, to continue or complete their educational program. There would be a limit of $25 million on the aggregate insured amount of new loans made in the first year of the program, i.e., fiscal 1964, $50 million on new loans in the second year, and $75 million in the third year.

Repayment of principal by the student borrower, unless accelerated at his option, would be in installments beginning not earlier than 1 year after his completion (or termination) of the full-time study program for which he was enrolled at the time of the loan and ending, generally, 11 years after such completion (or termination). Interest on the principal would accrue currently from the date of the loan, but the parties could agree to defer the payment of interest until repayment of principal begins. The Commissioner of Education would set a maximum interest rate by regulation.

The program would insure 90 percent of each student loan, up to $2,000 in any academic year, and $10,000 in the aggregate, for any student. A revolving fund would be established, to consist of all insurance premiums and other receipts under the program and to defray all expenditures. A one-fourth percent premium authorized to be charged by the Commissioner, plus interest on investment of the fund and any collections on defaulted loans, would be used to support the program, including administrative expenses (as limited in appropriation acts). To establish the revolving fund initially, advances to the fund could, as needed, be made from an initial appropriation ($500,000) to be authorized and would be repayable to the Treasury with interest, and additional appropriations would be authorized in the event that the fund proves insufficient to pay losses or other program expenses. In the event of insufficiency of the fund to meet its obligations, the Commissioner of Education would also be authorized, pending appropriations, to borrow at interest from the Treasury; this is essential to assure lending institutions utilizing the loan insurance that there will be prompt payment by the United States in the event of loss.

*Part C—Student work-study programs*

This part of the bill would amend title II of the National Defense Education Act of 1958 to add a 3-year program for Federal payment of one-half of the pay of students employed by institutions of higher education under work-study programs approved by the Commissioner of Education in accordance with agreements between the Commissioner and the institutions.

An appropriation of $22.5 million will be authorized for fiscal year 1964, and such sums as Congress may determine for the next 2 fiscal years. Sums appropriated would be allotted among the States in proportion to the number of full-time students enrolled at institutions of higher education.

To participate in the program, an institution would enter into an agreement with the Commissioner whereby it would establish or maintain a work-study program for the employment of students in work of substantial educational character or content. Employment, which would be limited to 15 hours for any student in any 1 week in which classes were in session, would be afforded only to a student in need of the earnings to pursue his studies, and capable, in the institution's judgment, of maintaining good standing. The annual Federal share of the student's pay would be limited to $500 for an undergraduate and $1,000 for a graduate or professional student.

The institution would be required to maintain, from funds other than Federal funds paid under this bill, an expenditure for the employment of students, over the period of the agreement, that is not less than its average expenditure for such employment during 3 fiscal years preceding the agreement.

*Part D—Graduate fellowships*

This part of the bill extends the national defense fellowship program under title IV of the National Defense Education Act of 1958 for 2 additional years (existing authority expires June 30, 1964) and increases the number of fellowships, beginning in fiscal 1964, from 1,500 to 10,000. Not less than 1,500 would still be awarded to students in the approved new or expanded programs for training of college-level teachers (fellowships under the existing program are limited to these), with the rest awarded on such bases as the Commissioner of Education may determine. Preference would be given to persons intending to be college or university teachers (as under the existing program) or pursuing their doctorates. The refilling of vacated fellowships would also be authorized.

The bill would also establish a program of summer session fellowships, authorizing 2,000 annually during fiscal years 1964 through 1966. Such fellowships would be available only to students who were college or university teachers during the preceding year and to students engaging in full-time graduate study during the preceding or succeeding academic year (but who were without a fellowship under the National Defense

Education Act of 1958 or any other Federal program).

Under the bill, the Commissioner would by regulation prescribe the amounts of the fellowship stipends; he would also by regulation prescribe cost-of-education allowances for the institutions of higher education, which would be uniform as between institutions, after considering the average cost of education for various categories of fellows.

TITLE II—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

*Part A—Higher education facilities*

This part of the bill would establish a 3-year $1 billion program of long-term, low interest (nonsubsidy) construction loans by the Commissioner of Education to public and other nonprofit institutions of higher education (or to higher education building agencies), for academic facilities.

The program would apply to institutions in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. Not more than 12½ percent of the aggregate amount of loans could be made available to institutions in any one State or other jurisdiction to which the bill applies.

Loans would be available to finance up to three-fourths of the cost of (a) providing—through new construction, expansion, acquisition, replacement, or other methods—needed classrooms and other academic facilities and initial equipment therefor, or (b) improving existing academic facilities through rehabilitation, alteration, or conversion, or through modernization or replacement of built-in equipment, or the like. Facilities intended primarily for events for which admission is to be charged to the general public would not be eligible under this program. (Likewise excluded, in view of the availability of loans for nonpublic institutions, would be any facility to be used for sectarian instruction or as a place of religious worship, and any facility which is to be used primarily in connection with any part of the program of a school or department of divinity.)

Except as above stated, the provisions of the bill as to the terms and conditions under which loans would be available to institutions, and other features of the bill relating to academic facilities, would be the same as or similar to provisions of the college housing program as contained in the Housing Act of 1950 as amended.

*Part B—Public community college academic facilities*

This part of the bill would establish a 3-year program of grants to States (and to the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa) for the construction of classrooms, administration, and related facilities of public community (junior) colleges which provides the first 2 years of baccalaureate credit level courses.

Appropriations of $50 million would be authorized for the first fiscal year (1964), and such sums as Congress may determine for the second and third fiscal years of the program. Appropriations would be allotted to the States and the other eligible jurisdictions on the basis of their relative numbers of high school graduates weighted by per capita income, with special provisions for Puerto Rico and the island possessions and with an adjustment for any State (i.e., Alaska) with specially high construction costs. Funds not needed by States to which they were allotted could be reallotted to other States that need them.

States desiring to participate in the grant program would have to submit for approval a State plan providing for the establishment of standards for locating, planning, and constructing public community college facilities, specifying a uniform Federal share for each project or specifying criteria for determining the Federal share for any given project. In order for a State or other jurisdiction to obtain its full allotment under this formula, the allotment would have to be matched by it or by local funds, or both, on a 50–50 basis, but this does not necessarily require that the proportion of Federal funds going into a project be the same for each project in a State; so long as the overall matching requirement is observed for the State considered as a whole, the State could vary the Federal share of the cost of construction of particular projects.

*Part C—College level technical education*

This part would authorize Federal grants, including grants for construction and equipment of facilities, to establish, expand, or improve 2-year programs of technical education in engineering technology, mathematics, or the physical or biological sciences which are designed to prepare the student for immediate employment at the semiprofessional level in engineering, scientific, or other technological fields in which critical manpower shortages are impeding national security and national growth.

Grants would be made to public or nonprofit private institutions which offer or propose to offer programs meeting standards prescribed by the Commissioner with the advice of an advisory committee consisting of representatives of Federal departments and agencies principally concerned with technical education and of nongovernmental members selected from among leading authorities in the field of technological education, from business and industry, and from labor.

Appropriations of $20 million for fiscal 1964 and such sums as the Congress determines for each of the next 2 years would be authorized, Federal grants could be used for the establishment of new programs, or the expansion or improvement of existing programs, of technical education, including strengthening of faculty, acquisition of instructional equipment, and construction of academic facilities.

*Part D—College and university libraries*

This part would authorize grants to public or nonprofit private institutions of higher education to assist them in the acquisition for library purposes of books (not including textbooks), periodicals, documents and related library materials, and in the construction and equipment of library facilities.

The annual authorization of appropriations for library materials would be $15 million for fiscal 1964, and such sums as Congress determines for each of the 2 succeeding years. The Commissioner would make grants to an institution of higher education upon application therefor, in amounts not exceeding 25 percent of the institution's expenditures for library materials during fiscal 1963, nor less than $1,000 for 2-year institutions, $2,500 for bachelor degree granting institutions, and $5,000 for bachelor and advanced degree granting institutions. Recipient institutions would be required to increase their expenditures from their own funds for all library purposes over their fiscal 1963 expenditures by an amount at least equal to the Federal grant, one-half of the increases to be in expenditures for library materials.

The annual authorization for appropriations for construction and equipment of library facilities would be $25 million for fiscal 1964 and such sums as Congress determines for each of the next succeeding 2 years. The Commissioner would make grants in accordance with priority regulations which give preference to institutions whose lack of adequate facilities is seriously impeding needed improvement in educational quality, and to institutions which require more facilities to service recent or contemplated expanded enrollments. A grant could not exceed 50 percent of the cost of construction of any project; and grants for construction projects in any one State in any year could not exceed 12½ percent of that year's appropriation.

If, within 10 years after completion of a facility receiving a construction grant the facility is no longer owned by a public or nonprofit institution, or is no longer used for the purposes for which constructed, the United States would be entitled to recover such part of the then value of the facility as the amount of the grant bore to the total cost of construction.

Grants would not be permitted for books or other materials, or for facilities, to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of a divinity school or of any other program to prepare students to become ministers of religion or to enter upon some other religious vocation.

*Part E—Graduate schools*

This part of the bill would add a new part to title IV of the National Defense Education Act of 1958, authorizing grants to institutions of higher education to assist them in improving existing or establishing new graduate schools of high quality (including necessary construction and equipment). Forty million dollars would be authorized for the fiscal year 1964, and such sums as the Congress may determine would be authorized for the fiscal years 1965 and 1966; additionally, there would be authorized to be appropriated for the 4 years following fiscal year 1966, sums necessary to continue initial support (for a total of not more than 5 years) of the schools for which a grant was approved in any of the first 3 years of the program.

Grants would be used to pay up to 50 percent of the cost of construction and up to 50 percent of other costs of graduate schools meeting the standards of scope and quality established by the Commissioner with the advice of an advisory committee.

In making grants, consideration would be given to the extent to which a project would contribute to achieving the objectives of this part (to promote the national security and growth by increasing the supply of highly skilled personnel critically needed by industry, government, research and teaching) and the extent it would provide wide geographical distribution of high quality graduate schools. Grants could not be used for any sectarian instruction or religious worship, or for any school or department of divinity, or for any facility to be used for such programs.

*Part F—Modern foreign language training and research*

This part of the bill would extend for 2 additional years the duration of part A of title VI of the National Defense Education Act of 1958, which authorizes arrangements for modern foreign language centers (scheduled to expire June 30, 1964) and for research and studies in modern foreign languages. The annual appropriation authorization would be increased from $8 million to $13 million for fiscal 1964; for the next 2 years such sums as the Congress may determine would be authorized.

TITLE III—IMPROVEMENT OF EDUCATIONAL QUALITY

*Part A—Institutes for advanced study for teachers*

This part of the bill would authorize $37.5 million for fiscal year 1964 and such sums as Congress may determine for the next 2 fiscal years to enable the Commissioner of Education to arrange, through grants or contracts, for colleges and universities to operate institutes for advanced study for teachers of gifted children as well as other teachers, guidance and counseling personnel, library

personnel, and other personnel whose activities in the educational process in elementary or secondary schools have a significant impact on the quality of that process, or supervisors of such teachers or personnel. In determining the areas of study for which institutes should be established, preference would be given to those subject matter areas where there is a widespread need for improvement in the quality of instruction.

Teachers in any public or nonprofit private elementary or secondary school would be eligible to attend these institutes. In the case of institutes providing advanced study in modern foreign languages or for library personnel, college modern foreign language teachers and college or community librarians would also be eligible. Stipends (including allowances for dependents and for travel) would be payable to any eligible person while he is attending such an institute.

The bill would also terminate, as of the end of this fiscal year, the authorization of appropriations for counseling and guidance training institutes (part B of title V of the National Defense Education Act of 1958) and for modern foreign language institutes (part B of title VI thereof) since the authority contained in this part of the bill would include authority for such institutes (as well as others).

*Part B—Teacher preparation programs*

This part of the bill would authorize $7,500,000 for fiscal year 1964, and such sums as Congress may determine for the next 2 fiscal years for grants to colleges and universities, which have programs for the preparation of individuals to teach in elementary or secondary schools, to pay part of the cost of special projects to strengthen such programs through (1) expansion or improvement of course content and curriculums (including improvements in library resources needed for such programs), (2) augmentation of the faculty regularly assigned to such programs by increased use of other college or school teaching personnel (on an exchange, part-time, or full-time basis), (3) improvement of student teaching activities, (4) improvement of standards for selection of candidates for such programs and standards for continuation in and graduation from such programs, or (5) establishment or improvement of full-time postbaccalaureate programs or special programs designed to train, for teaching as their second careers, retired military personnel and other professionally trained persons, and women with prior college training whose family responsibilities will now permit them to engage in teaching.

The advice of experts in the field in which a project is requested would be secured before the Commissioner of Education made a grant for the project.

*Part C—Specialized training for teachers and related educational personnel*

This part of the bill would authorize $7,500,000 for fiscal 1964, and such sums as Congress may determine for the next 2 years for grants to and contracts with colleges and universities for training (including traineeships) of persons preparing to teach gifted children or to teach adults who cannot read or write English or have less than an eighth grade education, persons preparing to engage in counseling and guidance or school library work in elementary or secondary schools or to be college or community librarians, persons preparing to engage in educational research, and other personnel requiring specialized training for teaching or other activities related to education in particular subject-matter areas or to education for pupils needing specialized education.

Grants and contracts under this part of the bill would cover the cost of courses of study or traineeships, or both; and the traineeships would carry stipends (including allowances for dependents and for travel to attend the courses) set by regulations of the Commissioner of Education.

*Part D—Educational research and experimentation*

This part of the bill would amend the cooperative research legislation (1958), which authorizes the making of contracts or jointly financed cooperative arrangements with colleges, universities and State educational agencies for the conduct of research, demonstrations, and surveys in education, to authorize also the making of grants for such purposes; and the eligible recipients would be broadened to include other nonprofit private research or professional training organizations. The amendment would also authorize grants to such universities, colleges, and other organizations for part of the costs of operation (in cooperation with State and local educational agencies, when appropriate) of centers for the conduct of programs of research, development, evaluation, and demonstration of improved instructional practices and materials in elementary and secondary schools.

Title VII of the National Defense Education Act of 1958, authorizing annual appropriations of $5 million of research and experimentation in the more effective utilization of various educational media would be extended to June 30, 1966.

*Part E—State statistical services*

This part of the bill would extend for 2 additional years section 1009 of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964) which authorizes grants to assist the States to improve the adequacy of their educational statistics, and the methods for collecting, processing, and disseminating educational data.

A new subsection would allot appropriated funds on a formula which would insure that each State would receive $25,000, plus a sum, not in excess of the smaller of $125,000 or 10 cents multiplied by the school-age population of the State, that would be in proportion to such population. Provisions would be included for reallotment of unneeded funds and funds not allotted because of the above-mentioned limitations.

The requirement in the existing law that the Federal payments be limited to new or expanded programs would be eliminated.

The existing law would also be amended to require the States to provide assurances that they will cooperate with the Commissioner to enable him to carry out the data collecting and disseminating functions vested in him by law.

TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

*Part A—Public elementary and secondary education*

This part of the bill would authorize appropriations of $400 million, $500 million, $400 million, and $200 million in fiscal years 1964, 1965, 1966, and 1967, respectively, for grants to States to make certain salary increases needed to improve their ability to recruit and retain qualified career elementary and secondary public school teachers; to construct urgently needed public school facilities to relieve or prevent double shifts, serious overcrowding, or school housing conditions which are unsafe or otherwise seriously harmful to health; and to undertake special projects or programs directed toward improving educational quality and opportunity in their public schools, particularly for educationally deprived children in slums or other economically depressed urban or rural areas. The sums appropriated each year would be allotted to the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, and Guam on a basis which takes into account the population and per capita income in each State, the States with the lowest per capita incomes receiving proportionately larger allotments. Each year's allotment would be available to the State for 2 years.

Each State would be free to use its annual allotment of Federal funds for one or more of the several purposes set forth in the bill, and in such amounts as they chose, except that not less than 10 percent of each annual allotment could be used only for special projects or programs directed toward the special education needs of educationally deprived children in slums or similarly depressed urban or rural areas having a particularly high incidence of school dropouts and having serious problems of youth delinquency and unemployment. Up to 20 percent of any allotment could be used for the above and other types of special projects or programs described in the bill, such as those designed to meet special educational needs of handicapped children, children of migrant agricultural workers, or gifted children, projects to improve the quality of teaching and the effective use of school facilities, and projects to improve school organization and financing.

The bill sets forth three types of teacher salary increases which may be aided with Federal funds. The first, designed to increase the ability of school districts to retain qualified career personnel, would be an increase in the salaries of teachers having 10 or more years of creditable service with the school district. The second type of salary increase would be for teachers whose salaries are substantially below the average entrance salary for teachers in the State. The third would embrace increases in the salaries of any or all teachers in a school district in which the average teacher's salary is substantially below the average salary paid by other school districts in the State, and which have less than average ability to finance teacher salary increases.

To qualify for Federal aid a teacher salary increase would have to be substantial (at least 10 percent in the first situation), would apply only to services performed after approval of the State's plan, and would be limited to full-time, certified, classroom teachers, and, in the case of increases in entrance salaries, would be limited to teachers who have a bachelor's degree from an accredited institution. The salary increases need not be uniform for all qualified teachers or apply to all; thus, each district could establish or continue salary policies which provide incentives for teachers to improve their proficiency through further education and training, or which recognize exceptional proficiency in teaching.

Federal funds could be used to pay 75 percent of the first-year cost of an increase in teachers' salaries, 50 percent of the second-year cost of the same increase, and 25 percent of the third-year cost. In the case of school construction, the Federal funds could be used to pay up to 50 percent of the cost of each construction project.

To participate in the program a State would submit through its State educational agency a State plan which, among other things, would set forth policies and procedures to be followed by the State in allocating its allotment among the various purposes set forth in the bill, for approving applications of local educational agencies, and, in case the funds made available for one or more of the three types of salary increases or for school construction were insufficient to meet in full the amounts requested by all school districts which qualify under the State plan, for approving applications according to a priority system based on the relative need of each applicant for a salary increase or construction project, as the case may be, and its relative ability to finance the cost thereof.

The State plan would also set forth policies and procedures to safeguard against mere replacement of State or local funds by Federal funds, and to encourage, to the extent

practicable, increases in State or local expenditures. The State plan would also provide for publication of a preliminary plan, at least 3 months in advance of submittal of the final State plan to the Commissioner, so that all interested persons and organizations would be given an opportunity to suggest improvements and have their suggestions considered by the State agency.

If the Commissioner should disapprove a State plan in the first instance for failure to meet the provisions of the bill, or should later withhold Federal funds on grounds that the State plan or its administration no longer met such provisions, the State agency would be given an opportunity for an administrative hearing and, if still dissatisfied, could seek judicial review on the record in the appropriate U.S. court of appeals.

*Part B—Science, mathematics, and modern foreign language instruction equipment*

This part of the bill would extend for 2 additional years the present authorizations, in title III of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964), for (1) appropriations for making payments to State educational agencies and loans to nonprofit private schools for acquisition of science, mathematics, and modern foreign language instruction equipment, and (2) appropriations for expansion or improvement of supervisory or related services in the public schools in the fields of science, mathematics, and modern foreign languages. Provision would be made for reallotment to other States of any unneeded State allotments from any of the above appropriations.

*Part C—Guidance, counseling, and testing*

This part of the bill would extend for 2 additional years part A of title V of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964) which authorizes grants to States for guidance and counseling programs in public secondary schools and testing programs in public or nonprofit private secondary schools, and would increase the annual authorization for fiscal years 1964 through 1966 from $15 million to $17.5 million. The minimum State allotment would also be increased from $20,000 to $50,000, and unneeded State allotments could be reallotted to other States. Another change would extend the program to include seventh and eighth grades in all States (now included where these grades are part of secondary education). In addition, the bill would make clear that costs of State supervisory services and administration of the State plan are eligible for Federal matching.

*Part D—Federally affected areas*

This part would amend Public Laws 815 and 874, which laws authorize Federal payments to assist in the construction and maintenance and operation of public schools in federally affected areas, by extending for 4 years the temporary provisions of both laws which would otherwise expire on June 30, 1963. For the fiscal year 1964, the provisions now in effect would be continued without amendment except for one technical amendment to facilitate administration of section 6 of Public Law 874. This amendment would permit teachers employed for the purpose of providing education in federally operated schools to be employed on terms entirely comparable to the terms under which teachers in comparable school districts are employed.

Beginning in fiscal 1965, the extended provisions would be amended to remove some inequities and to bring both laws more nearly in line with their underlying justification—the responsibility of the Federal Government to compensate districts for revenue losses and enrollment burdens occasioned by Federal property tax exemptions and Federal activities.

Thus, effective July 1, 1964, the Federal payment under Public Law 874 for a child residing with a parent working on Federal property but not living on such property, would be reduced from the present 50 percent of the school district's local contribution rate to 45 percent, and for fiscal 1966 and 1967, to 40 percent. There would be a corresponding reduction, effective at the same times, in Federal payments under Public Law 815.

Public Law 874 would also be amended, effective July 1, 1964, to require that a school district, in order to be eligible for Federal payments on account of children whose parents either reside on Federal property or are employed on Federal property (but do not both reside and work on Federal property) must have in its schools a number of such children equal to at least 4 percent of total average daily attendance in its schools (instead of 3 percent as at present). In the school year 1965–66 and thereafter the required minimum percentage would rise to 5 percent. The provision in Public Law 874 which specifies that Federal payments to a school district which is eligible in any year will continue for the 2 subsequent years even though the school district fails in the subsequent years to meet the eligibility requirements of the act would be repealed. Finally, the eligibility requirement for cities having average daily attendances exceeding 35,000 would be reduced from 6 percent to 5 percent for fiscal 1965, and become inoperative on July 1, 1965, so as to make the new 5 percent eligibility condition uniformly applicable to all school districts, regardless of their size.

The provisions in Public Law 874 authorizing one-half of the national average cost per child as an alternative local contribution rate would be eliminated, and a new method of computation based on statewide grouping of generally comparable school districts would be substituted for the alternative computation method based on comparable districts.

Public Law 815 would be amended, effective July 1, 1964, to permit the Federal Government to provide school facilities for children of Federal employees in Puerto Rico, Wake Island, Guam, or the Virgin Islands who cannot otherwise receive suitable free public education.

Both laws would be amended, effective July 1, 1964, to include the District of Columbia.

TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL AND SPECIAL EDUCATION

*Part A—Vocational education*

This part would broaden the scope of the present Federal-State vocational education programs, increase the authorizations for Federal appropriations in support of these programs, and give new emphasis to encouraging and assisting the States more effectively to meet the modern-day needs of youths and adults in all communities for vocational training and retraining for occupations for which they are suited and in which they can be productively employed.

The proposed new Vocational Education Act of 1963 would replace the present Vocational Education Act of 1946 (including the George-Barden Act, the practical nurse training program, and the area vocational education program). The new act would, however, assure minimum annual allotments to each State of amounts at least equal to amounts they are now getting under the 1946 act, would permit any State, if it so chose, to operate under the 1946 Act during fiscal 1964 and fiscal 1965, and would permit it during these two years to use its minimum allotment in accordance with the provisions of the 1946 act. The original vocational education act—the Smith-Hughes Act—would be left intact except for an amendment to permit the State program under this act to be administered at the State level through the State educational agency, if the State wishes to do so, in like manner as the new act could be so administered.

The bill would authorize appropriations of $73 million for the fiscal year 1964, and for the next 4 years such sums as Congress determines. Fifty percent of each year's appropriations would be allotted to the States on the basis of their relative populations aged 15 to 19, inclusive, and their per capita incomes, 20 percent on the basis of their populations aged 20 to 24, inclusive, and their per capita incomes, 15 percent on the basis of their populations aged 25 to 65, inclusive, and their per capita incomes, and 10 percent on the basis of the relative amounts received pursuant to the foregoing formulas. However, as indicated above, each State would be assured, notwithstanding the results of the above allotment formulas, a minimum allotment equal to the amount of Federal funds received under the Vocational Education Act of 1946 for the fiscal year ending June 30, 1963.

Five percent of each annual appropriation would be reserved for project grants to State or local vocational education agencies, or other public or nonprofit private agencies or institutions, for experimental or pilot programs designed to meet the special vocational training needs of persons who have handicaps that prevent them from succeeding in regular vocational education programs.

A State's allotment could be used in accordance with an approved State plan for the provision of vocational education to youths attending high school, to youths who have completed or left high school and who are available for full-time study in preparation for entering the labor market, to persons (other than those receiving training allowances under the Manpower Development and Training Act of 1962) who have already entered the labor market and who need vocational training or retraining to learn new jobs or to advance in their present job, and to persons who need special attention because of inability to succeed in regular vocational education programs. Federal funds could also be used for the construction of area vocational education school facilities, and for various ancillary services and activities, such as teacher training and supervision, program evaluation, experimental programs, and State administration and leadership.

Each State would be the judge as to how to divide its allotment among these various uses except that not less than 25 percent of each annual allotment must be used either for vocational education of youths who have left high school and who are preparing for entry into the labor market, or for construction of area vocational education schools, or for both, and 3 percent must be used for ancillary services and activities; in either case, however, the Commissioner would permit the State to use a smaller percentage for each of these purposes if the State so requested and he found that a lesser amount would adequately meet the State's needs for such purposes. Finally, as previously pointed out, for the first 2 years of the program any State which so desired could use a portion of its allotment equal to the Federal funds received in fiscal 1963 under the Vocational Education Act of 1946, for the purposes and in the amounts permitted under that act and the State plan approved thereunder.

To qualify for Federal funds under the proposed Vocational Educational Act of 1963, a State would submit, and have approved, a State plan providing for its administration either through the State board of vocational education designated or created pursuant to the Smith-Hughes Act, or through the State educational agency, and for an advisory committee which includes persons familiar with the vocational education interests and objectives of labor and management. State

plans would also provide minimum qualifications for teachers and other vocational education personnel, set forth polices and procedures for allocating funds among the various uses referred to above, and provide for utilization of public employment services, including their guidance and counseling services, and occupational information supplied by them in determining whether there is a reasonable expectation of employment in the occupations for which persons are to be trained. The Commissioner could not disapprove a State plan or withhold Federal funds from a State after its plan is approved, without first affording the State agency an opportunity for a hearing; a State agency could seek judicial review in the U.S. court of appeals of an adverse decision of the Commissioner.

During the first year under the bill, States would have to expend from State and local sources an amount at least equal to the amount they expended during fiscal 1963 under their State plans approved pursuant to the 1946 act; for the second and subsequent years, Federal funds would have to be matched on a 50–50 basis.

*Part B—Education of handicapped children*

This part of the bill would amend the act of September 6, 1958 (Public Law 85–926) which authorizes grants to institutions of higher learning for training personnel who can, in turn, train teachers of mentally retarded children, and grants to State educational agencies to assist them in providing training of teachers of mentally retarded children and supervisors of such teachers.

Under the amendments the act would be extended to all handicapped children. The grants to the institutions would be expanded to include grants for training teachers of all handicapped children and supervisors of such teachers, and for training speech correctionists, and other specialists and research personnel for work in this area.

The present limitation of $1 million per year for payments under the law would be replaced by an authorization of appropriations of $11.5 million for fiscal 1964 and such sums as Congress may determine for the next 2 fiscal years.

These amendments would not be applicable during fiscal 1964 to deaf children. Instead, the provisions of the act of September 22, 1961 (Public Law 87–276) would be extended for another year (to June 30, 1964). This act now provides $1.5 million per year for training of teachers of the deaf, including scholarships for persons undergoing such training. After June 30, 1964, however, the amendments proposed to be made by the bill to the act of September 6, 1958 (which would then relate to all handicapped children), would include authorization of scholarships for persons preparing for employment as teachers of the deaf.

This part of the bill also authorizes $2 million annually for fiscal 1964 and the next 2 years for grants to States, State or local educational agencies, institutions of higher learning, and other public or nonprofit private educational or research organizations for research and demonstration projects relating to education of handicapped children. Grants under this authority would be made after securing the advice of panels of experts.

The Commissioner would also be authorized to appoint special technical or advisory committees in particular fields of education of handicapped children.

TITLE VI—EXPANSION OF CONTINUING EDUCATION

*Part A—General university extension education*

This part would authorize the appropriation of $9,040,000 annually for fiscal 1964, and the next 2 years, for grants to land-grant colleges or State universities to stimulate the establishment or expansion of publicly supported programs of general extension education. Extension programs aided under the bill would be those comparable in substantive academic content and merit to those the colleges or universities offer their regular full-time students through their regular faculties.

Of the funds appropriated for each year, $20,000 would be allotted to each State, the District of Columbia, and the Commonwealth of Puerto Rico, and the remainder would be allotted on the basis of State populations. Each State (the Commissioners in the case of the District of Columbia) would designate one or more land-grant colleges or State universities, or both, which are located in the State, as certified institutions to submit State plans, which meet specified requirements, for carrying out a general university extension education program.

Funds allotted to a State would be available for paying one-half the cost of carrying out its plan, except that no payments would be made to any State unless it made available from State or other non-Federal sources at least the amount expended for general university extension programs during fiscal 1963.

*Part B—Adult basic education*

This part of the bill would authorize $5 million for fiscal 1964, and such sums as the Congress may determine for the next 2 fiscal years for grants to States for carrying out, under approved State plans, local educational agency programs for instruction of adults who cannot read or write English or who have less than an eighth-grade education, for State agency technical and supervisory services relating to these programs, and for local agency pilot projects in this area. Allotments of Federal funds to the States would be based on relative numbers of adults described above, but with a minimum of $50,000 for any State ($25,000 in the case of the Virgin Islands, Guam, and American Samoa). Unneeded State allotments would be reallotted.

A State's allotment would be available for paying the cost of carrying out the State plan during fiscal years 1964 and 1965 and one-half of such cost during fiscal year 1966. However, a State would not be eligible for its allotment for a year unless it would spend during the year the same amount from State sources for adult basic education as it spent for such purposes during the preceding year.

Provision is also included for administrative hearings and judicial review of administrative action in refusing approval of a State plan or in withholding funds from a State because of failure to comply with required State plan provisions.

*Part C—Public community libraries*

The bill would amend the Library Services Act to expand its coverage to nonrural areas (including removing from the eligibility and allotment formula provisions the present rural area limitations) and to include provisions for construction of public libraries.

The authorization of appropriations for library services would be increased from $7.5 million to $25 million for fiscal year 1964, and would be such sums as Congress may determine for the next 2 years. Minimum State allotments for services and minimum expenditure requirements to insure maintenance of State and local effort would each be increased from $40,000 to $100,000, and the base year for determining maintenance of effort would be changed from fiscal year 1956 to fiscal year 1963. The State plan requirement relating to the policies and methods of using funds under the plan would be amended to require that particular consideration be given to satisfying the needs of students of all ages for useful and readily accessible library services and materials.

The amendments would also authorize appropriations of $20 million for fiscal year 1964, and such sums as Congress may determine for the next 2 years for grants to States for public library construction. Minimum State allotments for construction for each fiscal year would be $80,000, and the remainder of the sums appropriated for the fiscal year would be allotted on the basis of population, as is the case for allotments for services. Allotments for fiscal year 1964 would be available for obligation for 2 years.

In order to qualify for grants, States would submit and have approved State plans containing provisions comparable to most of those in the plan for library services, as well as provisions for a fair hearing to unsuccessful applicants for projects, and criteria for approval of projects which assure priority for projects on the basis of need for facilities, with particular consideration being given to facilities which will help to satisfy the needs of students of all ages for useful and readily accessible library services and materials. The Federal share of expenditures for construction under the State plan would be determined on the same basis as for services (varying among the States on the basis of relative State per capita income, but with a maximum of 66 percent and a minimum of 33 percent). Funds appropriated for library services would be authorized to be used also for payment of the Federal share (determined on the same basis) of the cost of administering the State plan for library construction.

TITLE VII—GENERAL PROVISIONS

This title of the bill contains a number of general or miscellaneous provisions.

A number of terms used in various parts of the bill are defined. These include, Office, Commissioner, State, State educational agency, construct, constructing and construction, equipment, cost of construction, high school, institution of higher education, and nonprofit institution.

The Commissioner of Education would be authorized to delegate his functions (except promulgation of regulations) under this or any other law to any employees of the Office of Education.

Use of other Federal and other public or nonprofit agencies and organizations in administering the bill would be authorized.

The existing National Defense Education Act of 1958 provisions on Federal agency consultations on policies and procedures relating to use of institutions of higher education under various Federal programs would be extended to apply to other schools and school systems. The Commissioner would also be directed to consider activities of the National Science Foundation and other Federal agencies in administering the various programs of the Office of Education.

The keeping of necessary records and affording access thereto necessary for verifying reports submitted to the Commissioner under State plans under several titles of the National Defense Education Act of 1958 would be added to the present State plan requirements of that act.

The interchange of personnel between the Office of Education and State or local agencies engaging in educational activities, for not in excess of 2 years, would be authorized under provisions designed to provide protection to the personnel involved against loss of perquisites and rights under their regular employment.

Acceptance of gifts by the Commissioner of Education would be authorized for carrying out any of the functions of the Office of Education.

Under another provision in this part of the bill, appointment of advisory committees or councils would be authorized to advise in carrying out any functions of the Office of Education.

Several definitions in the National Defense Education Act of 1958 would be amended including the definition of "State" to include American Samoa and the definition of "public" to include Federally operated schools (but no such school could receive any payment under that act).

Compliance with labor standards relating to prevailing wage rates and overtime compensation in employment of laborers and mechanics on projects aided under the bill would be required. Also, all recipients of any aid under the bill would be required to make necessary reports to the Commissioner, keep necessary records, and afford him access thereto necessary to verify the reports.

Federal direction, supervision, or control under the bill over the curriculum, program of instruction, administration, and personnel of any educational institution or school system would be prohibited.

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FACT SHEETS ON THE 24 MAJOR PROVISIONS OF THE NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

FACT SHEET NO. 1, TITLE I, PART A

*Student loans*

Background

Under title II of the National Defense Education Act, the Federal Government provides capital for college and university student loan funds with an annual authorization of $90 million. Institutions must add $1 to each $9 received. No institution may receive more than $250,000 a year. Students may borrow as much as $1,000 annually from this fund at moderate interest rates up to a maximum of $5,000 during their entire college career. Repayment need not start until 1 year after the student leaves school and may be spread over 10 years, and interest does not begin until a year after college. Up to half the loan is forgiven at the rate of 10 percent per year for each year in which the borrower is a full-time public schoolteacher.

Since 1958 more than 350,000 students in 1,450 institutions have received National Defense Education Act loans exceeding $230 million. This year an estimated 220,000 will borrow $110 million—an average of $500 each. Yet the demand for loan funds is not being met. More than 100 institutions have requested greater Federal contributions than the maximum authorized.

Sixty-seven percent of the loans go to students with superior academic background in science, mathematics, and modern foreign languages and to those preparing for elementary or secondary school teaching. Loans are being repaid twice as fast as required, and students have defaulted on only $700 of loan money. Some 16,800 borrowers, now public schoolteachers, have applied for partial forgiveness of their loans. Many National Defense Education Act student borrowers who enter teaching after graduation cannot qualify for loan forgiveness, because they teach in colleges or private schools.

Proposal

A 2-year extension of the student loan program is proposed, with amendments that would—

(a) Raise the total appropriation ceiling from the present $90 to $135 million for fiscal year 1964 and to whatever amount may be necessary thereafter.

(b) Remove the annual ceiling of $250,000 per institution. Allotment of appropriation among States in proportion to number of full-time students enrolled at institutions of higher education would be continued.

(c) Increase the individual loan limit for graduate students from the present $1,000 to $2,500 annually with a maximum aggregate of $10,000 per individual for undergraduate plus graduate years. The individual loan limit for undergraduate students would remain at $1,000 annually with a maximum aggregate of $5,000.

(d) Extend loan forgiveness to teachers in nonprofit private elementary and secondary schools, college teachers, and teachers in schools for dependents of Armed Forces personnel overseas, and provide accelerated loan forgiveness for full-time teachers who return to college for additional professional studies.

(e) Permit deferral of interest and postponement of repayment while borrowers attend approved institutions of higher education abroad.

(f) Provide for a national study to determine why students do not attend or finish college in order to secure information concerning the need for a program of Federal scholarships.

FACT SHEET NO. 2, TITLE I, PART B

*Student loan insurance*

Background

Many students come from families whose incomes are such that they are unable to obtain loans under the present national defense student loan program. However, for the 6 million families in the middle-upper income category, the spiraling costs of college education present a heavy financial burden, especially severe if the family is large.

A typical case is the family, earning between $9,000 and $10,000 a year and with prospects for increased earning capacity in the future. There are three children, each 2 years apart in age. When the oldest child is ready for college the parents must prepare for continuing educational expenses for the following 8 years with double expenses for 4 of those years. The average total student cost today is estimated at $1,480 per year in public institutions and $2,240 in private institutions. By 1970 it is expected to reach $1,840 in public institutions and $2,780 in private institutions.

To help meet these heavy expenses, families in the middle-income brackets need easier access to loans which would spread payment for college costs over a longer period of time.

Proposal

The bill proposes a 3-year, self-sustaining program of federally insured, commercial interest-rate loans available to full-time students enrolled in an institution of higher education. The maximum individual loan for 1 year would be $2,000 with an aggregate limit of $10,000. Repayment could be spread over a 10-year period beginning 1 year after the student leaves school.

Using the loan insurance concept practiced by the Federal Housing Administration, the Federal Government would insure up to $150 million of outstanding loan principal through the establishment of a Federal insurance fund.

FACT SHEET NO. 3, TITLE I, PART C

*Student work-study programs*

Background

More students help finance their college education from their part-time earnings than from any other source of outside aid, such as scholarships and loans. In 1962 the cost of attending college was distributed, on the average, among the following sources:

| Sources | Public institutions | Private institutions |
|---|---|---|
| Total | $1,480 | $2,240 |
| Student's family | 888 | 1,344 |
| Student earnings | 370 | 560 |
| Scholarships | 104 | 157 |
| Loans | 74 | 112 |
| Miscellaneous | 44 | 67 |

Although many students find jobs off the campus, most of the earnings are from work-assistance programs administered by and, for the most part, financed by the colleges and universities. College-paid undergraduate employment now totals about $100 million a year and provides average earnings of about $285 for 350,000 students.

When the work is directly related to education—that is, when the student earns money by tutoring, working in the library, or serving as laboratory or research assistant—the benefits are twofold: It would enable more students to help finance their education through their own efforts and would help them get more out of the time they spend in college.

Proposal

The bill would establish a 3-year program for Federal payment of one-half the pay of students employed in approved, education-related work-assistance programs operated by institutions of higher education.

It would require students (undergraduate or graduate) to be in need of earnings and to be capable of maintaining good scholastic standing. Work under the program would be limited to 15 hours per week while classes are in session. The Federal share of earnings per student per year would be limited to $500 for undergraduate students and $1,000 for graduate students.

The institution would be required to maintain its present general level of expenditure for student employment.

The program calls for an appropriation of $22.5 million for fiscal year 1964 and such sums as may be necessary for each of the following 2 years. Appropriations would be allotted among the States in proportion to the number of full-time students enrolled in institutions of higher education.

FACT SHEET NO. 4, TITLE I, PART D

*Graduate fellowships*

Background

Since the enactment of the National Defense Education Act of 1958, the U.S. Commissioner of Education has been authorized to award 1,500 graduate fellowships each year, except fiscal year 1958 when the figure was 1,000. Designed primarily to meet the ever-growing need for college teachers, these fellowships normally are allotted for 3 years, as a stipend of $2,000 for the first year, $2,200 for the second year, and $2,400 for the third, together with an allowance of $400 a year for each dependent. In addition, the college receives each year a cost-of-education allowance of up to $2,500 for each fellow.

To increase the graduate facilities available in the Nation, the act requires that the programs of study undertaken by the fellows be either new or expanded. The course must also contribute to another important need: distributing graduate training facilities more widely over the country so that potential students in every section may find graduate courses fairly close at hand.

The need for additional men and women with doctorates to serve as college teachers remains extremely acute. College enrollments are expected to increase well into the next decade and perhaps longer. It is estimated that the colleges will need 406,000 new teachers during the next 10 years. But unless present programs are expanded, probably only 141,000 doctorates will be earned during this period. Of this number, only 32,000 would be expected to enter college teaching.

Industry, business, and government, as well as education, need more and more persons with advanced educational training. This need is particularly acute in technical and scientific fields.

In the face of the demand, however, annual attrition rates remain high. Under the present graduate fellowship program, approximately 8 percent of the graduate fellows drop out each year. Altogether, only about 70 percent of the graduate fellows eventually will earn their doctorates. The picture is even more discouraging outside the graduate fellowship program. On an overall basis only about 60 percent of all candidates for doctorates finally obtain them.

The high cost of obtaining a graduate education is the primary cause of this attrition. Of the total number of graduate students currently enrolled, only about 40 percent are

full-time students. The others are part-time students because of the need to earn money to support themselves and their families. The long years necessary before part-time students can earn doctorates aggravate this problem. Only in the natural science fields, where fellowships and assistantships are relatively abundant, can students earn their doctorates in 4 or 5 years. In the social sciences and the humanities, the average time required is over 8 years.

Under the present law, fellowships can be earned only in new and expanded programs. This has tended to prevent full utilization of graduate education facilities.

Proposal

The bill would increase the number of fellowships from 1,500 to 10,000 each year for 3 years. Of this number, at least 1,500 each year would be for study in new or expanded programs for training of college-level teachers. The Commissioner of Education would be authorized to grant fellowships for new or expanded programs for teacher training from the 8,500 remaining. He could refill fellowships vacated by resignation or death. The objective would be to increase the number of college and graduate students, with preference to Ph. D. candidates and, as now, to those intending to teach. The Commissioner would have the authority to increase the stipends beyond levels set in present legislation and to set cost-of-education allowances, on a uniform basis, for various categories of students in the light of average school costs. These cost-of-education allowances would be in lieu of tuition and fees and would be increased proportionately if the fellow continued full-time attendance during the summer session.

In addition, the bill would authorize 2,000 summer-school fellowships for students working for their doctorates who were full-time graduate students in the previous academic year or would be so in the following semester or who are already college teachers but have not received a graduate fellowship already and do not expect to receive a graduate fellowship in the next semester. The Commissioner would set the stipend and the cost-of-education allowance.

FACT SHEET NO. 5, TITLE II, PART A

*Higher education facilities*

Background

College enrollments in 1970 are expected to be double those of 1960. Approximately 7 million full-time students will be in attendance by 1970, with the greatest increases coming in the next 3 years. Additional physical facilities, therefore, are urgently required. To provide for additional students, replace obsolete structures, and modernize usable buildings, institutions of higher education should invest an average of $2.3 billion annually. Expenditures currently fall short of this by $1 billion.

General instructional facilities are especially difficult to finance. The college housing loan program, now authorized at $300 million annually, enables institutions to construct only such income-producing facilities as dormitories, dining halls, and student centers. Needs for academic facilities are even more acute.

Proposal

The proposed program would authorize Federal loans to public or nonprofit private institutions of higher education, including junior colleges, to help make up the $1 billion construction deficit. It would require interest rates at least equal to the Government's cost of borrowing and repayment in 50 years or less. It also would require that at least one-fourth of construction costs come from non-Federal sources.

The bill would authorize aggregate appropriations of $1 billion for the 3 years 1964, 1965, and 1966.



FACT SHEET NO. 6, TITLE II, PART B

*Public community college academic facilities*

Background

There are 452 public 2-year community or junior colleges in 42 States, enrolling one-fourth of all college students. In the next 10 years, 25–30 new junior colleges will be added annually. Several States plan, by 1975, to have three-fourths of their college freshmen and sophomores attending junior colleges; California and Florida are already close to this ratio.

Community colleges often start by using local high school facilities in afternoon and evening hours. Others begin in unsuitable temporary buildings. Another expedient is to extend the schoolday to 12–14 hours. To serve 4 to 5 times their present enrollment, junior colleges must construct new and larger physical plants. Typically, they are financed by State aid, student payments, and the help of local school districts. Endowment income is virtually nonexistent among community colleges.

Proposal

The bill would provide grants to States, pursuant to a State plan approved by the Commissioner of Education, for construction of academic facilities for public community colleges.

It would authorize appropriations of $50 million for fiscal year 1964 and such sums as may be necessary for 1965 and 1966. Funds would be allotted among States in proportion to per capita income and relative number of high school graduates.

FACT SHEET NO. 7, TITLE II, PART C

*College level technical education*

Background

In order to make the best use of their talents and training, engineers and scientists need the assistance of technicians. But there is a shortage of technicians, and therefore many scientists and engineers are themselves serving in these less demanding positions. The satisfactory ratio is considered to be two or three technicians to one professional engineer, with variations in certain fields of technology. But studies have shown that the present ratio ranges from 7 to 11.5 technicians for every 10 engineers.

Nor is there any indication that the situation is righting itself. The Nation's institutions of higher education are turning out approximately two technicians for every five engineers. They are graduating 15,000 a year against an estimated need of 80,000 a year.

To produce a larger number of engineering and semiprofessional technicians requires funds for college buildings, equipment, and laboratory facilities available to both public and private institutions.

Additional institutions should be encouraged to develop accredited programs for the education of the technicians needed in the Nation's rapidly expanding technological economy. Only in this way can engineers and scientists be freed to function at their highest capacities. At present about one-half of the students enrolled in technical education programs are enrolled in institutions with accredited curriculums, but these institutions represent only about one-tenth the total number of institutions with college-level technical education programs.

Valuable contributions to technical education have been made under title VIII of the National Defense Education Act of 1958. Several 2-year postsecondary school curriculum guides have been developed and are serving most effectively to promote technical education on a nationwide basis. Extension courses under title VIII also are providing upgrading and refresher education for technicians.

In 1961 extension-course enrollments totaled 83,728, of which more than half were in junior colleges, technical institutes, or 4-year colleges.

Proposal

This section of the bill would provide Federal project grants for construction and to establish, expand, or improve programs of technical education in engineering, mathematics, or the physical or biological sciences which require not less than 2 years of full-time college-level study, or its equivalent. These grants would finance the preparation of students for immediate employment at the semiprofessional level in occupations which report manpower shortages or which affect national security or national economic growth.

Funds would be used to strengthen faculty, acquire equipment, establish new courses, or expand existing ones. They would also provide for minor remodeling and renovation and for construction or acquisition of buildings. Matching would be up to 50 percent of any project.

The total authorization would be $20 million for fiscal year 1964 and such sums as may be appropriated for the next 2 succeeding years.

Eligible institutions would be any public or nonprofit institution which offers or will offer a program of technical education as defined above. Included would be junior colleges, technical institutes, and 4-year colleges offering such programs. Also included could be programs under supervision of State boards for vocational education, if otherwise qualified.

FACT SHEET NO. 8, TITLE II, PART D

*College and university libraries*

Background

Though every college course and study depends upon the library, few college or university libraries can serve them fully. American Library Association standards call for campus libraries to seat about one-third of the student body, yet only 5 percent can seat more than one-sixth of their potential users. More campus library facilities are also needed to serve rising enrollments. For every three college students today, there will be five in 1970.

Moreover, the library collections at half the 4-year institutions are currently considered substandard. The shelves must be better stocked to improve academic quality, permit greater emphasis on independent study, facilitate research, and keep pace with rapidly expanding knowledge.

The share of the college construction dollar used to build libraries (about 5 cents) is small and diminishing. The portion of the college library dollar spent for books, journals, scientific reports, documents, and other materials (now 30 cents) should be increased at least by half, in the best professional judgment.

Expansion and improvement of higher education in every field is impeded by this lagging investment in college library construction and materials. Larger library expenditures can thus have a multiplying effect on the capacity and quality of higher education generally.

Proposal

The program would provide grants to public and nonprofit private institutions of higher education for construction and equipment of library facilities. Grants also would be provided for purchase of books, periodicals, documents, and related library materials.

The program would give priority to institutions requiring library improvement in order to increase academic excellence or serve expanding enrollments.

The program would authorize an appropriation of $25 million for construction of library facilities in fiscal year 1964 and such sums as may be appropriated in the next 2 years. Not more than 12.5 percent of the

funds for construction could go to any one State in any one year.

It would authorize appropriations for library materials of $15 million in fiscal year 1964 and annually in each of the following years.

It would limit Federal construction grants to half or less of the project cost and would limit annual library material grants to one-fourth or less of an institution's current expenditures for this purpose, except that it would allow at least $1,000 for 2-year institutions, $2,500 for institutions granting the bachelor's degree, and $5,000 for those conferring bachelor's and advanced degrees.

Finally, it would require institutions to increase their library expenditures by at least as much as the Federal grant, with at least half the increase to be for acquisition of materials.

FACT SHEET NO. 9, TITLE II, PART E

*Graduate schools*

Background

The total number of graduate centers for higher education in the United States is inadequate to meet the pressing needs of today and the years ahead. Currently, 20 universities produce two-thirds of the doctorates. These 20 universities are located in 12 States, an unsatisfactory geographical distribution. The remaining 38 States, with half the Nation's population, produce only one-fourth of the Ph. D.'s. Universities granting fewer than 150 doctorates a year tend to be strongly undergraduate oriented, with graduate education taking second place.

Approximately 100 doctorates annually per 1 million population are estimated to be needed. Graduate education in only two States has been reaching that figure. To achieve the output of highly trained manpower essential to economic growth, cultural advance, and national security, the addition of at least 50 quality graduate education centers is considered imperative. This would mean an increase in the annual output of doctorates from approximately 11,000 (not including first professional degrees) to about 15,000.

It is important that the new graduate centers be more widely dispersed geographically. They could be built either upon a cluster of existing institutions, public or private, or by strengthening a single college or university as the needs of the area may dictate.

In the fiscal year 1961, 25 institutions received 68 percent of all Federal research payments to colleges and universities.

Proposal

Project grants would be authorized to assist institutions of higher education to improve existing graduate schools or establish new ones. Not more than half the costs of operation of new or expanded graduate schools for up to 5 years would be financed by grants.

Priority would be given to graduate schools so located and operated as to provide a wider distribution of such schools and an increased supply of highly skilled manpower and research competence, thereby promoting economic growth of the areas serviced by these schools.

Grants could be used for faculty salaries, construction, equipment, library materials, etc.

The grants would be administered by the Commissioner of Education with advice and assistance of an advisory committee composed of persons representing higher education, industry and labor, and of representatives of the President's Science Adviser, the National Science Foundation, and the Departments of Commerce and Labor. The committee would make recommendations on standards of scope and quality of the graduate education to be supported.

Funds authorized for the first fiscal year would be $40 million, with such sums as Congress may determine for the next 2 years, plus sums necessary for continuation payments for the next 4 years.

FACT SHEET NO. 10, TITLE II, PART F

*Modern foreign language training and research*

Background

Under title VI of the National Defense Education Act, 53 language and area centers at higher education institutions have been established. The institutions where these centers have been established have more than matched the amounts of Federal support. The 53 area centers are in 33 universities and offer instruction in 66 critical languages and related area studies involving 450 college specialists and over 1,600 supported graduate students. Additional expansion is urgent because competent personnel are needed in keeping with demands of our foreign policy and national security.

The universities have stated that they now require some assurance of further support and that they cannot afford further expansion entirely from their own resources. Legislation is needed to provide this assurance and the support required for an orderly expansion consistent with available teaching talent.

The present $8 million ceiling hampers numerous vital programs. Of 1,006 fellowships awarded in 1962, 417 were renewals. Many excellent applicants had to be turned away. Less than half of the work has been completed on the development of instructional materials for 125 languages not often taught in the United States. While the National Defense Education Act permits Federal support of area centers of up to 50 percent of operating costs, many receive as little as 20 percent.

Proposal

The National Defense Education Act (title VI-A) university programs for area centers, language research, and stipends for the study of critical languages and areas would be extended for a 2-year period.

Funds authorized for the fiscal year 1964 would be $13 million, and such sums as Congress may determine for the next 2 fiscal years.

FACT SHEET NO. 11, TITLE III, PART A

*Institutes for advanced study for teachers*

Background

Since the counseling and guidance training institutes program was begun in 1959 under title V-B of the National Defense Education Act, the Office of Education has supported 275 summer institutes and 65 academic year institutes. To date, 11,524 secondary school counselors and secondary school teachers preparing to become counselors have received or are receiving specialized training under the program.

The program, however, has fallen far short of meeting the demand for training in this crucial field. For example, in 1961 enrollment in these institutes totaled 3,126, whereas applications numbered 11,867. In 1962 the ratio was 2,567 enrollments to 10,560 applications.

The situation is roughly similar with respect to the National Defense Education Act language institutes. From fiscal year 1959 through fiscal year 1962, 10,321 teachers received special training at 218 language institutes to strengthen and expand instruction in foreign languages in public and private elementary and secondary schools. Of this total, 1,308 were elementary school teachers and 9,013 secondary school teachers. They were trained in the newest instructional methods and received intensive training in learning to speak and understand the language that they teach.

Again, however, demand for training far exceeded the capacity of the institutes. In 1961, applications numbered 19,527 and enrollments 3,756. In 1962, there were 20,086 applications and 4,418 enrollments.

Moreover, the present program makes no provision for training in other fields of instruction—such as English, history, and geography—in which there are severe shortages of teachers with adequate subject-matter training.

Proposal

The proposal would provide grants or contracts to colleges and universities for operating institutes for advanced study. These would include the language, and guidance and counseling institutes now authorized under National Defense Education Act and would provide for establishment of institutes for advanced study to improve the qualifications of elementary or secondary school teachers of gifted children or other children. It also would add categories of educational personnel, such as librarians and others whose activities have a significant impact on the quality of education. College and community librarians and college modern foreign language teachers would be eligible to attend institutes on their subjects. All persons attending the institutes would be eligible for stipends.

In determining the subject-matter areas in which advanced studies would be provided, the U.S. Commissioner of Education would be empowered to give preference to those areas in which he finds there is a widespread need for improvement in the quality of instruction.

The above program would authorize funds totaling $37.5 million for fiscal year 1964 and necessary sums for the next 2 years.

FACT SHEET NO. 12, TITLE III, PART B

*Teacher preparation programs*

Background

About 83,000 full-time teachers in the fall of 1962 failed to meet full State certification standards, according to the ninth annual survey by the U.S. Office of Education. They represent about 5.5 percent of the total teaching staff. In the fall of 1961 the figure was 6.3 percent.

With regard to the academic background of experienced science teachers, surveys indicate that 4,000, or 2.7 percent, of the high school science teachers in 1960 were not college graduates. Only 41 percent of the mathematics teachers and 60 percent of the high school science teachers had training equivalent to an undergraduate major in the field in which they were teaching.

In liberal arts, the situation is somewhat similar. For example, in 1960 our colleges produced 12 percent fewer graduates prepared to teach high school English than they did in 1950. Forty-six percent of the high school English courses are taught by persons lacking the minimum requirements of a major in English. Colleges are forced to spend over $10 million annually on remedial English courses to bring students, inadequately prepared in high school, to levels of English necessary for the proper pursuit of their college studies.

Less than one-third of our colleges require prospective teachers to complete a major other than education. For example, only 5.3 percent of our colleges require future teachers to complete a course on the English language.

Proposal

The bill would authorize Federal grants to institutions of higher education to strengthen programs for the preparation of elementary and secondary school teachers.

The grants would pay part of the cost of expanding and improving the regular curriculum and establishing or expanding full-time graduate programs for teachers. They would support projects designed to improve student teaching activities, and raise standards for the selection and retention of students preparing to teach. The program also

would help pay the cost of special programs to train retired military personnel, college-trained women whose family responsibilities will permit, and other professionally trained persons for a second career in teaching.

The bill would authorize appropriations of $7.5 million for fiscal year 1964 and such sums as may be necessary for each of the following 2 years.

FACT SHEET NO. 13, TITLE III, PART C

*Specialized training for teachers and related educational personnel*

Background

The lack of trained personnel to meet education's specialized needs has hampered the development of well-rounded, balanced programs at all levels of education.

The shortage of school, college, and community librarians and auxiliary library personnel, for example, has severely limited the effectiveness of this essential component of the total educational program at all levels. Only 60,000 professional librarians are available today to serve the needs of libraries throughout the Nation. According to standards established by the American Library Association, an estimated 152,000 librarians are needed to provide the minimum services needed.

In other specialized educational fields such as adult basic education, education research, and the teaching of both gifted and handicapped children, shortages of trained personnel have hampered efforts to establish needed programs.

Proposal

The bill would authorize a 3-year program of grants to and contracts with institutions of higher education for the training of persons requiring specialized preparation to engage in teaching and related activities in particular subject-matter areas or in teaching students needing specialized education. This program, including traineeships, would be open to public school personnel, nonprofit private school personnel, college and community librarians, and educational research people.

The bill would authorize $7.5 million for fiscal year 1964 and such sums as Congress considers necessary for the next 2 years.

FACT SHEET NO. 14, TITLE III, PART D

*Educational research and demonstration*

Background

In 1954 Congress authorized the Commissioner of Education to enter into contracts or jointly financed cooperative arrangements with colleges, universities, and State educational agencies for the conduct of research, surveys, and demonstrations in the field of education. The purpose of the program is twofold: (1) To develop new knowledge about education, and (2) to develop new ways to apply existing knowledge.

Important progress has been made in both areas. For example, blind children are being taught to read at four times the previous rate. Under the Braille system, the average sixth grade blind child is able to read at the rate of 60 words a minute. A new technique, which uses an accelerated rate of words on tape, enables the child to comprehend oral instruction at the rate of about 240 words a minute or, in some instances, as many as 400 words a minute.

In another research project, children formerly assumed to be mentally retarded are being identified realistically as products of inferior environment. As a direct result of this research, programs to develop the wasted abilities of these children are being devised.

Special educational programs for culturally deprived groups such as migrant laborers, American Indians, and the underprivileged of large cities are being developed.

A project jointly undertaken with the Department of Labor is evaluating vocational education programs for unemployed adults.

As of December 31, 1962, the cooperative research program had initiated 508 major research and demonstration projects covering a wide spectrum of educational problems throughout the United States.

Since the beginning of Project English in fiscal year 1962, six curriculum study centers, each of about 5 years' duration, have been started. In this program, scholars in the field of English are teaming up with educational experts and classroom teachers to develop improved English curriculums for the able, the average, and the culturally deprived.

Last fall, the Office of Education announced that cooperative research funds were available for the development of improved curriculums in the social studies. Within 3 months more than 700 requests for information were received from scholars in history, economics, political science, sociology, anthropology, and geography, as well as from public school teachers and administrators at all levels.

In other research fields, 31 projects have been initiated to combat speech, hearing, and language-development handicaps. Eight research projects have been started on problems of the visually handicapped. To date, 20 contracts have been made for projects designed to increase knowledge about the problem of juvenile delinquency and the role which the school can play in alleviating the problem. And the program is supporting three projects on problems of the aging.

Appropriations for the program have increased from $1.1 million the first year to $6.9 million this year, with a 1964 budget request to increase this to $17 million.

Title VII of the National Defense Education Act relates to "research and experimentation in more effective utilization of television, radio, motion pictures, and related media for educational purposes."

Since its inception in 1958, this program will have obligated $19.2 million by the end of fiscal year 1963 for research and dissemination of information on the educational uses of communication media. Of this amount, approximately $12.4 million will have been obligated for over 200 research projects under part A (acquiring facts in this field). Another $6.8 million will have been obligated for approximately 142 dissemination activities under part B (assisting schools and colleges to make wider and better use of new communications media).

Despite progress under the cooperative research program and in research under the National Defense Education Act, still only one one-thousandth of total U.S. educational expenditure of $29 billion is devoted to educational research. The Federal Government's $25 million educational research budget is only one five-hundredth of its total $11.5 billion investment for research and development. Yet, research is the key to new breakthroughs in knowledge, to efficiency and economy in the learning process, to a general upgrading and improvement of American education.

The research-project approach has resulted in findings which, though important, have not always been integrated into educational practice. The 50-year lag between research and practice in education continues to exist. To reduce this lag requires a broader, more flexible program.

Proposal

The proposal would extend title VII of the National Defense Education Act for 2 years and would expand authority under the Cooperative Research Act to include grants as well as contracts and to make these available to noncollegiate research organizations. The bill also provides for grants to operate centers for the conduct of research, development, and demonstration programs to improve education.

FACT SHEET NO. 15, TITLE III, PART E

*State statistical services*

Background

In its report of July 1957, the President's Committee on Education Beyond the High School stated:

"We have been struck above all else by the astounding lack of accurate, consistent, and up-to-date facts, and by how little this Nation knows about its enormously vital and expensive educational enterprise in contrast to how much it knows, in great detail, about agriculture, industry, labor, banking, and other areas. We speak not of those difficult facts about education which can only be dug out by painstaking research but of those which are as susceptible to prompt and regularized reporting as steel output in Pittsburgh, potato prices in Maine, bricklayers' wages in Houston, hogs slaughtered in Chicago, and bank loans in San Francisco, all of which are reliably reported every month or every week by various Federal agencies. Until the gross deficiencies in educational reporting are remedied, all advisory work, all research, all educational planning throughout the country and all efforts by individual States, communities and institutions to devise effective actions will be severely handicapped."

Under the National Defense Education Act of 1958 considerable progress has been made in speeding up the collection and processing of data needed by State and local education agencies in planning their educational programs.

By the end of fiscal year 1963, over $5 million in National Defense Education Act funds will have been obligated for this purpose. Forty-eight State educational agencies are now participating in the program. Nearly every State and Territory is now using automatic equipment to accelerate the processing of educational data.

Proposal

The bill would extend section 1009 of the National Defense Education Act for another 2 years to provide continuing grants to States which assist the Office of Education in gathering statistical information. The grants would be used by State educational agencies to strengthen their school statistical services. Each State would be eligible for allotments, with a maximum of $150,000.

FACT SHEET NO. 16, TITLE IV, PART A

*Public elementary and secondary education*

Background

The problems and limitations of the public schools differ from community to community and State to State. In some districts, starting salaries are too low to attract good teachers or maximum salaries are not sufficient to retain them. In some districts, children are housed in school buildings that are fire and health hazards. Parts of every State face special problems in educating children from slums or low-income rural areas and actual or potential dropouts and delinquents, as well as gifted children whose education also requires special attention.

The States, however, vary considerably in their ability to support education. The State with the highest per capita income has four times as much income per public school pupil as the State at the bottom of the income scale. The lowest income State on the other hand, has almost 50 percent more children per 1,000 population as the highest income State.

National defense, population mobility, and our interdependent economy make these disparities cause for national concern. Because of educational deficiencies, the youth of some States are considerably less likely to meet their military obligations than the youth of other States. Their opportunities for higher education are considerably diminished. Yet residents of high-income States with better-than-average school systems often must

move and enroll their children in less-than-average schools in low-income States. And children from impoverished schools, moving to other communities, carry their educational handicaps with them.

Because the public schools are the foundation of education in our society, their weaknesses are reflected throughout the structure of education and are felt by the entire Nation as deterrents to broad economic and social progress. The success of national efforts to bolster the quality of higher education, to expand educational opportunities, and to meet special national needs depends upon the continued strength of public elementary and secondary education in every part of the Nation.

Proposal

The bill is designed to help the States improve elementary and secondary education by increasing maximum and beginning teachers' salaries, assisting with emergency school construction, and helping with the improvement of educational quality and opportunity, particularly in slums and other depressed areas. Grants for teachers' salaries in any school district would be phased out over a period of 4 years.

The bill would authorize appropriations of $400 million in the first year, $500 million in the second, $400 million in the third, and $200 million in the fourth.

Appropriations would be allotted each year to the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, on the basis of population and per capita income, the States with the lowest per capita incomes receiving proportionately larger allotments. Each year's allotment would be available to the State for 2 years.

Each State would be free to use its annual allotment as it chose for one or more of the purposes set forth in the bill, with these two exceptions: (1) Not more than 20 percent could be used for special projects, and (2) 10 percent of each State's allotment could be used only for special projects addressed to the school dropout and other special educational problems of low-income areas.

This bill sets forth three types of teacher salary increases which may be aided with Federal funds. The first, designed to increase the ability of school districts to retain qualified career personnel, would be an increase in the salaries of some or all teachers having 10 or more years of service creditable toward salary increases. The second would be for some or all teachers whose salaries are substantially below the average entrance salary by districts for teachers in the State. The third would provide increases in the salaries of some or all teachers in a school district in which the average teacher's salary is substantially below the average salary paid by the school districts in the State, and which has less than average ability to finance teacher salary increases.

Federal funds could be used to pay up to 75 percent of the first-year cost of an increase in teachers' salaries, 50 percent of the second-year cost, and 25 percent of the third-year cost. In the case of school construction, the Federal funds could be used to pay up to 50 percent of the cost of each construction project.

In this way, each State would have an opportunity to apply Federal funds to areas of most urgent need and would have sufficient time to stabilize its own resources for school support so that it could carry on independently after the phasing out of Federal support.

FACT SHEET NO. 17, TITLE IV, PART B

*Science, mathematics, and modern foreign language instruction equipment*

Background

Under title III of the National Defense Education Act, the Federal Government provides loans to private schools and matching grants to the States for the purchase of equipment for teaching science, mathematics, and modern foreign languages. Grants to the States also support the salaries of supervisory personnel who are responsible for curriculum modernization, inservice teacher training, and the use of improved teaching methods in the States public schools.

Fifty-two States and territories now participate in the program. They employ 250 full-time supervisors in the 3 subject fields, contrasted with 33 before the National Defense Education Act. Schools are offering more courses, starting them at lower grades, and providing longer sequences of study. Heightened student interest in these subjects is reflected by current enrollments which are rising faster proportionately than general enrollments.

The need for continued aid, however, still remains acute. In spite of exceptional progress in recent years, States report large percentages of inadequately equipped science laboratories and classrooms. And while the number of high school language laboratories has increased from a pre-National Defense Education Act total of 46 to at least 5,000, an additional 10,000 laboratories are needed during the next 2 fiscal years. The expected increase in the school population and the large numbers of new laboratories and classrooms yet to be built are factors which must be added to present unmet needs.

Proposal

The bill would extend title III of the National Defense Education Act for an additional 2 years at its present annual authorization of $75 million. The only change would be a provision to allow reallotment of unneeded State grant and loan allotments.

FACT SHEET NO. 18, TITLE IV, PART C

*Guidance, counseling, and testing*

Background

Although every American citizen is free to determine his future and choose his career, the early identification of talent and encouragement of able students can do much to help an individual achieve his full potential and prevent the loss of much-needed talent.

The establishment of effective guidance, counseling, and testing services in the Nation's schools to meet this need was one of the major goals of the National Defense Education Act. Stimulated by the National Defense Education Act, the number of full-time guidance and counseling personnel in public high schools has more than doubled since 1958. At the same time, enrollment has increased by 20 percent.

Today about 20 percent of all public high school students still lack organized guidance services. The ratio of counselors to pupils today is 1 to 550—still far from the goal of 1 counselor to each 300 students. To reach this goal by 1965, the schools would require an additional 16,500 full-time counselors.

Proposal

The bill would extend for 2 years the present program in part A of title V, National Defense Education Act, for grants to States for testing, guidance, and counseling programs in public secondary schools (and for testing in private schools). It would expand the program to include the seventh and eighth grades in all States.

The bill would authorize $17.5 million for fiscal year 1964.

FACT SHEET NO. 19, TITLE IV, PART D

*Federally affected areas*

Background

Under current legislation, the Federal Government pays school districts in areas vitally affected by Federal operations for maintenance and operation of existing schools (Public Law 874) and assists financially in the construction of new schools (Public Law 815). Financial requirements for the current fiscal year, 1963, have been estimated at $282.3 million for the first program and $63.6 million for the second.

The number of school districts and the amount to which they are entitled under Public Law 874 have increased for 12 consecutive years. Of the 11 million pupils in these affected districts, more than 1.75 million are listed as federally connected—four-fifths of them as a result of military activities.

Appropriations under Public Law 815 are based upon requests for construction submitted by the school districts. They have continued at between $61 million and $63 million a year for the past several years.

Under Public Law 815, almost 60,000 classrooms have been constructed at a cost of $1.15 billion. Under Public Law 874, local school operating budgets have been supplemented by more than $1.7 billion.

Proposal

The bill would extend both laws for 4 years and, beginning in the second year, would include the District of Columbia as a federally affected area for the first time. Full entitlement under the present payment formulas would be authorized for fiscal year 1964 with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the third year.

FACT SHEET NO. 20, TITLE V, PART A

*Vocational education*

Background

Since 1917 the local-State-Federal vocational education program has provided millions of young people and adults with necessary training for work in the trades, in industry, in business, on the farm, and in the home. President Kennedy, in 1961, reported to the Congress that the basic purpose of our vocational education effort is sound and sufficiently broad to provide a basis for meeting future needs, but he said the technological changes which have occurred in all occupations call for a review and reevaluation of the vocational education acts, with a view toward their modernization. For this purpose he requested the Secretary of Health, Education, and Welfare to convene an advisory body drawn from the educational profession, labor, industry, and agriculture, as well as the lay public, together with representation from the Departments of Agriculture and Labor.

This advisory panel of consultants recently reported to the President on its review and reevaluation of the vocational education program and offered recommendations to strengthen the program in line with today's technology, scientific advancement, and economic progress.

Findings and recommendations of the panel of consultants are the basis of the present proposal. Among its findings are these: By 1970, 87 million persons will be working full time. Fifty-eight million of these, now employed, will need training to keep pace with new methods, new materials, new opportunities. Some 26 million young workers will enter the labor force by 1970. Their aptitudes, skills, and education must match the needs of a changing economy. Approximately 3 million women will switch from housework to jobs by 1970. They will need marketable skills requiring training.

Today's vocational education programs benefit 4 million young people and adults in about two-thirds of the Nation's high schools and in many colleges. Local communities invest $117 million, States $89 million, and the Federal Government $57 million. Each State has a vocational education board to set policy.

But the numbers to be trained must be increased to meet the Nation's trained manpower needs today and in the years ahead.

At least 80,000 highly skilled technicians must be trained each year to meet employment needs. We are graduating only 15,000 at present. About 5 million additional skilled craftsmen will need to be trained by 1970 for work in industry. Old jobs are disappearing. New jobs require special skills. Training and retraining are constantly needed to keep workers abreast of change.

More than half of the Nation's privately employed workers are in service industries—largely sales and marketing—but only a small percentage of high schools offer training in these fields through distributive education. Over 10 million of those employed today are in office occupations, but no Federal funds are provided under the vocational education acts to aid office occupations training. For the one-third of all American women of working age employed and the growing number of young married women, there is an urgent need for training, not now provided, in the dual responsibilities of homemaking and wage earning. Only 1 in every 35 employed workers is receiving training to upgrade his skills through evening extension programs.

Another great obstacle to increase vocational education is the shortage of area-vocational-technical schools and classes, with adequate equipment for training purposes. Vocational education enrolls fewer than one-fifth of the high school students in our largest cities, yet millions of students do not complete high school or do not go on to college and must consider their high school studies as their prime key to a future career.

Proposal

The act would modernize and expand the present permanent program of Federal grants to the States for vocational education, in an effort to encourage and assist the States in providing needed vocational training and retraining young people and adults for productive employment. After a 2-year transitional period, the proposed grants would replace existing vocational education grants, except that the grant program under the Smith-Hughes Act of 1917 would be continued independently of the proposed new program. The purpose is to give the States more latitude in vocational training to meet the demands of our times for trained manpower in industry, business, government, and the Nation's arms of defense, in line with the country's exploding population, its increasing army of workers, and its rapid pace of scientific and technological advancement.

Training would be focused upon needs of high school students, persons who have completed or discontinued their formal education and are preparing to enter the labor market, adults now employed but in need of upgrading in their skills or needing to learn new skills, and young men and women with special educational handicaps.

Also proposed are construction and equipping of required area vocational education school facilities and services to improve the quality of vocational education programs, including teacher training and supervision, research, program evaluation, demonstration, development of instructional materials, and administration. Federal expenditures would be increased from their present $50 million under the Vocational Education Act of 1946 to $73 million for fiscal year 1964.

State plans would have to conform to new plan requirements by fiscal year 1966. Included in the program are American Samoa, Guam, Puerto Rico, and Virgin Islands.

FACT SHEET NO. 21, TITLE V, PART B

*Education of handicapped children*

Background

An estimated 6 million American school-age children need special education. They include children who are blind or partly blind, the deaf and hard of hearing, those with spech impairments, the crippled, the emotionally disturbed or socially maladjusted, the mentally retarded, and children who have special health problems. For these children, about 200,000 special teachers are needed, but only 50,000 to 60,000 are now available. Only 2,000 degrees in special education were granted during 1959–60. By 1968, only about one-third of the Nation's handicapped children will have access to needed special educational training opportunities.

A chief obstacle to the development of adequate special education programs is the shortage of college and university teachers and specialists in these fields to direct and supervise educational programs. Under present legislation, progress is being made to train teachers of the deaf and of the mentally retarded, but these programs need to be expanded and extended to other areas.

State educational agencies and many institutions of higher education have reported widespread interest in these fields of education, but lack of funds and a shortage of qualified persons to conduct programs of professional preparation are hampering their efforts to move ahead.

Proposal

The bill would provide a 3-year program of grants to States and institutions of higher education for the cost of courses and fellowships and traineeships for training teachers of handicapped children and other specialists in this field. It would support research and demonstration projects related to the special educational needs of handicapped children and would continue the present scholarship program for training teachers of the deaf.

It would authorize an appropriation of $15 million for fiscal year 1964 and such sums as the Congress may determine for the next 2 years.

FACT SHEET NO 22, TITLE VI, PART A

*General university extension education*

Background

Our increasingly complex society demands a continuous process of lifelong learning and relearning. An insistent need and demand from the general public has caused many of our State universities and colleges to offer certain courses or kinds of instruction in extension. These offerings have of necessity been limited in number and in scope. The educational opportunities of great numbers of people who are above the usual school age have been limited. Many of these people, because of remoteness from a university campus, cannot attend regular courses or programs. Increasingly, extension courses are becoming an important means for technical workers in an ever-widening range of occupations to upgrade their skills and keep abreast of new developments. Such educational opportunities will obviously have a far-reaching effect on industrial efficiency and the national economy. The fact that it has been necessary for these broad extension programs in general to be self-supporting has seriously limited the extent as well as the adequacy of their service.

The efficiency of American agriculture, which is often simply taken for granted, was largely produced through the Agricultural Experiment Stations and the Agricultural Extension Service as a part of the land-grant college system, with the support of Federal funds.

The present need is for legislation providing Federal support to meet the emerging and continuously broader educational needs of all people in the Nation—needs that cannot be met within the usual patterns of time periods of higher education. Exploding knowledge and revolutionary techniques require that the campus be brought into the home or that, through access to on-campus adult education courses, people will be able to upgrade their skills and deepen their general education.

Proposal

Federal grants would be made available to State universities and land-grant colleges to stimulate the establishment or expansion of publicly supported programs of general extension education at the college level or above.

The proposed enactment would require that Federal funds be matched on a 50–50 basis. A State would be required to make available each year, from State or other non-Federal sources, at least the amount expended for general university extension programs during the fiscal year 1963. Beginning with the third year (fiscal year 1966), funds received from fees or other charges to persons taking courses may not be counted for matching or effort purposes.

Each State would designate land-grant colleges and other public colleges or universities which may participate in the program. An approved State plan for a general university extension program also would be required.

Funds authorized for the fiscal year 1964 would be $9,040,000. The same sum would be authorized for each of the 2 succeeding fiscal years.

FACT SHEET NO. 23, TITLE VI, PART B

*Adult basic education*

Background

More than 8 million Americans 25 years of age and older have less than 5 years of schooling; more than 22 million have less than an eighth-grade education. Without a foundation in basic education—without the ability to read, write, and do simple arithmetic—these millions of Americans are committed to a future of minimum earnings, recurrent joblessness, dependency, and personal deprivation.

The cost to the Nation of this lack of basic education among so large a group is staggering. Here is the hard core of unemployed, supported by public welfare funds and unable to benefit from major vocational training programs because of the lack of basic education skills.

The problem of limited educational attainment is not limited to any particular area or population group. It is nationwide. In New York State the number of adults with less than 5 years of schooling is nearly 800,000; in Illinois it is 365,000; in California 505,000. In Kentucky, Michigan, New Jersey, and Ohio the number exceeds 200,000. It ranges from 100,000 to 200,000 in Indiana, Maryland, Massachusetts, Missouri, Oklahoma, West Virginia, and Wisconsin.

The first essential step toward economic independence and productivity for this large percentage of the population is the provision of opportunities to acquire the foundation skills of education.

Proposal

The bill would establish a 3-year program of grants to the States for adult basic education projects carried out by local public education agencies. It would authorize an appropriation of $5 million for fiscal year 1964 and such sums as may be necessary for the following 2 years. Fifty-fifty matching of Federal funds would be required after the first 2 years. Funds would be allotted to the States on the basis of the number of adults unable to read and write English or with less than an eighth-grade education, with a minimum allotment of $50,000 per year for each State.

FACT SHEET NO. 24, TITLE VI, PART C

*Public community libraries*

Background

A total of 18 million Americans at present have no library services. Some 110 million

persons have inadequate library services, and 60 million of these live in urban areas. It is estimated that a minimum of $3 per capita per year from all sources is needed to provide an adequate level of public library service for the Nation. Total public library expenditures are now approximately $360 million per year or $2 per capita. Thus, total public library expenditures are at least $180 million below minimum standards.

The Library Services Act, originally passed in 1956 and extended for 5 years in 1960, is at present limited to assisting States in developing public library service in rural areas (under 10,000 population) at the maximum authorization of $7.5 million per year.

A major problem in the development of adequate public library service in many areas is the lack of adequate public library buildings. Most public library buildings are old, lack sufficient space for users and materials, and are inefficiently arranged for modern service and poorly located because of population shifts. Many areas have no readily accessible public libraries.

Existing libraries are often our oldest public buildings, with a replacement rate of only 2 percent per decade. Many of the existing library buildings were built through the gift of the late Andrew W. Carnegie. But there have been no Carnegie funds available for libraries for 40 years. It is estimated that $80 million annually is needed for library construction during the next 5 years.

Proposal

The Library Services Act would be expanded to include nonrural areas (title I) and also would provide for construction grants for public libraries (title II).

Particular consideration would be given to the needs of students of all ages for useful library services, materials, and facilities.

The act also would provide for grants to be paid to the States for the purpose of constructing public library buildings. It would also provide that each State be allotted annually for construction $80,000 plus additional sums based on their relative population.

Funds authorized under title I would be increased from the present $7.5 million to $25 million for fiscal year 1964.

Funds authorized under title II for construction would be $20 million for fiscal year 1964.

In both cases, such sums as the Congress may determine would be authorized for the following 2 years.

*National Education Improvement Act of 1963 (estimated authorizations to States proposed for fiscal year ending June 30, 1964, and includes only those programs with specific State allotment formulas)*

| State | Total | I Expansion of opportunities for individuals in higher education | | II Expansion and improvement of higher education—Public community college academic facilities | III Improvement of educational quality—State statistical services (proposed amendment to title X, NDEA) | IV Strengthening elementary and secondary education | | | V Expansion and improvement of vocational education—Vocational education (amendment) | VI Expansion of continuing education | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Student loans (proposed amendment to title II, NDEA) | Student work-study program | | | Public elementary and secondary education | Science, mathematics, and modern foreign language instruction equipment (proposed amendment to title III, NDEA) | Guidance, counseling, and testing (proposed amendment to title V, NDEA) | | General university extension education | Adult basic education | Public community libraries (amendment) |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Aggregate, United States | $831,390,000 | $135,000,000 | $22,500,000 | $50,000,000 | $3,000,000 | $400,000,000 | $75,000,000 | $17,500,000 | $69,350,000 | $9,040,000 | $5,000,000 | $45,000,000 |
| 50 States and District of Columbia | 815,207,821 | 134,087,273 | 22,347,880 | 49,420,654 | 2,952,000 | 389,971,366 | 73,702,201 | 17,220,000 | 67,633,740 | 8,916,537 | 4,805,821 | 44,150,349 |
| Alabama | 19,445,688 | 2,124,093 | 354,016 | 1,178,102 | 60,140 | 10,697,648 | 1,828,093 | 351,370 | 1,754,396 | 163,852 | 116,922 | 817,056 |
| Alaska | 1,410,081 | 36,917 | 6,152 | 30,660 | 27,137 | 612,501 | 89,446 | 50,000 | 253,204 | 29,959 | 50,000 | 224,105 |
| Arizona | 6,833,809 | 1,150,166 | 191,695 | 331,611 | 38,690 | 3,209,087 | 672,496 | 136,644 | 542,141 | 77,341 | 50,000 | 433,938 |
| Arkansas | 10,996,304 | 1,175,608 | 195,934 | 715,851 | 43,530 | 6,082,702 | 956,046 | 185,055 | 954,381 | 98,659 | 60,191 | 528,347 |
| California | 55,691,104 | 13,328,738 | 2,221,457 | 3,333,866 | 150,000 | 22,286,945 | 4,379,988 | 1,446,082 | 4,350,613 | 712,110 | 236,246 | 3,245,059 |
| Colorado | 8,480,640 | 1,882,364 | 313,727 | 445,561 | 42,188 | 3,578,638 | 751,157 | 171,781 | 625,946 | 97,235 | 50,000 | 522,043 |
| Connecticut | 8,563,411 | 1,788,594 | 298,099 | 531,143 | 47,743 | 3,432,917 | 758,904 | 227,219 | 622,748 | 131,640 | 50,000 | 674,404 |
| Delaware | 1,755,536 | 223,589 | 37,264 | 73,745 | 29,204 | 604,317 | 147,160 | 50,000 | 233,571 | 39,653 | 50,000 | 267,033 |
| Florida | 22,698,849 | 2,702,653 | 450,442 | 1,173,196 | 69,537 | 12,551,438 | 1,879,028 | 445,069 | 1,925,694 | 238,043 | 118,130 | 1,145,619 |
| Georgia | 21,891,448 | 2,292,451 | 382,075 | 1,206,042 | 66,454 | 12,062,570 | 2,144,256 | 414,226 | 2,033,325 | 193,636 | 147,455 | 948,958 |
| Hawaii | 3,024,738 | 410,144 | 68,357 | 203,584 | 31,639 | 1,311,290 | 268,637 | 66,370 | 263,454 | 47,864 | 50,000 | 303,399 |
| Idaho | 3,968,852 | 532,718 | 88,787 | 266,984 | 32,254 | 1,863,599 | 369,028 | 72,616 | 333,375 | 49,380 | 50,000 | 310,111 |
| Illinois | 35,761,277 | 6,722,729 | 1,120,455 | 2,235,162 | 115,182 | 15,774,792 | 3,229,758 | 901,459 | 2,861,366 | 463,926 | 190,491 | 2,145,957 |
| Indiana | 21,794,486 | 3,794,981 | 632,497 | 1,367,769 | 70,171 | 10,417,131 | 1,924,983 | 451,315 | 1,742,404 | 225,314 | 78,673 | 1,089,248 |
| Iowa | 14,605,787 | 2,660,115 | 443,353 | 969,932 | 51,564 | 6,685,243 | 1,293,725 | 265,480 | 1,327,191 | 141,429 | 50,000 | 717,755 |
| Kansas | 11,269,989 | 2,240,292 | 373,382 | 660,716 | 45,524 | 5,206,198 | 929,298 | 204,966 | 838,819 | 115,936 | 50,000 | 604,858 |
| Kentucky | 17,358,658 | 1,892,622 | 315,437 | 982,996 | 56,158 | 9,513,025 | 1,707,334 | 311,548 | 1,556,091 | 153,786 | 97,181 | 772,480 |
| Louisiana | 19,020,202 | 2,561,476 | 426,913 | 1,038,451 | 59,868 | 9,928,426 | 1,960,819 | 348,637 | 1,592,082 | 163,424 | 124,944 | 815,162 |
| Maine | 5,158,452 | 584,414 | 97,403 | 330,651 | 34,390 | 2,639,110 | 472,927 | 93,699 | 424,156 | 62,682 | 50,000 | 369,020 |
| Maryland | 12,339,852 | 1,800,474 | 300,079 | 677,566 | 55,060 | 5,871,314 | 1,271,445 | 300,617 | 1,038,399 | 156,540 | 83,684 | 784,674 |
| Massachusetts | 21,983,172 | 5,452,945 | 908,824 | 1,404,241 | 70,326 | 8,895,769 | 1,700,123 | 452,877 | 1,572,359 | 246,718 | 94,950 | 1,184,040 |
| Michigan | 34,395,332 | 5,941,444 | 990,240 | 2,283,418 | 102,716 | 16,203,451 | 3,189,161 | 776,918 | 2,703,631 | 364,496 | 134,233 | 1,705,624 |
| Minnesota | 17,679,624 | 3,293,964 | 548,994 | 1,241,129 | 58,881 | 8,132,179 | 1,688,905 | 338,486 | 1,311,008 | 170,330 | 50,000 | 845,748 |
| Mississippi | 14,407,373 | 1,668,338 | 278,056 | 790,182 | 49,463 | 8,015,251 | 1,266,348 | 244,397 | 1,301,417 | 115,915 | 73,240 | 604,766 |
| Missouri | 19,547,599 | 3,385,822 | 564,304 | 1,167,277 | 63,802 | 9,424,539 | 1,678,775 | 387,678 | 1,545,589 | 210,224 | 97,169 | 1,022,420 |
| Montana | 3,767,653 | 616,173 | 102,695 | 230,405 | 31,926 | 1,685,580 | 322,462 | 69,103 | 298,006 | 49,714 | 50,000 | 311,589 |
| Nebraska | 7,316,021 | 1,298,356 | 216,392 | 455,319 | 38,269 | 3,297,725 | 648,992 | 132,740 | 640,853 | 82,148 | 50,000 | 455,227 |
| Nevada | 1,302,600 | 135,498 | 22,583 | 46,710 | 27,597 | 386,293 | 89,541 | 50,000 | 226,183 | 32,562 | 50,000 | 235,633 |
| New Hampshire | 3,283,582 | 561,174 | 93,529 | 188,014 | 30,636 | 1,445,089 | 281,692 | 56,219 | 232,146 | 46,726 | 50,000 | 298,357 |
| New Jersey | 19,329,888 | 2,482,310 | 413,718 | 1,343,187 | 78,434 | 9,217,152 | 1,841,613 | 534,082 | 1,634,787 | 287,152 | 134,352 | 1,363,101 |
| New Mexico | 5,247,993 | 605,393 | 100,899 | 278,502 | 35,666 | 2,622,920 | 578,092 | 106,582 | 442,599 | 61,879 | 50,000 | 365,461 |
| New York | 53,929,449 | 10,730,404 | 1,788,401 | 3,283,104 | 150,000 | 22,724,650 | 5,018,299 | 1,423,049 | 4,241,995 | 759,012 | 357,767 | 3,452,768 |
| North Carolina | 26,650,242 | 3,303,468 | 550,578 | 1,587,936 | 73,753 | 14,204,466 | 2,495,202 | 487,233 | 2,484,817 | 220,631 | 173,649 | 1,068,509 |
| North Dakota | 4,271,384 | 665,550 | 110,925 | 276,476 | 31,722 | 1,916,246 | 369,918 | 67,151 | 432,210 | 47,850 | 50,000 | 303,336 |
| Ohio | 40,323,412 | 6,422,177 | 1,070,363 | 2,641,744 | 117,524 | 19,578,224 | 3,616,056 | 924,884 | 3,258,837 | 447,423 | 173,307 | 2,072,873 |
| Oklahoma | 13,388,310 | 2,567,619 | 427,937 | 849,850 | 47,358 | 6,339,431 | 1,077,082 | 223,315 | 1,043,871 | 122,527 | 55,274 | 634,046 |
| Oregon | 8,590,277 | 1,706,472 | 284,412 | 567,509 | 42,389 | 3,782,108 | 735,171 | 173,733 | 625,681 | 97,885 | 50,000 | 524,917 |
| Pennsylvania | 48,964,581 | 7,349,972 | 1,224,995 | 3,516,921 | 127,617 | 24,125,287 | 4,493,247 | 1,025,610 | 3,936,031 | 518,450 | 259,028 | 2,387,423 |
| Rhode Island | 4,186,261 | 737,530 | 122,922 | 222,834 | 32,483 | 1,887,246 | 330,993 | 74,959 | 321,835 | 57,848 | 50,000 | 347,611 |
| South Carolina | 14,700,789 | 1,498,763 | 249,794 | 844,091 | 52,248 | 8,082,360 | 1,405,926 | 272,507 | 1,435,933 | 124,918 | 89,612 | 644,637 |
| South Dakota | 4,326,767 | 680,676 | 113,446 | 261,919 | 31,993 | 1,940,993 | 380,580 | 69,884 | 434,600 | 49,967 | 50,000 | 312,709 |
| Tennessee | 20,846,841 | 2,764,835 | 445,806 | 1,203,803 | 60,959 | 11,209,785 | 1,875,318 | 359,569 | 1,842,961 | 177,078 | 121,099 | 875,628 |
| Texas | 48,409,855 | 7,620,851 | 1,270,142 | 2,417,524 | 121,741 | 24,552,809 | 4,576,205 | 967,048 | 4,118,325 | 441,843 | 275,206 | 2,048,161 |
| Utah | 5,935,723 | 1,519,627 | 253,271 | 349,261 | 34,995 | 2,309,699 | 500,038 | 99,945 | 405,984 | 59,219 | 50,000 | 353,684 |
| Vermont | 2,630,455 | 500,380 | 83,397 | 139,544 | 28,845 | 1,047,839 | 211,067 | 50,000 | 226,183 | 37,168 | 50,000 | 256,032 |
| Virginia | 19,933,327 | 2,298,420 | 383,070 | 1,021,494 | 64,312 | 10,708,784 | 1,911,222 | 392,754 | 1,867,637 | 194,686 | 137,342 | 953,606 |
| Washington | 12,955,996 | 2,593,930 | 432,321 | 810,605 | 52,799 | 5,762,787 | 1,101,938 | 277,973 | 991,587 | 145,642 | 50,000 | 736,414 |
| West Virginia | 10,625,561 | 1,256,919 | 209,487 | 756,749 | 44,767 | 5,532,089 | 1,026,527 | 197,548 | 901,372 | 101,924 | 55,373 | 542,806 |
| Wisconsin | 18,902,605 | 3,180,720 | 530,120 | 1,297,917 | 63,421 | 8,884,866 | 1,916,847 | 384,165 | 1,429,581 | 194,017 | 70,303 | 950,648 |
| Wyoming | 1,895,696 | 267,692 | 44,616 | 99,926 | 28,396 | 692,397 | 157,583 | 50,000 | 226,183 | 34,535 | 50,000 | 244,358 |
| District of Columbia | 3,410,290 | 1,164,713 | 194,119 | 89,475 | 30,529 | 1,034,461 | 182,750 | 55,438 | 226,183 | 53,641 | 50,000 | 328,981 |
| Outlying parts of the United States | 16,182,179 | 912,727 | 152,120 | 579,346 | 48,000 | 10,028,634 | 1,297,799 | 280,000 | 1,716,260 | 123,463 | 194,179 | 849,651 |

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER (Mr. CLARK in the chair). The Chair was about to put the question. The Senator from Florida is recognized.

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

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection? Without objection, it is so ordered.

Mr. LONG of Louisiana obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield to me with the understanding that he does not lose his right to the floor?

Mr. LONG of Louisiana. I ask that I may yield under those conditions.

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

Mr. MANSFIELD. Mr. President, I wish to make my position clear on the question before the Senate.

First of all, I favor an amendment to the present cloture rule that would permit three-fifths of the Senate to close debate. It appears to me that this figure represents a fair compromise between the present rule, which has obstructed or disarmed a number of meritorious proposals, and a rule that would permit a simple majority to shut off the discussion of issues in which a large minority holds powerful convictions and have interest.

Cloture should be more readily available to the Senate. On some issues, the threat of protracted debate, and the difficulty of securing the affirmative vote of 67 Senators on a cloture motion, are enough to stifle any action at all, or to require the majority to trim its proposal to the point of futility.

I recognize the value of full debate, and I would not under any circumstances support the intrusion of House rules on the Senate; but full debate is not an idol to be worshipped for its own sake in a legislative assembly. While we are, to paraphrase Washington, meant to "cool the coffee," we are not required to make it tepid. The Senate was not designed to be a debating society; it was meant to be an instrument of government—originating, debating, amending, and ultimately acting on questions of public interest. There should be no artifical exclusions among those questions; nothing in the Constitution or laws of the United States denies the Senate the power to act on questions of civil rights.

So, in order that action might be made more certain after full debate, I would support a rule that would permit 60 Senators, instead of 67, to bring about a vote on any question.

But at the same time I firmly believe that the Senate cannot perform its function, as it was intended to be performed by the creators of our governmental system, if it adopts a provision for majority cloture. I think it makes sense to require that a more substantial number of Senators support the termination of debate, where the issue is profoundly divisive, and profoundly important. I think free debate also contributes to better representation of all the States, of all the manifold interests and desires of our people. It is not necessary to dwell on the days when the Senate's check on rash action has proved valuable to the country.

Having said this, I must express my opposition to the procedural approach adopted by the Senator from New Mexico. It does not comport with the rules of the Senate, and in my opinion it is not required by the Constitution. The constitutional provision on which the motion is based, article I, section 5, provides simply that each House may determine the rules of its own proceedings. In pursuance of that, we have made rules for the Senate; one of them is a cloture rule. I oppose the two-thirds requirement in that cloture rule, and would vote to amend it, but I do not deny the existence or the authority of that rule over our attempt to change it. To do so logically requires a denial that the Senate is a continuing body; it certainly requires a rejection of rule 32, which the Senate amended by an overwhelming vote only 4 years ago. I recognize the frustrations attendant on an effort to change the rules, having experienced them myself. But they do not constitute grounds for abolishing the means by which we have traditionally amended the rules. Believing that the Senate is a continuing body, and believing that its rules do continue until they are changed by methods prescribed in the rules, I am unable to support the Anderson motion, and I must answer the Chair's question now before us in the negative.

Consequently, Mr. President, I shall oppose the Anderson motion.

I honor those who have made this fight, and respect their purpose, if not their procedure.

I have sent to the desk a proposed unanimous-consent agreement, and ask that it be stated.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read the proposed unanimous-consent agreement, as follows:

*Ordered*, That on Thursday, January 31, 1963, at the conclusion of routine morning business, the Senate resume consideration of the following question submitted on yesterday by the Vice President to the Senate for its decision; namely, "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"

And that after debate of 2 hours, to be equally divided and controlled, respectively, by Mr. HUMPHREY and Mr. RUSSELL, the Senate proceed to vote on the said question.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object, I would be forced to object unless we can have a quorum call to bring other Senators to the floor. I ask unanimous consent that the Senator from Louisiana may yield to me for the purpose of suggesting the absence of a quorum, without his losing his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Before that action is taken——

Mr. HOLLAND. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HOLLAND. I withhold my objection.

The PRESIDING OFFICER. The objection is retracted.

The Senator from Florida has the floor. To whom does he yield?

Mr. HOLLAND. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, with respect to what the majority leader has just said about the procedural question involved, which is before the Senate, I fully and unequivocally concur with him, and I am unequivocally opposed to the Anderson proposal which is now before the Senate. I earnestly hope that yet today or tomorrow the majority leader and I may have a discussion of this subject, in the hope that we can devise a measure, an approach, or a procedure to get action upon the matter pending before the Senate, so that the Senate can resume its business, fill the committee complements, and then undertake to meet some legislative responsibilities.

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

Mr. HOLLAND. Reserving the right to object further, I wish to say that I, too, am in complete accord with that part of the statement made by the Senator from Montana, to the effect that the now pending procedural measure proposed by the Senator from New Mexico is wholly in derogation of the rules of the Senate, out of step with them, and should be defeated. But I do not feel that unanimous consent should be given at this time to the request of the distinguished majority leader—a request in which, I understand, the distinguished minority leader has concurred—without an opportunity being afforded for more Senators to be present. I hope that the majority leader either will withdraw his present request at this time or will, at least, allow us to have a quorum call, so that other Senators may come to the Chamber, because if neither of those courses is followed, I shall be forced to object.

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

Mr. HOLLAND. I yield.

Mr. MANSFIELD. In response to the statements made by the distinguished minority leader, I shall, as always, be most happy to discuss this situation with him, to see if it will not be possible to

submit a unanimous-consent request, either tonight or tomorrow—my guess is that it would probably be tomorrow—which would be agreeable to all concerned, to the end that the Senate may get on with its business and bring the pending question to a head, one way or the other.

My position in this matter is well known. I have not become involved with either side because I felt that I might better serve the Senate as a whole if I were available for comment or suggestions from either side, and thereby could help to bring to a satisfactory conclusion, or at least to a conclusion, the question now before the Senate.

If my memory serves me correctly, this is the 14th day—perhaps the 15th day—of debate on this subject. We have not even discussed the substantive issue which many Members seek to bring before the Senate for consideration. A certain amount of time can legitimately be given to a question of this nature at the beginning of a session; but, by the same token, a time comes when Senators must stand up and endeavor to grasp the nettle, to the end that this question, or at least questions attendant upon it may be settled one way or the other, and the rest of the business of the Senate may be brought to the attention of the committees and the Senate, where that business belongs.

In view of that situation, and in view of the fact that there is not a quorum on the floor of the Senate at the present time, I withdraw my motion.

Mr. HOLLAND. I express my appreciation for the courtesy of the majority leader and make the further statement that I am not at all in disagreement with everything he has asked for. On the contrary, I am in complete agreement with his analysis of the position taken by the Senator from New Mexico [Mr. ANDERSON].

Mr. President, I yield the floor.

Several Senators addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the majority leader, without prejudicing my right to the floor, in order that he may answer questions which Senators desire to propound to him.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I yield first to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I was on special duty and stepped outside the Chamber. The Senator from Florida was speaking for the Senator from Mississippi. However, will the majority leader again state the unanimous-consent request?

Mr. MANSFIELD. I withdrew it; but if the clerk would read it again, I would appreciate it.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent request which has been withdrawn.

The legislative clerk read as follows:

*Ordered*, That on Thursday, January 31, 1963, at the conclusion of routine morning business, the Senate resume consideration of the following question submitted on yesterday by the Vice President to the Senate for its decision; namely, "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"

And that after debate of 2 hours, to be equally divided and controlled, respectively, by Mr. HUMPHREY and Mr. RUSSELL, the Senate proceed to vote on the said question.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the majority leader for the same purpose, and with the understanding previously stated.

The PRESIDING OFFICER. The Chair understands that the Senator from Louisiana yields to the majority leader with the consent of the Senator from Louisiana that the majority leader may yield to other Senators.

Mr. MANSFIELD. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I wish to address a query to the distinguished majority leader. There is a notation on the teletype that Senators who favor the amendment of the rules by action of the majority still hope for a White House boost for their cause. I should like to make it clear that I am one of those who favor action by the majority. But if it should eventuate that we do not get it, I would favor action by three-fifths, as the distinguished majority leader has stated, because it would be the best we could get.

Nevertheless, I believe that if there could be some expression of opinion or some way of ascertaining whether the White House has indicated, or is prepared to indicate, support either for the change by majority vote decision or change by the three-fifths decision, or whether the White House is opposed to any change in rule XXII at all, I should like to inquire whether the majority leader was speaking for himself in his individual capacity as a Senator, or as the majority leader, or as a spokesman for the Executive.

Mr. MANSFIELD. I spoke as a Senator from the State of Montana. So far as the White House is concerned, whatever action we take on this question is the business of the Senate and not the business of the President of the United States. I say that on the same basis as I did with respect to the question which was raised yesterday; namely, that so far as the Vice President, who is also a member of the executive branch, having anything to say about the termination of debate in this body is concerned, I would oppose it with every bit of vigor, ability, and determination that I have. There is a line beyond which I think the President and the Vice President should not step. If the Senate is incapable of attending to its own business, in its own way, I think it is up to the Senate to accept that responsibility, and it should not be shoved onto the White House, no matter who happens to be the occupant of the chair of the Presidency at any given time.

Mr. SCOTT. My concern is for the operation of the Senate as a viable body engaging in the pursuit of its business, a very substantial part of which consists in the consideration of and action upon programs submitted by the executive department. Therefore, the delay in meeting this question, or the manner in which it is met, can only have a definite impact on the legislative desires of the executive branch. I was merely asking the Senator from Montana whether the executive branch, in his judgment, is prepared to express an opinion. I gather from him that the executive branch will let us stew in our own juice and will not express any opinion on any of the three proposals. Is that correct?

Mr. MANSFIELD. I should hope that the executive branch would allow us—to use the words of the Senator from Pennsylvania—to stew in our own juice, because this is our own responsibility, and our responsibility only.

So far as the business of the executive branch is concerned, messages and legislative proposals have been sent to the Senate and have been referred to committees. But, by and large, no action has been taken in the committees, and will not be taken until and unless the Senate disposes of the question before it in one way or another.

I believe the Senate is big enough and old enough to look after its own business; and so long as I happen to be a Senator from the State of Montana, that will be my position, because I do not intend to go crying to some other branch of the Government for support on occasions when matters which we, ourselves, should consider, and should settle, are before us.

I have noticed that, on occasion, Members on the other side of the aisle have brought up the question that the President ought to intervene. I say most respectfully to my colleagues that this is our business, and ours alone.

Mr. SCOTT. Mr. President, if the Senator from Montana will yield briefly further, I wish to make clear that I did not indicate whether this Senator from Pennsylvania thought the President should intervene or not. I was seeking to ascertain whether support would be given to any of the three points of view.

So far as shedding tears is concerned, I shed them only because of the futility, and at times the fatuity, of this distinguished body because of its failure to "get off the dime."

Mr. MANSFIELD. In that respect I agree with the Senator.

Mr. SCOTT. And I am prepared to vote at any time.

Mr. MANSFIELD. So am I, and I have been prepared to do so from the very first day.

But it seems to me that Senators on the other side of this question are *not* too keen to have the vote taken, and hope the other fellow will pick up the faggot and will light it.

Let me say that the fact that the proposed unanimous-consent agreement was withdrawn this afternoon does not indicate that it will not be proposed again—perhaps not this afternoon, but I hope it will be tomorrow; and I hope that tomorrow, with the cooperation of

the distinguished minority leader and other Senators, we can arrive at an agreement, so that the membership of the Senate as a whole will be aware of the day and the time when the vote will be taken, and so that in that way we shall dispose of one of the propositions before us.

Mr. SCOTT. Mr. President, I applaud the desire of the Senator from Montana to have a vote taken, and I join him in that hope.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. May we have assurance that advance notice will be given that the proposed unanimous-consent agreement, which the Senator from Montana has so wisely proposed and offered, will subsequently be offered at a definite time, so that all Senators will be able to be here?

Mr. MANSFIELD. Absolutely, and I shall see that that is done. I am sorry I did not think of that earlier this afternoon.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Montana yield to the Senator from California?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I thank the Senator from Montana for yielding.

I believe the time has come when Senators should be able to vote either up or down the basic issue—as both the distinguished majority leader and the distinguished minority leader have indicated.

In the last comment he made, the Senator from Montana answered the point I had in mind, namely, that the Senator from Florida was within his rights when, with a great deal of logic, he suggested that a quorum be had first.

I wonder whether it may be possible for the distinguished majority leader, with our own leader participating, to announce when we shall have an opportunity either to accept the proposed unanimous-consent agreement which the majority leader withdrew a moment ago, so that all of us can be here, and so that, after an appropriate quorum call, we could then determine whether the Senate is prepared to vote.

Mr. MANSFIELD. That is a fair request. I should like to say that, with the cooperation of my distinguished colleague, the minority leader, sometime tomorrow afternoon we shall again offer a proposal of this nature, or a similar one; and before it is called up, we shall do our best to obtain the presence of a "live" quorum.

Mr. KUCHEL. I thank the Senator from Montana.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I shall do everything within my power to further an opportunity to obtain, sometime during the day, tomorrow, a unanimous-consent agreement of the substance suggested today by the distinguished majority leader, and in which I understand he is joined by the distinguished minority leader.

Mr. MANSFIELD. I appreciate that statement.

A considerable number of Senators were consulted in regard to this proposal; and although we did not "touch all bases," we very nearly did. We thought we would make the attempt this afternoon, and that if it were successful, that would at least lay the groundwork for the proceedings tomorrow.

Mr. STENNIS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. The request to be made tomorrow will contemplate the passage of sufficient time to permit Senators who may be away to return, will it not? Otherwise, there is certain to be objection.

Mr. MANSFIELD. I do not think any Senator is more than 24 hours away; and since this notice is being given tonight, I hope it will be possible sometime on Thursday afternoon—all Senators being agreeable—for us to arrive at agreement on a time certain when the vote on a particular resolution will be taken. It need not necessarily be 2 hours after the morning hour; it could be at 4 p.m. or 5 p.m.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I understand that two Senators are now absent for physical reasons. Those reasons may make it impossible for them to appear in time to participate in the vote, if it is held as early as has been suggested. Due to that fact, I hope consideration will be given to allowing them to obtain live pairs, because I believe this subject is so important to every Senator that his vote on it should be taken, either by his being present and participating in the vote or by his being allowed to obtain a live pair.

Mr. MANSFIELD. I think that is a reasonable suggestion; and, speaking for the Democratic side, I assure the Senator from Florida that every effort will be made if possible to provide a Senator who is absent because of illness—but only a Senator who is absent because of illness—with a live pair.

I thank the able Senator from Florida.

Mr. LONG of Louisiana. Mr. President——

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield without prejudice to my rights to the floor.

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

Mr. STENNIS. Mr. President, as one who was working today with the Senator from Louisiana, but had no knowledge of the previous unanimous-consent request, I wish to say that I do not wish to be left in the attitude—and I do not think any other Senator does—of agreeing that there is any implication that we will agree to such a request if it is made tomorrow after a quorum call. I want that to be stated clearly on the record, so that no one will be misled.

Mr. LONG of Louisiana. I thank the Senator from Mississippi.

I am happy that the Senator from Florida made objection to the request. If he had not, I would have felt compelled to object, because I am left with the impression that some Senators favored the unanimous-consent request in hopes that Senators who have been opposing this proposal—which I believe to be completely erroneous, improper, and ill-advised; in fact, I could even call it outrageous—to undertake to deny by majority vote the right of free debate in the Senate, in violation of the Senate rules, would, so I fear, by agreeing to that request, have permitted that matter to have been decided prematurely by a bare majority vote.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. I wish to express my gratitude for the courtesy of the Senator from Louisiana in yielding to me, so that I could take that position, which I am sure—and I was sure of then—represented fully the attitude of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it seems to me that this entire matter should be referred to the Committee on Rules and Administration, which has jurisdiction of matters of this sort, and that the committee should do what it does with any other proposal which comes before it; namely, study it, ascertain whether it has merit, and conduct hearings on it; and, if it appears that there is no merit to it—which is what I believe the committee would find—then forget about the whole thing.

But if in the judgment of the committee it appeared that some change should be made in the rules, in my opinion the committee should do what it did when I was a member of the committee 14 years ago; namely, recommend to the Senate whatever change in the rules the committee might propose.

I would favor many changes in the rules; there are many things about the Senate that I should like to see changed.

I would have no objection to having the committee study anything I would recommend; and I would imagine it could improve on anything I would recommend.

But we have here a proposal which is advanced by Senators who contend that the rules of the Senate must be changed in order to make possible the passage of bills of certain types. I have in mind the kind of bills they have in mind having the Senate pass. I challenge them to present the bills which they believe could not be voted upon by the Senate if it continued to have the benefit of free debate.

Our third President, one of the greatest Presidents of our country and one of the greatest Presiding Officers of the Senate, said in the opening paragraphs of Jefferson's Manual what the Senator from Louisiana believes to be the very basis of the Senate rules, and the reason

why we have such rules. In the first section of Jefferson's rules he said:

> That nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power.

That is exactly what we are talking about. There is the original practice and procedure of the Senate as spelled out by Thomas Jefferson, our second Vice President, the third President of the United States, at a time when he was the Presiding Officer of this body.

He continued:

> So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.
>
> And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

There we have the advice of the author of the Declaration of Independence that we should insist upon rules, and that we should insist upon the observance of rules as the only protection of a minority in making its case in this body. The voice of one of the creators of the American Union—perhaps one of the greatest creators and the greatest philosopher of this Government at the time—well points out what we in the minority at this moment should be thinking, and that is that the rules of this body were intended to afford us a protection from "the wantonness of power" of a majority, and to protect those institutions which we believe to be very important to our Government. Certainly the rules of the Senate are important to our Government.

I believe I can guess the sort of measures that those who are seeking to change the Senate rule would like to propose. They would like to propose almost anything that the mind of man could conceive to bring about some forcible amalgamation of the white, colored, and other minority races in this great land of ours. We have debated some of those measures. Some of those we debated in years gone by have been dropped because they had no basic merit. Such proposals as the anti-lynching bills, which would have completely violated the whole concept of American Government, have been discarded down through the years. Today we see no one rising to support them because they have no basic merit. But those who supported them in that day would have rammed them through, and they been able to do so, and would have done so but for the right of free debate in the Senate.

We would have had the FEPC proposals seeking to tell a man that he could not hire a person who appeared to be best qualified to him, or the person he wanted to hire, based upon the various considerations by which he would like to judge an employee. In many instances extreme proposals along that line were defeated and dropped by the wayside because their supporters did not have a genuine belief in the merits of the proposed legislation and, I am sure, in some measure because of the right of free debate in this body.

Last year we had occasion to see what the gag rule could do in the Senate. It was the judgment of the Senator from Louisiana—and I respect the right of others to disagree—that that was the worst piece of economic legislation he had ever seen. By that measure we undertook to turn our Nation's multi-billion-dollar investment in outer space—about a $25 billion investment of the taxpayers' money—or that portion of the taxpayers' funds that had been invested in space communication, over to the largest monopoly in the history of all mankind. Some of us who felt that that was a true monopoly problem and violated all the concepts for which American patriots have fought down through the years to preserve competition and free enterprise undertook to oppose that measure to the very best of our ability.

After a period of debate we were confronted with a cloture petition and a gag rule was voted upon this body. I believe that those on both sides of the aisle today know what the facts were. There was a case in which those favoring the proposed legislation agreed among themselves that about the only way they could obtain cloture in this body would be to agree that no amendments in any respect would be considered. In other words, there was a gentleman's understanding by a great number of Senators that no amendments would be considered, and that the leadership for the bill would move to table every amendment. The majority would agree to vote to table all amendments, without considering the nature of such amendments.

Some of those amendments were extremely meritorious. Any person would have had great difficulty in undertaking to explain why an amendment should not be voted upon and why it should not be agreed to. Yet we saw that under the pressure of those who had been persuaded in one way or the other to agree to support the bill, we were denied the right to make our case and denied the right to be of service to our country in insisting upon the adoption of amendments which we thought to be wise. Many of those amendments, I believe, certainly would have been adopted had the Senate voted on them dispassionately and in the orderly legislative manner without cloture having been imposed upon this body.

When the Senate does that sort of thing, it sets a precedent for the future. It sets a precedent so that in the future, when some Senator wishes to cut off debate because he is irritated by the fact that those opposing the bill seem to be making some headway with their arguments, he has a precedent toward which he can look and say, "The Senate did it on that occasion, and so the Senate should do it on future occasions."

There is no doubt in the mind of the junior Senator from Louisiana that if the Senate voted the proposed rule change and adopted a so-called 60-percent cloture rule, Senators who had that view would use that very rule to undertake to destroy the right of the 40 percent to hold the floor of the Senate and be heard.

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

Mr. LONG of Louisiana. I yield to the Senator from Mississippi.

Mr. STENNIS. I wish to refer to the excellent point that the Senator from Louisiana has made. If we change the rule to provide for 60-percent cloture, under the theory of the proponents they could come right back—the next day perhaps, or certainly at the beginning of the next session—and propose additional changes. Is that what the Senator sees in the present picture?

Mr. LONG of Louisiana. The Senator is correct. Most of the incentives that would appeal to those who wish to change the rules, and particularly those interested in political innovations, would appeal as well a year from now or 2 years from now, and they would seek again to change the rule. One could say, "It would be popular with this minority group. It would be popular with the National Association for the Advancement of the Colored People. It would be popular with Mr. Walter Reuther. It would be popular with most of the leaders, or many of the powerful leaders of the American Federation of Labor and the CIO." So we would be told that it would be a popular political thing to do. It would win votes for us in the next election.

Those who found it politically appealing to vote to change the rules now would find it politically appealing to again vote to change the rules. We would be told, "Now you are casting a popular vote when you vote to say that 60 percent can shut off debate." If that should succeed, it would be as popular to say, 2 years from now, that 55 percent could shut off debate, or, 2 years thereafter, that 50 percent could shut off debate.

So the basic merit of free debate in this body could be destroyed if those of us who believe in free debate do not stand up and fight for it and insist on our right to debate in the Senate.

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

Mr. LONG of Louisiana. Mr. President, the right of unlimited debate has

served, in good times and bad, to protect those in the minority at times when they were confronted with legislation which would have destroyed large segments of the economic, political, or cultural life of our Nation. This has been the case since before 1807.

There has been some argument about what the situation was in 1807. I believe it has been fairly well proved and documented by the document presented by the Senator from Alabama [Mr. SPARKMAN] that there never has been a time in the history of the Senate when a simple majority could cut off debate. The old motion of the previous question which existed prior to 1807 was not a motion to cut off debate. At a later date, if the debate continues that long, I should like to discuss that subject in some detail.

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

Mr. LONG of Louisiana. Mr. President, in all those years, the practice of unlimited debate has resulted in no legislative harm. Prior to my time in the U.S. Senate, it might be said that the only legislation failing ultimately of enactment because of extended debate was the force bill of 1890. I venture the assertion that today very few Senators would advocate such legislation as the force bill of 1890. We find that in later years those who proposed it came to the conclusion that its failure worked for the common good.

It was by no accident on the part of the construction outfit which built this Nation that there was enacted a system of checks and balances which has served to keep the Republic alive and vigorous as governments elsewhere around the world collapsed into ruin. How many countries, both fledgling and established, have we seen dissolve into anarchy or explode in revolution almost before our eyes? But not so the United States. The framers of the Constitution worked long weeks in Philadelphia to reconcile the conflicting interests and the divergent views of the 13 States. The unique system of government which they conceived was predicated on liberty and justice for all—not liberty and justice for the majority; not liberty and justice for the minority; not liberty and justice for the landed gentry; not liberty and justice for the sharecroppers; but liberty and justice for all the people, regardless of section, economic interest, or political views. In numerous instances, that great document testifies to the interest of the delegates in forming a government which would prevent rebirth in America of the tyranny against which the Founding Fathers themselves had so recently rebelled.

The interests of manufacturing New England were delicately balanced against those of the agricultural South. The rights and privileges of the more populous States had to be balanced against those of the less populous ones. Problem after problem confronted those men; and their solution, in the whole, was found in a system of government which, rather than giving the reins to the majority, actually is constituted to restrain the majority. To say that this is a pure democracy or that it was ever intended to be such is to contradict the facts as they were. The existence of the Senate itself speaks eloquently of the intent of the Founding Fathers not to have a purely majority rule. They wanted certain restraints on the majority for the protection of minority rights. The constitutional provisions which require substantial majorities in certain cases are still further testimony that the Founding Fathers feared the rule of a majority in some respects and provided protection for the minority—whatever that minority—against the tyranny, which too often results from the workings of a majority.

One delegate to the Constitutional Convention in Philadelphia, who had much to do with the fashioning of the instrument which resulted, Gouverneur Morris, said:

> There remain three cases in which two-thirds of the whole number are required. These are, first, the expulsion of a Member; secondly, the passage of a law disapproved of by the President; and, thirdly, amendments to the Constitution. In these three cases, a provision is carefully made to defend a people against themselves, or, in other words, against that violence of party spirit which has hitherto proved fatal to republican government.

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

Mr. LONG of Louisiana. At the time of the framing of this great document, the American Constitution, and before it was ever ratified, certain States began to feel that there was not yet enough restraint on majority rule in the new nation being formed. These States concluded that there must be included a bill of rights which could not be changed except by constitutional amendment approved by three-fourths of all the States in the Nation, and passed by two-thirds of the Members of the Congress.

The quotation from Gouverneur Morris, which I quoted a moment ago, points up the proposition which he and his colaborers at Philadelphia had recognized long ago and which some of us fail to acknowledge now—the need of protecting our people against themselves. These giants of a bygone era had acted, insofar as they could, to afford the necessary protection for all time to come.

Is it any wonder, then, in those times of great men, in those days before the violence of party spirit had so gripped us and when men of great ability had given of their best to form a great Republic, that free and unlimited debate was instituted in the Senate?

I know it will be said, as one Senator said the other day, that, oh, no, there was not free and unlimited debate in the Senate, because Jefferson's Manual called for the use of the previous question to curtail debate. It is true that Jefferson's Manual called for the previous question device to be employed, but—and here is the stopper—that previous question motion was itself debatable. The net effect—there was no effective procedure to curtail speech in the Senate, and, in fact, there was complete freedom of debate exercised, under the rules, until 1917.

In those days of molding and shaping a nation those great men forsaw the need for legislative restraints to keep us from pitfalls which could doom to failure that which they, with the help of God, had wrought.

Mr. President, make no mistake, those men knew what tyranny was. They knew, from bitter experience, about taxation without representation. They knew what it was to live at the point of an oppressor's sword, for they had lived in such an atmosphere. They knew how precious was the right of free speech, for they had been denied it. They knew in reality the bitterness of a denial of property and the rights of a man in his own home, for such rights had been too often transgressed by a cruel overlord. Mr. President, have we grown so immune to these principles for which those very men shed their blood that we would, by a single stroke, fell one of the great cornerstones which has so long supported them? Heed me well—if we change this rule, we are in effect saying to some substantial minority of the future, we are saying to any minority which any gentleman or lady of this body may represent, "You have no rights. The majority rules as and when it sees fit." We could, in effect, impose taxation without representation, for we would gag the representatives of the minority here. We could, by the passage of certain iniquitous measures which already are before us, say to a great minority that their destiny no longer is theirs—that their way of life and liberty must be cast aside in the pursuit of a transient political advantage by a majority.

Mr. President, the protection of minorities is the purpose of article after article of the Constitution of the United States. It is the purpose of the Bill of Rights and many other amendments to the Constitution.

It might even be said, Mr. President, that the reason for having a Constitution is to protect the rights of the minority. The majority can be satisfied with the ordinary statutes—it can work its will through the normal legislative process, through bylaws, so to speak. But to protect the minority—not just at the moment, but for all moments that have come and will come—there must be a cloth of more substantial fabric, a charter of more than temporal consequence, a Constitution.

This very body, the Senate of the United States, was created for the purpose of protecting the small States from the power of Members of the great States. Senators found early in our history that this great purpose of protecting the rights of the minorities should be further implemented by the right of unlimited debate, and for well over a century this forum had the most complete freedom of debate. And what brought about a change in the hallowed practice of unlimited debate?

It was in 1917, and the Nation was on the verge of war, that freedom of debate was in any way limited by the

rules of the Senate. At that time it was intended that, in case of national emergency, debate could be ended on a pending measure. In my opinion, and I believe in the opinion of the majority of Members of the Senate, that limitation was intended to be used only in case of national emergency, so that debate could be ended on a measure which might involve the security of the United States.

Let me point out that the rule was finally changed in the face of a national emergency.

But what is the national emergency which faces us now? We are not even faced with a substantive piece of legislation at the present moment. Yet we are told that the rules must be changed.

Subsequently, in the year 1919, when a filibuster developed over certain reservations to the Treaty of Versailles, it was decided that this change of the rules applied only to a pending measure, meaning a pending bill, and not to motions or other questions before the Senate.

Until this day, no one has seen fit to provide a method for completely preventing unlimited debate. Such debate has served a useful purpose. The right of unlimited debate has made the U.S. Senate the foremost protector and defender of minority rights. That is why I should like to see the rules of the Senate remain in such state that minorities can be fully protected and can be heard in the U.S. Senate. I should like to have the rules of the Senate stay that way.

As I have said, today the U.S. Senate stands as the last great protector of the rights of the minority. Why is that true? It is because of the right of unlimited debate in these Halls. A mere handful of men, armed with sincere conviction, can hold off the majority for days on end. The minority, through its right of unlimited debate, may test the determination and the conscience as well as the endurance of the majority.

Mr. President, some Senators continue to suggest to me that a filibuster in the Senate cannot be broken if a substantial number of the Members of the Senate participate in it. It would appear that last year's experience with the satellite communications fiasco of a bill would have put the lie to such a suggestion. Prior to last year, I had always felt that any filibuster could be broken if the majority had the same determination and the same conviction of righteousness that the minority possessed. But there is where a question arises. Senators cannot do here in the Senate what can be done today in the State legislatures. The Members of the Senate cannot have this issue come up and have the majority end the debate by moving the previous question if they feel that the debate is cutting away their majority and that they are losing vote after vote because Senators are becoming convinced that they are wrong on the issue. That cannot occur in the Senate today. Here we do not have the situation existing in State legislatures, where the floor leader may move the previous question—a motion which is not debatable—because he feels that he will lose the issue if the debate goes on indefinitely.

No, Mr. President; the rules of the Senate give the minority the right to test out the majority and to see how convinced they are of their own righteousness, and whether they are attempting to play petty politics at home. The present rules of the Senate preserve the soundness of the system under which we operate in the United States, but that system will be destroyed by making a change in rule XXII, such as is here proposed.

Mr. President, all of us are human. All of us, besides being statesmen, are politicians; we have to be politicians if we are to win elections from time to time. Certainly the time may come when a Senator who is facing an election may feel that some piece of legislation should be forced through the Congress because its enactment will help him obtain reelection to the Senate. Mr. President, the right of unlimited debate is the greatest weapon we can have against having a Member of the Senate cast a vote which may not be wise or correct in the light of his own conscience.

MINORITIES: TODAY—THE SOUTH; TOMORROW?

Today, we of the South are in the minority, Mr. President. We insist that the rules designed to protect the minority remain unchanged. Would not any minority do the same thing? Suppose the Senators from New England were in the minority? Would not they wish to see the rules stay as they are, so as to protect them? I know some persons will say, "The Senators from New England want to change this rule." But, Mr. President, the Senators from New England do not see legislation expressly drawn with peculiar application to their section of the country being forced upon them, as we of the South see legislation of that sort being proposed against us. If their minority were under attack and if their section of the country might be greatly harmed by some proposed legislation, if it were passed by the Congress, they would not wish to have this rule changed; but, on the contrary, they would be insisting that the rule remain unchanged, just as we of the South insist that it remain unchanged.

Mr. President, we know that pressure groups have a never ending store of laws designed to overhaul and disrupt the social pattern of our States. We know that this proposal to change the rules of the Senate stems primarily from the desire to prevent the southern Senators from having the opportunity of a full defense under the rules, against proposed legislation expressly designed to affect their States. It stems from the difficulty of pressure groups to endlessly hold prisoner the Senators who may have pledged their support. It stems from the inability of pressure groups to pop a whip over the heads of the Members of this august body. This proposed change in the rule is being forced upon us, Mr. President, because of that situation; it is being forced upon us because it is difficult for pressure groups to hold Senators in line over a period of time. This measure is not forced upon us on its merits alone.

But, Mr. President, we of the South are not the only minority in this great country. It merely happens that we are the whipping boy today. Actually, every American is both a member of the majority on some issues and the minority on others. Certainly, we should expect fairplay and respect from others who may later find themselves in the minority on issues on which we may be in the majority at a later date. It is the American concept that one should fight fairly and according to the rules. Americans have a reputation for fighting that way. I say that it is not right to change the rules merely to have the upper hand in passing proposed legislation before the Senate.

I say, Mr. President, that every move to obstruct free debate in the body undermines the very foundation of the American Government. The stability and durability of this Government were founded upon restraints to protect minorities and even the individuals. We must preserve these restraints, but leave not the other undone. Do not permit the violence of party spirit against which George Washington warned us to be the undoing of our great Nation.

We cannot always rely on the majority's meaning to do the right thing by minorities. If the day should ever come when the majority fails in this respect, how grateful would be the defenders of such groups that they had the rule to use, just as we in the South propose to use it to defend our rights.

It is possible that some day even the men who worship God may be in the minority in the United States, although I hope certainly that will never be the case. Suppose it should happen, and suppose laws should be introduced in the Senate imperiling the right of religion or discriminating against it in some way. Suppose there should be judges sitting in the U.S. Supreme Court who might feel the guaranty of religious liberty to be a very weak provision, and that there were a great number of modifications or a great number of different points of view regarding religious rights. Certainly those who wanted to protect minority rights, certainly those who wanted to protect the religious freedom of the people of America, if they found themselves in the minority, would be glad the rules of the Senate had been preserved just as they are.

One hundred and twenty-two years ago, William King, of Alabama, stood in this forum during the debates on the banking bill and said he would defend even unto death the right of unlimited debate, which was then 35 years old in this forum. Senator King and men of his caliber who succeeded him preserved that great right for another 122 years, and it has been preserved to us until this very day.

I tell you, Mr. President, far greater harm would come to the United States of America and to our Government through changing the rule than would be done to us of the South by adopting every proposal conceived by the minds of the northern agitators for ruling the Southern States. They could do us only a limited amount of harm; but ultimately the loss of the right of free debate in the the Senate might mean the destruction of our republican form of government.

Difficult as it is to acquire freedom, it is easily sacrificed. Once a majority has in hand the convenient weapon of gag rule, it would not be human nature to expect the majority to surrender it or not to use it.

We have seen legislation which, if passed, could do more harm to the Nation than it would do good. Consider, for a moment, the proposal for drafting manpower during a railroad strike.

Consider, also, the proposal to pack the Supreme Court. I heard a Senator say that he was of the opinion that, if that proposal had come to a vote when it was originally made, it would probably have been agreed to; but after extended debate, it did not pass.

If we destroy unlimited debate in the Senate, future majorities will take advantage of the rules. They will not take the chance of losing their majority by seeing day after day, first one vote and then another, leave the majority. When they see their votes getting away, they will move the previous question, and we shall have much harmful legislation passed, which could not stand the fight of free debate.

Mr. President, I assert that the weapon of unlimited debate is the greatest protection the rank and file of our people in the United States enjoy. It guarantees them a chance to know what is going on in the Senate before something that would do great harm to them is passed. This is the only House of Congress which has such a rule. No other parliamentary body in the world has free and unrestrained debate, which is the greatest protection of our liberty. That is one of the reasons why the American Government, made up of people with so many divergent views, and so many different classes and kinds of people, has been able to survive for more than 170 years, while all other nations throughout the world have crumbled, with the possible exception of the British democracy, where there is a different situation, in many respects, because of the stability caused by the existence of the monarchy, and because in that nation, there are not the great racial differences and the divergencies of viewpoint found in other nations.

Mr. President, the muttering of those who seek to change the rules of the Senate for selfish ends should not lead us to put aside these cherished liberties in which we take such pride. We are told that certain things will never happen here. We are told that there never will be the danger that men speaking in the cause of righteousness will be denied the right fully to be heard in the U.S. Senate. How can anyone give such a guarantee? So surely as the Senate changes the rule, and does what is now proposed by the majority in the Senate, as surely no such guarantee can ever be given, because the precedent will have been set for the further destruction of the rules of the U.S. Senate.

We are urged to believe that traditions and senatorial courtesy will continue to stand guard for the downtrodden and the oppressed. Perhaps today that may be true, although I doubt it, for I know too well what the proposed change is designed to do. In any event, we know not what tomorrow may bring forth and no one knows what will be done by way of further change, if the change now proposed is made.

Certainly that great American, James Madison, counseled wisely when he suggested that "Enlightened statesmen will not always be at the helm." He and others who have gone before us have through the years urged upon us the evils of great power, either in the hands of a few or in the hands of many. This democracy of ours, these traditions of ours, these rights of ours, these liberties of ours, should never be left to mere senatorial courtesy and the whim of the majority.

As all of us know, there have been many brilliant statements delivered by Senators, past and present, which spelled out the problems, even the evils attendant on a change in the Senate rules, a change calculated to weaken the voice of the minority.

For example, the present President pro tempore, the distinguished senior Senator from Arizona, a man who has been a part of the Senate for over 35 years, Senator HAYDEN, has been insistent in his feeling that there should be no further restriction on debate than is already contained in rule 22, which calls for a two-thirds vote to stop debate. I well remember the statement which Senator HAYDEN made to the Committee on Rules and Administration, which he chairmaned at the time of this statement. Here is what Senator HAYDEN said:

> In any event this committee must always remember that under the most favorable circumstances a two-thirds majority will be necessary to amend the existing rule. From a practical standpoint the burden of proof rests heavily upon those who advocate majority cloture. They must not only demonstrate why it should be done but how it can be done.
>
> In connection with permitting the majority to rule on all measures pending before the Senate there is a significant fact which this committee cannot afford to overlook. Unlike the House of Representatives, representation in the Senate is wholly without reference to the total population of the United States or to the population of any State. This is a situation that cannot be changed by an act of Congress since the Constitution provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."
>
> The Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with only one-third of its membership to be elected every 2 years. Being solely responsible to the voters in their own States, tenure of office of Senators has no direct relation to the will of the majority of voters throughout the Nation.

That was part of the statement which Senator HAYDEN delivered to his Rules and Administration Committee, but Senator HAYDEN has also voiced his opinion in this matter on the floor of the Senate. He has said:

> I think that rule 22 is basically sound. There is no question of that, if we stop to consider the problem. Senators do not represent population. The popular vote is cared for at the other side of the Capitol. Senators represent States, large States, small States. There could not have been a union, had not each State been given an equal representation in this body. It is easy to conceive the time, when one more than half of the Senate, representing a very minor fraction of the population, would be in a position to do serious injury to the most populous parts of the country.
>
> For all those reasons it is sound that the rules should be two-thirds. It should be a two-thirds majority in order to protect the interest of Senators themselves, in their freedom of debate.

Mr. President, the requirement of a two-thirds majority is not unreasonable or unprecedented. Our law under which this great country was founded and under which it has progressed to the state where we are the foremost nation in the world imposes a two-thirds requirement in a number of different instances. My predecessor in this body, Senator John H. Overton, of Louisiana, demonstrated this fact quite well when he said:

> A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances.

I shall refer to those instances briefly:

> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. 1, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. 1, sec. 5).
>
> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. 1, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. 2, sec. 2).
>
> Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. 5).
>
> Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. 5).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).
>
> The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

An outstanding speaker in defense of the rights of the minority on the floor of the Senate was the late Senator Kenneth Wherry, a Republican from Nebraska and a onetime minority leader of the Senate. This is what he said:

> It would be tragic beyond description if this body ever adopted a rule of procedure that would deny to any Senator an opportunity to be heard on any matter brought before the Senate. I would never be in favor of that.
>
> The Senate has been frequently referred to as the greatest deliberative body in the world. I know I speak the sentiments of every Senator when I say we all hope that it shall forever maintain that reputation. In no legislative body in the whole world is that right to deliberate more fully protected and guarded than it is in the Senate.
>
> The minority has rights that are just as inviolable as are those of the majority. The

truth of that statement goes to the very form and substance of our republican system of government.

We can cite many instances in our way of life to support that statement. Great reforms or great steps forward for our people often begin through the advocacy of small minorities that gradually, through the years, swell into majorities. In time, ideas for advancement that were almost universally frowned upon in years past come to be taken for granted as right and proper.

There have been notable instances in which waves of enthusiasm for legislation or actions by the Senate have given way to waves of enthusiasm for their rejection after the proposal had been thoroughly debated, thoroughly discussed, and understood by the people.

Therefore, plainly, we should take no action for revision of the rules that would in any way foreclose wholesome and necessary debate thorough exploration of controversial questions that come before us. Upon that proposition I feel sure every Member of this body fully agrees.

I do not want the Senate rules to permit the odious steamroller to crush the right of minorities to be heard and to be given the opportunity to persuade others to conversion to their views. In recent years we had a striking example of how the freedom of debate and freedom of deliberation in the Senate serve as a bulwark against revolutionary changes in our Government. I refer to the so-called Supreme Court-packing proposal which was made in 1937.

It was not my honor and privilege to be a Member of this body at that time, but that great moment in our history is fresh in all of our minds. It is conceivable that similar proposals, disastrous to our republican way of life, may be made in the future. Some of them are on our doorstep today. But I remind Senators that the most unfortunate Supreme Court-packing proposal never reached the stage in the Senate where resort to cloture was invoked.

The historic processes of the Senate committee hearings and full publicity worked so well that that threat to our form of government was averted by utter rout of the forces that had advocated the proposal.

I have an abiding faith in the confidence and wisdom of the Senate to adhere to its traditional character. Ours is a unique body as governments are constituted.

The State of Georgia is ably represented by two of the finest Members of this body, the distinguished senior Senator from Georgia [Mr. RUSSELL] and the distinguished junior Senator from Georgia [Mr. TALMADGE]. But other great men from Georgia have served in this great body. I recall now the words of one of them, the predecessor of Senator TALMADGE and a gentleman summa cum laude, Senator Walter George. Senator George said:

I wish to begin my address with a further statement. In my judgment, the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government.

They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.

Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two from each State—wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent, not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Now let us suppose, if we can do so, that before the formation of the Constitution the several States which formed the Union had met in conference to decide some important matter affecting all of them, and let us suppose that someone had suggested a limitation on debate. How long would that conference have lasted under those circumstances? The representatives of those States would have marched away, and there would have been a dissolution of the whole effort to reach any agreement whatever.

But I could quote many fine speeches delivered in the Senate by the so-called southern bloc. However, I prefer to repeat some of the arguments delivered from time to time by Senators who were not so fortunate as to come from the South. Nevertheless, they had very strong feelings that the Senate should proceed in an orderly way, that the rights of the minority should be protected, and that the bill of the majority was not supreme in all events. There was, for example, a brilliant address by Senator Vandenberg:

My point remains that our attitude toward the integrity of the rules, and not attitude toward cloture, is the one and only question legitimately at issue on the approaching rollcall.

Let me emphasize this point, Mr. President. I feel it is cardinal. I have heard it erroneously argued in the cloakrooms that since the Senate rules themselves authorize a change in the rules through due legislative process by a majority vote, it is within the spirit of the rules when we reach the same net result by a majority vote of the Senate upholding a parliamentary ruling of the Vice President which, in effect, changes the rules. This would appear to be some sort of doctrine of amendment by proxy. It is argued that the Senate itself makes the change in both instances by majority vote; and it is asked, What is the difference? Of course, this is really an argument that the end justifies the means.

I think there is a great and fundamental difference, Mr. President. When a substantive change is made in the rules by sustaining a ruling of the presiding officer by the Senate—and that is what I contend is being undertaken here—it does not mean that the rules are permanently changed. It simply means that regardless of precedent or traditional practice the rules hereafter mean whatever the Presiding Officer of the Senate, plus a simple majority of Senators voting at the time want the rules to mean. We fit the rules to the occasion instead of fitting the occasion to the rules. Therefore, in the final analysis, under such circumstances, there are no rules except the transient, unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate. That, Mr. President, is not my idea of the greatest deliberative body in the world.

The pending issue transcends any specific legislative program, no matter how notable or worthy. No matter how important its immediate incidence may seem to be to many today, the integrity of the Senate's rules is our paramount concern, today, tomorrow, and so long as this great institution lives.

Mr. President, it seems to me that as we review what was intended at the time of the creation of the Senate, it becomes obvious that the great statesmen of that day appreciated the value of free debate in the Senate.

So I beseech Senators not to turn their backs on the advice and wisdom of those who would save free debate in the Senate for posterity and for the great purposes which free debate in the U.S. Senate can serve, but, instead, permit us to continue to follow the wisdom, judgment, and discretion of the abler and more brilliant Members of this body, because only by so doing shall we be able to perform maximum service to our beloved country.

## RECESS UNTIL 11 A.M. TOMORROW

Mr. SCOTT. Mr. President, at this time there are no requests from Senators on this side of the aisle to make speeches. Therefore, I am ready to move that the Senate take a recess, unless the Senator from Mississippi [Mr. STENNIS] prefers to make the motion.

Mr. STENNIS. No. I assume that the Senator from Pennsylvania understands that an order for the Senate to convene at 11 a.m. tomorrow has previously been entered.

Mr. SCOTT. Yes, I so understand.

Mr. STENNIS. Very well. Then I am glad to have the Senator from Pennsylvania proceed to make the motion.

Mr. SCOTT. Mr. President, I move that the Senate now stand in recess, under the order previously entered, until tomorrow, at 11 a.m.

The motion was agreed to; and (at 6 o'clock and 4 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, January 30, 1963, at 11 o'clock a.m.

## NOMINATIONS

Executive nominations received by the Senate January 29 (legislative day of January 15), 1963:

### U.S. MARSHAL

Jack T. Stuart, of Mississippi, to be U.S. marshal for the southern district of Mississippi for the term of 4 years, vice Rupert H. Newcomb, resigned.

### IN THE NAVY

Rear Adm. George C. Towner, U.S. Navy, to have the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Ephraim P. Holmes, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

# EXTENSIONS OF REMARKS

## Address by Hon. Anthony J. Celebrezze Before the National Federation of Business and Professional Women's Clubs, Inc.

EXTENSION OF REMARKS

OF

### HON. STEPHEN M. YOUNG

OF OHIO

IN THE SENATE OF THE UNITED STATES

*Tuesday, January 29, 1963*

Mr. YOUNG of Ohio. Mr. President, on January 19 the National Federation of Business and Professional Women's Clubs, was honored to have as their main speaker our great Secretary of Health, Education, and Welfare, Anthony J. Celebrezze. The speech given by my personal friend, Secretary Celebrezze, set forth as well as anything I have read regarding our national objectives in the fields of health, education, and welfare.

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

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

ADDRESS [1] BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Madam President, distinguished colleagues. Seldom do I have the opportunity to speak before an audience whose major concerns, both personal and professional, are so deeply meshed with my own and so broadly extended over the field of government.

We are, each of us, in one way or another, trustees of the public welfare. Together we share the task of administering to the needs of the American people, and together we share the tremendous responsibility of safeguarding the future of democratic institutions both here and around the world.

It is fitting, at the beginning of this new year—at the beginning of this new legislative session—that we should pause to redefine our common goals and to examine some of the issues surrounding them.

Abraham Lincoln once observed that, "If we could first see where we are and whither we are tending, we could better judge what to do and how to do it."

President Kennedy, on Monday, provided such an overview on the state of the Union.

Today, I would like to make some further observations concerning our national objectives in the fields of health, education, and welfare.

These objectives and the means of meeting them have often been the subject of vigorous public debate.

I am not dismayed by this attention. It reflects the fact that the programs of our Department touch directly, most intimately, the interests and concerns of the individual citizens of our Nation. Their spirited reaction to our programs and proposals is not something to be deplored. It is a very healthy sign of American democracy in action.

It is through such debate that we are able to reconcile differing points of view and produce a consensus that serves as a basis for action.

It is this that propels our Nation forward. When we fail to reach a consensus on matters of urgent public need, as in education, for example, then we are in trouble. For unless our Nation can move forward, not only we Americans but free peoples everywhere are imperiled.

How to resolve the differences that divide and tend to immobilize us, how to keep this Nation moving along on all fronts, is the function of government, the function of politics, the function of responsible citizenship. It is your job and mine.

It requires the free flow of ideas. It requires honest effort at accommodation among the special interests that are bound to exist in a pluralistic society such as ours. It requires broad perspective and broad understanding of all these interests.

I am most concerned that we should understand each other, you and I and the public at large, on the fundamental issues concerning our objectives in health, education, and welfare.

Let us see ourselves first in the broadest possible perspective before we attempt to resolve the finite issues that appear to divide us. There is much that we are agreed upon, and from this vantage point I am certain that we can move to even closer understandings and to more productive leadership for the Nation as a whole.

In a global and historic perspective we know these things:

That we are a nation of 185 million people in a world of 3 billion, one-third of whom live under the yoke of communism;

That we share grave responsibility for leadership of the free world;

That we are a people of diverse national origins and races, with differing religious and political beliefs, who have made a common commitment to defend the freedom of man and to support the rule of law.

We are also a compassionate people, a people of good conscience, whose concern for the well-being of others is a fundamental and active component of our democratic way of life.

In the history of the world, ours is a unique experiment in democracy. It is true that we have fulfilled many of the great expectations of our Founding Fathers. We have survived the bitter tests of civil strife and economic hardship—of world conflict and militantly challenging ideologies. Our people have prospered. Our national stature has grown.

But the time of testing is not yet over. We are not preordained either to succeed or to fail. Our destiny will be determined by our actions, by our response to the needs and the aspirations of mankind today and tomorrow, here and around the globe.

During the last 20 years, since the end of World War II, the world has been undergoing a remarkable change in human attitudes.

This social and political change which we are experiencing is still too close for objective evaluation. That will be a task for future historians. But we can perceive its general outlines in the changing social, political, and economic structure of Western democratic states.

The change was heralded by Franklin D. Roosevelt when he added "freedom from want" to the essential rights of man. It was echoed by Winston Churchill when he proclaimed our era "the century of the common man." One of its first major international expressions was the Marshall plan, a truly historic gesture of man's concern for his fellow man which infused the nations of Western Europe with new life and new hope.

The concept of the Atlantic Community, the growth of the European Common Market, the Truman doctrine, the decolonization of Asia and Africa, the Alliance for Progress in our own hemisphere, all these are manifestations of the interdependence of free nations and of the rising hopes and expectations of free peoples for a new kind of society, for creation of what President Kennedy has called "a new world of law, where the strong are just and the weak secure and the peace preserved."

This is the promise of democracy. Whether this new world of law ultimately comes into being will depend to a considerable extent on us, on our own continued strength, on our ability to achieve social and economic progress in our own land. We must continue to demonstrate that a free society is a viable society in which the rights of man are guaranteed, in which the common good is sought by common consent, in which civilization can grow and prosper.

This is the larger picture. But it is in this context that I would like you to consider this administration's objectives in health, education, and welfare. For we can no longer view the needs of our society or the obligations of our Government without an awareness of our place in the family of man.

Deterrents to progress in our land are no different from those in any other. Disease and poverty, ignorance and idleness all bear the same form and wear the same face. We are pledged to overcome them. Not all of them today, or tomorrow, or even perhaps in this generation. But we are pledged to make a fresh start. And we have made a fresh start.

We have begun by reaffirming our faith in the individual, in the 185 million men, women, and children who make up our national family. Our goal is to increase their personal freedom, to enlarge their capacity to build a good life for themselves and their families.

We believe that this can best be done by preventing the conditions that lead to dependency, to loss of personal freedom. Or, if we are too late, we would seek to restore their independence, to help them to help themselves.

In every field of social action, in health, in education, in welfare, these approaches are applicable. And they make sense.

Our social security system provides basic economic independence for retired or disabled workers, their widows, and surviving children. This does not intrude upon individual freedom and dignity. It makes them possible.

Our proposal to extend this insurance system to meet the basic health needs of the aged is another preventive measure, bearing no relation to socialized medicine. It would help protect the economic independence of older people by allowing them to insure themselves against some of the crippling costs of illness by prepaying part of these costs during their working years.

In the field of education we are facing a national crisis of alarming proportions. The growth of our economy is stunted on the one hand by the large and still growing number of educationally handicapped people, more than 8 million functional illiterates, 1 million school dropouts each year, and hundreds of thousands of men and women whose skills are becoming obsolete in today's highly developed industrial society. On the other hand we are experiencing a severe shortage of highly skilled manpower, particularly in the scientific and technical fields.

Thus, important national objectives are threatened by inadequacies in our educational system. Federal aid is clearly indicated, but of necessity can be only a small

[1] Before the National Federation of Business and Professional Women's Clubs, Inc., Grand Ballroom, Mayflower Hotel, Washington, D.C., Saturday, Jan. 19, 1963, 12:30 p.m., e.s.t.

part of the total $30 billion invested annually in this country for education from all sources. Accordingly, the Federal contribution to education must be used to the maximum possible advantage of our schools.

Primarily, as President Kennedy pointed out in his budget message, Federal aid must "provide a major impetus to the solution of a selected number of critical educational problems."

The President has proposed that the Office of Education be strengthened and that the National Science Foundation play an increasing role in supporting the education of scientists and engineers. Other phases of the program, to quote the President, are designed "to obtain improved quality in all levels and types of education * * * to help break crucial bottlenecks in the capacity of our educational system by providing funds for building expansion * * * to increase opportunities for individuals to obtain education and training by broadening and facilitating access to colleges and universities and by providing an expanded range of technical, vocational, and professional training opportunities for teachers and students."

This is not too ambitious a program for America. Every phase of it is geared to stimulate State and local activity in overcoming an immediate and urgent national need.

And every phase of the porgram, in one way or another, has this objective: To prevent the tragic waste of stunted intellectual development in individual human lives and to assure that the Nation has the skills and brainpower it will need for the long haul in the years to come.

This program stands on its merits.

In the field of health, the principle of preventive and protective Federal action in concert with the States and local communities has long been practiced with success. The record of the Public Health Service is one of progressive triumphs over the agents of death, human suffering, and disease.

These efforts will be continued and strengthened and hopefully expanded to include national programs to prevent the appalling waste of human lives resulting from mental retardation, from drug addiction, from accidents, and other causes.

Our public health needs today are further complicated by manmade hazards in the environment, by the pollution of our waterways and the contamination of our atmosphere from industrial wastes, automobile exhaust, and the very same chemicals that serve to protect us.

During the last Congress we sought and received authority to strengthen our nationwide program of water pollution control, a major legislative achievement. We believe that effective air pollution control will require a major joint effort of nationwide scope.

We are also concerned about our manpower needs in the health fields. Today's shortages of doctors and dentists, nurses and public health specialists will not be overcome because we are already too late to do much about them. Tomorrow's shortages we can prevent by preparing for tomorrow's needs. This will require a huge national effort to expand our medical teaching facilities, to increase enrollments in medical schools by at least 50 percent and in dental schools by 100 percent.

These are our major objectives in health, education, and welfare. I believe they are sound objectives. They are all aimed at guarding and conserving our human resources, protecting the health and well-being of the individual citizens of this Nation and promoting its general welfare.

They are forthright, practical, and responsible approaches to difficult social and economic problems that must be solved.

The tasks we face today are not the same as those of yesterday. They require new approaches, new tools, and the testing of new ideas. Only by remaining flexible in our thinking and in our attitudes can we meet the challenges of change.

And change we must, for the status quo is neither safe nor desirable. We are by nature an open society, a dynamic society, that is responsive to the needs of its people and protective of their human rights. Other nations are looking to us, and we shall not disappoint them.

Among our goals, as you are well aware, is the provision of equal rights and opportunities for women.

We have not yet provided a fully satisfactory answer to Susan Anthony's question: "Are women persons?" In spite of the progress we have made in securing for women their basic rights, there remain shameful inequalities and prejudices that prevent the full partnership of women in our democracy.

The establishment by the President of his Commission on the Status of Women is a frank acknowledgment that much more can and needs to be done to assure that women in our society are part of "the whole body of the people." The Federal Government has assumed its leadership responsibility in this area by translating intent into action. Our department has consistently supported a nondiscrimination policy in employment and promotions and will continue to do so.

But we do not need to be convinced of the huge contributions that women can make to the advancement of the Nation's welfare. We know how great it has been and can be.

We rely, perhaps more than any other Federal agency, on the efforts of women to further our programs of social improvement through voluntary and professional activity at national, State, and local levels.

We also rely on your leadership.

In the important unfinished business of achieving social progress in our land, this year and in the years to come, may we continue to benefit from your leadership, your talents, and from the high sense of purpose and dedication that you bring to the conduct of public affairs.

## George Maurer

EXTENSION OF REMARKS

OF

### HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. MORGAN. Mr. Speaker, it was with a deep sense of personal loss that I learned of the passing on November 16 of my dear friend, George J. Maurer, from a heart attack.

George was a native of Easton, Pa., who received his education in the parochial school of his hometown and at the George Washington University School of Law here in Washington.

At the time of his passing, he was only 56 years of age, but he had already distinguished himself by his long and outstanding career of service in the legislative branch. His first job was with the Library of Congress from where he was requisitioned as a clerk in the Speaker's Office in 1939. In September 1943 he began his work as a reading clerk of the House and during the long years that have since gone by George won the friendship and admiration of the Members of the House by his unstinting devotion to his work as well as by the efficient way in which he discharged his responsibilities.

We are all going to miss George and the smooth efficiency he displayed in discharging his duties has set a high target for his successor to achieve and emulate.

May I take this occasion to extend to George Maurer's widow and the other members of his family my heartfelt condolences and to assure them that their grief and sorrow is shared by the host of George's good friends here at the Capitol.

## Ohio's Favorite Son

EXTENSION OF REMARKS

OF

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. VANIK. Mr. Speaker, in the 6 months since his appointment as Secretary of Health, Eduation, and Welfare, Secretary Anthony J. Celebrezze has proven himself a tireless worker dedicated to the successful administration of his far-reaching Department. More recently, Secretary Celebrezze rendered extra service in his cordial meetings with Premier Amintore Fanfani, of Italy, serving to strengthen the ties between our nations.

The State of Ohio is proud of its favorite son, who has distinguished himself and continues to bring great honors to Ohio.

On Saturday, January 26, at the dinner meeting of the Ohio Society of Washington at the Lawyers Club, Secretary Celebrezze delivered the following inspiring address:

REMARKS BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Since I am a lawyer by trade and since all of us here are from Ohio, it occurred to me that you would indulge me in a stipulation or two about our State.

Without making too fine a legal point of it, I think that in these circumstances we can stipulate that Ohio is a great State—and that all Ohioans are great people.

As a matter of fact, I suppose on this occasion I could probably stipulate that Ohio is the greatest of all States. But that would be bragging, and since—among our many other virtues—we are naturally modest, we'll simply stipulate that we're a great group of people from a great State, leaving the superlatives to someone else. There are, after all, only so many superlatives, and those that New York and Texas haven't cornered, Alaska and California have—or will.

So acknowledging our natural modesty, we will simply confine ourselves to the facts. We will merely note that Ohio was the pioneer State in one of the most brilliant chapters in American history—the development of the Northwest Territory—and that it has been a leader ever since.

We'll merely note that Ohio is blessed with rich soil, abundant water, healthful climate, and all other characteristics of a fine piece of real estate and that its people are industrious, imaginative, honest, forthright, progressive, conservative, and otherwise—by any standard—quite without fault.

I could, of course, go on. But having stipulated these self-evident facts, I am sure

none of us wants to dwell overlong on the past or even on the present. The past is static—at least to the extent that it doesn't get rewritten. And there's not much any of us can do about the present—it, too, is in the process of freezing into the past.

But the future. That's where the great game is—always ahead of us. The seed not yet planted, the machine not yet invented, the song not yet sung—these are the things that lead us on.

Now, don't misunderstand me. I don't underrate the past. It is not only important, it is imperative that we understand and interpret the past. It is imperative that we grasp the significance of the present. We must know the past and appreciate the present if we are to command—and not be commanded by—the future.

But granted the most penetrating analysis of the past, the most sensitive appreciation of the present—granted all that, and the future is still an uncertain business.

What will the world be like—10, 20, 30 years from now? What will America be like? What will Ohio be like?

No one, of course, can know with certainty. But we do know that what each of us does or does not do tomorrow may—and in all probability will—have some bearing on the shape of things to come.

The other evening I was in Cleveland helping to celebrate the 70th birthday anniversary of a great and wonderful friend—Rabbi Abba Hillel Silver. And I quoted some of Rabbi Silver's own words from an address he had given several years ago.

"We have long been admonished by our sages not to observe the wind too closely lest we fail to sow, nor to regard the clouds with too much concern lest we fail to reap."

I like those words—let us not observe the wind too closely lest we fail to sow or regard the clouds with too much concern lest we fail to reap.

Somehow these words remind me of the traveler who stopped to ask the way of a local citizen. You all know the story of how the local citizen, after deep thought and a number of false starts, finally gave up and said to the traveler: "You can't get there from here."

We are seeking our way to the 21st century. It is just over the horizon, but how do we get there from here? Or more precisely, how do we go about making the world of the 21st century the kind of world we want it to be?

From some of the things you read, you sometimes get the notion that there's no way to get to the 21st century from here and that anyone who tries to figure it out ought to have his head—and even his motives—examined.

I expect that somehow we'll make it, but I think we can stipulate that it's going to take some doing. We're going to have to do a lot of sowing, wind or no wind, and a lot of reaping, clouds or no clouds.

It takes a lot of work to keep a nation like this humming. But work is no problem. We seem to like work, and I am sure we will continue to like it.

The point is that it isn't enough in this day and age—if indeed it ever was—merely to get "A" for effort. The really difficult part is making our efforts, as individuals and as a nation, count. And that means developing and using all our resources.

Up to now, I haven't mentioned my dominant concerns, and I don't intend to burden you with them this evening. But since we are making some stipulations, I think we must stipulate that progress in the fields of health, education, and welfare are essential to our progress as a nation.

And we have made progress in all these fields. We are spending more money for medical research than any nation on earth, we have provided more education for more people than any nation in history, and we are spending billions of dollars a year to see that no one is destitute.

In short, we have gone to considerable trouble to deal with those problems which are of manifest public concern. The question is, Are we really taking advantage of our opportunities in these fields?

I suggest that merely alleviating human problems is a costly investment. I suggest that this approach belongs to a less enlightened, less resourceful age.

The youth loitering on the street corner, out of school, out of work—is he merely a problem, or does he represent an opportunity?

The once-clean river, laden by waste and debris—is this merely a problem, or does cleaning it up represent an opportunity for progress?

The mentally ill, living out their lives in custodial institutions because known methods of treatment are not available to them—are they merely problems, or do they represent opportunities for constructive action?

In a less enlightened, less resourceful age, the most we could hope to do in dealing with problems of health, education, and welfare was to try to relieve the symptoms.

But times have changed. We now know that it is possible, through timely and constructive action, to prevent many of the problems that have beset humanity throughout the ages.

It seems to me the better part of prudence that we steadily move in that direction—in the direction not only of dealing with problems after they have arisen but in the direction of preventing them from occurring in the first place.

There is nothing, it seems to me, quite so important to our progress and well-being as a nation as increasing the vitality of our educational system. I think you will agree that this becomes more and more evident as we advance further and further into the age of technology.

Consider merely one product of technology—automation. Consider the problems it poses for our educational system—and the opportunities it offers for increased productivity and the manifold benefits that go with it. But we must look upon automation as an opportunity for all—rather than a problem for many—if its true value is to be realized.

Well, I said I wouldn't burden you this evening with these concerns. If I haven't kept my promise, I apologize. But in all candor, I think we must stipulate that the work of the great State of Ohio is not yet done.

I think we must stipulate that Ohio, in common with all the other States, must not rest on past achievements but must keep moving forward—toward the 21st century.

There is bound to be a way to get there from here—if we will but find it.

## Exemption of Pension Payments by Retired U.S. Government Employees—H.R. 533

EXTENSION OF REMARKS

OF

### HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. MULTER. Mr. Speaker, on January 9, 1963, I introduced H.R. 533 to exempt from income tax, annuities, and pensions paid by the United States to its employees.

It has long been believed that most people should retire at 65 years of age. However, every day more and more people eligible for retirement refuse to quit because they find that their pension will be inadequate to live on. Especially is this true for the Government employee who finds that his small annuity is further reduced by income taxes.

Anyone who retires on a pension or annuity of $3,000, $4,000, or $5,000 will usually be forced to live on an income considerably less than his former income. Steadily rising living costs and the depreciation of the dollar will make life in the late years of life an even more unpleasant prospect. Therefore, the Government should not place further obstacles in the way by taxing the small income of these people during the declining years of their lives when their expenses are especially high. Rather, the Government should encourage its people to retire and take steps to insure financial independence in their old age. Exemption of Government employees' pension payments from the income tax will provide a long step in the right direction.

I do not urge that the Congress should restore to all annuitants the same purchasing power they once had, but it can and should allow them the same tax benefits that it allows others who draw pensions from the Federal Treasury. For example, pensions paid under the Railroad Retirement and Social Security programs are exempt from all Federal income taxes. As an illustration of how this discriminates against the retired Federal Government employee, I call attention to the fact that while a retired railway worker enjoys this tax relief for his pension, the retired railway postal employee who may have worked right beside him enjoys no such relief. This discrimination cannot be justified. Therefore, my proposal is introduced to promote equity where there is need for it.

## A Tribute to Father Junipero Serra

EXTENSION OF REMARKS

OF

### HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. ROOSEVELT. Mr. Speaker, I would like at this time to express my admiration for a man to whom the people of California owe an everlasting debt of gratitude; the man: Father Junipero Serra, a Franciscan missionary and an outstanding figure in the annals of California history.

Entering the Franciscan Order in the year 1730, Father Serra soon became engaged in a noble and praiseworthy undertaking that was to occupy his attention for the remainder of his life.

On July 16, 1769, the San Diego mission was founded, under the authority of the Franciscan Order, and Father Serra became president of the mission. During the next 15 years he served as the

guiding force that resulted in the successful occupation of what is today the State of California. During his presidency nine missions were founded. At the close of 1783, 7 months before his death, more than 6,000 Indians were recorded as baptised, while more than 5,000 had been confirmed. Equally astounding was the material progress under the missions, which thrived and prospered under the direction of Father Serra.

This man—Father Serra—was a person of deep faith and boundless trust in God. Of keen mind and indomitable will, he secured the California region to the cause of civilization and, in so doing, set the stage for the mighty developments that have since occurred on our Pacific coast, to the wonderment of the world at large.

## Medical Aid for Senior Citizens Under the Social Security Program

EXTENSION OF REMARKS

OF

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. GILBERT. Mr. Speaker, I am giving top priority to the proposal to give medical aid to our senior citizens under the social security program, and further liberalization of the social security laws.

I have again introduced my bill providing for such medical aid, and will spare no efforts to secure its passage. I consider this a major responsibility of the Congress and one which should be met without further delay. It is inconceivable that we should continue to ignore the hardships being suffered by our older citizens because of their inability to pay for adequate medical care. It is estimated that half of our senior citizens over 65 years old—8,000,000 of them—live in abject poverty. The average per capita income of those over 65 is now estimated to be slightly over $20 a week—about $1,000 a year. Now consider that medical costs during the 1950's went up by 36 percent, hospitalization costs rose by 65 percent, and group hospitalization costs—Blue Cross premiums—rose by 83 percent. When our senior citizens can barely afford to eat, they have no alternative except to deny themselves necessary medical attention.

I consider it a sad commentary upon our great Nation that we have so blithely and shamefully neglected this large portion of our population. Congress must be made to face, and effectively deal with, this grave problem and help our senior citizens.

I have also reintroduced my bill to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under social security and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55.

Under existing law, social security annuitants are permitted to earn only up to $1,200 per year; if they earn more than this sum, they are penalized; deductions are made from their social security payments. No one can possibly support a home on his social security check. When social security payments represent a pensioner's entire income, if he wishes to enjoy a dignified existence and not become an object of charity, he must find some employment. The law as it stands now hurts the very people for whose benefit it was originally intended—those who work for their living. If the morale and well-being of our older citizens is to be restored, the limitation must be removed.

Another important amendment provided in my bill would enable men to collect full social security benefits at the age of 60; women could collect at the age of 55. Many workers who wish to retire at an earlier age and are financially able to do so when they can include social security payments should be given that opportunity. They are entitled to enjoy their later years in leisure after many years of toil. Also, by retiring, they provide vacancies for the younger men and women who need employment. There are many workers in poor health who must struggle to work in their last years because they cannot afford to quit, looking forward to the age of 62 and their social security benefits and a lessening of their hardships. A realistic approach to the problem of assisting our senior citizens is to reduce the age limits as provided in my bill.

I have also introduced a bill to increase, in the case of children who are attending school, from 18 to 21 years the age until the child's insurance benefits may be received under the Social Security Act. Many of our young people are forced to leave high school after completing a year or two, upon reaching the age of 18, and go to work, because social security payments are stopped. Those who wish to attend college are prevented from doing so. This occurs when the family is in poor circumstances and dependent upon such payments to take care of the child's expenses and support. Education of our youth is important; the assistance provided by my bill is necessary, so that our young people may have the opportunity to secure the highest degree of education possible.

## Youth Conservation Corps

EXTENSION OF REMARKS

OF

### HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. TOLL. Mr. Speaker, I am again sponsoring the bill to create a Youth Conservation Corps. Under this bill unemployed young men between the ages of 17 and 23 would be given the opportunity to undertake useful conservation work in America's great out of doors. The bill authorizes the establishment of a Youth Conservation Corps of 150,000 young men for a year's service.

This bill presents an approach which would go a long way in directing the energies of the youth of America, in developing our young men physically and morally, besides having an inestimable value in conserving our natural forest lands and parks.

I have been active for many years in the legislative field to eliminate some of the hazards which are attached to the problem of youth. Dr. John Otto Reinemann, director of probation of the county court of Philadelphia, was a great supporter of the bill which I sponsored in the General Assembly of the Commonwealth of Pennsylvania to create forestry camps. It was enacted in the 1955 session and it operates under the supervision of the department of welfare and the department of forests and waters.

In Philadelphia under the leadership of Commissioner Randolph Wise the city's welfare department has had considerable success with a youth conservation corps program since 1959.

I hope that this important legislation will be enacted in the 1st session of the 88th Congress.

## Block Back-Door Spending

EXTENSION OF REMARKS

OF

### HON. FRANK J. HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. HORTON. Mr. Speaker, on January 24, I introduced a resolution—House Resolution 174—to amend the Rules of the House of Representatives so that bills authorizing loans or advance contractual obligations against the Treasury could not receive House consideration unless reported by the Appropriations Committee.

The resolution, if adopted, would provide conformity with the Constitution's clearly stated limitation:

> No money shall be drawn from the Treasury but in consequence of an appropriation made by law.

This provision was intended to assure that all expenditures from the Public Treasury would be carefully weighed in terms of necessity, available revenue and fiscal soundness.

However, because of an interpretation of the House rules in 1949, legislative scrutiny and control of billions of dollars annually expended were eliminated. Consequently, whenever an administration becomes impatient with the tried-and-true method of financing projects, it merely seeks authority to borrow from Treasury trust funds—in some cases amounting to many billions—without bothering to get a legislative appropriation.

At a time when our country is challenged to fight against inflation and for

a stable economy, the power and ability to control the public purse must be restored to Congress. At stake is national solvency and public confidence in our economy, both here and abroad.

Further back-door drains on the Treasury will occur until Government agencies are compelled to go before the Appropriations Committee and justify their expenditures of the taxpayers' money.

In offering this resolution, I joined with more than 120 other Members who introduced similar measures or announced their support of this bipartisan effort to oppose back-door spending.

## Analyzing the President's Message on Education

EXTENSION OF REMARKS

OF

### HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. ALGER. Mr. Speaker, everyone is for education the best for the most; in quality second to none; in quantity, all of our people, if that is possible. We all agree with the President when he says, "Education is the keystone in the arch of freedom and progress." The many general statements he makes are good reading, such statements as, "fundamentally, education is and must be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy."

Where then is there any disagreement with the President. Here it is, on page 13 of his message:

> The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control.

There it is, the nonsequitur. The President's inconsistencies are the basis for honest disagreement.

Federal aid requires Federal control or else we fail to do our fiscally responsible job as Congressmen. And Federal control contradicts the local control the President eulogizes.

There is no need for me to evaluate selectively, as the President endeavors to do, the various programs because the statement is utterly self-contradictory and self-defeating.

The best and only maximum educational program in a free society will come from local and private effort, not government. This is the maximum to follow.

Perhaps the President's own languge shows most pitilessly his misunderstanding and inconsistency:

> In all the years of our national life, the American people—in partnership with their governments—have continued to insist that "the means of education shall forever be encouraged," as the Continental Congress affirmed in the Northwest Ordinance. Fundamentally, education is and must always be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy. But in our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient. These efforts must be reinforced by national support, if American education is to yield a maximum of individual development and national well-being.

Now study that statement. What did he say and mean. For example, "The American people, in partnership with their governments." This is impossible. We have a government of, by and for people, do we not? So it follows according to the President that people are in partnership with themselves—a rather ridiculous situation. Such error of judgment and of the role of government is particularly serious when it is our President who is erring. We must point out and correct his errors—not permit their acceptance as basic American thinking.

The President goes on:

> In our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient.

Mr. Speaker, under our system there is nothing but the private efforts and initiative of the people. The Government creates no wealth, only the industry of the people does that. What you propose is to take the wealth from the people at the local level and return it to them in whatever manner an all-encompassing Federal bureaucracy determines. This is not the way we have been taught to solve our problems. It is not in accordance with the spirit of the Constitution which gives to the people the right and the opportunity to do for themselves.

Because we are experiencing population growth, economic expansion, and technological advance are we to throw the Constitution out the window? Are we no longer sure the people can be the government? I do not believe it. The best way to handle education is still at the local level. The most help the Federal Government can give is to trim the fat from the budget so that people will be able to keep more of their own money and they, at the local level, will take care of building enough schools, hiring the best teachers, and providing for their children the best educational system.

## Small Business Administration

EXTENSION OF REMARKS

OF

### HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. LONG of Louisiana. Mr. Speaker, I have read with interest, and I may say some dismay, a series of articles which appeared recently in the Washington Daily News concerning the Small Business Administration.

The articles, written by Mr. Dickson Preston, give a biased, incomplete, and distorted account of both the functions of this agency and the services it offers to the Nation's small business firms.

If I may, Mr. President, I would like to mention just one of the several very important functions of SBA which Mr. Preston either overlooked or chose not to discuss. And I am rather surprised, too, at this omission, inasmuch as Mr. Preston's articles discussed at length SBA's lending activities.

One of the most important facets of SBA's lending program, is that of making loans to local development companies organized specifically to assist small firms.

This authority, given to SBA by Congress through enactment of the Small Business Investment Act of 1958, has proved invaluable to small communities interested in improving their economic position.

I know of one small community in my own State of Louisiana for example that formed its own local development company and got a $250,000 loan from SBA to assist a small lumber company. In this one instance alone, 150 new jobs were created.

Throughout the country, SBA has made about 250 of these local development company loans totaling over $32 million. SBA has advanced nearly $29 million and local banks have added another $3 million. The development companies have in addition put up about $13 million, and the total value of these projects is nearly $45 million.

These loans have resulted directly in the creation of nearly 16,000 new jobs.

Of course, the total effect of these loans is not apparent in the basic figures cited. But loans of this type have a cumulative or "snowballing" effect. As a result of these loans a community gains more people, more households, more schoolchildren, higher personal income, higher bank deposits, more passenger cars, more retail establishments, and more retail sales.

This beneficial effect on the Nation's economy is the net result of this one program offered by SBA.

Of course there are also other valuable services rendered by the SBA which were not mentioned in Mr. Preston's articles but which are, nevertheless, an integral part of the functions of SBA which represents the more than 4½ million small businesses in the country and does so most effectively.

That is why I do not wish to let Mr. Preston's slurs on the SBA—and his omissions—go unchallenged.

SBA is doing a good job and we should all work to help it become still more effective.

## Tariff Loophole

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. DENT. Mr. Speaker, I think, as we opened the new session, the fears that some of us had on our trade policies and where they would lead us are beginning

to become realities. The case of stainless steel is one in point. I believe the following news release issued from my office on January 28 tells a story that should have the attention of every Member of Congress. Those of us who believe job protection is essential to the well-being of our Nation will find ourselves ofttimes condemned by those whose interest is subject to question on more than one ground. Those among us who believe that we can have free trade without having foolish trade and the defense of our Nation goes beyond that of military and physical defense, but must, of necessity, in order to guarantee the security of the Nation reach into economic defense. The economy of this Nation is dependent entirely upon the work security of the people. This Nation, which could not live half free and half enslaved, cannot live half working and half loafing. This economy cannot change into a prosperous and growing era unless we reevaluate our job security.

The release follows:

Congressman JOHN H. DENT today introduced legislation calling for an amendment to the Tariff Act to close a loophole which is causing a serious disruption in the domestic production of stainless steel. The attached memorandum covers the contents of the legislation and its purposes.

"This is a very serious matter because of a veto by GATT of the tariff schedules, included in last year's Tariff Classification Act of 1962, which would have closed this loophole, but since the GATT veto in October, this act of Congress has not been put into effect, thereby creating a situation which has become acute," said Dent.

"Before the discovery of a loophole by the Japanese in the spring of 1960, imports on stainless steel in 1959 totaled $14,000. In 1960, when the loophole was discovered, it jumped to $257,000, and in the first 11 months of 1962, $5,518,000.

"Specifically, stainless steel carries a duty of 14½ cents per pound but, by manipulation of the loophole interpretation, the Japanese—with their cheap labor—polish one side of a sheet of stainless steel and come in under paragraph 309–1001 of the Tariff Act of 1930, and thereby pay a duty of only 1¼ cents a pound on an ad valorem equivalent of less than 3 percent. This subterfuge was not employed by any exporters to the United States, but since the Japanese steel complex has grown to a surplus production unit, they are seeking any and all means to dump their surplus into the United States.

"This is not an attack against free trade as such. This is a move intended to preserve the jobs fast disappearing in the steel industry of the United States," concluded DENT.

The following memorandum is designed to bring to your attention a serious import problem facing U.S. producers of stainless steel and their employees and to urge remedial legislation which would eliminate threat of substantial economic injury to domestic firms.

The legislation we recommend is in the nature of a technical amendment to the Tariff Act of 1930; it would neither conflict with present foreign trade agreements nor interfere with trade expansion goals. It would merely close a disturbing loophole.

TARIFF LOOPHOLES

The appropriate duty rate on stainless steel sheets is at least 14 percent ad valorem. Stainless steel sheets which are polished, however, enter under paragraph 309, 1001, Tariff Act of 1930, at a duty rate of 1¼ cents per pound, a figure which, based on recent import values, may be expressed at 2.9 percent in ad valorem equivalent.[1]

These contrasting duty rates can be outlined as follows:

| | Specific duty per pound (cents) | Ad valorem rate |
|---|---|---|
| A. 1. Plates and sheets, n.s.p.f. (par. 304). | ---------- | 9½ percent. |
| 2. Additional duty based on alloy content of stainless steel (par. 305). | ---------- | 4 percent plus 1 percent additional. |
| 3. Total | 5.94 | 14½ percent. |
| B. Plates and sheets, polished, planished, or glanced (total). | 1.25 | 2.9 percent. |

There is no justification for such a discrepancy in effective duty rate: Stainless steel sheets properly dutiable at 14 percent, are subject to a duty of less than 3 percent simply as a result of the polishing process. Ironically, since polishing necessitates greater labor content and commensurately increases the competitive labor cost advantage of foreign over U.S. stainless steel sheet, the process should militate in favor of a higher rather than a lower import duty.

The history of paragraph 309 of the Tariff Act of 1930 explains its illogical impact. Tariff provision for "sheets and plates of iron or steel, polished, planished, or glanced, by whatever name designated" as found in 309 has existed with only minor changes since 1883. Stainless steel, however, is of comparatively recent commercial importance, not being in production in significant quantities until well after World War I. It is apparent that the provision was intended to apply only to high-tonnage carbon steel. This duty, when applied to substantially higher value stainless steel sheets, however, presents the opportunity for tariff evasion. The apparent discovery of this loophole in 1960 creates the present serious problem.

INCREASE IN IMPORTS

As a result of the discovery of the discrepancy, the importation of stainless steel sheets and plates has increased by more than 1,000 percent since 1960, a rate of increase which far exceeds any precedent. The level of importation itself, even assuming stabilization of the increase rate, threatens serious injury to domestic producers of stainless steel.

The import situation is clearly revealed by the following chart:

| | Imports, schedule A No. 6039700 [1] | |
|---|---|---|
| | Pounds | Value |
| 1955 | 32,755 | $19,102 |
| 1956 | 30,478 | 18,881 |
| 1957 | 32,574 | 31,168 |
| 1958 | 42,952 | 11,020 |
| 1959 | 15,650 | 14,251 |
| 1960 | 736,746 | 257,160 |
| 1961 | 1,872,909 | 814,059 |
| 1962 (11 months) | 14,056,178 | 5,518,943 |

[1] "Sheets or plates of iron or steel, polished, planished or glanced." Over 90 percent of this total is comprised of stainless steel.

Source: Bureau of Census, U.S. Department of Commerce.

Japan is by far the greatest source of these polished steel sheets, accounting for well over 90 percent of the imports during the first 10 months of 1962. Japan's share of imports under paragraph 309 during the month of October 1962 alone was 1,493,018 pounds, a figure which exceeds the all-nation total for the entire period from 1955 through 1960. Foreign competition of this nature threatens immediate injury to the U.S. industry. It is inexcusable that the threat is greatly enlarged by an obvious tariff loophole.

[1] The average value of imports of this item is 42 cents per pound.

THE ANOMALY HAS BEEN RECOGNIZED BY THE TARIFF COMMISSION

Acting under legislative mandate, the Tariff Commission has recently completed a series of tariff schedules which collate and simplify the U.S. tariff structure. In cognizance of the anomaly, the Commission would correct it by classifying plates and sheets in a single category, thereby eliminating the illogical result in accordance with the standards of the Customs Simplification Act of 1954. Congress authorized the proclamation of the tariff schedules early last year in the Tariff Classification Act of 1962 when the President implements this act, the schedules will have the force of law.

Unfortunately, by reason of the difficulty of conforming the schedules to trade agreements, the proclamation has been delayed. As the matter is dependent upon successful negotiation with principal foreign nations, there is no way in which domestic stainless steel producers can know when this loophole will be closed.

LEGISLATION NECESSARY

Corrective legislation is the only solution which will effectively prevent the continuation of injury. Such legislation would provide for the deletion of the reference to polished, planished or glanced plates or sheets from paragraph 309. No tariff adjustment, or other adjustment assistance relief, may be sought, since polished, planished or glanced sheets have never been the subject of a trade agreement.

There is ample precedent for legislation to correct an inequity of this sort. See Public Law 749, 83d Congress; Public Law 454, 85th Congress. Furthermore, the proposed amendment would not constitute a discriminatory duty against foreign suppliers—the current import duty on polished stainless steel sheets is 15 percent ad valorem in Japan itself.

In conclusion the industry is certain that it was not and is not the intent of Congress to permit an obvious loophole in tariff structure to imperil the continued existence of a viable segment of domestic industry.

## Part 3: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro, September 21, 1961–February 20, 1962

EXTENSION OF REMARKS

OF

### HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. SHORT. Mr. Speaker, in the third part of my chronology of events on Cuba and Castro—we find outlined the growing realization of Latin American countries that Cuba is indeed Communist controlled, and Castro's admission publicly that he is a Marxist-Leninist "and will be one until the day I die."

Fifteen Latin American countries and the United States have severed diplomatic relations with Cuba. The Organization of American States held a Foreign Ministers' Conference on January 31,

1962, and voted—14 to 1, with 6 abstentions—to exclude Cuba from participation in the inter-American system. Later this conference action was to culminate, on February 14, 1962, in Cuba being formally excluded from the Organization of American States.

We find that $12 million a year in U.S. exports is being sent to Cuba, via Mexico, and that 18 American firms and individuals later are penalized by the U.S. Commerce Department for their part in ignoring the U.S. embargo.

We find on February 3, 1962, that President Kennedy has decided it is necessary to proclaim an embargo on almost all U.S. trade with Cuba, with the exception "on humanitarian grounds" of exporting certain foods and medicines—thus continuing the embargo which President Eisenhower had originally proclaimed and which then-Candidate Kennedy had criticized as being a gesture which was almost meaningless.

It is good to review history—and with the continuing threat of a Communist Cuba only 90 miles from our shores—it is good to learn from history. Our 20th President, James A. Garfield said:

> History is philosophy teaching by example, and also by warning; its two eyes are geography and chronology. History is but the unrolled scroll of prophecy.

The article follows:

A SELECTED CHRONOLOGY ON CUBA, SEPTEMBER 21, 1961–FEBRUARY 20, 1962,[1] BY THE LEGISLATIVE REFERENCE SERVICE, THE LIBRARY OF CONGRESS

September 21, 1961: President Osvaldo Dorticos leaves Moscow for Peking, after a 10-day visit to the Soviet Union. In a speech at the Kremlin on September 20, Dorticos expresses the solidarity of Cuba with the Soviet Union on all foreign policy issues, and says that Cuban industrial development is based on Soviet credits. "In Havana, Premier Fidel Castro announced that Socialist countries have guaranteed to buy 4,500,000 tons of Cuba's sugar for each of the next 5 years. The message was conveyed to Cuba's Premier by President Dorticos now visiting in Moscow. It means Cuba will be able to sell her total crop of some 6,500,000 tons of sugar for the next 5 years, a gratifying assurance to the Castro government which is having its economic difficulties."

September 22, 1961: President Dorticos is greeted on his arrival in Peking by Communist Chinese head of state, Liu Shao-chi, who praises Cuba as "standing in the forefront of the struggle against U.S. imperialism, which is the common enemy of the peoples of both our countries."

September 25, 1961: Dorticos (addressing a mass rally in Peking) declares that the Nationalist occupation of Taiwan "reminds us of the shameful occupation of a part of our territory in the Guantanamo Base. Cuba and China will recover these territories through a resolute and tenacious prolonged struggle; the imperialists will have to give up these territories." Five men are executed and 64 are imprisoned for terms ranging up to 30 years for alleged anti-Castro activities. "Firing squads already have executed 20 persons this month, 111 this year, and 944 since Castro came into power in January 1959."

October 9, 1961: Cuban Government (in a "white book" presented to heads of 31 foreign missions in Havana) accuses the United States of training anti-Castro invasion forces at 20 U.S. bases and 9 camps in the Caribbean (in Puerto Rico, Guatemala, Nicaragua, the Panama Canal Zone, and at Guantanamo).

October 10, 1961: U.S. State Department declares that Cuban accusations that the United States is training new invasion forces "are not only totally unfounded but are ridiculous." On the same day, Foreign Minister Raul Roa (in the U.N. General Assembly) accuses the United States of planning a new attack against Cuba which he described as the scene of "the building of a Socialist society 90 miles from a stubborn empire determined to repress the inexorable flow of history." He says that Cuba would welcome "the amicable mediation of a number of American governments to explore the possibilities of worthy and honest negotiations with the Government of the United States."—"Although he implied that these efforts had failed, Latin American sources said that this was Cuba's first public acceptance of the idea of mediation."

October 17, 1961: Council of the Organization of American States (meeting in Washington) votes 20 to 1 (Cuba) to study a Peruvian request for a meeting of American Foreign Ministers to consider taking collective action against Cuba. Peru claims that such action is both justified and necessary to protect the Western Hemisphere from Communist subversion. The Cuban Ambassador to the OAS accuses Peru of acting on orders from the United States.

October 18, 1961: U.S. Secretary of State Dean Rusk (in a press conference) praises the Peruvian Ambassador to the OAS for having "eloquently described the causes for hemisphere-wide concern with development in Cuba since the Castro government transformed that country into an accomplice of the Sino-Soviet bloc." Rusk adds: "The world will be watching the OAS approach to the Cuban problem. The central question here, as it is in other parts of the world, is: Can people who are devoted to a world of free choice, opposed to a world of coercion, keep Communist intervention from undermining and destroying independent nations?"

October 25, 1961: OAS Council votes to delay action on the Peruvian proposal by referring it to a committee for further study: "It is known that the United States was not in favor of bringing the issue before the OAS just yet, because it has not been able to persuade a majority of the Latin American nations to support any moves against Cuba. * * * Some of the larger and more influential South American countries, notably Argentina and Brazil, are firmly against such OAS action." Times, London, October 26, 1961: "Brazil and Ecuador led a movement to kill the proposal outright. The smaller Central American nations and the United States sought a compromise formula that would keep it alive. Opposition from the big nations, especially Argentina, Chile, and Mexico, made it impossible to expect outright approval by the council."

November 8, 1961: President Kennedy (at a press conference in Washington) declares that U.S. exports to Cuba now amount to about $12 million a year.

November 9, 1961: Colombia asks the Organization of American States to convene an Inter-American Foreign Ministers' Conference on January 10, 1962, to consider measures for the defense of the Western Hemisphere against any threat posed by the intervention of extracontinental powers. Although the request did not mention Cuba, the Colombian proposal is specifically designed to counter what is regarded, in effect, as the Habana alliance between Premier Fidel Castro's regime and the Communist bloc as well as the subversive activities of Cuban agents in most Latin American countries.

November 11, 1961: Venezuela severs diplomatic relations with Cuba.

November 21, 1961: Cuba requests urgent meetings of the U.N. Security Council and the OAS Council to consider her charge of U.S. military intervention in the Dominican Republic.

November 22, 1961: OAS Council meets (in Washington) to hear Cuban charges refuted by the U.S. delegate as a new low of irrelevance, hypocrisy, and slander, and adjourns without taking action.

November 28, 1961: U.N. Security Council ends its debate on Cuban charges of U.S. aggression against the Dominican Republic without taking any action. In the three-day debate, Cuba had asked the Council to brand the United States as an aggressor and to demand the recall of American ships from the Dominican coast. She was supported only by the Soviet Union, but Soviet support did not extend to submitting a resolution in the matters.

November 29, 1961: President Kennedy (at a press conference) declares that the United States would be most concerned if the Castro regime in Cuba attempted to overthrow the existing government in the Dominican Republic or in any other Latin American State.

December 2, 1961; Premier Castro (in a 5-hour television speech) declares: "I am a Marxist-Leninist, and will be one until the day I die." He says "the world is on the road to communism," and he is taking Cuba along that path. He also says: "We must study all the experience in the building up of the world's first Communist society [the Soviet Union]." He rejects neutralism, saying: "There is no half way between socialism and imperialism. Anyone maintaining a third [neutralist] position is, in fact, helping imperialism." Like Soviet Premier Khrushchev, he denounces the cult of personality, and says: "It would be absurd for a single man to make government decisions. * * * I firmly believe in collective leadership. * * * I never have wanted to be a Caesar." He announces that he is forming a "United Party of the Cuban Socialist Revolution," as a single, monolithic party which will lead Cuba to "a people's democracy or the dictatorship of the proletariat."

December 4, 1961: OAS Council adopts the Colombian proposal by a vote of 14 to 2 (Cuba and Mexico), with 5 abstentions (Argentina, Bolivia, Brazil, Chile, and Ecuador).

December 9, 1961: Colombia severs diplomatic relations with Cuba, a few hours after Premier Castro denounced Colombia and Panama as "accomplices of imperialism." Colombia is the 12th nation of the Americas to sever relations with Cuba. The others are the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, Peru, and Venezuela.

December 14, 19611: Panama announces that it has severed diplomatic relations with Cuba, and that the break is to be considered effective as of December 8 when Premier Castro made insulting remarks about Panama.

December 18, 1961: Cuba (in a letter to the Organization of American States) rejects a request of the Inter-American Peace Commission that it be allowed to visit Cuba to investigate Peruvian charges of Communist subversion against other American republics and claims that the Castro government is violating human rights. The Cuban note refers to "the servile, corrupt, despotic" Government of Peru, and the "abject submission and repugnant immorality of the Inter-American Peace Commission." (The Commission is an autonomous body of the OAS, whose members are from the United States, Colombia, El Salvador, Uruguay, and Venezuela.)

December 20, 1961: U.S. Commerce Department announces it has taken action penalizing 18 firms and individuals for illegal shipments of aircraft, automotive and other

[1] Sept. 21, 1961–Sept. 20, 1962, excerpted from Deadline Data; reproduced with the permission of Deadline Data on World Affairs. September 1962–October 1962 from New York Times.

equipment to Cuba via Mexico. A Department statement says: "There has been great effort on the part of the Castro regime to attempt to obtain U.S. parts and equipment in the face of the U.S. embargo."

December 22, 1961: OAS Council (meeting in Washington) agrees to hold the Foreign Ministers' Conference, convoked at Colombia's request, at Punta del Este, Uruguay, on January 22 (originally scheduled for January 10). "The 19-to-0 vote [Cuba abstained; Mexico, which opposed the conference, was absent] did not reflect the sharp division that has persisted among the 21 member nations of the Organization of American States on the desirability of considering collective action on the Cuban problem. The question today was limited to the date and place of the ministerial conference."

January 2, 1962: Premier Castro (at a mass rally in Havana to celebrate the 3d anniversary of the overthrow of the Batista regime) declares: "We reiterate that we are Marxist-Leninists and we do not repent it." He attacks the OAS Foreign Ministers' meeting (to be held in Punta del Este on January 22), and warns "governments of America sold to [United States] imperialism who are willing to attack a brother people" against any military adventure. He says that if any new invasion force attacks Cuba, "we will exterminate [them] to the last man." "The Premier backed his statement with a display of military might supplied by his Communist allies. Soviet-built Mig fighter jets, multirocket launching units and twin antiaircraft guns were shown during a 90-minute military parade."

January 3, 1962: Expert on canon law, Msgr. Dino Staffa of the Vatican Secretariat of State, declares to the press that Premier Fidel Castro and certain officials of his regime have fallen under automatic excommunication because they are responsible for "impeding and imprisoning" Roman Catholic bishops. He says the excommunication has been incurred without formal announcement.

On the same day, the U.S. State Department makes public a document entitled "The Castro Regime in Cuba," which was submitted by the United States on December 6 to the Inter-American Peace Committee (an organ of the OAS). The document says that "as a bridgehead of Sino-Soviet imperialism within the inner defenses of the Western Hemisphere, Cuba under the Castro regime represents a serious threat to the collective security of the American Republics."

January 4, 1962: Government announces the execution of an anti-Castro guerilla leader, Margarito Lanza, convicted of killing three militiamen. "It was the first execution to be announced in 1962. Firing squads killed at least 136 Cubans in 1961 and an estimated 968 since Fidel Castro assumed power 3 years ago."

January 10, 1962: Soviet news agency Tass announces that the Soviet Union and Cuba have signed a trade protocol for 1962, which provides for "a considerable increase" of trade between the two countries. Under the agreement Cuba will export sugar, alcohol, rum, tobacco, canned fruit, nickel ore, and other products to the Soviet Union. The latter will export to Cuba oil and petroleum products, ferrous and nonferrous metals, chemicals, fertilizers, sawn timber, cellulose, paper, cotton, wheat, flour, animal fats and vegetable oils, various plants and equipment, instruments, and other commodities. The Associated Press quotes Cuban Foreign Ministry sources as having said that the Cuban-Soviet protocol provides for trade worth $700 million between the two countries, a rise of $150 million over 1961.

January 18, 1962: Inter-American Peace Committee publishes a report (approved unanimously by the five members of the committee—Colombia, El Salvador, Uruguay, Venezuela, and the United States), which denounces Cuba's ties with communism, subversion, and violations of human rights. The report declares: "Such acts represent attacks upon inter-American peace and security as well as on the sovereignty and political independence of the American States, and therefore [constitute] a serious violation of fundamental principles of the inter-American system."

January 22, 1962: Conference of Foreign Ministers of the 21 American Republics meets in Punta del Este, Uruguay, to consider collective action against Cuba.

January 31, 1962: OAS Foreign Ministers Conference votes by a two-thirds majority—14 to 1 (Cuba), with 6 abstentions (Argentina, Bolivia, Brazil, Chile, Ecuador, and Mexico), to exclude Cuba from participation in the inter-American system. President Osvaldo Dorticos of Cuba declares that the exclusion of Cuba from the OAS will convert the organization into a "political-military bloc at the service of the United States." He says: "You may expel us but you cannot extract us from America. You may put us out of the OAS, but the United States will continue to have a revolutionary Cuba 90 miles from its shores." On the same day (January 31), President Kennedy declares (at a press conference in Washington) that he is satisfied with the outcome of the Punta del Este Conference. He says: "It is the first time the independent American States have declared with one voice that the concept of Marxism-Leninism is incompatible with the inter-American system."

February 3, 1962: President Kennedy proclaims an embargo on almost all United States trade with Cuba, with the exception—"on humanitarian grounds"—of the export to Cuba of certain foods and medicines. The embargo (which goes into effect February 7) will stop U.S. imports from Cuba of tobacco, industrial molasses, and vegetables—thereby depriving Cuba of an annual income of about $35 million—"Through sales of sugar, tobacco and some other food products, the Cubans are thought to have earned about $100 million in the free world last year. The U.S. action thus is expected to reduce Cuban dollar income by about one-third." New York Times, February 4, 1962: "The embargo * * * is frankly described * * * in the serious Eastern press [of the United States] as a unilateral act meant to compensate in part for the failure of the OAS to act as a punitive body."

February 4, 1962: Premier Castro denounces (at a mass rally in Havana) the U.S. trade embargo as "another economic aggression." In answer to the exclusion of Cuba from the OAS, voted by the American Foreign Ministers at Punta del Este, Castro issues a "Second Declaration of Havana" which states that the Punta del Este Conference has shown the OAS "in its true light [as] nothing more nor less than the U.S. Ministry of Colonies."

February 7, 1962: Brazilian Foreign Minister Francisco San Tiago Dantas (in a report to the Brazilian Chamber of Deputies on the Punta del Este Conference) defends Brazil's abstention in the vote excluding Cuba from the OAS. He says that the American Republics should negotiate with Cuba rather than isolating her. He declares: "It is not true that Cuba is lost as a nation for coexistence with the other countries of the hemisphere." He denies that the U.S. delegation tried to use economic pressure on the six countries (Argentina, Bolivia, Brazil, Chile, Ecuador, Mexico) which abstained in the vote on Cuba.

February 8, 1962: Argentina severs diplomatic relations with Cuba.

February 11, 1962: Cuban Revolutionary Council, headed by Jose Miro Cardona, announces (in Miami, Fla.) the formation of a hemispherewide anti-Communist, anti-Castro alliance. The announcement lists among the adherents President Romulo Betancourt of Venezuela, former President Jose Figueres of Costa Rica, Gov. Luis Muñoz-Marin of Puerto Rico, former President Luis Batlle Berres of Uruguay, Gov. Carlos Lacerda of the State of Rio de Janeiro in Brazil, Victor Raul Haya de la Torre and Eudocio Ravines, leftist leaders in Peru, and many others. The primary object of the body is described by Cardona as inter-American action against the Castro regime and internationalization of the struggle of Cuban exiles to free their country from communism.

February 14, 1962: Cuba is formally excluded from the Organization of American States by the OAS Council—thereby carrying out the resolution voted by the Conference of Foreign Ministers at Punta del Este.

February 15, 1962: U.N. General Assembly's Political Committee rejects a Czechoslovak-Rumanian resolution calling on the United States to cease "interference in the internal affairs of Cuba." (All Latin American countries—except Cuba—vote against this resolution.)

February 20, 1962: United States asks its NATO allies to prohibit voluntarily trade in strategic materials with Cuba and to reduce in general their trade with that country. The request is submitted to the Permanent Council of NATO in Paris.

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## Homemakers Help

EXTENSION OF REMARKS

OF

### HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. ROOSEVELT. Mr. Speaker, the President's Committee on Juvenile Delinquency and Youth Crime recently issued a release dramatizing a few of the many problems confronting youth in our Nation's slums, and indicating how the community, under the auspices of Mobilization for Youth, offers advice, service, and friendship to assist in the resolution of such problems. The release follows:

RELEASE BY THE PRESIDENT'S COMMITTEE ON JUVENILE DELINQUENCY AND YOUTH CRIME

(Chairman: The Attorney General. Members: The Secretary of Health, Education, and Welfare; the Secretary of Labor.)

Mrs. P. and her five children shared one bed and one blanket. The children couldn't sleep at night because the rats made so much noise.

When a doctor told Mrs. A., a 15-year-old mother, to feed her baby solid foods, she gave him bacon and eggs.

Mrs. L. had a beautifully furnished apartment complete with hi-fi, but no food in the refrigerator.

When the welfare department gave Mrs. M. powdered milk for her children, she threw it away because she didn't know what it was.

These are some of the situations that 15 visiting homemakers have encountered on the lower East Side of New York City. Under the auspices of Mobilization for Youth, a nonprofit organization conducting a variety of programs for young people and their families, these local women help their less experienced neighbors learn to cook, shop, budget, and care for their homes and children.

The homemakers' purpose is not to wait on the women but to help them help themselves. One homemaker took Mrs. P. on a shopping trip and showed her how to save

$16 of her $96 monthly welfare check by careful buying in a reputable store. "If I hadn't gone with her," the homemaker said, "Mrs. P. wouldn't have known where to shop, what to buy, how much things cost. The next time she can go by herself with confidence."

This homemaker showed Mrs. P. how to plug up ratholes by hammering tin can covers over them. She also notified the landlord and the welfare department about the rats.

Mrs. A. learned how to feed her baby correctly and how to change its diapers.

Mrs. L. was shown how to budget wisely so she would have enough money for food and necessities, instead of such luxuries as a hi-fi.

Mrs. M. learned what powdered milk was, and how to use it.

Mrs. Gertrude Goldberg, supervisor of the visiting homemakers and a member of the Mobilization for Youth staff, thinks one of the most important results of the program is the increased self-respect of the housewife and the increased respect shown her by her children. "When a mother stands up for her rights to the salesman, the butcher, or anyone else who is trying to pull a fast one, she is setting a positive example for her child to follow," Mrs. Goldberg said.

One homemaker accompanied a woman to a butcher shop. The woman selected several lean pieces of meat, but the butcher gave her fat meat from the back of the counter. The homemaker urged her to demand the pieces she had selected. "Everyone tries to take advantage of poor people," the homemaker said. "But if you stand up for your rights, they will usually respect you and treat you decently."

Another goal of the homemaker program is to make women aware of the services available in their community. When a child is sick, many housewives on the lower East Side do not know where to find a doctor. The homemakers show them where the clinics and hospitals are and how to schedule appointments.

Homemakers also work in cooperation with other Mobilization and social agency programs. Through the Urban Work Corps, a subsidized Mobilization work program, teenagers are employed as babysitters to enable mothers to do their errands, shopping, and visiting. A homemaker referred the unemployed husband of one woman to the Urban Works Corps where he now has a job as a carpenter.

Social workers in Mobilization's neighborhood service centers, managers of public housing projects, and other social agency personnel make requests for the homemaker service. Often, women who have been helped refer their neighbors to the homemakers program.

The lower East Side has been traditionally an area of great social mobility. In the 1800's, streams of European immigrants—Italians, Irish, Jews, Poles, and Czechs—settled there. The Chinese settled in Chinatown, bordering the lower East Side on the west. In this century, many of these groups have moved out, and Negroes and Puerto Ricans have replaced them.

The homemakers are concerned with the problems caused by this mobility. They greet newcomers to the community and try to ease the strangeness by offering advice, services, and friendship. They help the new arrivals move in, show them how to care for household equipment and how to make use of neighborhood facilities. Since most of the homemakers are minority group members themselves, they do not have to overcome language or cultural barriers.

To many of the inhabitants of the area, the school, the housing authority, the welfare department, and the police, loom as great, complex bureaucracies with which they feel powerless to cope. Here the homemakers act as intermediaries between the institutions and the individuals. One woman's refrigerator was broken for 2 weeks, but she was afraid to contact the housing authority. The homemaker made a phone call, and in 2 hours a new refrigerator was installed.

This month, the homemakers are setting up a four-room model apartment, provided at low rent by the housing authority. In the model apartment, homemakers will demonstrate cooking and sewing to groups of local women, will provide a babysitting service, and will teach refurbishing furniture. They will continue their home visits in the neighborhood as well.

The 15 homemakers were selected from over 60 applicants on the basis of their skills, background and personality. Two of them had been on welfare themselves before taking the job.

They went through 2 weeks of training, but as Mrs. Goldberg said, "We learned as much from them as they did from us." At first, the homemakers feared resentment from the women they wanted to help, but they found the women eager to learn and to improve their situations.

The homemaker program is only one part of the total mobilization for youth program, but it embodies the project's basic principle: offering people the opportunity to better themselves through constructive means will build better neighborhoods and prevent delinquency and crime.

Mobilization for youth is a $12 million, 2-year program, supported by the President's Committee on Juvenile Delinquency, the Ford Foundation, the National Institute of Mental Health, and the city of New York. Fifteen other cities in the country are in process of planning similar comprehensive delinquency prevention programs, supported by grants under the Juvenile Delinquency Act of 1961.

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## The Fight Against Organized Crime

EXTENSION OF REMARKS

OF

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to insert the report to the President from the Attorney General on the fight against organized crime. The report follows:

JANUARY 10, 1963.

DEAR MR. PRESIDENT: The administration during 1962 greatly expanded its coordinated drive against organized crime and racketeering.

In the Department of Justice, racketeering prosecutions involving the organized crime section of the criminal division increased approximately 300 percent over 1961 and 700 percent over 1960. Convictions increased more than 350 percent over 1961 and almost 400 percent over 1960.

Internal Revenue Service figures show a sharp decline in gambling, the source of the enormous profits which bankroll other forms of racketeering. We prosecuted gambling cases in 20 States and further gambling investigations are underway in 45 States. Federal law enforcement agencies also took major action against other types of racketeering, such as narcotics, labor-management payoffs, and, most important, corruption of public officials.

These actions, while significant and encouraging, are not conclusive. Organized crime continues to tap the pocketbooks and sap the morality of our citizens.

At the beginning of this administration's antiracketeering effort, we sought to develop close coordination among the 26 Federal law enforcement agencies; to develop within the Department of Justice the manpower and dedication required for an effective effort; and to obtain the antiracketeering laws necessary for the fight against modern crime.

FEDERAL COORDINATION

I can report to you that all the Federal law enforcement agencies have participated with total dedication and cooperation. The successful record of 1962 is in large part the result of their activity.

With their help, we have been able to set up and expand a central information pool on the background and activities of more than 1,100 major racketeering figures. Because of this intelligence and because of the agencies' accelerating assistance, the criminal and tax divisions of the Department of Justice have been able to prosecute cases not previously possible.

I mention particularly the outstanding work of the FBI, the Immigration and Naturalization Service, Internal Revenue Service, Federal Bureau of Narcotics, Secret Service, Bureau of Customs, Postal Inspectors, and Bureau of Labor-Management Reports.

DEPARTMENT OF JUSTICE ORGANIZATION

Within the Department of Justice, the work of the organized crime and racketeering section of the criminal division has been greatly expanded. Since January 1961, the personnel strength of this section has been more than tripled, from 17 attorneys to more than 60. Permanent field units have been set up in Chicago, New York, Los Angeles, and Miami and teams of special attorneys have been assigned to various other cities to develop and assist in specific cases. The work statistics of Assistant Attorney General Herbert J. Miller's entire criminal division reflect this section's intensified effort:

| | 1960 | 1961 | 1962 |
|---|---|---|---|
| Man-days in court | 283 | 555 | 809 |
| Man-days in field | 1,963 | 5,086 | 7,356 |
| Man-days before grand juries | 388 | 1,052 | 1,146 |

NEW LEGISLATION

Passage of the new antiracketeering laws has been instrumental in this increased activity. Five of the laws now have been in effect for 15 months. They forbid interstate shipment or transmission of gambling information or paraphernalia and interstate travel in support of racketeering, and expand previous laws against flight to avoid prosecution and shipment of firearms.

In the 15-month period, the Federal Bureau of Investigation has investigated 852 cases under the new laws. Of these, we so far have secured indictments in 34 cases involving 134 defendants, and convictions in 12 cases involving 37 defendants. There were three acquittals but in one of these, the defendants were convicted under another law. While no case brought under these new laws has yet been appealed to the Supreme Court, the constitutionality of the new gambling laws has been upheld in lower courts.

Last year, I reported to you that the passage of these laws had the immediate effect of forcing many of the Nation's major racing wire services to shut down. Since then, two more have closed their doors. So have telephone gambling information services. So have large- and small-scale bookmakers across the country. Others have seen their business greatly reduced.

We have taken action under the five laws against a variety of gambling enterprises.

In one case, we uncovered a numbers game operation in an eastern seaboard State which alone took in more than $20,000 a day and nearly $6,250,000 annually.

In another numbers case, in the Northeast, we found that while the average daily bet was only about 30 cents, the annual gross of the operation exceeded $2 million.

Action in a large western city resulted in the closing down of a multimillion-dollar sports gambling operation. A total of 19 different outlets were involved; the annual gross in only 1 of these exceeded $600,000. Shortly afterward, the mayor declared that the city's policy of tolerating gambling had ended and sent police out to close down other betting operations.

Last fall, a national magazine conducted its own survey of the betting situation across the country. It concluded that "the new laws have succeeded surprisingly well. * * * Bookmakers all over the country are up against it as they never have been before."

Internal Revenue Service figures further indicate the decline in illegal gambling. Gamblers across the country reported accepting bets of $53,490,000 during fiscal 1962. This represents a 20-percent drop from fiscal 1961 and is the lowest total since 1952, the first year this tax was collected.

Even more graphic are the figures for specific localities in which there has been sustained law enforcement activity. In fiscal 1961, for example, Kentucky bookmakers reported accepting a total of $7,650,000 in bets. In fiscal 1962—following the cleanup of gambling in Newport, Ky.—the figure was $2,200,000.

A sixth antiracketeering law was enacted in the last session of Congress and went into effect December 17. This law, greatly expanding an earlier statute, forbids interstate shipment of gambling machines and requires manufacturers, repairers, and sellers of such machines to register with the Department of Justice. Enforcement of this statute will further assist local authorities in action against illegal gambling.

Nevertheless, betting on sports events particularly remains a major problem. In both 1962 and 1961 we investigated reported attempts by gamblers to fix professional and amateur athletic events. Federal responsibility in this area is limited and further legislation might well be necessary. We will continue, however, to take action under present authority should it be required.

The combination of new coordination, new organization and new legislation has enabled the Federal Government to launch a sustained and successful effort against not only gambling but against all organized crime and racketeering.

One of the most insidious of the other aspects of organized crime is illegal traffic in narcotics. This administration sponsored the first coordinated inquiry into the causes and treatment of addiction—the recent White House Conference on Narcotics and Drug Abuse and the resulting effort to draft new legislation dealing with the problem. At the same time, continued outstanding work by the Bureau of Narcotics has resulted in important prosecutions.

For example, John Ormento and Carmine Galante, among the most important narcotics dealers in the country, were convicted in New York of smuggling millions of dollars worth of heroin into this country over a 5-year period. Sentences for the 13 defendants in the case totaled 276 years, including 40 years for Ormento and 20 years for Galante.

In Chicago, Nathaniel Spurlark, organizer of a large-scale smuggling ring, and five other defendants were convicted and sentenced to terms of 5 or 10 years in prison. Other important cases were successfully prosecuted in Texas, Tennessee, California, Connecticut, Massachusetts, and elsewhere.

In the labor-management field, we have continued to intensify the efforts of the Federal Government both against employees who seek to bribe union representatives and against union officers who seek to extort funds from employers. In 1962, 79 persons were indicted and 44 so far convicted for violations of the Taft-Hartley, Hobbs, or Labor-Management Reporting Acts in cases involving our Organized Crime attorneys. These totals compare with 20 persons indicted and 11 convicted in 1961 and 15 indicted and 13 convicted in 1960.

During the year, the Department also secured favorable decisions in deportation actions against a number of foreign born racketeers, including Frank Costello and Paul "The Waiter" Ricca DeLucia.

Probably the most damaging of all the uses to which racketeers put their illicit profits is corruption of public officials, and we have exhorted particular effort to expose and prosecute such official corruption—in Newport, Ky.; Lake County, Ind.; New York City; and elsewhere. We have investigations of official corruption underway in 22 States.

The acceleration of our effort against all forms of organized crime is indicated by these statistics for cases involving the Organized Crime Section:

| | 1960 | 1961 | 1962 |
|---|---|---|---|
| Number of indictments | 17 | 45 | 118 |
| Number of convictions | 22 | 24 | 86 |
| Number of individuals indicted | 49 | 121 | 350 |
| Number individuals convicted [1] | 45 | 73 | 138 |

[1] Includes trials of indictments returned in previous years.

Other important convictions of the past year include—

Anthony (Tony Ducks) Carallo, New York labor racketeer, Justice James V. Keogh of the New York State Supreme Court, and Elliott Kahaner, a former assistant U.S. attorney, for conspiring to fix a Federal bankruptcy case;

George Chacharis, mayor of Gary, Ind., who recently pleaded guilty to charges that he failed to report and pay taxes on more than $250,000 in payoffs from construction firms;

Henry Grillo, an Internal Revenue Service official in Boston, and three attorneys, for attempting to bribe another IRS official to fix a tax case;

Frank Andrews, well-known Newport, Ky., numbers game operator;

George Roxburgh, business agent of Detroit Teamster Local 299 on Taft-Hartley payoff charges;

Frank (Buster) Wortman, of St. Louis, Michael Coppola of Miami, and Metro Holovachke, former prosecuting attorney of Lake County, Ind., all on tax charges.

Los Angeles gambler Alfred Sica, brother of Joseph Sica, who was convicted last year with Frankie Carbo and Frank "Blinky" Palermo, on charges of making false statements to the Government.

Irving Tolub, New York City, a former officer of the International Ladies Garment Workers Union, on extortion charges;

Samuel J. Marroso, Detroit, labor consultant, on charges of transporting $190,000 in stolen Ohio Turnpike bonds across State lines;

Anthony Zambito, West Virginia "layoff" gambler, on charges of conspiring to violate and actually violating the new antigambling statutes;

Christopher Columbus Parker, one of the leading gamblers in the Southeast, also on charges of violating the new laws.

We also have secured a number of important indictments, which have not yet come to trial. Defendants in these cases include James G. Cross, former president of the Baker & Confectionery Workers Union, on charges of embezzlement and conspiring to fix his trial for perjury; Leo Carlino, of New York on charges of making grossly exorbitant expense deductions; Benjamin Dranow, previously convicted for tax evasion and mail fraud, for jumping $25,000 bail in Minneapolis; August J. Lippi, president of United Mine Workers District No. 1, on charges of embezzling more than $300,000 from a Pennsylvania bank; Matthew (Mike) Rubino, Detroit, for a wide-ranging hundred-thousand-dollar retail sales fraud; Anthony Dolasco, Newark, N.J., and Abe Zimmerman, Chicago, gamblers charged with tax evasion.

The past year also was a successful one in law enforcement areas other than racketeering. The Department is charged with the responsibility for protecting the integrity of Government operations through enforcement of the bribery and conflict-of-interest laws.

Cases in this area include the indictment of two Members of Congress, Thomas F. Johnson and Frank Boykin, on charges involving nearly $25,000 in payments and more than $3 million in real estate transactions. Two military officials at Fort Monmouth, N.J., were indicted on charges of attempting to influence Government contracts. Continuing investigation also led to the return of additional indictments in Massachusetts in connection with Federal highway projects.

Cooperation with other agencies also has been extremely effective in areas other than organized crime. At the request of the Food and Drug Administration, the Department this year instituted more than 150 seizures of misbranded or otherwise legally sold food and drugs—including the sale of stale and falsely labeled human blood to hospitals.

In close cooperation with the Post Office Department, we have brought a record number of mail fraud arrests—an estimated 702—and have secured an estimated 500 convictions, also a record. Included in these cases was the initial prosecution of Texas Businessman Billie Sol Estes, for mail and securities fraud. He also is under indictment for filing false statements with the Government. The past year saw a particular resurgence of fraudulent retirement haven land sales and more than 150 investigations are underway in this area alone.

The record of the year, then, against crime generally and against organized crime in particular is an encouraging one. We have made significant progress. Again, let me make it clear, however, that no one believes the tide of the battle is turned. It is not likely to be decided by one set of laws, one anticrime program, or one administration. Ultimate success will require years of cooperation among Federal and local agencies. It will require energy and integrity on the part of all law enforcement officers. Most of all, it will require the interest and involvement of every citizen.

Sincerely,

ROBERT F. KENNEDY.

## Forest Products Research in the South

EXTENSION OF REMARKS

OF

### HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. LONG of Louisiana. Mr. Speaker, I wish to call attention to the serious need for an expanded program of forest products research in the South.

As you are aware, 41 percent of this Nation's commercial timberland is in the South and produces more than 50 percent of the total sawlog growth of this country.

Ninety-one percent of the forest property is privately owned. Seventy-four percent is owned by farmers, cattlemen, lawyers, schoolteachers, doctors, and investors from all walks of life. Only 9 percent is owned by Government agencies.

Thirty-seven million acres of forest land in the South is under a high degree of scientific management by private owners.

Tree planting and direct seeding have restored over 1 million acres of bare, cutover land, to forests in Louisiana alone since 1952. Effective forest-fire control has added twice this amount to the land area now supporting a new crop of second-growth timber. The same is more or less true for at least eight other Southern States.

During the 1940–55 period, the South produced 10 to 12 billion board feet of lumber annually. In 1956, 16,000 sawmills closed down in the South and 63,000 men lost their jobs. In 1961, forest industry employment in my State of Louisiana dropped by 3,000 in a single year and is still declining.

Today the South is producing only 6 billion board feet of lumber—one-half the 1940 level—yet we have twice as much sawtimber today as we had 15 years ago.

The lumber industry, in the past, has consumed 50 percent of all timber cut in the South. This has traditionally been the ultimate market for the final forest crop.

In Louisiana 120,000 citizens own timberland. For the most part they are managing these lands in an intelligent manner, and as a consequence, growth now exceeds use by 200 percent. The same is more or less true for east Texas, south Arkansas, and west Mississippi.

Markets for timber in this region generally are depressed—in some areas there is no market at all.

Timber values cannot remain at present low levels without seriously damaging reforestation investments made by our people. Unless some action is taken to develop better markets for wood, 20 years of reforestation efforts by private landowners will be placed in jeopardy.

This would not be in the best interest of our Nation. The U.S. Forest Service has stated publicly that the future wood needs of our Nation can only be met if the forest lands of the South are brought to a high level of productivity.

I have discussed this matter with the forestry leaders of my State. They stand solidly against any plan of Federal subsidies to maintain timber growth on private lands—yet they do feel that the Federal Government has an important role to play.

New knowledge through forest products research can restore profits to existing forest industry and create new ones, thereby strengthening timber values.

We have recently witnessed the development of new wood glues and glueing techniques which have led to the manufacture of laminated wood beams, superior in many respects to steel, laminated 2 by 4 studs which will not twist or warp, and, quite recently, plywood from southern pine veneers.

All this has come from scientific research. These are solid cornerstones upon which new and substantial timber values will be built. Intensified forest products research offers the only real opportunity for healthy markets. This we must have in order to maintain the profit motive. The profit motive is the only force which will keep private landowners interested in growing a forest crop.

The 87th Congress, recognizing the need for such a program in the South, appropriated $450,000 for initial construction of a $900,000 forest research laboratory at Alexandria, La.

Funds for the completion of this laboratory are omitted in current budget recommendations. I am requesting the House Appropriations Subcommittee for Interior and Related Agencies to include $450,000 for the completion of this laboratory. It is my hope that each of you will weigh carefully the need for this facility and support appropriations necessary for its early completion.

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## Great Progress in Civil Rights in 1962 Reported by Attorney General Robert F. Kennedy

EXTENSION OF REMARKS

OF

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. BOLAND. Mr. Speaker, 1962 was "a year of great progress in civil rights" and we are pleased to hear these words of reassurance from Attorney General Robert F. Kennedy in his report on the "Progress of Civil Rights" to the President.

Under unanimous-consent agreement, I include in the CONGRESSIONAL RECORD an editorial from the Washington Post, Monday, January 28, 1963, on the Attorney General's report, together with the complete report:

CIVIL RIGHTS PROGRESS

The civil rights report which Attorney General Robert F. Kennedy has presented to the President has the especial value of putting into perspective the gains that were largely eclipsed by the spectacular events at Oxford, Miss.

Notwithstanding this untoward incident, it is plain that the year was one of achievement and one, moreover, in which the most notable progress was in the changing spirit of the South. The catalog of interventions to enforce voting rights, transportation rights, and education rights makes reading of which the country has reason to be proud. If there still remains a great deal of discrimination in the land, it is discrimination about which the Government continues a persistent and serious effort to do something. There must be no slacking in this effort, for as the Attorney General points out: "Substantial numbers of American citizens are being deprived of their right to vote because of race."

While progress sometimes seems slow, it is cheering to note, in the language of the report, that "there are no segregated airport facilities in the Nation" and that there is only one city in the Nation in which there still is segregation at interstate rail and bus facilities.

Prince Edward County, Va., continues to have the dubious distinction of being the only county in the Nation where there are no public schools. That nearly 1,500 of the 1,800 schoolchildren of that county have had no education in 3 years is, as the Attorney General puts it, "a disgrace to our country." It is to be hoped that the Court of Appeals for the Fourth Circuit will order the schools there opened, in accordance with the plea of the Justice Department.

The Attorney General has been wise to acknowledge that difficult racial problems remain throughout the country. He also has been wise to point out that they exist not only in the South "but throughout the country where Negroes are victims of school 'resegregation,' bias in housing, or employment or other facets of society."

The report will unnecessarily offend many objective people by an excessive effort to exhibit this administration's comparatively greater zeal in the civil rights fields. This repetition of comparative statistics on suits filed and actions undertaken introduces into the report a political note that might better have been omitted. If it had to be included, it would have been considerate and generous if the Attorney General had acknowledged that the Department of Justice under the administration of his predecessor pushed through to enactment in the face of great opposition the legislative foundation for many of the actions of this administration. Whatever progress that has been made is the result of the efforts of public men in all parts of the country and both parties.

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A REPORT ON THE PROGRESS IN THE FIELD OF CIVIL RIGHTS BY ATTORNEY GENERAL ROBERT F. KENNEDY TO THE PRESIDENT, JANUARY 24, 1963

DEAR MR. PRESIDENT: For those only interested in headlines, rioting and violence at the University of Mississippi overshadowed the civil rights field and painted 1962 as a year of resistance by the South to law and the orders of our courts. The historian, however, will find, on the contrary, that 1962 was a year of great progress in civil rights, in large measures because of the responsibility and respect for law displayed by the great majority of the citizens of the South. In 1962, the United States took major steps toward equal opportunities and equal rights for all our citizens and in every area of civil rights—whether voting, transportation, education, employment, or housing.

There were outstanding efforts throughout the administration on behalf of the full and free exercise of civil rights. Let me take particular note of the successes of the Vice President and your Committee on Equal Employment Opportunity; the work of the Commission on Civil Rights; the impetus provided by the Executive order against segregation in housing; the impact area school efforts of the Department of Health, Education, and Welfare; and improved hiring practices and other activity by all parts of the executive branch.

This report, however, is limited to the work of the Department of Justice and here is a summary of our efforts in this field during the past year.

VOTING

The most significant civil rights problem is voting. Each citizen's right to vote is fundamental to all the other rights of citizenship and the Civil Rights Acts of 1957 and 1960 make it the responsibility of the Department of Justice to protect that right.

It has been the sustained policy of this administration—in all areas of civil rights—to consult with local officials and seek voluntary, peaceful compliance with the commands of our courts and our laws. Under

this policy, legal action is brought only after such efforts fail. While we have secured cooperation and compliance in all civil rights areas, this policy has met with particular success in the voting field.

During this administration, officials in 29 counties in Georgia, Alabama, Mississippi, and Louisiana have voluntarily made voting records available to the Department in our investigations of voting complaints, without the need for court action.

In four southern counties we have been able to avoid bringing lawsuits because officials abandoned discriminatory registration or voting practices, and scores of other counties and cities, notably in Georgia, have abandoned segregated balloting at our request, in voluntary conformance with a court decision in one county.

There have, however, been a number of areas where voluntary local compliance was not forthcoming and where we were required to bring legal action. Between the passage of the 1957 Civil Rights Act and the change of administration, 10 voting suits were filed in southern counties and 7 were tried.

In this administration, 23 more voting suits have been filed, including 1 this week. A total of 17 suits have been tried, including the 3 pending January 20, 1961. Thus, of a total of 33 voting cases filed in both administrations, 24 have been tried so far. Satisfactory results have been achieved in 16 of these. Three cases have been tried but are not yet decided and the other five are on appeal.

There also has been an acceleration in voting records inspections. In the previous administration, records were inspected in 20 counties and photographed in 12 of these. In this administration, 62 voting records inspections have been undertaken, including photographing of records in 53 counties.

In short, the total number of counties in which the Department has taken action, ranging from records inspection to lawsuits, has increased from 30 at the beginning of this administration to 115 at present.

Each of the lawsuits filed has required extremely detailed preparation. In the suit brought against Montgomery County, Ala., for example, it was necessary to analyze 36,000 pages of voter applications and to subpena 185 witnesses at the trial. Such suits require the total attention of from 4 to 6 of the 40 attorneys in Assistant Attorney General Burke Marshall's Civil Rights Division for several months.

In some instances, we have had to take action even after obtaining court orders forbidding further discrimination against Negro registration applicants. In one of our suits, the registrar of Forrest County, Miss., was ordered by the Court of Appeals for the Fifth Circuit to register all qualified Negroes. He nevertheless rejected as unqualified 94 of the first 103 Negroes to apply after the judgment, including a National Science Foundation graduate student and a high-school science teacher with a master's degree. The Department prosecuted him in the first contempt case stemming from a court voter registration order. The case is awaiting decision.

In East Carroll Parish, La., the voting referee provisions of the 1960 act were used for the first time in 1962, with the Federal judge himself hearing registration applications. Although he approved the application of 26 Negroes, the State of Louisiana attempted to block their registration through a State court injunction. We acted to set aside the State injunction and obtained an order forbidding further interference. On July 28, 5 days later, Negroes voted in East Carroll Parish for the first time since Reconstruction.

The Department's total voting rights effort, from records inspections to law suits to followup activity, has produced significant results. In a number of counties such as East Carroll Parish, Madison Parish, La., and Clarke and Tallahatchie Counties, Miss., where no Negroes had been registered in decades, Negroes are now beginning to be registered.

In Macon County, Ala., Negro registration has risen from 1,100 to more than 3,000 since an end to discriminatory registration practices was ordered by the court in March 1961. Negro registration in Bullock County, Ala., has risen from 5 in September 1961 to more than 1,000. In Montgomery, Ala., the Department's suit was decided November 20, 1962, and 1,100 previously rejected Negroes were ordered registered immediately. All have now been registered.

Two particularly significant voting suits were filed in the past year. While our voting suits generally challenge discriminatory application of voter qualification laws in specific counties, we filed suits in both Louisiana and Mississippi challenging the constitutionality of the State voter qualification laws themselves. Both cases are in pretrial stages.

In addition to suits challenging general discrimination against Negro registration applicants, we also have sought to guard against specific attempts to frighten, intimidate, or penalize Negroes who seek to register or vote. Of the 33 voting suits filed so far, 7 have been directed against such attempts at intimidation, verbal, economic, and physical.

The importance of these cases exceeds their specific circumstances. Negroes' fear of attempting to register is, perhaps, as great a problem as their being prevented from registering. These suits, like our followup actions in such cases as Forrest County and East Carroll Parish, have helped eliminate the fear by making it clear that the Government will meet its responsibility to guarantee not only the right to register and vote, but also the right to do so without intimidation or coercion.

A vivid example is provided by Haywood and Fayette Counties, Tenn., where intimidation actions were filed in the previous administration and successfully concluded in this administration. Last summer, we secured assurances, by consent decrees, against economic intimidation. Between late 1960, when the cases were filed, and the present, the number of Negroes registered has increased from none to more than 2,000 in Haywood County and from 58 to more than 3,000 in Fayette County.

Last summer, four Georgia churches used as centers for Negro registration efforts were burned and burnings were attempted at two others. In another illustration of our efforts against intimidation, the FBI investigated immediately. In one case, the FBI turned its findings over to local authorities, who arrested four men in connection with one burning. They were convicted in State court and sentenced to prison terms. In the second case, two men were arrested and face Federal charges. Our investigations of the other burnings continue.

In the field of voting, then, we have been able to make progress through both negotiation and litigation. The fact remains, however, that the heavy burden of effort lies ahead. Substantial numbers of American citizens are being deprived of their right to vote because of race, and we continue to believe that additional legislation in this field is necessary.

In 1962, Congress adopted the anti-poll-tax constitutional amendment, but did not enact legislation forbidding the discriminatory use of voting qualification tests. Even where we have brought suit, we often have been confronted with considerable delays between the time of filing and the time of trial.

We believe that additional legislation is necessary to insure prompt relief in such instances—where the facts indicate that substantial numbers of Negroes are being deprived of the right to register and vote because of race.

TRANSPORTATION

As the result of action taken by the Department and the Interstate Commerce Commission last year, I can report to you that in the past year, segregation in interstate transportation has ceased to exist.

The majority of segregated bus and rail stations were desegregated in 1961 in accordance with new ICC regulations. Others followed in 1962. During 1962, we surveyed 165 airports in 14 States and found 15 airports in 6 of those States which were still segregated. All of these desegregated during the year, 13 voluntarily and 2 after the Department brought legal action.

At present, then, there are no segregated airport facilities in the Nation. There is only one city in the Nation, Jackson, Miss., in which systematic segregation at interstate rail and bus facilities—as exemplified by signs directing the use of separate facilities—is still attempted. Even in this case we have taken legal action, now on appeal.

There have been isolated instances of discrimination against Negroes in this field and there will no doubt be other such instances in the future. But systematic segregation of Negroes in interstate transportation has disappeared.

Again, I would like to emphasize that in the great majority of cases, this is the result of voluntary compliance with law and regulations by citizens and officials.

SCHOOLS

In the past year, the number of desegregated southern school districts increased 60, from 912 to 972. In a number of these districts the Department continued its policy of consulting informally with school officials to help assure peaceful and orderly desegregation. As in 1961, public schools in each of these districts were desegregated without incident.

Efforts also were made to secure peaceful compliance with a series of court orders requiring the admission of James Meredith to the University of Mississippi, before his scheduled enrollment. We appeared as a friend of the court in the case before the Supreme Court and the Court of Appeals for the Fifth Circuit and the Department sought continuously to induce Mississippi officials to fulfill their responsibilities to law and to order.

These efforts were unsuccessful, but the Federal Government's responsibility to enforce the laws and the orders of the courts remained. The responsibility was met.

In another area, the Department in the past year initiated action concerning impact area school funds. Various local school systems receive Federal funds because they educate children of Federal employees who may not be permanent residents. In the 12 years of this program, nearly $2.5 billion has been paid to school districts across the country.

Again, we have sought abandonment of segregation through negotiation first. The Department of Justice and the Department of Health, Education, and Welfare have succeeded in obtaining voluntary desegregation, without going to court, in several districts and other negotiations or field surveys are underway in approximately 120 districts. Additional inquiries are scheduled for the coming months.

Negotiating efforts failed, however, in Prince George County, Va., which educates children of defense personnel stationed at nearby Fort Lee, and we filed suit. Four similar suits were filed last week regarding segregation in Huntsville and Mobile, Ala.; Gulfport and Biloxi, Miss.; and Bossier Parish, La.

In another kind of school case, also in Louisiana, the Department brought a contempt action against State education officials

for failing to desegregate a State trade school, as had been ordered by a Federal court in a private suit. When the State board of education passed a formal resolution stating there would be no racial discrimination as to race, the Department agreed to dismissal of the case, but withheld the right to inspect the school records.

The Department also took action in Prince Edward County, Va.—the only county in the Nation where there are no public schools. They have been closed since fall, 1959, in order to avoid court desegregation orders. That nearly 1,500 of the 1,800 school-age Negro children in the county should have had no education in more than 3 years is a disgrace to our country. Last month, we asked the Court of Appeals for the Fourth Circuit, as a friend of the court, to order the schools opened promptly without racial segregation.

EMPLOYMENT

The Department has continued its policy of seeking out qualified personnel on the basis of ability and irrespective of race. Negroes are not denied employment because of their race. Neither are they hired because of their race. They, like all our employees, are selected on the basis of ability and merit. This policy has resulted in notable gains for Negroes in the offices of U.S. attorneys and marshals in the Nation's 92 judicial districts.

Of the approximately 350 assistant U.S. attorneys appointed in this administration, 32 are Negroes. Of these 32, 16 were appointed in 1962. Approximately 35 Negro assistant U.S. attorneys are now in service. Two Negro U.S. attorneys were appointed last year. This year, the first Negro assistant U.S. attorneys were appointed in at least seven States, including Southern and border States.

Of the 114 deputy U.S. marshals appointed in this administration, 14 are Negroes. Of these, 11 were appointed in 1962. Approximately 30 Negro deputy marshals are now in service. Luke C. Moore was appointed U.S. marshal for the District of Columbia in the past year, the first Negro to hold that position in a century. As with assistant U.S. attorneys, appointments of Negro deputy marshals were made in several Southern and border States, where no one of their race had ever before served.

The effort to assure that qualified Negroes are properly considered for these positions is continuing and Negroes are among the candidates for vacancies in several districts.

Improved hiring practices within the Department as a whole have resulted in continued gains for Negro attorneys. There were 10 Negro attorneys in the Department at the beginning of this administration. Now there are more than 70, out of approximately 1,900 in the Department.

There have, as well, continued to be a number of Negroes appointed to distinguished positions in the Government, such as Homer L. Benson, appointed to the Board of Parole.

OTHER AREAS

Albany, Ga.: The Department acted to the limit of its authority in Albany, where a series of mass protests by Negroes against segregation resulted in numerous arrests and civil rights complaints. All such complaints were speedily investigated by the FBI. Although no violation of Federal law was found in most cases, prosecutive steps were taken where appropriate. In August, the Department filed a voting intimidation suit against 16 officials of nearby Sumter and Terrell Counties and also filed a friend of the court brief in a suit brought in Albany. The brief asked the court to ignore the city's request for an injunction against demonstrations until the city first complied with the law and abandoned segregation. The two sets of arrests for church burnings in the area previously referred to were the result of FBI action. Throughout the Albany difficulties, the Department consulted with leaders on both sides in an effort to encourage an amicable resolution of the racial difficulties. All matters of dispute have now been brought before the Federal court in Albany, and I have no doubt that the constitutional rights of all citizens of that city will be protected.

Sit-ins: In a friend of the court brief filed in October, the Department asked the Supreme Court of the United States to reverse convictions of more than 30 Negroes for sit-in violation in 4 States. The Department argued that States cannot arrest Negroes for trespass when the States themselves, by law and policies, foster the discrimination which led to the sit-ins.

Hospitals: In May, the Department sought to intervene in a private suit seeking the desegregation of two North Carolina hospitals which were built with Federal Hill-Burton Act financial assistance. The Department asked the court to declare unconstitutional the separate-but-equal provision of the act. While the Department was permitted to intervene, the court subsequently dismissed the suit, filed by Negro doctors, dentists, and patients. An appeal appears likely.

Employment suit: Problems of racial discrimination are by no means peculiar to the South. The Department appeared as a friend of the court in an appeal to the Colorado Supreme Court by a Negro pilot who charged he was denied employment with an airline in violation of a State antidiscrimination law. The Colorado court denied the appeal, but the Supreme Court of the United States has agreed to review the case.

Police brutality: During 1962, the Department brought 18 police brutality prosecutions, many of them in Northern States. These cases included one in Indiana where two Negro detectives were convicted of brutally beating a Negro defendant to coerce him to confess several crimes.

In summary, 1962 was a year of progress for the United States in the field of civil rights. This is not to say the problems are disappearing. They remain, and they remain difficult—not only in the South, with open discrimination, but throughout the country where Negroes are the victims of school "resegregation," bias in housing, or employment, or other facets of society. Ugly incidents like the Mississippi riot may occur again.

But we are accelerating our progress. Again, let me say this acceleration occurs in large measure because of the emerging spirit of the South. In 1962 this spirit was not the brutal one of rioting and violence at the University of Mississippi. The spirit was that exemplified in Georgia last week by Gov. Carl E. Sanders, in his inaugural address.

"We revere the past," he said. "We adhere to the values of respectability and responsibility which constitute our tradition." Then he added, "We believe in law and order and in the principle that all laws apply equally to all citizens."

Sincerely,

ROBERT KENNEDY,
*Attorney General.*

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# SENATE

## WEDNESDAY, JANUARY 30, 1963

*Legislative day of Tuesday, January 15, 1963)*

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Vice President.

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

Our Father, God, before the day's perplexities close in about us, we are grateful for this hushed moment dedicated to the upward look.

As we raise our eyes to the hills, even as did Thy servant, the Psalmist of old, we are conscious of peaks and powers beyond our puny reach. We confess that as we tread drab and dreary paths, we so often do not see high enough or far enough, and so are caught in a confusion which blinds and cheats us.

Teach us that today's duties will be edged with crimson and gold only as we look at the mountains which pierce the horizons of faith, as they speak of the truths and values which give confidence to our perturbed souls.

So this day, as we lift our eyes to the hills of Thy grace, may our prayers turn to pageants of living and giving.

We ask it in the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 29, 1963, was dispensed with.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Commerce.

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

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the