

Knotts, Lawrence E.  
Kocsis, Alexander S.  
Kochler, Albert P.  
Krstolic, Raymond C.  
Kuehl, William R.  
Lanpher, Michael J.  
Larremore, Joseph T.  
Lee, John P.  
Lenius, Harlan J.  
Lindsay, Edward E.  
Long, James G.  
Lund, Robert R.  
Mannix, Thomas B.  
Mason, Edward P.  
Mason, Gregory W.  
Mason, William L.  
McAllister, Amos J., II  
McCarron, Geoffrey A.  
McCormack, James W.  
McCubbin, Hamilton I.  
McDonnell, Wayne M.,  
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McDuff, James M.  
McGruder, John P.  
McGuirk, Dennis M.  
McHale, John L., III  
Mebane, William C.,  
III, XXXXXXX  
Mendoza, Felipe, Jr.  
Miffleton, George S., Jr.  
Minney, Robert W.  
Morrison, Ronald E.,  
Jr.  
Neubauer, Earle R., Jr.  
Newman, Lawrence J.,  
Jr.  
Oakes, Henry M.  
Oesterling, Richard L.,  
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Olzewski, Walter A.  
Onstott, Billy M.  
Orsini, Fuldo E.  
Palm, Harald E., Jr.  
Patterson, Bryce L., Jr.  
Peddrick, Rodney S.  
Peoples, Hardy W.  
Peters, Donald G.  
Peters, Joseph F.  
Pfluger, Addison L.  
Pinson, James W.  
Pongonis, James A.  
Primosch, Thomas A.  
Redd, Harry C., III  
Redish, Stephen, Jr.

Reid, Michael J.  
Reinhardt, Jeffrey H.  
Rhame, Thomas G.  
Richardson, Lawrence  
D.  
Ricketson, Don A.  
Riley, Richard D.  
Rivers, Henry  
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Roberts, Donald B.  
Satterlee, Alan K.  
Sauter, Fred E.  
Sawyer, Paul F.  
Schuerman, William T.  
Sette, Domenic R.  
Seymour, Charles B.  
Sherrill, George D., Jr.  
Shipp, Travis  
Shockey, Gilbert L.  
Simmons, Richard P.,  
Jr.  
Simpson, Larry W.  
Smith, James L.  
Sonricker, William C.,  
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Stone, Frank D.  
Strecker, William, Jr.  
Surdur, Frank G.  
Taylor, John M., Jr.  
Terna, Cyril J.  
Timian, Robert C.  
Turner, Richard W.  
Tutton, Raymond F.  
Uecke, John W.  
Underwood, James H.,  
III  
Vittioe, John N.  
Volkman, Ronald L.  
Vonderahe, Thomas  
A.  
Walker, Clyde E.  
Wallace, James C.  
Weaver, Noel L.  
Whitney, Douglas W.  
Wiener, William,  
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Williams, Fontaine L.,  
Jr.  
Wilson, Gary R.  
Winmill, John I.,  
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Wood, Jack E.  
Wynn, Hugh F.

national welfare, the increase of industry, and the perpetuation of the blessings of equal liberty.

We recommend to Your unbounded mercy and judgment, O Lord, the national welfare of the Ukrainian Nation, whose proclamation of national liberty was observed 46 years ago, and whose people have striven during these years to free themselves from the tyranny of an atheistic oppression, in the hope of enjoying the liberties and freedom, under God, that are so abundantly evident here in our United States. We pray that the benefits of freedom granted to democracies throughout the world, may serve as an infallible encouragement to the people of Ukraine, fostering their long-delayed ambition of unrestrained participation in the family of the free and God-fearing nations of the entire world.

Finally, O God of mercy, we ask your indulgence upon the souls of our departed civil servants, all those gone into eternity before us, and who now repose in the infinite majesty of Your omnipotence. In special and devoted measure we pray for the intention of our late President, John Fitzgerald Kennedy, who in his life no less than in his death, has merited a charitable and grateful remembrance from our entire Nation. In his zeal for righteousness, devotion to the obligations incumbent upon him, in both war and in the shadows of war, he gave unparalleled example of trust in God, loyalty to his country, and a deeper appreciation to us for having shared a common heritage of freedom in our free form of government.

For all these, do we ask to be granted through Your omnipotence in bestowing, Your mercy in hearing, and Your infinite charity for all mankind. Amen.

#### THE JOURNAL

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

#### A TRIBUTE TO THE LATE HONORABLE CHARLES EDWARD CREA-GER, A FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, during the past few days, a former Member of the U.S. House of Representatives and a great Oklahoman from my hometown of Muskogee passed away.

The Honorable Charles Edward Creager died in Muskogee on January 11, at the age of 90, leaving behind a rich and colorful life of leadership and service to his fellow man, including service in this great legislative body as Oklahoma's first Republican Congressman.

Poet Walt Whitman once wrote: "Nothing endures but personal qualities." The many fine personal qualities of Charles Creager are the enduring and endearing legacies which he leaves behind.

C. E. Creager was a man of many interests, a man who lived life to its fullest,

a man who gave much and in that spirit of giving received his rewards.

Mr. Creager was born in Dayton, Ohio, but the exciting life which he charted for himself carried him to many corners of the United States and to lands beyond our national borders.

A résumé of his career indicates the many facets of this splendid man's life. He was a Congressman, Army sergeant, war correspondent, oilman, an official for the Bureau of Indian Affairs, author, schoolteacher, cub reporter, police reporter, political reporter, oil editor, city editor, publisher, Chief Clerk for the Office of Price Administration, and a U.S. oil inspector.

As a journalist, C. E. Creager reported many events of great significance in that transition period from the 19th to the 20th century.

He was an author who recorded the histories of the Ohio National Guard, and the history of Masonry in Oklahoma, and more recently a still unpublished manuscript concerning the Bible.

He was a civic leader whose foresight in authoring Muskogee's form of city government created stable local government.

Charles Creager was an optimistic man who believed in the youth of our country. He recently wrote:

We weep on the shoulders of the clergyman, the schoolteacher and the policeman to bewail our serious and worsening problem of juvenile delinquency. For every single "problem child" there are hundreds of home loving, God fearing, boys and girls who have already assumed the personal responsibilities of good citizenship. Of course, there is no need to worry about these fine youngsters. But they are rightfully entitled to all the encouragement and help we can give them.

Charles Creager was a remarkable man for many reasons. One of those reasons was his most recent accomplishment—a book written just before he died and still unpublished, entitled, "It's Fun To Read the Bible."

I have had the privilege of reading the introduction to Mr. Creager's manuscript. It is remarkable enough that a man in his 90th year would assume such an awesome task of writing a book. However, even more remarkable is the interesting, colorful, and penetrating style of his writing.

His observations in this book are clearly those of a man who understands life—not only from reading about it and researching it in the great works of our time—but from living it.

Charles Creager was a religious man who knew the value of religion and of the Supreme Being in our society. Again let me quote from his book:

Fundamentally, man is the same creature he was when he first appeared on earth, a "little lower than the angels." He has the same attributes, hopes, and ambitions. He rebels against tyranny, resents too much authority, and is as ready to fight for liberty and independence as he has always been. He enjoys what he calls a higher culture which he has developed in the light of the "Lamp of Experience" but he is still deeply in need of help.

He who works in the ditch and dwells in a slum is quite as much in need of the benefits to be derived from the Bible as he who

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 22, 1964

The House met at 12 o'clock noon.

The Most Reverend Jaroslav Gabro, D.D, bishop of the St. Nicholas diocese in Chicago for the Ukrainians, offered the following prayer:

Almighty and eternal God, in whose dominion are the authority and rights of all humanity, look with favor upon those who are in authority over us, that throughout the world, religion and national security may have a firm and lasting foundation.

We beseech You, O God, to assist with Your holy spirit of counsel and fortitude the President of the United States, that his administration be guided in righteousness, and be eminently useful to the people over whom he presides, encouraging due respect for virtue and religion, and faithfully executing our laws in justice and mercy.

Let the light of Your divine wisdom direct the deliberations of our esteemed Congress, in their laws and achievements, so that they may tend to the preservation of peace, the promotion of

lives in a palace and enjoys the luxuries afforded by wealth.

In this day of unrest, economic uncertainty, and social turmoil, the most stable governments on earth are as seriously in need of divine wisdom as were the first cities and states when they suffered from growing pains in the early stages of history.

Charles Creager was a lifelong Republican who fought hard for his party. However, the influence which he exerted and the respect which he commanded knew no party lines.

For example, in 1963 the Democratic-dominated State legislature in Oklahoma passed a resolution honoring and congratulating Mr. Creager on his 90th birthday.

We in Oklahoma today are indeed fortunate that a man of Charles Creager's character and talents became an adopted son of our State when it was in its infancy of statehood. His influence at this critical period helped in a major way to get our State on its feet and walking in the direction of progress and achievement.

My deepest sympathies go out to Mrs. Creager, the lovely and talented wife of our former colleague, and to the family. However, I know that the great strengths which Charles Creager possessed in life give strength to all who knew him in their time of sorrow today.

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

Mr. EDMONDSON. I am glad to yield to the gentleman from Oklahoma, [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, Oklahoma shares with the Nation a heavy loss in the passing of our former Congressman, Charles Edward Creager, who so ably devoted his 90 full years to the betterment of mankind.

It was only last May that I had the opportunity of paying tribute to Charles as he entered upon his 90th year; and in the RECORD reminisced with fellow Oklahomans about his long record of accomplishments. Indeed it is a long record. A life story that took him through wars, into the world of journalism and the business arena on to a congressional office, as the Republican Representative from the new State of Oklahoma in the 61st Congress. Oklahoma at that time was only 2 years old, having been admitted to the Union in 1907.

Charles' term in Congress—1909–11—were growing years both for him and for the State of Oklahoma. He was having to apply hard earned and carefully assimilated experience to the tasks at hand; and young Oklahoma through increased population had to find better ways to serve its people. A census was taken and redistricting was considered; and then the newly elected Governor ordered the three allowed Representatives to run at large, rather than call a special session for the redistricting question. Charles faced a tough battle in a State that was overwhelmingly Democratic, and against heavy odds the young Republican lost his congressional seat. However, he was not one to be easily discouraged, and took up his post as "John Q. Citizen" with renewed vigor, making some of his most

needed contributions to mankind in the field of business and journalism.

It is a great privilege to be able to say that Charles Creager was an "Oakie"; but perhaps the character of a man is best assessed by his evident spiritual insight into the problems at hand. In this light, Charles might be judged by this statement he made in the introduction to one of his books:

In this day of unrest, economic uncertainty, and social turmoil, the most stable governments on earth are as seriously in need of Divine wisdom as were the first cities and States when they suffered from growing pains in the early stages of history.

Yes, Oklahoma and I will sorely miss Charles Creager's wit, his activity, his enthusiasm and alertness to duty, but it will never cease to benefit from his rich legacy of contributions to the State of Oklahoma and the country. We are indeed fortunate "heirs".

To his family, I extend my sincere sympathy.

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

Mr. EDMONDSON. I am very glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my colleagues in this word of tribute to a great Oklahoman, who was such a versatile man, who was such a venerable and respected character in our State for so many years; a great Congressman, a great author, an outstanding editor, and a successful businessman. He has lived the good life and the full life and we shall all miss him.

Mr. EDMONDSON. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members wishing to do so may extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. STEED. Mr. Speaker, the career of the late Congressman Charles E. Creager of Muskogee, Okla., was a distinguished one in many fields. He served as a Member of this House from 1909 until 1911, and for many years was associated with the Bureau of Indian Affairs. In addition he won renown as a journalist, author, oilman, and a leader in Masonry.

A native of Ohio, he served in the Spanish-American War and had a notable career as a newspaperman before moving to Oklahoma 60 years ago.

During his service in the House he introduced a bill that would have established a Department of Health and Welfare, a proposal that proved more than 40 years ahead of its time. He also was a sponsor of a bill that was enacted at the time establishing the Bureau of Mines.

A member of the McAlester Consistory since 1908, Mr. Creager held a 50-year pin as Knight Commander of the Court of Honor. He was believed to be the senior holder of the KCCH rank in the State of Oklahoma.

A former potentate of the Bedouin Shrine Temple, he was also past grand

high priest of the grand chapter of Royal Arch Masons of Oklahoma.

His career was a long and fruitful one, and I join in expressing regret at his passing and sympathy to the members of his family.

#### RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JANUARY 22, 1964.

HON. JOHN W. MCCORMACK,  
Speaker of the House,  
House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the Committee on Post Office and Civil Service and the Committee on the District of Columbia.

Thanking you, I am

Yours respectfully,

JOEL T. BROTHILL,  
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

#### ELECTION TO COMMITTEE

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 613

Resolved, That JOEL T. BROTHILL, of Virginia, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### SUBCOMMITTEE ON DOMESTIC FINANCE—COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Domestic Finance of the Committee on Banking and Currency have permission to sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### RESIGNATION OF EDWARD R. MURROW AS CHIEF OF U.S. INFORMATION AGENCY

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, with the resignation of Edward R. Murrow as Chief of the U.S. Information Agency one of the great public figures of this generation has stepped down. Mr. Murrow has occupied this important post during a most critical and difficult period. He has told the American story around the world perhaps better than anyone else could have told it. He has done this despite the inherent handicaps of bureaucracy and public policy.



And the great services he performed for this Nation as a member of the National Security Council can never be fully chronicled.

Mr. Murrow as much as any man I know has represented the positive side of American journalism. He was one of those who did not need to find a man who had bitten a dog in order to write a good story. His great job of reporting and interpreting the events which led to World War II and his reporting during the war have become classic sources for the historian. To the infant medium of television he gave new dimensions that have not yet been equaled.

A very able man, Mr. Carl Rowan, succeeds Mr. Murrow. President Johnson is to be congratulated on this appointment. We are confident that he will do a splendid job.

We are also sincerely hopeful that Ed Murrow, that kindly, considerate man whose professional and personal life have been marked by integrity, and who gave up so much in the way of financial remuneration to become a distinguished public servant, may fully recover his health and may have many more happy and useful years. This man has earned and deserves the accolades and good wishes of the entire Nation—and in his own words—"This I believe."

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

Mr. ALBERT. I am glad to yield to my friend from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I should like to join the distinguished majority leader in the tribute he has paid to Edward R. Murrow. I am a member of the Subcommittee on Appropriations that handles the budget for the USIA. During the period Mr. Murrow was the head of that Agency I learned to know him well and admired him very much. He brought competence into a very difficult position and served the country well in that position.

Mr. Speaker, I join the gentleman in wishing him well. We shall miss him for he has done an excellent job in a very difficult assignment.

Mr. ALBERT. Mr. Speaker, I thank the gentleman.

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

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

Mr. BOLAND. Mr. Speaker, I should like to compliment the majority leader on the remarks he has made concerning Edward R. Murrow and on the excellent job he has done as head of the USIA. Also I concur in the remarks of the gentleman from Ohio [Mr. Bow]. I had the opportunity of sitting in on some of the supplemental appropriations requests for the USIA and observed Mr. Murrow in action. I agree with my distinguished colleagues in saying that this gentleman has done an outstanding job as Director.

All of us are reluctant to see Mr. Murrow leave the public service. Americans everywhere have felt a personal link with him because he has visited many times in their homes by means of the television screen and the radio loudspeaker. They

have felt confidence in knowing that the portrayal of America abroad was in charge of this man so dedicated to his country and so dedicated to the truth, so understanding of the people and problems of this country, and so understanding of the problems of interpreting them for others.

In his difficult work Mr. Murrow found one unfailing guideline: truth. When asked by a Senate committee over a decade ago to comment on how the U.S. information program should be handled, Mr. Murrow said:

We have no choice but to try to tell the truth about ourselves. There is no other way to make the Voice of America more authoritative, more trustworthy; no other way to persuade our allies and the doubters that we pursue a policy which they can endorse, support, and join.

Mr. Murrow brought to his job as Director of the U.S. Information Agency a wealth of experience in news presentation and international understanding. Born April 25, 1908, near Greensboro, N.C., he had graduated Phi Beta Kappa from Washington State College. One of his early jobs was as assistant director of the Institute of International Education, for which he served as head of its foreign offices in several European capitals. He joined CBS in 1937 as director of its European affairs and during the Second World War he became known to all Americans for his reports, "This—Is London." Later he became a vice president and director of public affairs and one of the Nation's most distinguished commentators. It was with great personal financial sacrifice that Mr. Murrow left CBS in 1961 to take the position as head of USIA, a post he took because of his great regard and esteem for the late President Kennedy and the devotion of both of these men to their country.

The whole Nation owes Ed Murrow a great debt of gratitude for the magnificent job he did at USIA during the past 3 years, and though we are sorry to see him leave the post we hope that his retirement from the demands of public office will bring about a full and speedy recovery. All of us affectionately reiterate President Johnson's closing words in reluctantly accepting Mr. Murrow's resignation: "Goodbye and good luck."

At the same time I would like to take this opportunity to commend President Johnson's selection of Carl T. Rowan to replace Mr. Murrow. Mr. Murrow himself has said that this is a job which ought to be done by newsmen, and Mr. Rowan ranks high among the excellent journalists in our country. For 13 years, Mr. Rowan was a prize-winning reporter for the Minneapolis Tribune. He has been the recipient of many awards for journalism, including the Sigma Delta Chi award for the best foreign correspondent of 1955.

Mr. Rowan has received additional invaluable experience for his new post in his more recent positions as Deputy Assistant Secretary of State for Public Affairs, to which he was appointed by President Kennedy in 1961, and as Ambassador to Finland, a post to which he was appointed last year and which fur-

ther demonstrated his ability in international communication. Additional qualifications of Mr. Rowan, who was born August 11, 1925, in Ravenscroft, Tenn., are service as an ensign in the Navy, one of the first Negro Navy officers in our history, graduation from Oberlin College and a master's degree in journalism from the University of Minnesota.

Mr. Rowan has proved to have ability, dynamism, understanding, and sensitivity. To Mr. Rowan, who will now hold one of the highest Government offices ever occupied by a Negro, we say "Hello and good luck." The job of portraying America abroad is in your hands.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this subject at this point in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I thank our distinguished majority leader for his usual thoughtfulness in making time available to all Members to join in a highly deserved tribute to Edward R. Murrow.

Few Americans in our time have made a contribution which compares to the contribution of Edward R. Murrow, in the all important fields of communications and public education.

As a great wartime correspondent during World War II, Ed Murrow won the admiration and confidence of his fellow countrymen.

In the hectic years which followed the war, he continued to build upon that foundation, while doing more than other commentators to call public attention to some of our Nation's most urgent problems.

As head of the U.S. Information Agency during the past few years, he has performed a splendid patriotic service.

All America owes Ed Murrow a debt of gratitude.

Mr. O'HARA of Illinois. Mr. Speaker, hanging on the wall of my office directly to the right of my chair is a framed photograph of Edward R. Murrow. That photograph will continue to occupy a place of honor in my office as Ed Murrow shall continue to hold a place of affection in my heart.

Edward R. Murrow has planted in millions of homes the world over the image of Uncle Sam as we would wish it to be known and to be accepted. As chairman of the Subcommittee on Africa and as a member of the Subcommittee on Inter-American Affairs, I have been in a position to judge with accuracy the work of Edward R. Murrow in these two important and restlessly dynamic areas. Let me sum it up very briefly. It was the genius of Ed Murrow and his associates in understanding people and in transmitting the chronicle of news events in the tempo of human understanding; it was this genius that turned the tide in Latin America and in Africa.

He gave to the U.S. Information Agency and to the Voice of America that touch of quality, of class, of high vision that he earlier had brought to the TV channels. In the all too brief period

of his service as Director of USIA he has won a lasting place as one of the most cherished and eloquent ambassadors of good will and understanding in our national history.

President Johnson's selection of Carl T. Rowan as Mr. Murrow's successor as USIA Director will be universally applauded, and with Mr. Rowan as he tells abroad the story of America will go the every good wish of the Members of this body.

#### PRESIDENT PUSHES FOR PEACE

Mr. REUSS. 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. REUSS. Mr. Speaker, three important steps for preserving peace were taken in 1963: the nuclear test ban, the Washington-Moscow hot line, and the United Nations General Assembly action against nuclear weapons in space.

President Johnson is determined to maintain this momentum, and to find new ways in which international tensions can be reduced.

Yesterday, in a message to the disarmament conference in Geneva, the President made several proposals which will carry us in that direction. Let us unite behind the President in support of his program, and in general support of his constructive search for ways to resolve conflict among nations without resort to force.

We cannot put less energy and thought into the problem of peace than we have put into inventing the weapons of war—weapons whose complete destructiveness requires us to control them.

Cool, collected perseverance will be needed at the 18-nation disarmament talks now opening in Geneva. The Congress should be as one in support of the President on this crucial issue. We should lend our unqualified support, and show the world that President Lyndon Johnson leads a nation united in the search for a secure peace, for ourselves and for people everywhere.

#### THE LATE WILLIAM J. GREEN

Mr. CELLER. 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 York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am sure that my sorrow is shared by all Members of this Chamber in marking the passing of our late and beloved colleague, William Joseph Green, Jr., of Pennsylvania. For Bill Green to have died before the age of 54, is, indeed, not only a personal tragedy for his family and friends but also a loss to his State and to his country which he served so valiantly.

Bill Green was a fighter. In his years of service, he proved what fighting for

what is right could do when it is joined with the energy, the perspicacity, the balance of judgment, which were his. It seems hard for me to believe that Bill is no longer with us. I had known him since he first came to this arena in the 79th Congress, and I have seen him in action since then as a leader and persuader, as a man of the widest of sympathies and the deepest of loyalties.

To his wife and to his children, to his friends, I extend my sympathies, but a portion of that sympathy I reserve for myself because I, too, was proud to call him "friend."

#### COMMEMORATION OF UKRAINIAN INDEPENDENCE DAY

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, January 22, 1964, is the 46th anniversary of Ukrainian independence. Every year on the 4th of July we Americans celebrate our independence in freedom and comfort. But the Ukrainian people, suppressed by the weight of an occupation army and the loss of national independence, are not so fortunate. They are permitted only the most superficial and harassed celebrations.

It is well known that the Ukraine has a history and culture quite distinct from that of Muscovite Russia. For centuries the Ukrainians fought repeated invasions from all sides, accompanied by horrible massacres and famines. In fighting together they gradually came to realize their national character and to feel themselves part of a great nation. From their first cooperative efforts arose, in 1918 the Rada, a popularly elected assembly, which promised to be the foundation of a democratic government for a Ukrainian Republic. But in 1920 Soviet Russia conquered the Ukraine, smothering democracy almost at birth. Since then, the hard working Ukrainian people have made the Ukraine one of Soviet Russia's most prized colonies.

The Ukraine has been forcibly so thoroughly incorporated into the Soviet empire—indoctrinated, infiltrated, reorganized—that the Ukrainians themselves must have nearly despaired of ever reviving their former freedom. But the spirit of freedom cannot be so easily extinguished. The people of the Ukraine still remember that they once were a proud, independent nation. Surely, when the time comes, the Ukraine will rise again. Then Ukrainians will be able to celebrate their independence day as it should be celebrated—openly, happily, with a strong sense of pride. The American people look forward to that day.

Americans of Ukrainian descent in our State of North Dakota are planning to observe this memorable event with appropriate ceremonies. Special church

services will be held at Belfield and Wilton, N. Dak., and rallies and a radio program will be held on Sunday, January 26.

#### ESTABLISHMENT OF A COMMISSION ON ORGANIZATION AND OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. HARVEY of Indiana. 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 Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I am today introducing a bill that will provide for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government in accord with recommendations by our President, and in full support of many Members of Congress. I am hopeful that we will have established a so-called Hoover Commission on Reorganization of the Government.

It was my privilege when I first came to the Congress to serve on the Committee on Government Operations that implemented the report and recommendations of the first Hoover Commission. The gentleman from Ohio [Mr. Brown] and our Speaker of the House were members of the committee at that time. I know they will bear out my statement that it was a very effective effort. I am joining with my colleague, the gentleman from New York [Mr. Riehlman], who is the ranking Republican member on the House Committee on Government Operations in submitting this bill.

The SPEAKER. The time of the gentleman has expired.

#### PERSONAL EXPLANATION

Mr. SIBAL. 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 Connecticut?

There was no objection.

Mr. SIBAL. Mr. Speaker, yesterday after voting on the amendment and the motion to recommit on H.R. 4879, the Library Services Act, I was called from the floor and unavoidably detained by a constituent. Upon my return to the floor I learned that the vote had been taken upon final passage during my absence. I wish the Record to show that had I been present I would have voted "aye."

#### SUBCOMMITTEE ON FINANCE AND COMMERCE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Finance and Commerce of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.



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

There was no objection.

#### BRIBERY IN SPORTING CONTESTS

Mr. CORMAN. Mr. Speaker, pursuant to the unanimous consent agreement of January 20, 1964, I move to suspend the rules and pass the bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, as amended.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 11, United States Code (entitled "Bribery and Graft"), is amended by adding at the end thereof the following new section:*

*"§ 224. Bribery in sporting contests*

*"(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence, in any way, by bribery any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, shall be fined not more than \$10,000, or imprisoned not more than 5 years, or both.*

*"(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.*

*"(c) As used in this section—*

*"(1) The term 'scheme in commerce' means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication;*

*"(2) The term 'sporting contest' means any content in any sport, between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;*

*"(3) The term 'person' means any individual and any partnership, corporation, association, or other entity."*

*(b) The analysis of chapter 11, title 18, United States Code, is amended by adding at the end thereof the following new item:*

*"224. Bribery in sporting contests."*

*Amend the title so as to read: "An Act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes."*

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently, a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 14]

Ashbrook	Hanna	Philbin
Baring	Hansen	Powell
Barry	Harvey, Mich.	Pucinski
Bass	Hébert	Rivers, Alaska
Blatnik	Hoffman	Rivers, S.C.
Brock	Hollifield	Robison
Byrnes, Wis.	Jensen	Roybal
Cameron	Johansen	Saylor
Cederberg	Jones, Ala.	Schadeberg
Clausen,	Kee	Schneebell
Don H.	Kelly	Scott
Colmer	McMillan	Sheppard
Davis, Tenn.	MacGregor	Sisk
Dawson	Martin, Calif.	Smith, Calif.
Denton	Martin, Mass.	Staebler
Derwinski	May	Steed
Donohue	Miller, Calif.	Teague, Tex.
Dowdy	Miller, N.Y.	Udall
Findley	Milliken	Vinson
Fisher	Montoya	Watson
Flynt	Moore	Watts
Fulton, Pa.	Morton	Westland
Gary	Nelsen	Wickersham
Gill	O'Brien, Ill.	Williams
Grant	O'Brien, N.Y.	Wilson, Ind.
Green	Pepper	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 355 Members have answered to their names, a quorum.

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

#### BRIBERY IN SPORTING CONTESTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Speaker, this bill involves competitive sports, an important aspect of American life. Every young American has an interest in the athletic field, and in sporting events. Many thousands of Americans earn their living in professional sports.

There has grown up over the years a substantial illegal business of gambling. It has been estimated that it runs as high as \$25 billion a year, which passes from one person to another in this illegal manner.

The purpose of S. 741 is to prohibit bribery in any form, if it is carried on through interstate commerce, as it may relate to a sporting event. At present there is no Federal law which controls this kind of activity. Federal bribery laws go to the conduct of governmental officials in their official capacity.

The 87th Congress passed a law which prohibited movement in interstate travel for the purpose of violating laws. It has been very useful in curbing organized crime in this country. But, it does not cover the specific evil attempted to be covered by this legislation.

It is to be noted that of the 50 States, 12 States do not prohibit bribery in sporting events.

During the hearings before the Committee on the Judiciary, this specific legislation was supported by the National Collegiate Athletic Association, the American Football Coaches Association, the National Association of Basketball Coaches, the National Association of Col-

legiate Coaches. Further, it has the endorsement of the Department of Justice.

During the hearings, the House Committee on the Judiciary made some significant changes in the bill, S. 741, which I would like to call to the attention of the House.

The amendments broadened the coverage of the Senate version of the bill by eliminating reference to participants. The original bill, S. 741, dealt only with bribery of participants. This bill deals with bribery of any person in connection with the sporting event.

Furthermore, the Senate bill spelled out that bribery was to influence the outcome of the contest. During the hearings, it became apparent that frequently not only the outcome of a contest, but the point spread in a game or the round in which a prizefight might be terminated and many other things can become the object of betting. It was, therefore, the intent of the committee to cover these aspects of sporting events also and not just the outcome of the event. That is the reason for the change.

We changed the penalty so that the penalty provisions would conform with the penalty provisions in other bribery statutes.

I call the attention of the House to another change which occurs in subsection (c) (1) of section 224. The Senate version read:

The term "scheme in commerce" means any scheme effectuated in whole or in part through the use of any facility for transportation or communication in interstate or foreign commerce.

The House version reads:

The term "scheme in commerce" means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication.

Thus, we make it clear we anticipate covering conduct which is carried on or attempted only in interstate commerce.

Mr. MEADER. Mr. Speaker, will the gentleman yield for a question?

Mr. CORMAN. I yield to the gentleman.

Mr. MEADER. I might say, as a member on the Committee on the Judiciary that studied this measure and was concerned that the measure might be a precedent for Federal regulation of sporting events, as the gentleman probably knows there has been a very violent controversy going on under the court decisions that professional football is regarded commerce and subject to the antitrust laws, but that professional baseball is not. Therefore, its efforts to clear up that situation in the Committee on the Judiciary have met with failure because of the emotional character of this subject. It is my concern that this bill should not be regarded as a precedent for Federal regulation of sporting events on the theory that they are interstate commerce whether they be professional sporting events or whether they be collegiate or other amateur sporting events, and I was assured by the counsel of our committee and by the members of the committee who are interested in this legislation, and I want to make legisla-

tive history on this subject today, that this bill in no way is to be regarded as a precedent for the regulation of sporting events generally on the theory that they are interstate commerce. My understanding is that the philosophy and theory of this bill is what is the subject matter of Federal attention here, and that is the utilization by bribery of interstate facilities.

Now I would like the assurance of the gentleman who is handling the bill on the floor that my understanding of this bill is correct and that it is not to be regarded as a determination that the Congress has authority to regulate sporting events generally on the theory that they are interstate commerce.

Mr. CORMAN. I believe the gentleman has stated the law as to this bill correctly. Certainly, this bill extends only to curbing bribery and has nothing to do with the contest itself as such.

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

Mr. CORMAN. I yield to the gentleman.

Mr. CELLER. It is very significant that quite a number of States—I believe 38 States—have antibribery statutes concerning sports, but they are all facing difficulties because when the State line is reached they are blocked.

As an example, the committee received an interesting communication from one of the assistants of the very distinguished and honored district attorney of the county of New York, Mr. Frank Hogan. Speaking for Mr. Hogan, the assistant district attorney said:

The experience gained from two major investigations by this office into corruption in sports discloses that it is national in scope and that the criminal element does use interstate facilities of communications and transportation to carry out their nefarious schemes.

The need for this legislation is further emphasized by the limits of jurisdiction of local authorities to deal with interstate crimes. In addition, it does not appear that all States currently have local statutes covering this subject.

As a matter of fact, there are 12 States which do not have such statutes.

Our inquiry revealed that most of the college sports associations and professional sports associations exercise, so far as they may, rather severe disciplinary controls over sensitive provisions regarding gambling, but something more is needed.

Mr. Pete Rozelle, commissioner of the National Football League, said, among other things, in advocating passage of the bill, that the bill would:

Serve as a strong deterrent to individuals not within the jurisdiction of our organizations who may desire to corrupt those participating in team sports.

The Judiciary Committee found among its membership no one in opposition to the bill. The report was unanimous. I do indeed hope that the bill will prevail under the suspension of the rules procedure.

Mr. MEADER. Mr. Speaker, will the gentleman yield for a question?

Mr. CELLER. I yield.

Mr. MEADER. I believe the gentleman is absolutely correct in saying that there was no opposition to the bill, but I believe the gentleman will also concede that I raised the same question in the committee which I raised with the gentleman from California [Mr. CORMAN] a moment ago on the floor, and it was only because of the assurance given to me in the committee that the bill would not be considered a precedent for Federal regulation of sporting contests generally on the theory that they are interstate commerce that I did not object.

I should like to have an expression of view by the chairman of the committee on that subject.

Mr. CELLER. The gentleman is eminently correct when he states exactly what he has stated. There is no attempt to bring that about at all.

Mr. MEADER. I say to the gentleman that if I did not have complete assurance that this was not to be a precedent for the regulation of sporting events by the Federal Government I would be constrained to oppose the bill as vigorously as I know how.

Mr. McCULLOCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as never before, American athletes are now being subjected to temptation by some of America's most despicable element, the bribers, fixers, and gamblers. Though only a comparatively few of the tens of thousands of honest professional and collegiate athletes of this country have succumbed to the mounting temptations brought to bear by the gambling fraternity, the increasing number of sports scandals, uncovered in recent years, have been a source of chagrin and dismay to us all. The greed of the professional gambler and the weakness of a very few collegians, in particular, have temporarily clouded the appealing image of collegiate athletics and threatens to undermine public confidence in all competitive games.

The gambling and bookmaking operations of today are big business, and numerous investigations of sports fixes have made it clear that the gamblers have attempted to make and, in a few instances, have made a large-scale move into such collegiate, amateur, and professional sports events as basketball, boxing, baseball, and football. It is believed by many law-enforcement officers that the proceeds from gambling on sporting events is one of the major sources of income for the underworld and is used to promote the expansion of other criminal activities such as labor racketeering, bootlegging, traffic in narcotics, and white slavery.

Whether a sports bribe is carried out on a multistate basis, as most are, or on a local basis, should be of no great concern to Congress in finding a jurisdictional foundation, for both utilize interstate communication facilities. The briber or fixer often uses the telephone, the telegraph, or the mail to contact and pay off conspiring athletes. He communicates, by the same means, his "information" to the bookmaker, who, in turn, may relay the news of the prede-

termined outcome of the game to other trusted members of the organization. And these, in turn, may be the same individuals who originally suggested and planned the scheme through the channels of interstate communication. In short, it is quite evident that modern organized gambling operations are completely intertwined with the Nation's communications systems.

Subcommittee hearings on this bill revealed numerous examples of the interstate nature of this objectionable activity. For example, there is the case of the University of Oregon football player, who was approached in Ann Arbor, Mich., by a Miami Beach gambler. By the time the Michigan authorities arrived, in an attempt to apprehend the gambler, he had already left the State. The subcommittee was also told of a New York City lawyer who was involved in attempting to fix 25 basketball contests in 10 different States.

Perhaps one of the most objective and dependable recent studies on this subject is compiled in a New York State document entitled, "Syndicated Gambling in New York State." At page 115 thereof appears this finding of the committee:

Central New York syndicated bookmaking is an integral part of the smoothly functioning interstate network of such bookmaking activity extending throughout a 14-State area and the northeastern section of the United States. Direct and important bookmaking contacts also extend from central New York into Canada, Miami, Fla., and Biloxi, Miss.

The Department of Justice pointed out in a report on this subject, to the chairman of the Senate Committee on the Judiciary:

State law enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations; the Federal Government has been handicapped by lack of complete statutory authority to assert its full power.

Though this lack of Federal authority was partially remedied in the 87th Congress by the enactment of Public Law 87-216—16 USC 1084—Transmission of wagering information, Public Law 87-218—18 USC 1952—Interstate and foreign travel or transportation in aid of racketeering enterprises—these laws allow only a partial attack on this problem.

For example, Public Law 87-228 applies only to interstate sports bribery when the bribe occurred in a State which has laws proscribing sporting events bribery. Thus, existing law covers this situation only to a limited degree, leaving an obvious need for further Federal action. With an exercise of its plenary power over interstate facilities for transportation and communication, Congress would be authorizing the assistance so badly needed by the States in coping with this problem.

It was with a view to this intolerable situation that I submitted H.R. 3696 in February of this year, a bill identical in substance to the bill which is before us today. S. 741 would make it a Federal offense to conspire to influence in any



way, by bribery, any sporting contest in which the scheme involves the use of any facilities, of interstate or foreign commerce. The bill would apply penalties of up to \$5,000 and/or 10 years in prison to all who may be involved in such endeavors including players and officials, as well as the gamblers and fixers. Under the provisions of this bill, it is clear that granting Federal authority over this subject matter would in no way exclude or circumscribe the effect of any local law or the jurisdiction of any local authority over an offense over which it would have jurisdiction in the absence of this legislation. Furthermore, the sports bribery bill in no way affects the legal relationship between the Federal Government and the Nation's sporting endeavors. In short, this bill suggests no change in our present antitrust law attitude toward athletic teams or organizations, for the bill finds its jurisdiction in the interstate nature of the bribing and fixing activities, and in no way depends upon, or implies, any interstate nature of the sporting contests.

The bill in its present form has been given strong endorsement from many quarters including not only the Department of Justice, but the National Collegiate Athletic Association, the Eastern College Athletic Conference, the American Football Coaches Association, the National Association of Basketball Coaches, the National Football League, the commissioner of baseball, Mr. Ford C. Frick, and the president of the National Association of Professional Baseball Leagues, Mr. George M. Trautman. Mr. Pete Rozelle, the commissioner of the National Football League, said this bill would:

1. Give the general public major additional assurance of the strong protective measures being taken to preserve the integrity of team sports that have such wide appeal.

2. Serve as a strong deterrent to individuals not within the jurisdiction of our organization who may desire to corrupt those participating in team sports.

The Senate, on October 30, 1963, acted favorably on this bill authored by Senator KEATING.

I urge every Member of the House to support the motion to suspend the rules and pass the bill.

I support the motion, and I hope that it will be agreed to overwhelmingly.

As has already been indicated, the bill came from the Committee on the Judiciary without a single vote in opposition thereto. Every major collegiate athletic association in the country is in favor of this legislation. I know of no professional sports organization that is against it.

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

Mr. McCULLOCH. I am pleased to yield to the chairman of our committee.

Mr. CELLER. The gentleman is very modest. The bill was his own bill. We were very glad to embrace its provisions, but, from a parliamentary standpoint, since the Senate bill had already passed we felt it would be well to have it passed by the House.

Mr. McCULLOCH. Mr. Speaker, I thank the chairman of our committee very much for his statement.

In addition to what the gentleman has said, as I recall, the legislation not only passed the other body in 1963 but also passed the other body in 1962 or theretofore.

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

Mr. McCULLOCH. I am glad to yield to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I note that the hearings held by the subcommittee of the Committee on the Judiciary on November 21, 1963, contain the testimony given by the gentleman from Ohio, the author of this legislation. I wish to read from page 16 of the transcript, from the statement made by the gentleman from Ohio to the subcommittee of the Judiciary Committee, as follows:

Furthermore, the provisions of this bill are not to be construed as altering the status of sporting contests under existing law. I want to make that statement unmistakably clear.

In view of the fact that the gentleman is the author of the legislation and is the ranking minority member of the Committee on the Judiciary, I should like to address to him the same question I have addressed to the gentleman from California [Mr. CORMAN] and to the gentleman from New York [Mr. CELLER], the chairman of the committee; namely, whether this bill should be treated as a precedent for Federal power to regulate sporting events generally, whether they be professional or amateur, on the theory that they are in interstate commerce.

Mr. McCULLOCH. Mr. Speaker, I am glad to say to my distinguished colleague from Michigan [Mr. MEADER] that that was not the intention when I drafted the bill, when I conferred with Senator KEATING about it, nor was it my intention during the hearings on the bill. The quotation which the gentleman from Michigan has read was my opinion then and was my intention then. It is my opinion now and it is my intention now. I want to make that unmistakably clear.

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

Mr. McCULLOCH. I am happy to yield.

Mr. MEADER. Mr. Speaker, I should like to call the attention of the House to the paragraph of the report on page 3 of the committee report just above the departmental reports, which reads as follows:

It should be noted that this bill is based on the employment of facilities in interstate commerce for effectuating a scheme to influence a sporting contest by bribery. It does not purport to deal with or affect the issue of whether sporting contests are to be considered in interstate commerce.

If the gentleman will yield further, I would like to ask unanimous consent to include at this point in the RECORD a memorandum with relation to this bill prepared by one of the minority counsel of the Committee on the Judiciary.

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

There was no objection.

The memorandum referred to is as follows:

THE SPORTS BRIBERY BILL (H.R. 3696 AND S. 741)

1. The sports bribery bill in no way affects the legal relationship between the Federal Government and the Nation's sporting endeavors. In short, this bill suggests no change in our present antitrust law attitude toward athletic teams or organizations, for the bill finds its jurisdiction in the interstate nature of the bribing and fixing activities, and in no way depends upon, or implies, any interstate nature of the sporting contests.

To say that this bill would suggest that sporting contests are in interstate commerce, and thus subject to Federal jurisdiction, would be the same as saying that a racehorse, upon which a bet is placed, is similarly engaged in interstate commerce.

2. It has been suggested by some that a sports bribery bill (H.R. 3696 and S. 741) is unnecessary in the light of existing laws which are said to adequately cover the situation. It is submitted that this contention is not accurate. As stated by the Department of Justice in a report to the Senate Committee on the Judiciary, "State law-enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations; the Federal Government has been handicapped by lack of complete statutory authority to assert its full power."

There are three principal laws, enacted in 1961, which deal with the problem of gambling, but which unfortunately allow only a peripheral attack on bribery in sporting contests, 18 U.S.C. 1084 (Public Law 87-216) deals with the transmission of wagering information. While prohibiting the use of wire communication facilities "for the transmission in interstate or foreign commerce of bets or wagers, or information assisting in the placing of bets or wagers" would perhaps have some applicability to a bribery situation, it is clearly not sufficient to do the job.

In the same manner, 18 U.S.C. 1953 (Public Law 87-218) is aimed at stopping the interstate transportation of wagering paraphernalia, but this, too, is inadequate to give Federal authorities jurisdiction over the typical fixed-game operation.

Finally, 18 U.S.C. 1952 (Public Law 87-228) bans interstate travel or transportation, or use of any facility in interstate commerce to aid or promote racketeering enterprises. Among the specific prohibitions of this section is the use of "any facility in interstate commerce, including the mail," to "promote . . . carry on, or facilitate . . . any unlawful activity." Since the definition of an "unlawful activity" includes "extortion or bribery in violation of the law of the State in which committed or of the United States," this section can only be applied in those cases where the sports bribery occurred in a State which has laws proscribing such activities, but is of no avail when State law is silent on the subject.

Mr. McCULLOCH. Mr. Speaker, so far as this side of the aisle is concerned, the matter has been covered. There are no more requests for time.

Mr. CORMAN. Mr. Speaker, I would like to join our chairman, since I sat on the subcommittee which held the hearings, in stating that I know the gentleman from Ohio [Mr. McCULLOCH] was the moving force behind this bill along with the gentleman from Georgia, Congressman FORRESTER, our subcommittee chairman.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr.

FASCELL may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, I am pleased to rise in support of the bill to prohibit schemes in interstate or foreign commerce to influence by bribery, the outcome of sporting contests. I cosponsored this measure in the House of Representatives and hope it will receive favorable consideration here today.

The bill will add a new section 224 to title 18, United States Code, to make it a criminal offense to influence a sporting contest by bribery. For such conduct to constitute a Federal offense, it must be done through the facilities of interstate or foreign commerce. The penalty provided by my bill is a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both.

In the past few years, unpleasant circumstances and unsavory events have made this legislation a necessity. Many States have passed laws in an attempt to curb the offering or acceptance of bribes in sporting contests; however, about 12 States have no statutes on this subject. Therefore, enforcement is increasingly more difficult because of the interstate nature of these illegal activities.

We must not allow these vicious operations to continue unchecked. Thousands of honest Americans are engaged or involved in legitimate sporting activities as their means of livelihood. Many thousands of others participate in college sports, professional and amateur athletics, while millions of Americans enjoy watching sporting events as their favorite form of recreation.

If our young people are to mature with a healthy respect for good, clean sports and retain their hero-image of their sports idols, we must do all we can to keep the games free of corrupting influence.

Unfortunately, gamblers and racketeers have other ideas. They look upon college and professional sporting events as their "gravy train" and are certainly not above tempting players and officials with large sums of money to manipulate the score or outcome of the contest.

The bill has the full approval of the Department of Justice and to my knowledge, no opposition has been forthcoming from informed sources. I take this opportunity to urge passage of this legislation.

The SPEAKER pro tempore. The question is on the motion that the House suspend the rules and pass the bill S. 741 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes."

# PATENT OFFICE FEES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 593 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Kansas [Mr. AVERY]; and pending that such time as I may consume.

As the Members know from the reading of the resolution it makes in order the consideration of the bill H.R. 8190 which concerns fees payable to the Patent Office and for other purposes. The rule provides 2 hours of general debate. It is an open rule. I know of no opposition to the rule and I reserve the balance of my time.

Mr. AVERY. Mr. Speaker, it is my conclusion from the reading of the report accompanying this bill that there is agreement that patent fees should be increased in order that the income to the U.S. Patent Office may be restored to as nearly as possible the same level at which it has prevailed historically. Further, it is my understanding there has been no increase in Patent Office fees since 1932. There is disagreement on the formula for increasing these fees.

It was anticipated originally when the Patent Office was first created that patent fees should not carry the full expense of the Office, but the income from them should approximate about 75 percent of the cost of operating the agency. At the present time the fees will defray only about 30 percent of the expense of the operation of the agency.

The members of the committee who have drafted this bill have concluded that with the passage of the bill the accumulation from the fees collected will restore the income of the agency to about 75 percent of the cost of its operation.

There have been bills introduced in almost every Congress since 1932 to increase the patent fees, but I think this is the first time that a bill has reached the floor of the House for formal consideration. So, Mr. Speaker, I urge the adoption of the rule.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

## IN COMMITTEE OF THE WHOLE

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8190, with Mr. JOELSON in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield myself 7 minutes.

I yield myself only a paucity of time because it is far better for the gentleman who presided over the destinies of this bill in the Judiciary Committee to give his explanation of it. I refer to the distinguished gentleman from Louisiana [Mr. WILLIS]. He will be here momentarily.

The purpose of this bill is to increase the fees payable to the U.S. Patent Office. Patent fees are prescribed by statute, and as indicated a few moments ago, they have not been overhauled in the last 30 years. In that period, of course, the value of the dollar has greatly changed. The time has come when we have to reappraise the fees presently charged by the Patent Office. Once the fee income of that Office substantially covered its costs. They now recover a little more than 30 percent of such costs.

H.R. 8190 is responsive to an executive communication from the Department of Commerce. It is the latest in a series of measures designed to restore a rational relationship between the Patent Office fees and the cost of administering the American Patent Office. The enactment of the bill will ultimately permit recovery of fees of approximately 75 percent of the cost.

The Bureau of the Budget very significantly stated with reference to these fees the following:

In fairness to the taxpayer, who carries the major burden of support of Federal activities, the Government has adopted the policy that the recipient of these special benefits should pay a reasonable charge for the service or product received or for the resource used.

The monetary value of rights acquired through the patent system is very large and very valuable. A large subsidy to the system is not necessary to protect the public. The bill would provide a fair degree of income to the Patent Office to defray the expenses thereof.

The bill also contains provisions of the fee structure, principally to serve two purposes:

First. To provide incentives to efficient and economical prosecution and examination of patent applications; and, second, to provide for deferment of payment of parts of the fees to times when the patent owner will be in a better position to judge the commercial value of his



patent. This is also designed to encourage patentees to discard patents whose disclosures they do not expect to come into commercial use, and is expected to reduce the number of unused patents in force.

I am informed that the fees that are now charged by our Patent Office are the lowest of any fees charged by patent offices throughout the world. That is rather anomalous. A bill of this character has been introduced in the House year in and year out for several years, but we were never able to get to first base with it.

I hope this House will realize that there is a need for a change in these fees and that this bill will be overwhelmingly adopted.

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

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

Mr. GROSS. Is there any increase in pay for employees of the Patent Office, any upgrading of employees, anything dealing with the compensation of personnel in any way involved in this bill?

Mr. CELLER. Nothing of that sort whatsoever in the bill.

Mr. GROSS. Nothing at all?

Mr. CELLER. Nothing at all.

Mr. GROSS. May I ask the gentleman, what about foreign companies and corporations? Do they pay fees to the U.S. Patent Office, or is there some form of reciprocity involved?

Mr. CELLER. It does not deal with that at all. It simply deals with an increase in patent fees. There is no reference to that at all.

Mr. GROSS. Your report says that more than 70 percent of the patents nowadays are assigned to American and foreign companies, and the U.S. Government. So we do have some foreign traffic here. My question is whether they pay fees to the United States or whether there is some reciprocity involved when we go to them for registration of a patent?

Mr. CELLER. Foreign entities pay the same fees as domestic entities, and they would have their fees increased, as would domestic entities, under this bill.

Mr. GROSS. I see; I thank the gentleman.

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

Mr. CELLER. I yield to the gentleman.

Mr. MEADER. I was interested to note that the first postwar bill on this subject was introduced by my predecessor in the House of Representatives, Hon. Earl Mitchener, who was chairman of the Committee on the Judiciary in the 80th Congress. But, apparently, he did not get any further with his bill than you have been getting with your bill subsequently, Mr. Chairman.

Mr. LINDSAY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman and Members of the Committee, first of all I think the Members of the Committee ought to take note of title V of United States Code, section 140. That section was enacted in 1952 and reads as follows:

It is the sense of the Congress that any work, service, publication, report, document,

benefit, privilege, authority, use, franchise, license, permit, certificate, registration, or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued by any Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945) to or for any person (including groups, associations, organizations, partnerships, corporations, or businesses), except those engaged in the transaction of official business of the Government, shall be self-sustaining to the full extent possible, and the head of each Federal agency is authorized by regulation (which, in case of agencies in the executive branch, shall be as uniform as practicable and subject to such policies as the President may prescribe) to prescribe therefore; such fee, charge, or price, if any, as he shall determine, in case none exists, or redetermine, in case of an existing one, to be fair and equitable taking into consideration direct and indirect cost to the Government, value to the recipient, public policy or interest served, and other pertinent facts, and any amount so determined or redetermined shall be collected and paid into the Treasury as miscellaneous receipts: *Provided*, That nothing contained in this section shall repeal or modify existing statutes prohibiting the collection, fixing the amount, or directing the disposition of any fee, charge or price: *Provided further*, That nothing contained in this section shall repeal or modify existing statutes prescribing bases for calculation of any fee, charge or price, but this proviso shall not restrict the redetermination or recalculation in accordance with the prescribed bases of the amount of such fee, charge or price. (Aug. 31, 1951, ch. 376, title V, 501, 65 Stat. 290.)

Mr. Chairman, I think it is important that all Members of the Committee who are interested in Government economy take into account the mathematics of this proposition. I do not care what anyone says to the contrary, the fact of the matter is that the Patent Office is supposed to be self-sustaining. During all the years of its early existence, possibly up to the 1920's, the Patent Office was self-sustaining to the extent of 90 percent. However, the fees charged by the Patent Office have not changed since 1932, while everything else in this world has been changed very substantially since 1932.

As has been pointed out, the Patent Office presently is self-sustaining only to the extent of approximately 30 percent. Some put the figure at the outside at 32 percent.

This bill is designed to rearrange the fee schedule in an eminently fair and reasonable way. This will recoup for the Patent Office sufficient funds which will put the Patent Office on a self-sustaining basis only to the extent of 75 percent; 25 percent will still have to be paid for by the appropriations process, from general revenues and from the taxpayers of this country.

One should take note of the European experience in this field. The European countries on the whole have been more attentive to private rights than has been the United States in both the copyright and patent area. Copyright and patent laws of European countries are stronger on behalf of private ownership and the monopoly right that is granted by governments to individuals, partnerships, or corporations, as the case may be, to own or to control patents. Yet, in Europe in

the patent field, fees have been reorganized substantially in order to put the administering governmental agencies on a self-sustaining basis. For 32 years we have not been willing to do the same.

Members may wish to turn to the report of the committee on pages 13 and 14 and there in short form Members will find a chart indicating what the fee schedule is presently and what is proposed for the future. Members will note also that under the bill additional revenues are expected to be recouped to the extent of \$13 million so that the revenue that comes into the Patent Office ultimately after all new fees go into effect will be approximately \$20.5 million a year.

The cost of the Patent Office in 1961 was \$23.6 million. That cost, as has been pointed out, is going up.

The routine fees will be adjusted as follows:

For filing, from \$30 to \$50.

For each claim in excess of 20 the present fee is \$1. It is proposed to change this to \$2 for each claim in excess of 10.

The issue fee is to be changed from \$30 to \$75. In addition to that, there is to be \$10 for each page of specifications and \$2 for each sheet of drawing.

The filing fee for reissue is to go from zero to \$75.

The filing fee for a reissued patent is to go from \$30 to \$50.

So far as the hearings are concerned before the Board of Appeals, the present fee for an oral hearing is \$25. It is proposed to change this fee from \$25 to \$100. For written submissions on appeal, without oral hearing, the fee would be changed from \$25 to \$50.

The recording of assignments fee is to be changed from \$3 to \$20.

There is a little adjustment in the field of trademark filings. That is to be changed from \$25 to \$35.

The renewal fee for trademarks is to be changed from zero to \$5; filing an affidavit, from zero to \$10.

The big issue of contention—and some Members have mentioned that they have received letters from patent attorneys at home on this—is chiefly in the area of what are called maintenance fees.

The maintenance fees are provided for, Members of the Committee will find, on page 6 of the bill, in section 155.

It is proposed, in substance, that there be a fee charged for the maintaining of a patent in the Patent Office, as follows: In the 5th year, \$50; in the 9th year, \$100; and in the 13th year, \$150.

The argument is made that perhaps this is prejudicial to the little man, to the new inventor, to the fellow who does not have a large amount of capital, and so forth, and that he will be penalized by this provision. Some have objected to it on the grounds that it should not be necessary to have a carrying charge, as it were, in the Patent Office, for the privilege of merely maintaining a patent there.

Exactly the opposite is true with respect to the little man, and I will explain to Members why.

We should remember, first, that approximately 70 percent of all patents are issued to corporations and to the U.S.

Government, but chiefly to corporations. It is estimated, roughly, that some 50 percent of the patents on file in the Patent Office are what are known as defensive patents, or patents which are not used. The application is filed and the patent is issued, and then nothing is done about it. It is a patent used for protective purposes, to hold a monopoly position, but the "gadget" or whatever it may be which is being protected is not put into the marketplace, and is not used by the public, and is not constructive.

The cost for carrying these patents on file is enormous, and one of the problems we face is the burden on the Patent Office of really carrying what some people call "deadwood." Each time a member of the public files for a patent, the Patent Office must go through an enormous examination and search to determine whether or not the issuing of the patent would infringe on the rights of some other prior owner. That includes this great backlog of roughly 50 percent of unused patents. In this day and age, as technology and science get more complicated, the effort and the cost to bring about this constant search and review becomes a great deal higher.

It is mainly the large corporations which keep these unused patents around, and this is where we find the heavy cost in the Patent Office. Therefore, we suggest that we hold down the filing and issue fees—the fees that the impecunious young inventor must pay—and impose a fee for the real area of cost. The hard fees are the first ones, and these we have been able to hold down because we have been able to build into the bill this provision for maintenance fees.

In addition to the foregoing, the Judiciary Committee has gone further and taken other steps to protect the new inventor. He is to be given a 6-month period of grace on the payment of maintenance fees. He can get that almost automatically.

Second—and this is noteworthy—he can defer the whole thing. He can defer the first \$50 fee payable after 5 years; he can defer the second fee which is payable after 9 years; he can defer up to 13 years—because these maintenance fees, as I pointed out, are chargeable the 5th year, the 9th year and the 13th year in terms of \$50, \$100, and \$150.

Mr. WILLIS. Mr. Chairman, will the gentleman yield at this point?

Mr. LINDSAY. Yes. I will be delighted to yield to the chairman of the subcommittee.

Mr. WILLIS. As a matter of fact, is it not so that the maintenance fees provision of the bill is really a device for the benefit of the small inventor?

Mr. LINDSAY. Absolutely.

Mr. WILLIS. Instead of having the small patent inventor pay everything originally and initially as the patent is issued, these payments are deferred over a number of years. Only in case his patent proves to be successful is he required to augment the amount. If we were not interested in the small patentee, we would impose it initially.

Mr. LINDSAY. The gentleman from Louisiana is absolutely correct on that. The small inventor or businessman who

has a patent on file in effect has 13 years to make good. In other words, he has that time to discover whether his patent is going to earn anything. In 13 years he should know whether the patent is a useful one or not. Seventeen years is the life of the patent in any event. Here he is given 13 years during which he pays no maintenance fee provisions if he has not been able to earn an income on the patent at least equal to the fee due and he submits an affidavit asking for a deferral. In addition to revenue there is an incidental benefit from maintenance fees and that is, it is hoped, that some of the so-called deadwood can be cleaned out a little bit so that the cost of running this Patent Office, which goes up all the time, can be held down. If any owner or corporation has an unused patent and really wants to keep it on file for his protection in the Patent Office, he has the right to do so provided he pays this very modest fee. If the patent is not earning, he may submit an affidavit and there will be a deferment of payment for a period of up to 13 years.

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

Mr. LINDSAY. I will be delighted to yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, one of the objections which I heard against the maintenance fee provision on the part of the bar association in my own State of Connecticut—and I understand there are many other bar associations which are opposed to this maintenance fee provision—is this:

Mr. LINDSAY. Mr. Chairman, I would like to correct the gentleman to say that there are not many bar associations but a very few bar associations and some few individual patent attorneys who oppose this bill.

Mr. GIAIMO. And some patent associations.

Mr. LINDSAY. There are some, but I would say it would be an overstatement to say that the patent bar is in solid opposition to it.

Mr. GIAIMO. Yes. I said there were some, and in my own State of Connecticut the opposition I have heard from the bar association is particularly directed to this problem of maintenance, because at the present time, as I understand it, there is no maintenance charge. Is that correct?

Mr. LINDSAY. That is correct.

Mr. GIAIMO. Under this bill there would be a maintenance charge which I am told could run to \$300 in many instances.

Mr. LINDSAY. That is the total over the life of the patent.

Mr. GIAIMO. That would be the total amount. The theory of the opposition seems to be that this would be a burden on many of the smaller types of industries who would have to pay this charge in addition to the legal fees involved, which would mean that in order to protect their position in the area of the protection of patents and copyrights, they would have this new charge imposed on them which could come to \$300 to \$500, which they do not have now. Therefore, it puts smaller business in a much

more disadvantageous position in relationship to large business, which is not concerned too much with fees in this area. Is that a fair comment?

Mr. LINDSAY. I appreciate the gentleman's comment, but I just cannot agree with the suggestion he is making. The fact of the matter is that small business and small industry are helped by this. It is the big corporations who flood the Patent Office with numerous defensive patents. These patents are not used constructively. They force out the little men because the competition is removed as long as that defensive patent is there. At the present time these defensive patents are getting a free ride. If these big corporations wish to keep these unused patents alive, it seems to me it is eminently fair and reasonable to suggest they pay over a period of 17 years time, which is in effect the length of the life of the patent, a reasonable charge for having it carried and maintained in the Patent Office. The patent attorneys, incidentally, I have noticed, have not been bashful about raising their own lawyer fees since 1932 whereas the taxpayers of the country have been forced to subsidize the Patent Office because the fee schedule has not changed since 1932, as I pointed out. What we are attempting to do is to hold down the routine fees, the initial filing and issuance fees which the little man, the little company, has to pay. The maintenance fee is geared either to the successful patent or to the defensive patent. It will not affect the struggling patent. The defensive patent is largely held by the big corporation which tries to hold a piece of the economy in a non-competitive status for protective purposes.

Mr. WILLIS. Mr. Chairman, will the gentleman yield further on the question of the maintenance fee?

Mr. LINDSAY. I yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Chairman, as I indicated a while ago, I agree completely with the gentleman on the idea behind this new approach of the maintenance fee provision. The Members will first have to make up their minds whether or not there should be additional revenues paid to the Patent Office in order to make that agency slightly more self-sufficient. I have been on this subcommittee for 15 years and chairman of it for 10 or more years, and I have been concerned, of course, about the small patent owner. And so in our search for some additional revenues for the Patent Office we considered the question of this maintenance fee. It was our idea that by this device of the maintenance fee we would be helping the small patent owner initially, the guy who cannot afford to pay too big a price to file an application or to have a patent issued to him without any assurance that his invention will be a success. And after he and he alone determined that it was a success he could maintain it by paying additional fees. These could have been imposed initially. The little guy, such as my friend has questioned the gentleman from New York about, can get a patent at a price as low as we have been able to devise initially and



is given an opportunity to cut costs later unless he thinks his patent is paying out, based on the returns of that patent. I am not sure at all that the so-called small-attic-type patentee is going to quarrel about this maintenance fee provision.

Mr. LINDSAY. Mr. Chairman, I think the gentleman from Louisiana has stated the argument clearly and succinctly and I am grateful to him for that. It should be emphasized once again that even with these adjustments—holding down the initial mandatory fees for the benefit of the little man and finding another device, the maintenance fee, for the successful patent or the defensive patent—even then we are only recouping 75 percent of the cost of the Patent Office.

I would like to say, too, that Members might be interested in taking a look at the statement made by the Honorable Robert C. Watson, former Commissioner of Patents, now in private practice, at page 170 of the hearings on the importance of these new fees. He does not see why the Patent Office should not be put more on a sustaining basis. He, of course, supports the maintenance fee provision.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a question?

Mr. LINDSAY. I yield to the gentleman for a question.

Mr. GROSS. Help me with these figures on page 14 of the report—"Patent Maintenance." This first fee is a \$50 fee and the second is a \$100 fee. Would this be an additional \$50, or would it be \$100?

Mr. LINDSAY. It is \$100—the second fee, which is payable 9 years after the patent has been issued, is \$100. So far he has paid \$150, unless he asks for deferral.

Mr. GROSS. The third fee is another \$150?

Mr. LINDSAY. Yes.

Mr. GROSS. And there is a \$25 penalty for delayed payment of any of these fees?

Mr. LINDSAY. Yes; and that is in the present law.

Mr. GROSS. Apropos of these remarks I wonder if we can provide a commensurate penalty to the delinquents in the United Nations?

Mr. LINDSAY. The gentleman's question is not germane.

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

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

Mr. HUTCHINSON. Has there been a study at all as to what kind of administrative costs are going to be imposed upon the Patent Office in keeping track of all of these maintenance fees? What kind of costs are involved?

Mr. LINDSAY. I think the gentleman from Louisiana may be in a better position to comment on that than I. The Patent Office is economy minded, and has done a good job in that respect.

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

Mr. LINDSAY. I yield to the gentleman from Louisiana.

Mr. WILLIS. If I understood the question right, may I say I do not anticipate any additional cost to administer this provision. At least, the returns will overwhelmingly exceed the cost. The cost will be a minimal percentage of the returns derived from the bill.

Mr. LINDSAY. The experience in European countries that have prospered with the free enterprise system is that a maintenance fee charge has had the effect of ultimately weeding out approximately 50 percent of what is known as "deadwood," that is to say, patents which are not used, which are not developed, which the owners have no present intention of using or developing. The 50-percent figure I have given is a very rough approximation, but that has been the experience in European countries.

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

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

Mr. HUTCHINSON. Suppose I as an inventor decided I wanted to defer the payment of these maintenance fees, and I kept deferring them until the end of the 13 years, then I decided it was not worth it. Do I pay anything at all?

Mr. LINDSAY. You do not pay anything, and the patent does what they call "lapse," which means it is ended. It has the same effect as the expiration of 17 years, which is the statutory end of any patent.

Mr. HUTCHINSON. Could a corporation do the same thing? Could they defer their so-called defensive patent maintenance fees for 13 years, then let it go?

Mr. LINDSAY. Yes, a corporation could elect to let its patent lapse by not paying a maintenance fee. But a corporation could not defer any payments of maintenance fees because it cannot be an inventor.

Mr. HUTCHINSON. So in effect this really carries the deadwood for 13 years instead of 17 years?

Mr. LINDSAY. That is correct. The right to ask for deferral is a right that goes to the inventor. In many cases there has been the assignment of a patent to a corporation by an individual inventor. That corporation will not have the right to ask for deferral—only the inventor.

Mr. HUTCHINSON. That places a different light on the matter. I thank the gentleman.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. The Congress has a responsibility to the people of this country to constantly survey the effectiveness and appropriateness of existing laws and to make modifications where necessary. In the same manner, the legislation pertaining to the departments and agencies of our Government must be periodically remolded in order to reflect the most recent changes in, among other things, technology and economic conditions. Today we are considering H.R. 8190, a bill that presents a long overdue revision

of the fee schedule for the U.S. Patent Office. This bill's effect, basically, will be twofold:

First, it will increase fees for the first time in over 30 years. Legislation enacted in 1932 enabled the Patent Office to be substantially self-supporting by collecting fee income which covered 90 percent or more of its costs of operation. However, increasing costs without proportionate fee increases have forced this figure down to a present recovery of 32 percent of revenues. The revision embodied in H.R. 8190 will permit the Patent Office to eventually collect fees—and I say eventually collect fees because it will not be an immediate recovery—of 75 percent of actual operating costs.

As noted in early 1962 by the Director of the Bureau of the Budget, many Federal agencies provide services or funds to "identifiable recipients," which give benefits greatly in excess of those which accrue to the public at large. In fairness to the taxpaying public, the recipients of these special benefits should pay a reasonable charge for the product or service received and, thereby, make the agency self-supporting to the greatest extent possible. Clearly, the patent system provides special benefits to identifiable recipients. The monetary value of the rights acquired by the inventors, applicants, and holders of patents certainly warrants their paying a fair share of the costs of maintaining the system.

It will be noted, however, we are not purporting by this bill to make the Patent Office completely self-supporting. We recognize that the public at large gains some benefit from the fact that a system by which inventors are encouraged to develop their products and to make them available to the entire public confers benefit upon the entire Nation. The public will continue, under this bill, to pay a portion—ultimately a share of approximately 25 percent—of the cost of maintaining the patent system.

A second and equally important result of this legislation ought to manifest itself as an incentive or encouragement to applicants and patentees to pursue more efficient practices in using the patent system.

In surveying the major provisions of H.R. 8190, you will note an increase in the filing fee from \$30 to \$50, with a payment of \$2 on claims, whether dependent or independent, in excess of 10, and \$10 for each independent claim in excess of 1. As you may know, an independent claim stands alone in defining an invention, while a dependent claim incorporates by reference a previous claim and modifies it by an additional specification. The shorter and more comprehensible dependent claims not only facilitate the examining process in the Patent Office, and thus reduce the cost of examination, but they also serve to make claim interpretation easier for our courts. This fee change will serve to cover the greater examination costs of independent claims and provide an incentive for more extensive use of dependent claims which will reduce the unnecessary multiplicity of claims contained in many patent applications.

Another change raises the issue fee to \$75. Moreover, an additional charge of \$10 is to be made for each page of specification as printed and \$2 for each sheet of drawing. This innovation is intended to relieve the present discrepancy between the volume and complexity of the patent, and the fee charged under the present uniform fee system. Printing and examining costs are obviously greater for the larger patents, and it is certainly unjust to require inventors, who file brief and concise disclosures, to pay a large portion of the cost of processing these more lengthy and complex applications. The proposed fee schedule should relieve this inequity, and provide a more realistic operating cost recovery. In addition, it is hoped to encourage applicants to delete unnecessary drawings and extensive and repetitive descriptions. As a result, such practice will not only reduce the burden on patent examiners, but make analysis easier for the courts and the public as well.

Another change in the fee schedule is that filing and issue fees for a reissued patent are to be increased to the same level as those charged for an original patent. This revision reflects the fact that Patent Office costs are reported to be practically the same for both, and, therefore, uniform treatment is established for all patent applications.

One of the problems which has been of concern to both the Patent Office and the public is the great delay in time between the date the patent application is filed and the date of issuance. While under the present law this period can extend to 6 months, this bill would provide for issuance of the patent within 3 months after notice of allowance of the application, provided the proper fees have been paid.

Thus, new technology will be available and published at an early date, with the resulting stimulating effect on competitive product research and design.

I might say that at this point the committee was very careful in accelerating the time to preserve the inventor's control over the patent application and to prevent his patented idea from being exposed without his consent. It assured that the applicant will be notified of any balance due on the issue fee arising from costs of reproduction of the patent.

I note the fact that the committee has attempted in this way to avoid so far as possible substantive changes of law which might have been incident to the increase in the patent fees.

A \$20 fee for the recording of patent assignments is another of the revisions encompassed by the patent fee bill. Admittedly, this figure does not reflect the actual cost of recording, but it is utilized to provide income which would otherwise have to be obtained through increases in other fees taxed to those who have not yet had the opportunity to ascertain the worth of their inventions. Certainly, patent applications and registrations which are assigned must have value to the assignee, and this fee, covering a part of the overall expenses of the Patent Office, is not an unreasonable charge to the assignee when compared

to the value of his interest which is protected through the privilege of assignment recording.

Also revised by this bill are the sections dealing with design patents and trademark fees. In both cases, the changes involve proportionate increases in the existing fee schedule with minor changes in the fee structure.

As proposed, the fee on appeal to the Board of Appeals will now be \$100, with \$50 returned if an oral hearing is not requested prior to consideration by the Board. In the event the appeal is withdrawn prior to consideration by the Board, all but \$25 is returned. This change establishes a fee which, again, more nearly covers the expenses involved. Furthermore, it will provide an incentive to appeal on submission of briefs by charging a special and more realistic fee for each of the two types of actions. Encouragement to make timely withdrawal of appeals will help the court to maintain a more orderly case schedule, and will, also, reduce the extent of gross disrespect shown to the court by the frequent failure of parties to appear for scheduled oral hearings without having given prior notice.

Probably, the most important innovation presented by the bill is the establishment of maintenance fees. To maintain his patent rights after issue, the patentee would be required to pay fees of \$50 at the end of the 5th year of the patent period, \$100 at the end of the 9th, and \$150 at the end of the 13th. A failure to pay the fee within 6 months of the due date results in a lapse of the patent. However, there is a provision for the deferment of these periodic fees by an inventor who has not received value, prior to the date the fee is due, at least equal to the amount of the fee. In short, an inventor may keep his patent in force for 13 years without payment of maintenance fees unless he has realized benefits at least equal to one or more of the three required fees.

One of the effects of this provision will be an encouragement to patentees to discard inactive and defensive patents which clutter the files of the Patent Office. In addition, it will allow deferment of payments until a time when the patentee is better able to both pay for and judge the worth of the patent on his invention. If, during the 13th year, he determines that the patent is without value, he may allow it to lapse, but if it warrants the expenditure he will pay the fee in support of the patent system which continues to protect his valuable interest. Thus, with the successful patentees sharing the greater burden of maintaining the Patent Office, it is possible to place the least possible cost on the individual filing his application for patent and, thereby, not stifle his incentive to invent.

Thus, I urge your support of this measure in order that our patent system might once again approach its earlier standard of being financially self-sustaining; a goal which can be achieved through H.R. 8190 without restricting the creative genius of this Nation.

Mr. WILLIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill would not cost any money. It will produce money—which is an odd situation these days. It will result in additional money coming into the Treasury of the United States by increasing the cost of processing a patent application.

For example, the initial cost of filing a patent would be increased. The cost of certified copies of documents would be increased. The cost of issuance of the patent itself would be increased, and so on.

Perhaps the starting point should be a few words about the constitutional basis for a patent and a few words about patent policy.

The Constitution itself says that Congress shall have the power to promote the progress of science and the useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

On the other hand, we are all familiar with the antitrust laws. Under the antitrust laws there has been provided a prevention of unfair competition and monopolies in restraint of trade. We created a Federal Trade Commission, which is to police trade practices and fair competition.

Now, pursuant to the Constitution, in order to encourage new discoveries and so on, by an act of Congress we have established a patent system which is really an exclusive right to make, use, or sell an invention, which means a limited monopoly. The patentee has a monopoly over the fruits of his discovery for a period of 17 years. That is the reward given to the patentee.

All of this is as it should be. I, for one, am in favor of a vigorous enforcement of the antitrust laws. I am also in favor of full protection of the rights of the patentees.

The Committee on the Judiciary, happily enough, has jurisdiction over both subjects which to a point, at least, seem to be conflicting. We have a balanced understanding of the meaning of patent, which is a limited monopoly for 17 years, and also of the antitrust laws which prevent monopoly and restraint of trade.

Now, when a person files a lawsuit he has to pay the court costs. He has to make a deposit. So, when one goes to the Patent Office he has to make a deposit with his application for a patent.

How much should that deposit be? How much should other subsequent charges be? That is what the bill is all about. The bill deals with figures. It has nothing to do with substantive rights. The patentee is not to be given new rights and no old rights are to be taken away from him.

As I say, if Members will read the bill they will see that it deals with figures only. The figures on increases of costs of processing patents were worked out on the basis of experience.

Even under the bill, however, the Patent Office still will not be self-sustaining. It will still cost the Government



some money to run the Patent Office, despite these additional fees. But that should not horrify anybody. Other agencies are in the same position.

The Department of Justice is not self-sufficient. Court costs are charged, and there are other charges for copies of documents and so on, but the court costs and other costs for filing and processing of lawsuits are not sufficient to pay for the salaries of Federal judges and the whole Department of Justice.

The same is true with respect to the Post Office Department. There is a charge for stamps and other things, but the Government still must spend some money to sustain the Department.

The truth of the business is that no Federal agency is self-sustaining, except perhaps the Internal Revenue Service, and in that case frequently and as a matter of pattern in the past few years we have operated on a deficit basis.

At the present time the Patent Office is 32 percent self-sustaining based on present charges. With the additional charges provided by the bill, our Patent Office will become only about 75 percent self-sustaining, but that will help. The bill will bring in about \$12.8 million additional annual revenue. So really, the only question before us is this: Are these charges too high or too low? There are some who will contend they are too high and others who will contend they are too low, but I repeat that the figures in this bill were worked out by the Department itself on the basis of experience.

This is a bipartisan proposal. I have been with this particular committee for 15 years. In one form or another a Patent Office increase bill has been advocated by the Truman administration, under which I served, and by later administrations, namely, the Eisenhower administration and the Kennedy administration; and, if President Johnson has not said anything about it yet, you will hear that he will be for it, too. All of the Secretaries of Commerce since I have been here, under President Truman, President Eisenhower, and President Kennedy and now President Johnson, have favored a proposal of this kind. Every Commissioner of Patents has favored an increase in these charges.

Percentage-wise the increase is high; the increase is steep. Some increases, as it has been pointed out, will run over 100 percent. For example, at present the basic filing fee, which is the fee you must pay with the application, is \$30. Under this bill it will be \$50. The basic issuance fee or the cost of the patent when it is handed to you is presently \$30. Under this bill it will be \$75. And so on. What has occurred to require these increases? Well, the present schedule of fees was established back in 1932, 32 years ago. Since that time we have had no increase in the schedule of fees applicable to the Patent Office. In the meantime, in these past 32 years the value of the dollar has decreased very substantially. The cost of living has increased, the cost of a loaf of bread has increased, and the cost of the operation of the Government has increased. Meanwhile we have seen the cost of Government rise, we have seen the prices rise, we have seen

the cost of living go up, but we have been bound by the schedules of Patent Office fees established back there in 1932. That is why the increases in this bill have an appearance of being high, and they are.

You will hear that this bill will hit the little fellow. You will hear that it will hit the little guy who invents a patent at night under lamplight or now under an electric light in his attic.

Mr. CELLER. Mr. Chairman, will the gentleman yield to me at that point?

Mr. WILLIS. Yes. I am glad to yield to the chairman of the committee.

Mr. CELLER. It is very significant, in answer to that query, that the Commissioner of Patents before the Committee on the Judiciary had this to say, and I quote:

I will say this, however, that I have never seen an invention of importance fail to be patented because of the impoverishment of the inventor.

Another statement is:

I have never seen a good invention fail to be patented because of high Patent Office charges.

Mr. WILLIS. My good chairman is eminently right, and if we look upon this thing in light of the increased cost of everything else, this reference to the small inventor loses sight of the facts of life. For example, court costs have gone up because we, the Members of Congress, made it so, and court costs hit the little fellow, too. Since 1932 we have seen an increase in the cost of postage stamps, and that hits the little man. A stamp used to cost 2 cents, but it is now 5 cents. Back in 1932 it used to cost 1 cent to mail the poor man's letter. The postal card is how much now—4 cents? That is an increase of 300 percent. That hits the little guys, too. But we have to face these things. Of course, you will hear some lawyers come to the defense of the little, small attic inventor, but they do not tell you about the increase in their own fees. I am all for lawyers making a living. I happen to belong to that profession myself.

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

Mr. WILLIS. I certainly will.

Mr. CASEY. Mr. Chairman, may I say to the distinguished gentleman that the principal complaint I have received was the initiation of the maintenance fee. This is a new charge, as I understand it, and they consider it more of a tax than a fee for services rendered. I wonder if the gentleman could possibly enlighten me as to the necessity for this maintenance fee.

Mr. WILLIS. Yes; I am delighted to respond to the gentleman's question because, as my subcommittee visualized it, the maintenance fee or the deferral of payment of part of the total cost over a period of years was put in this bill in large measure as a protection to the little guy. In other words, instead of imposing a large amount initially, either when he applied for the patent or when the patent was issued to him, which to some small people might be a discouragement to the prosecution of the ingenious discovery—by deferring these

payments until the small guy has made up his mind that his patent will pay off, until he gets a return from his patent, we do a favor to the small patent applicant. Thus, having paid only part of the cost originally, if after owning it for a certain number of years he finds that he cannot develop the patent and is not making any money out of it, he may let his patent lapse and does not owe the total amount. That, I say to the gentleman, in large measure is a device first to protect the small inventor. Secondly, patents that are acquired by the big shots, the fat cats, and are sat upon and are suppressed and are not developed, will lapse, too, unless their owner pays the cost. So there is a dual purpose for this provision.

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

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

Mr. LINDSAY. I thank the gentleman for yielding.

Mr. Chairman, I have noted that those lawyers who have contacted some Members in opposition to the maintenance fee schedule were, most of them, from larger firms that represent the big corporations and their opposition to this is because they want to perpetuate the practice which exists now under which a big corporation can get 50 to 60 employees on salary, inventors, who file patents all over the map, put them in the Patent Office and let them sit there as holding operations. They do not use or develop them or put them into the public domain. And this practice has gotten wider and wider. For this reason the little guy, the new inventor, the small company, finds himself blocked out when he goes into a new field, because the big corporations have occupied the field. All we are suggesting is that these larger corporations carry a little bit of the high cost of carrying these unused patents.

I want to repeat, most of the suggestions I have noticed that Members are getting at this time come from law firms that represent the big giants, not the little companies.

Mr. WILLIS. Mr. Chairman, let me say something in amplification of what my friend from New York has said. It is absolutely true that the bulk of the patents—and I imply no wrong, but under the present system and we are not changing it—find their way into the hands of the large corporations. Some of them—not all, but too many—may be using the hue and cry about the attic inventor to promote very important patent policies that affect themselves. In other words, sometimes we see the pitiful hand of Esau but we shut our ears to the soft voice of Jacob in this area of patents.

That is why, I will say to my friend from Texas, as I said to a dear friend of mine who preceded me as chairman of this subcommittee, a former Member and a friend from Texas, I am for the small guy too, but we have to look at this thing as it is.

Further might I point out, while I think of it, as a result of Government research programs, the lot of the small inventor in discovering techniques and

devices has been made much easier by Federal funds both for the benefit of the little and the big guy. So I say that all things considered, including this research program spending by the Government, make it easier to develop a patent. That certainly is a compensation to everyone for this comparatively small increase in the cost of getting the patents.

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

Mr. WILLIS. I yield to the gentleman from Texas.

Mr. CASEY. This is not a fee for any maintenance service. As the gentleman explained to me, this is a spreading out of the total cost as we find it for the issuance and filing of a patent?

Mr. WILLIS. That is the idea behind it. It is a deferral of a cost which we could impose initially or over a period of time.

Mr. CASEY. This maintenance fee idea is a term that you use to spread it out?

Mr. WILLIS. Yes.

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

Mr. WILLIS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. In our effort to assist the small businessman, are we not increasing the amount he must pay for the filing fee and for issuance and in addition are we not adding a new charge, a maintenance fee?

Mr. WILLIS. There is no doubt about that, and the increase percentage-wise is high. It is high because, as I said, we in Congress control what the price shall be, just as we control the cost of processing a Federal lawsuit, and just as we control the price of the postage stamp. In the case of court costs and postage stamps, however, we, the Members of Congress, have done something about that. But we have not done anything about Patent Office fees for 32 years so that now, percentage-wise it is necessarily high.

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

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

Mr. LINDSAY. I should like to add to what the gentleman said, that this has multiplied five times since 1932, and the fee charge has only doubled when you add it all up. Now, would the gentleman from Connecticut prefer that you increase the initial fee that the young inventor has to pay, or would you like to see the present situation continue where only 30 percent of the cost of the patent fees are self-sustained? Would the gentleman like to see that continued, or would he like to see it self-sustained up to 75 percent?

Mr. DADDARIO. I appreciate the efforts to make patent fees more self-sustaining, but I am concerned about this: We seem to be increasing the cost to the small business people who have enough problems as it is.

I would like to point out that in the gentleman's explanation he has said the only issue here is whether the fee is a proper one, and that there is no attempt here to work against the substantive rights of patentholders. But in the ex-

planation made by several Members here in support of this bill, it does seem that this maintenance fee can amount to a penalty. If this is aimed at the so-called defensive patents we should recognize that a fee in the form of a penalty is surely not the answer.

Mr. WILLIS. No, I would say to the gentleman that is related to dollars and cents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I would not like the record of this debate this afternoon to close without showing there is some opposition and, I hope, energetic opposition to this bill here on the floor of the House.

If you will read carefully the record of the hearings that were conducted on this bill which was then known as H.R. 10966, you will note that there is some very significant opposition to the bill among the patent bar as well as by other organized groups and individuals throughout the country.

The debate thus far would almost make it seem that anyone who speaks against this legislation is necessarily for the so-called fat cat—for the big businessman—for the monopoly. But I would point out that the record contains some statements that are quite to the contrary by men, who I am sure have much more expertise in this field than I have.

For example, on page 163 of the record you have a very excellent statement by a member of the patent bar from the State of New York. He said and I quote:

It makes very little difference to the large corporation whether filing fees, prosecution fees, and fees such as appeal fees are increased or whether the added patent costs come out of final fees and taxes on the patents. The small inventor, however, really cannot afford to pay increased filing fees and increased prosecution fees. He can only afford larger fees after he knows he is going to get a patent.

The gentleman from Louisiana began this afternoon by saying that this was an unusual bill in that it did not cost anybody anything. It is precisely because I am afraid it will cost somebody something; namely, the small inventor in this country and that it will serve to stifle the incentives he may otherwise have to produce and to add to the fruits of technology that we enjoy that I am opposed particularly to the maintenance fees that are set out in one section of this bill. We do not argue that all of these fees, as now scheduled, should never increase. I think you can certainly say that after 30 years the fee for an application and the fee for final issuance ought to be increased commensurate with other increasing costs of government. I would hope, however, that during this session when we get other bills affecting other departments of the Federal Government that we would find an equal zeal on the part of Members of this body to make sure that those departments are self-sustaining and self-supporting.

I wonder if, for example, the Department of Commerce or the Department of Labor, or any of the other numerous agencies that I could mention are ever going to be self-sustaining in the sense that gentlemen seem to be anxious in putting the Patent Office on a paying basis.

I think, and I have been told this many times by other Members of this body, that it is possible to indulge in false economy. It is possible to be pennywise and pound foolish. I would suggest that, if we adopt the schedule of maintenance fees, we are in great danger of doing the very opposite of that which we are enjoined by the language of the Constitution to do and that is we are told that we, in Congress, should support invention and that we should promote progress and the useful arts by a patent system. I think if we are going to install a system of fees or impose a schedule of fees that is going to be burdensome and onerous for the small businessman and for the small corporation and for the small inventor, I want to be on the other side of that proposition.

There has been a great deal of concern expressed here this afternoon about patents not being used and that this is the only way we can shake them out. I would remind the gentleman that not long ago I, myself, saw in the Smithsonian Institution a very interesting exhibit of what is known today as the power-steering mechanism which first began to be used in American automobiles, I think, around 1955. Do you know when that was first invented? It was back in 1920, more than 35 years before it was finally put to use.

I would suggest that there is a very real reason to believe that many of the small inventors and small businessmen may not be able to get the kind of financial backing they will need initially to prosecute a claim for a patent with the very expensive increases which would be called for in this bill.

Mr. Chairman, I hope that the House this afternoon, in its wisdom, will pay some attention to some of the arguments which have been made, and which were made in the hearings held on this bill.

I believe that the bill should be re-committed to the Committee on the Judiciary for further consideration before we take a step that may be truly false economy.

Mr. WILLIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, I rise in opposition to this legislation because I am concerned that in our efforts to shake loose certain patents which many companies have maintained as protective devices we may well adversely affect the small business sector of our economy.

The Connecticut Bar Association has communicated with me in this regard. Other small business people in my State of Connecticut—which has many small businesses—are rightfully concerned, for they wish to protect themselves. There will be an increase in costs for filing and issuance fees and also for maintenance, which will add cost to their production



and manufacture. This cost will unduly burden small businesses. It will put small businesses in a more disadvantageous position with their competitors; namely, the big business people and, in addition, I believe with those in foreign nations who are competing so strenuously with us.

During the past several months, I have received many communications concerning various aspects of H.R. 8190. As I said, the Connecticut Bar Association has strong feelings about the bill and has asked me to seek changes in it. The bar association has passed a resolution setting forth amendments to H.R. 8190 and proposing an alternative bill. I feel that the points made by the bar should be brought to the attention of this House.

Essentially, criticism of this bill stems from the provisions concerning filing and final fees, in other words, fees payable to the Patent Office upon the filing of a patent application and those payable upon the granting of a patent. In addition, strong criticism has been levied against the so-called maintenance fees.

The pointed criticism against the filing fee "formula" is that it results in very high filing fees and it is an underlying substantive law change. In this latter connection it is argued that the payment of \$10 for each independent claim over one will penalize the inventor who resorts to the use of more than one independent claim, notwithstanding the fact that dependent claims are not kindly interpreted by the courts during litigation.

The pointed criticism of the final fee formula in H.R. 8190, based upon the number of printed pages of specification and sheets of drawings is that it penalizes the inventor who makes a comprehensive and definitive disclosure to the public, notwithstanding the statutory requirement placed upon the inventor of making a full, clear, and concise disclosure. In addition, the H.R. 8190 final fee formula results in heavy final fees.

As to the maintenance fee schedule, the basic criticism against such an innovation to our patent laws is that it places an additional \$300 burden on the inventor over and above everything else. It also causes much uncertainty as to the status of a patent—whether it is enforceable or not—and results in endless surveillance of a patent by the Patent Office and the inventor.

It is felt that the net result is an adverse effect upon innovation and more importantly upon its legal protection. H.R. 8190 places additional obstacles in the path of obtaining legal protection for an invention, which ultimately results in less public disclosure of invention, less development of inventions, with the resultant harm to the industry and Nation as a whole.

A survey made by one medium-sized corporation and other surveys made by private practitioners indicate that under H.R. 8190, the average patent filing fee will jump from \$35 under the present fee schedule to about \$225. The average patent final fee will jump from about \$30-odd to about \$240 under H.R. 8190. These, coupled with maintenance fees of \$300 per patent, will amount to an increase of from about \$65 to \$775.

Accordingly, the opponents to H.R. 8190 as it now stands suggest alternatives which are in keeping with the subcommittee's objectives of raising the revenue received by the Patent Office to about the \$20 million level. These alternatives are believed, by the proponents, to be realistic and at the same time devoid of the severe objections to those provisions of H.R. 8190 noted above.

I have requested permission to include the explanatory charts and proposed alternative in the daily RECORD.

The proposed change would amount to a reduction of the projected revenue under H.R. 8190 from \$6,042,000 to \$5,152,620 for patent filing fees; second, from \$6,188,000 to \$3,666,000 for patent final fees; third, from \$822,500 to \$705,000 for trademark filing fees; and fourth, deletion of the obnoxious maintenance fees.

In exchange; first, the patent copy recovery would be increased from \$2,859,000 to \$5,718,000; second, the trademark copy recovery would be increased from \$30,800 to \$61,600 and two new fees would be added; third, a trademark issue fee amounting to a recovery of \$503,925 and; fourth, interference fees amounting to a recovery of \$256,000.

These figures are based upon annual volume assumptions set forth in the attached schedule and computation comparing fee incomes under the present fee schedule, H.R. 8190, and the suggested alternative bill. A copy of the alternative bill is also attached.

But for the maintenance fee figures, this would result in essentially the same amount of net recovery of unamended H.R. 8190; namely, a little less than \$20 million. This is a substantial recovery when compared to the net survey of slightly less than \$9,200,000 under the present fee schedule currently in effect.

The current budget for the Patent Office is about \$26 million, so that the recovery of slightly less than \$20 million amounts to about 75 percent on an annual basis.

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

Mr. GIAIMO. I yield to the gentleman from Connecticut.

Mr. DADDARIO. I should like to add to that which my colleague from Connecticut has already put on the record the fact that there is a great deal of question in my mind as to the effect of the argument, which refers to what will happen to defensive patents as they have been described in the course of this debate.

As the chairman of the Committee on the Judiciary [Mr. CELLER] has said, a good patent will not suffer because of the fees involved, and that is so. Neither will a good patent be allowed to lie dormant, because there are individuals and companies which have technical skills and abilities so that they can invent around a patent. That is what does happen. That is why we have progress in this country.

It is not possible for a person to get an idea, to put it on the shelf, and to allow it to lie dormant and go to waste. There are to many skills and abilities in our country to permit that to happen. It does not happen.

The attempt here, which appears to be to penalize, rather than to obtain additional fees, is supported by argument which in my opinion could do more harm than good.

I believe the legislation should be looked at carefully and the reasons and motivations behind these maintenance fees should be scrutinized not only with respect to the amounts of money they will bring into the Patent Office but also with an eye to the effects they will have on the patents system of this country.

Mr. WILLIS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. ROBERTS].

Mr. ROBERTS of Texas. I thank the distinguished gentleman from Louisiana for yielding to me.

I rise in opposition to the bill strictly from the standpoint of the fact that it would raise more money for this agency and I should like for all Members to know some of the record as to exactly what the Patent Office has been doing with its money.

Is it not true, Mr. Chairman, that personnel of this organization comes under the rules of the Civil Service Commission?

I have in my hand a copy of the October 1963 issue of *Sepia* magazine. It commends very highly the Patent Office for the promotions made in that office. It lists some 7 people who were promoted in that period of a few months from grade 4 to grade 13 and from grade 5 to grade 14. Some of these employees had advanced on 2 to 4 grades from 1949 and then jumped to grade 13 or 14 in months.

Either some personnel man in this organization has been hiring some very good people at substandard grades, or he has not been abiding by the promotion rules now in effect. I suspect that they had some good people and they were not paying them what they were entitled to receive.

Certainly I believe it would be well for the committee to look into this situation. It strikes me as being just as bad to employ a man qualified for a grade 9 in a grade 3 job as it is to try to put a grade 3 man in a job with a grade of 13.

The magazine is very commendatory in kicking these people up 10 grades, one man from \$3,700 a year to \$16,000. Possibly he is entitled to it, but certainly we ought to make this agency follow the civil service rules.

Mr. LINDSAY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, I thank the gentleman for yielding. I rise at this time in opposition to the bill. I subscribe to the remarks that were made earlier by the gentleman from Illinois [Mr. ANDERSON]. I think he very clearly and succinctly and in a very responsible manner articulated the opposition that there is to this bill. It is certainly the position I support. With reference to the proposed maintenance fees, I feel that we should take into consideration not only the larger corporations but the smaller corporations. I hold in my hand a letter I received from a corporation located in the 36th District of New York, which I represent, and one which is fairly

well known. It is engaged in the nursery business and is a fairly modest corporation. It is known as Jackson & Perkins Co. They have some 383 plant patents. The statistics they give are quite interesting and bear on this question. I would like to read a part of the letter for the information of the Members of the House.

To the present time, we have 383 plant patents. In many cases these patents are active in connection with further plant research but in themselves are no longer in commercial production; and, as a consequence, no direct income is derived therefrom. Our research expenditures, however, are a continuing proposition; and in striving for new improved plant varieties, we many times utilize these varieties in our hybridizing program, and if these are automatically lapsed, we would lose the protection of our own research development accumulated over the years.

As an example, in their letter Jackson & Perkins set forth the additional costs to this rather modest corporation as a result of this proposed bill. The additional cost of doing business due to the increased application and issue fees would be some \$25,000. The proposed maintenance fees would amount to \$20,000 at the end of 5 years, \$38,000 at the end of 9 years, and over a 13-year period it would be some \$57,000. For the 383 patents the total would amount to some \$114,000. I think the House should be aware that this new maintenance fee is going to add an additional cost of doing business for the smaller businesses, which are the businesses we certainly want to encourage and keep going.

Mr. Chairman, I have also received several letters from members of the patent bar association in my district. They have been quite concerned about this bill and its provisions. In each case they indicated they do not oppose a modest or reasonable raise in the application and issue fees. I received a letter from the president of the Rochester Patent Law Association in which he makes two good points. First of all he says:

Item 1 of the bill provides for a fee of "\$10 for each claim in independent form which is in excess of 1, and \$2 for each claim (whether independent or dependent) which is in excess of 10." Under the present law an applicant can include at least 20 claims without extra fee.

Then he goes on to say:

The harmful effect of the proposed change would be its tendency to cause inventors to claim their invention inadequately in an effort to save a few dollars.

He also objects to the feature in which the period of time is reduced from 6 months to 3 months for final filing and states:

Under present law the period is 6 months which is the time allowed for other responses to Patent Office actions. The full 6 months is normally needed for the careful handling of the various matters that must be attended to before the patent is allowed to issue. For one thing, inventors often need this full 6 months to protect their rights to obtain foreign patents. The difficulty is that if the United States patent issues before a foreign patent application is filed the inventor is barred from obtaining patents in most foreign countries. Three months after notice of allowance of the U.S. patent is not enough

time for handling the foreign correspondence. Indeed, 6 months is often barely enough.

It seems to me these are valid objections in considering this legislation.

Mr. WILLIS. Mr. Chairman, I have no further requests for time, so I reserve the balance of my time.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas, [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, I appreciate the gentleman from New York yielding to me. I certainly do not intend to take the full 5 minutes. First of all I want to say I think the committee has done a very excellent job in preparing and bringing out this bill as well as in explaining it. Certainly I do not intend to go over the ground that has been so well covered by the gentleman from Louisiana, the chairman of the subcommittee, and the gentleman from New York [Mr. LINDSAY]. However, as a former practitioner of patent law, I would like to make very clear my enthusiastic support for this bill. A good many of the points made in opposition to the bill, of course, I am sure are motivated by the highest possible motives, but if I may say so, I think from an insider's view that they lack force in the face of two qualities of the bill that I want to emphasize.

First of all is the fact that this is a bill designed to meet the responsibilities that are imposed on the Congress to be financially responsible. This is a bill which fits in, I think, with the very admirable general principle that when special benefits accrue to identifiable recipients above and beyond those which accrue to the public at large, those recipients ought to support the services to a reasonable extent. Certainly this bill does that. It raises the level of the support for the Patent Office provided by those who receive special benefits from the Patent Office from about 30 percent of operating costs to about 75 percent. While one might quibble with the exact amounts of the fees imposed, one, I think, is almost compelled to recognize this principle and to recognize that the committee has done a careful job in arriving at the figures.

If you want to argue with the committee you will get into a numbers game, but I think with very little profit.

Second, I want to point out that this business of the relative positions of the small inventor and the big inventor, which has been touched upon a number of times this afternoon, has already been given very careful consideration by the committee. I think the committee has designed a fee structure both with respect to application fees and issuance fees as well as with respect to this business of the maintenance fees with that very much in mind. I think it is obvious to a person who gives it thought that with Patent Office operating costs having gone up as they have since 1932, and returns in terms of dollars to those who acquire patents having gone up as surely they must have and obviously have since 1932, the beneficiary of a static fee system is the large corporation or the wealthy inventor when compared with the small business competitor or the individual inventor. So when you raise fees in ac-

cordance with the rise in costs and benefits, you are attempting, as the committee has obviously done, to equalize the competitive situation of those two classes of inventors with respect to each other.

Furthermore, of course, the difference between the application fee which is increased a small amount and the issuance fee which is increased relatively more, favors the small inventor, gives him his day in court with a minimum of burden. So I think the committee has, contrary to suggestions that have been made, given careful thought to this situation.

I want to say in conclusion that fees traditionally have covered the costs in the Patent Office and the patent system has flourished. All other costs and fees have gone up; returns have gone up. I think it is an excellent bill. It meets our financial responsibilities and I hope it will pass by a very heavy majority.

Mr. LINDSAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I wish to join my colleagues, the chairman of the committee, the gentleman from New York [Mr. CELLER], my good friend, the gentleman from Louisiana [Mr. WILLIS], the gentleman from Maryland [Mr. MATHIAS], and the gentleman from New York each of whom has made such an excellent presentation of this legislation.

Similar legislation has been before us in one form or another on previous occasions. It is my studied judgment, Mr. Chairman, that it would be impossible to devise a fee schedule or a maintenance schedule that would meet the approval of each of the 435 Members of the House. The subcommittee did an excellent job. I should like to say this, to supplement what my good friend from Illinois has said about services, that the Congress fixes such fees for such services. That is a duty that falls upon us and almost every fee that we fix falls with a heavier hand on small business than it does on big business. I am sure all of us are aware that within the next 30 days there will be an increase in the parcel post fees of some 10 or 15 percent. That increase in fees, Mr. Chairman, is going to fall harder on small business than on big business.

Mr. Speaker, this is good legislation, it has long been needed, and I hope it will receive a favorable vote at the hands of the House today.

Mr. LINDSAY. Mr. Chairman, I yield myself such time as I may require to conclude.

Mr. Chairman, I am not going to make an additional speech. I think the ground has been covered. In conclusion I wish to say that your Judiciary Committee has studied this question at great length. Hearings were carefully held. This matter has been pending before the House Judiciary Committee literally for 30 years. We have been up and down the mountain on the question. Your Judiciary Committee balanced this fee schedule out as carefully and as fairly as is possible. We did so keeping in mind the need for holding down the initial, mandatory fees in order to accommodate



the new inventor and the small businessman.

I think we have done this, and it is noteworthy that those distinguished gentlemen who have spoken in opposition to the bill have neither been able to suggest any alternative to what the committee has carefully come up with as a reasonable and fair balance, nor do they argue with the general proposition that we ought to put Government services of this kind on a pay-as-you-go basis insofar as that is possible.

Therefore, Mr. Chairman, I would like to end as I started, by reminding the committee once more that the Congress gave express statutory authority to the basic principle of title V of the Independent Offices Appropriation Act of 1952 when it said in plain language that an objective of the Congress and the U.S. Government is that services rendered of this kind to special beneficiaries by Federal agencies should be self-sustaining to the fullest extent possible. This command is contained in plain statutory language in 5 United States Code 140, and your Committee on the Judiciary is living up to the mandate of that statute by presenting this bill today.

Mr. WILLIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, I support the committee in its recommendation about increasing fees. However, I am opposed to the maintenance fee provision.

The gentleman from Louisiana [Mr. WILLIS] stated a moment ago that the term "maintenance fee" was nothing more or less than a term used for spreading out the total cost of filing a patent.

I am well aware that the committee had a tremendous task in bringing about an upgrading and modernization of the fees in the issuance of patents and trademarks. But it should be the desire of this Congress not to further complicate the obtaining of a patent but more, to simplify or at least maintain the status quo.

It has been contended that the large corporation is the one opposed to this maintenance fee provision. But I think anyone who stops to think realizes that the large corporation is more able to pay the additional fees, and the large corporation is more in a position to keep track of the status of its patent so as to not have it forfeited for failure to pay the so-called maintenance fees at 5-, 9-, and 13-year intervals.

The present estimated revenue as pointed out in the committee's report is \$7,700,000. The bill promises to increase these revenues to approximately \$20,588,000, or an increase of \$12,888,000. The maintenance fee portion of the bill is estimated to bring in \$2,877,000 of the proposed increase, and I dare say that quite a bit of this would be used up in bookkeeping and notification as various patents became subject to the maintenance fees.

The maintenance fee provision is a wholly new concept, which I understand has been borrowed from Europe. It is a concept that I personally cannot buy, and I sincerely hope that this House will

reject it should an amendment be offered to delete it.

As to the other increases and fees, they are indeed substantial, amounting to better than \$10 million. They may be out of line in some areas, but I am not in any position to debate this point with the committee which saw fit to pass out this bill unanimously. But I can assure you that I am not in support of this bill unless the maintenance fee provision is stricken because I can see untold headaches for the small inventor and a complication of our patent system to which I do not wish to be a party. I do not feel the maintenance fee provision is a vital part of this bill.

Mr. WILLIS. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, I join with my friend from New York in reminding the members of the committee that this bill comes on the floor of the House as the result of long years of consideration. This is truly a bipartisan matter. The proposition in one form or another, I repeat, during my service in Congress, has had the direct recommendation of the administrations of President Truman, President Eisenhower, and the late President Kennedy, and is continued by the present administration of President Johnson. It has been requested by every Secretary of Commerce over those years, it has been requested by every Commissioner of Patents of all political parties during that time.

Every item of increase was defended and justified by testimony. To be sure, as my friend from Ohio said, there could be disagreement as to whether one particular item of increase should be as stated or should perhaps be \$2 more or less. But that is the way these things are worked out by expert testimony. We received that testimony and achieved bipartisan support. That has been brought out in our subcommittee many times, and in the full committee, with virtually no dissenting votes. There was only 1 dissenting vote this year in the committee of 35. In light of this and of the objectives to be achieved, I hope the House will support the bill by a very large vote. I may say that as far as I know the other body feels the same way about it.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

Mr. GLAIMO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-four Members are present, not a quorum.

The Clerk will call the roll.

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

[Roll No. 15]

Ashbrook	Cederberg	Dowdy
Ashley	Clausen,	Frelinghuysen
Aspinall	Don H.	Fulton, Pa.
Auchincloss	Davis, Tenn.	Gary
Baring	Dawson	Gill
Barry	Denton	Grant
Bass	Derwinski	Green
Blatnik	Diggs	Hanna
Cameron	Donohue	Hansen

Harsha	Martin, Mass.	Schneebell
Harvey, Mich.	Miller, Calif.	Scott
Hébert	Milliken	Sheppard
Hoffman	Morris	Smith, Calif.
Hosmer	Nelsen	Staebler
Jensen	O'Brien, Ill.	Steed
Johansen	O'Brien, N.Y.	Tupper
Jones, Ala.	Pepper	Utt
Kee	Philbin	Vinson
Kelly	Powell	Watson
Kilburn	Pucinski	Watts
Langen	Rivers, Alaska	Westland
Lankford	Robison	Wickersham
Leggett	Roosevelt	Williams
McIntire	Roybal	Wilson,
McMillan	Saylor	Charles H.
MacGregor	Schadeberg	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. JOELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8190, and finding itself without a quorum, he had directed the roll to be called, when 354 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the items numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, respectively, in subsection (a) of section 41, title 35, United States Code, are amended to read as follows:*

"1. On filing each application for an original patent, except in design cases, \$50; in addition, on filing or on presentation at any other time, \$10 for each claim in independent form which is in excess of one, and \$2 for each claim (whether independent or dependent) which is in excess of ten.

"2. For issuing each original or reissue patent, except in design cases, \$75; in addition, \$10 for each page (or portion thereof) of specification as printed, and \$2 for each sheet of drawing.

"3. In design cases:

"a. On filing each design application, \$20.

"b. On issuing each design patent: For three years and six months, \$10; for seven years, \$20; and for fourteen years, \$30.

"4. On filing each application for the reissue of a patent, \$50; in addition, on filing or on presentation at any other time, \$10 for each claim in independent form which is in excess of the number of independent claims of the original patent, and \$2 for each claim (whether independent or dependent) which is in excess of ten and also in excess of the number of claims of the original patent.

"5. On filing each disclaimer, \$15.

"6. On an appeal for the first time from the examiner to the Board of Appeals, \$100. If an oral hearing is not requested prior to any consideration by the Board, \$50 of the \$100 fee will be refunded; or, alternatively, if the appeal is withdrawn prior to any consideration by the Board, all of the fee over \$25 will be refunded.

"7. On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, \$15.

"8. For certificate under section 255 or under section 256 of this title, \$15.

"9. As available and if in print: For uncertified printed copies of specifications and drawings of patents (except design patents), 25 cents per copy; for design patents, 10 cents per copy; the Commissioner may establish a charge not to exceed \$1 per copy for patents in excess of twenty-five pages of drawings and specifications and for plant

patents printed in color; special rates for libraries specified in section 13 of this title, \$50 for patents issued in one year.

"10. For recording each assignment of an application or a patent, \$20; for recording any other paper, \$20."

SEC. 2. Section 41 of title 35, United States Code is further amended by adding the following subsection:

"(c) The fees prescribed by or under this section shall apply to any other Government department or agency, or officer thereof, except that the Commissioner may waive the payment of any fee for services or materials in cases of occasional or incidental requests by a Government department or agency, or officer thereof."

SEC. 3. Section 31 of the Act approved July 5, 1946 (ch. 540, 60 Stat. 427; U.S.C., title 15, sec. 1113), as amended, is amended to read as follows:

"(a) The following fees shall be paid to the Patent Office under this Act:

"1. On filing each original application for registration of a mark in each class, \$35.

"2. On filing each application for renewal in each class, \$25; and on filing each application for renewal in each class after expiration of the registration, an additional fee of \$5.

"3. On filing an affidavit under section 8(a) or section 8(b), \$10.

"4. On filing each petition for the revival of an abandoned application, \$15.

"5. On filing notice of opposition or application for cancellation, \$25.

"6. On appeal from an examiner in charge of the registration of marks to the Trademark Trial and Appeal Board, \$25.

"7. For issuance of a new certificate of registration following change of ownership of a mark or correction of a registrant's mistake, \$15.

"8. For certificate of correction of registrant's mistake or amendment after registration, \$15.

"9. For certifying in any case, \$1.

"10. For filing each disclaimer after registration, \$15.

"11. For printed copy of registered mark, 10 cents.

"12. For recording each assignment of a registration, \$20; for recording any other paper, \$20.

"13. On filing notice of claim of benefits of this Act for a mark to be published under section 12(c) hereof, \$10.

"(b) The Commissioner may establish charges for copies of records, publications, or services furnished by the Patent Office, not specified above.

"(c) The Commissioner may refund any sum paid by mistake or in excess."

SEC. 4. Section 151 of title 35, United States Code, is amended to read as follows:

"§ 151. Issue of patent  
"If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee or a portion thereof, which shall be paid within three months thereafter.

"Upon payment of this sum the patent shall issue, but if payment is not timely made, the application shall be regarded as abandoned.

"Any remaining balance of the issue fee shall be paid within three months after the date of the issue of the patent; if not paid, the patent shall lapse at the termination of this three month period.

"If any payment required by this section is not timely made, but is submitted with the fee for delayed payment within three months after the due date and sufficient cause is shown for the late payment, it may be accepted by the Commissioner as though no abandonment or lapse had ever occurred.

SEC. 5. Section 154 of title 35, United States Code, is amended by inserting the words "subject to the payment of issue and maintenance fees as provided for in this title," after the words "seventeen years."

SEC. 6. Title 35, United States Code, is amended by adding the following new section after section 154:

"§ 155. Maintenance fees

"(a) During the term of a patent, other than for a design, the following fees shall be due:

"(1) a first maintenance fee on or before the fifth anniversary of the issue date of the patent;

"(2) a second maintenance fee on or before the ninth anniversary of the issue date of the patent; and

"(3) a third maintenance fee on or before the thirteenth anniversary of the issue date of the patent.

In the case of a reissue patent the times specified herein shall run from the date of the original patent.

"(b) A grace period of six months will be allowed in which to pay any maintenance fee, provided it is accompanied by the fee prescribed for delayed payment.

"(c) The first and second maintenance fees may be deferred in accordance with subsection (f) of this section.

"(d) A patent will terminate on the due date for any maintenance fee unless, as provided for in this section, the fee due (including any fees previously deferred) is paid or a statement in accordance with subsection (f) of this section requesting deferment is filed. Such termination or lapsing shall be without prejudice to rights existing under any other patent.

"(e) Notice of the requirement for the payment of the maintenance fees and the filing of statements in compliance with this section shall be attached to or be embodied in the patent. Approximately thirty days before a maintenance fee is due, the Commissioner shall send a separate notice thereof to the patentee and all other parties having an interest of record at the addresses last furnished to the Patent Office. Irrespective of any other provision of this section, a maintenance fee may be paid within thirty days after the date of such separate notice.

"(f) Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the fifth anniversary of the issue date of the patent (by a statement under oath) request deferment of the first maintenance fee if the total benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the fee, and the statement so specifies. The fee shall thereupon be deferred until the time the second maintenance fee is due and shall be paid in addition to the second maintenance fee.

"Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the ninth anniversary of the issue date of the patent (by a statement under oath) request deferment of the second maintenance fee (and further deferment of the first maintenance fee if such fee has been deferred) if the total benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent during the preceding four years, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the second fee, and the statement so specifies. The second fee, or the first and second fees, as the case may be, shall thereupon be deferred until the time

the third maintenance fee is due and shall be paid in addition to the third maintenance fee and with the same result if not paid. No deferment of any of the fees beyond the thirteenth anniversary of the issue date of the patent shall be permitted and the patent will terminate at the end of the thirteenth anniversary of the issue date unless all maintenance fees are paid in accordance with the provisions of this section."

SEC. 7. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended to read as follows:

"Sec.

"151. Issue of patent.

"152. Issue of patent to assignee.

"153. How issued.

"154. Contents and term of patent.

"155. Maintenance fees."

SEC. 8. Subsection (a) of section 41 of title 35 United States Code, is further amended by adding the following:

"12. For maintaining a patent (other than for a design) in force:

"a. beyond the fifth anniversary of the issue date of the patent, \$50;

"b. beyond the ninth anniversary of the issue date of the patent, \$100; and

"c. beyond the thirteenth anniversary of the issue date of the patent, \$150.

"13. For delayed payment of maintenance fee, \$25."

SEC. 9. (a) This Act shall take effect three months after its enactment.

(b) Items 1, 3, and 4 of section 41(a) of title 35, United States Code, as amended by section 1 of this Act, do not apply in further proceedings in applications filed prior to the effective date of this Act.

(c) Item 2 of section 41(a), as amended by section 1 of this Act, and sections 4, 6, and 8 of this Act do not apply in cases in which the notice of allowance of the application was sent, or in which a patent issued, prior to the effective date; and, in such cases, the fee due is the fee specified in this title prior to the effective date of this Act.

(d) Item 3 of section 31 of the Trademark Act, as amended by section 3 of this Act, applies only in the case of registrations issued and registrations published under the provisions of section 12(c) of the Trademark Act on or after the effective date of this Act.

SEC. 10. Section 266 of title 35, United States Code, is repealed.

The chapter analysis of chapter 27 of title 35, United States Code, is amended by striking out the following item:

"266. Issue of patents without fees to Government employees."

SEC. 11. Section 112 of title 35, United States Code, is amended by adding to the second paragraph thereof the following sentence: "A claim may be written in independent or dependent form, and if in dependent form, it shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim."

Mr. LINDSAY (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 11, add the following:

"Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioners."



The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 16, add the following:

"Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, line 24, substitute the following in lieu of the paragraph starting there and continuing through line 3 on page 6:

"Any remaining balance of the issue fee shall be paid within three months from the sending of a notice thereof and, if not paid, the patent shall lapse at the termination of this three-month period."

The committee amendment was agreed to.

#### AMENDMENT OFFERED BY MR. ANDERSON

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

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: On page 6, beginning with line 14, strike out all of section 5 and section 6 through line 12, on page 9.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes in support of his amendment.

Mr. ANDERSON. Mr. Chairman, the purpose of this amendment is very simple. It would strike out those sections of the pending bill which would provide for an entirely new and novel set of so-called maintenance fees. In other words, for those of you who have examined the bill or who have listened to the debate that went on in the committee, you know under the language of sections 5 and 6, provision is made that the patentee shall pay a fee before the 50th anniversary of the date of issuance of the patent and then a second fee on or before the 9th anniversary and a third fee on or before the 13th anniversary.

This is something new, something we have never had before. We have had application fees and issuance fees, but nothing like this. I think, as I said when I spoke on this bill when we were in committee, this is going to place a burden on the small inventor and the small businessman. It is not going to be any effort for the big corporations to keep track of these matters and to pay these fees as they fall due. But I think it is going to be a real disincentive for the individual inventor.

I would like to point out that many people who appeared before the subcommittee in opposition to these maintenance fees and people who testified in opposition were not people who are totally opposed to any increases in fees of the Patent Office.

In that regard I would call the attention of the committee to the testimony of former Assistant Commissioner of Patents, Mrs. Daphne Leeds, as that testimony appears on page 129 and 130.

She in her testimony was very strongly in favor of increasing some of the fees to the extent that the Office could operate at less of a loss to the taxpayers, but she also said at page 131:

The proposed after-issue maintenance fees—would not only be burdensome to the patentee, but they would be quite costly to administer.

Now I am told that something like 50,000, and in some years as many as 75,000 patents are issued by the Patent Office of the United States. Under the language of this bill, a notice is going to have to go out to every one of these individuals every 4 years and every 9 years and every 13 years to tell them that unless they pay this fee, their patent rights are going to expire.

That brings up another important point. An effort has been made here this afternoon to picture this entirely new system of fees as nothing more than a sort of deferred payment of the original application fee. But, I would point out that the bill is very specific in saying that unless the individual pays those user fees at specified times, he loses his right and he loses his right as a holder of the patent. So do not be mistaken and think this is just a system for deferring the payment of the application fee.

I shudder, frankly, to think what kind of bureaucracy we are going to have to build up to send out all of the notices and set up all of the elaborate bookkeeping to collect these fees from all of these people every 4 years and every 9 years and every 13 years.

I think it is entirely possible that we may end up spending more money to collect these user fees than is ever lost by the Treasury of the United States.

I hope very much the House this afternoon will vote in favor of this amendment to eliminate from the bill this new and novel, and I think, wholly undesirable and unwarranted category of fees; namely, the maintenance fees as provided in section 5 and section 6.

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

Mr. ANDERSON. I yield to the gentleman.

Mr. GROSS. This in no wise affects the increases in filing fees?

Mr. ANDERSON. The gentleman is correct.

Mr. GROSS. This deals exclusively with maintenance fees; is that correct?

Mr. ANDERSON. It applies to the other sections of the bill dealing with increased application fees and with increased fees for claims and so on, such as appeal fees. That is all left in the bill.

Mr. GROSS. I want to say to the gentleman, I support his amendment. I think it is an excellent amendment and compliment him for offering it.

Mr. ANDERSON. I thank the gentleman from Iowa.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, like a revenue-raising bill which comes from the Committee on Ways and Means, I suppose it would be

impossible for any committee to present a money bill designed to increase revenue of the Government without hearing a lot of "squawks."

As I mentioned during the general debate, the balance of this fee schedule has been carefully considered by the Judiciary Committee and every point of view and every argument has been taken into account.

As I mentioned a moment ago, the committee was unanimous on this fee schedule with perhaps one exception, and in the view that if we are to put the Patent Office on anywhere near a self-sustaining basis the fees must be increased. All we do under this proposed fee schedule would be to put it on a 75 percent of self-sustaining basis. There was a time when it was 90 percent self-sustaining. It is supposed to be 100 percent self-sustaining.

In order to put the Patent Office on a 75 percent self-sustaining basis it has been necessary to make some adjustments in the fee schedule in effect at the Patent Office.

The attack now is on the maintenance fee.

I assure the gentleman from Illinois [Mr. ANDERSON]—who I believe is in favor of the Government being on a pay-as-you-go basis and in favor of economy in government—if we removed the maintenance fee we would have no other choice than to raise the initial fees; either that or we permit the Office to run at the giant deficit it is now maintaining. Every year, to the extent of 70 percent of the cost, the Appropriations Committees of the House and Senate must come up with the dollars, at the taxpayers' expense, to carry this load. If the filing and issuing fees should go up, which they must if we knock out the maintenance fee, who would be hurt? It would be the little man, the little inventor, the individual man or small fellow trying to test a new patent, because these fees are immediately payable, whether or not the patent has earned a dime.

That is the only alternative we would have. Otherwise we would have to leave it as it is, in complete derogation of title V of the United States Code, which specifically says that agencies of this kind, providing services of this kind, must be on a self-sustaining basis.

Let us have a clear understanding of the maintenance fee. When we talk of the maintenance fee we are talking ultimately about nearly 50 percent of the new revenue. Twelve million dollars of new revenue would be provided when all fees are in effect. It is estimated that eventually almost half of this will come from maintenance fees.

The maintenance fee is a fee to help pay the high cost of keeping patents on file in the Patent Office. After 5 years have gone by there is to be a charge of \$50 for carrying that patent in the Office; after the 9th year, a charge of \$100; and after the 13th year, a charge of \$150.

The maximum life of a patent is 17 years. Any inventor who has not produced income from that patent would have a right to ask for deferment. He

could ask for deferment of the first \$50 fee, and he could ask for deferment of the next \$100 after the ninth year, and the deferment would run for a total of 13 years.

Is it not reasonable that if after 13 years have gone by the patent has proved to be so worthless that it has produced no income at all, the man should be given an opportunity then to drop the whole thing, or be asked to pay a fee if he still wants to hold the patent monopoly?

If he elects to let the patent lapse no maintenance fee would be charged and the patent would then lapse. The patent would end automatically in any event 4 years later, at the expiration of 17 years. I do not know of anything more reasonable than that.

I should like to reiterate the point made earlier. The objection to the maintenance fee does not come from the little man or from the new or young inventor. The objection comes from the big corporations, which have a whole "stable full" of salaried inventors, who flood the Patent Office with patent applications which they have no present intention of using, which will not be developed, which will not be put to constructive use, and which will continue to be held as a private monopoly to the exclusion of other competition.

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

Mr. Chairman, I rise in support of the amendment. I believe that the maintenance provisions of the bill should be stricken.

What we are asked to do is to increase the cost to business people who must pay these patent fees and copyright fees; to increase the cost of the filing fee and the cost of the issuance fee—and now, for the first time, as I understand it, to add a new fee, a maintenance fee.

It has been said that these people will not have to pay any maintenance fee, which will amount to as much as \$300 over the 13 years, until such time as they begin to derive benefits from the patent. The point is that we are talking about a new fee, which will be in the neighborhood of \$300, something which they have not heretofore paid.

I believe that this is of extreme importance and interest to the small business people who must pay these fees in order to protect themselves in order to maintain the edge or know-how they have developed with respect to a certain item.

Members of the bar of other States have come out in opposition to it. In my State, where we have many small businesses, this will become a large added new item of cost in the protection of their know-how and of their skill. Therefore, it will be a new cost added to the product which they make. Big business can afford to pay these license fees. Big business will pay them in order to maintain protective patents or defensive patents, as they are called. However, this becomes a large item to a small company. When you add \$300 plus the increased costs for filing and issuance of patents

plus those which they will have to pay to skilled people such as patent attorneys and so on in order properly to present their claims and to prepare their papers, it is not a small matter.

We say we want to make the Patent Office a much more going concern moneywise. We say we want to make it self-sustaining. I am in accord with that, but we must not do it at the expense of the small companies who are struggling more and more every day in their efforts to compete with large industry and in their efforts to keep their share of the American economy. I think this will hurt them and this will penalize them. New ways can be explored by the committee by which to raise money to sustain the operation of the Patent Office. However, I submit that the maintenance fee method is not the way to do it and that it will hurt small industry. What will happen? Many small industries will forgo patent protection rather than pay the cost, which means that they will lose that small advantage which is so important to them. Many inventors will not tie in with small companies but will go with large companies because they know there they will be protected. This adds additionally to the detriment which small business suffers increasingly in the United States today.

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

Mr. GIAIMO. I will be happy to yield to the gentleman.

Mr. HORTON. I would like to concur with the remarks that the gentleman just made and indicate my support of this amendment. I would like to point out earlier I gave some statistics with regard to a small nursery which happens to be in my district. They have some 383 patents, and this additional fee will cost at the end of 17 years some \$114,000 and in the first year will cost some \$20,000. It seems to me this is a terrific burden that we are placing on our small businesses across the country, and we should certainly eliminate this maintenance fee.

Mr. GIAIMO. Mr. Chairman, I thank the gentleman for his contribution.

In conclusion let me say, Mr. Chairman, I hope this amendment will be supported and that then we will be able to go on toward solving these problems which confront the Patent Office.

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

Mr. Chairman, the gentleman from Illinois, in offering the amendment, said that he felt the maintenance fees might be productive of a growth of bureaucracy within the Patent Office because it would be necessary to set up certain bookkeeping systems to keep track of the payment of the maintenance fees. I would suggest to the gentleman and to the committee that this system of maintenance fees may in fact be productive of a decrease of bureaucracy and bureaucratic methods in the Patent Office. The gentleman should recognize that there are today a large number of dormant patents on file in the Patent Office which are alive and valid and, as the gentleman from New York just pointed out, these constitute approximately 50 percent of

the patents which are now outstanding. It is necessary for someone in the Patent Office to search through this enormous file of dormant patents, which is one of the causes for the skyrocketing of the expenses of the Patent Office. By a system of maintenance fees it should be possible to weed out and keep down the patents which are dormant and not going to be used or held only as a matter of neglect or inadvertence. Therefore, we should be able to decrease the amount of bureaucratic paper shuffling presently going on in the Patent Office, although this would be only a byproduct of the system.

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

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

Mr. LINDSAY. I think the gentleman's point is absolutely valid and correct. In other words, every time a new inventor files for a patent and submits an application, the Patent Office has to search through this mountain of records and dormant patents that are left to find out if there is some kind of an infringement. The European experience has been—and as a practical matter Europeans are more protective in this matter than we are—the European experience has been that they have weeded out some of the dormant patents. The point should be made also the purpose of the bill is not to weed out. That is a fine thing that may occur and it is beneficial, but the purpose is to put this Office on reasonably near a self-sustaining basis.

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

Mr. MATHIAS. I yield to the gentleman.

Mr. ANDERSON. This particular point was discussed during the hearings by no less than the former Assistant Commissioner of Patents. She was asked by the gentleman from New York:

Do you think it is desirable to shake out the files?

The answer was:

I do not think it serves much purpose, really. I am really not convinced, I have never been convinced it would serve any real purpose.

She went on to make the point that the big corporations that the gentleman talks about who have all of these patents are going to pay the fees anyway. This is not going to shake out the files.

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

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

Mr. LINDSAY. The lady to whom the gentleman from Illinois was referring is opposed to any fees. She thinks the Patent Office should not be on a self-sustaining basis. She thinks the whole load ought to be carried by the taxpayers on the basis of appropriations. I am sure the gentleman is not going to agree with that.

Mr. ANDERSON. No.

Mr. LINDSAY. I am sure the gentleman favors maintaining Government services on a self-sustaining basis so far



as possible. She professed in the hearings—and I cross-examined her carefully—to be in favor of some fees, in favor of an increase, but philosophically she has stated many times—and I know the lady, she is a distinguished lady—she has stated many times that she does not agree with the proposition that the Patent Office ought to be on a self-sustaining basis. She thinks it ought to be carried by the taxpayers.

Now, the gentleman has always favored economy in Government and putting the Government on a self-sustaining basis, pay as you go. I am surprised to see the gentleman opposed to pay as you go in this area.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I will, after a moment.

Mr. Chairman, I would like to point out that on page 69 of the hearings on this bill there is a chart which illustrates very graphically the \$6 million which would accrue to the Patent Office as a result of the maintenance fees. As a result of the gentleman's amendment, if it were to be adopted, we would simply wipe off the end of this chart and with it a large portion of the new revenue which could be obtained through the Patent Office.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I yield.

Mr. ANDERSON. Mr. Chairman, I would like to say in reply to the remarks made by the gentleman from New York that if he will assure me that during the balance of this session he will support with equal vigor any efforts made to put all the other departments of the Federal Government on a pay-as-you-go basis I would be willing to withdraw my amendment.

Mr. LINDSAY. I have no objection to that.

Mr. WHITENER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I had not anticipated this debate. When this bill was before our Committee on the Judiciary there was a great deal of discussion of the fee-raising which it would bring about. This maintenance fee, it seems to me, is designed to constitute a qualified restriction on the life of patents. The policy of our country is well established of giving to these patents a life of 17 years. This business of its being a burden to the Patent Office, I think, is not very well-founded because once a patent is granted I cannot see where some individual who has a little patent should have to pay \$50 at the end of 5 years or lose his patent, or \$100 later on, or \$150 after that. If you are going to approach the matter this way, why not approach the cost on the original issuance of the patent rather than to do it in this way?

The argument which my friend from New York makes about saving money is somewhat inconsistent with his other argument that most of these patents are held by big corporations who are going to pay automatically this fee and renew them. How have you limited the work in the Office? I happen to come from an industrial area where many, many in-

dividuals, working as machinists in textile plants, seek patents. The great proportion of these patents are never very productive to the individual. Nevertheless, when he seeks his patent he thinks it is the greatest invention in the world and oftentimes because of lack of funds a patent is issued and it is more than 5 years before this little fellow is in a position to promote his patent.

It seems to me that we cannot justify a maintenance fee unless we are going to say we do not believe in the present law concerning the life of patents. So I hope that the amendment of the gentleman will be accepted.

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

Mr. WHITENER. I yield.

Mr. BELCHER. Mr. Chairman, does the gentleman know of any department of the U.S. Government that is self-sustaining—the Department of Agriculture with \$5 or \$6 billion, the Department of Defense with \$50 billion, and even yesterday we upped a program from \$7.5 million to \$45 million. Unless I misunderstood, the gentleman from New York voted for that extra \$37½ million. Now today he wants to take \$6 million off of small business to make up for what he voted yesterday.

Mr. WHITENER. Mr. Chairman, I would not undertake to answer the gentleman's several questions but I would say this. I think the Patent Office more nearly falls in the same category as the Post Office Department.

Mr. BELCHER. While we appropriate for small business and keep small businesses all over the country in operation, we turn around and put a burden on small business so that we will again have to set up another Small Business Administration to help take care of them. It seems to me that we are traveling around in a circle.

Mr. WHITENER. I will say to the gentleman, speaking of the Defense Department, that some time ago I was told that a new aircraft that was now in development already had had some 840-odd new patents granted in connection with research and development on it.

I can see where this sort of thing would result in a great burden even to a big company that has many patents. It seems to me once the patent is granted it ought to be like the title to a piece of real estate which is registered in the courthouse of the hometown. You have title and there is no fee on maintenance. There are not any of us who do not come from a county where it costs the local taxpayers money to maintain the recording of deeds and other evidence of title. But we do not say to a man, you must go down to the courthouse every 5 years, or every 13 years, and pay a maintenance fee, otherwise you are going to lose title to your house.

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

Mr. Chairman, I stated in general debate that the present fees payable to the Patent Office were established by the Congress in 1932. Everything else, as far as I know, has been raised except the filing fees in that Office.

We, the Congress, raised the cost of litigation and the filing of lawsuits; we, the Congress, increased during that period of time the cost of the postage stamp from 2 cents to 5 cents; we, the Congress, increased the cost of mailing a postcard from 1 cent to 4 cents; but nothing has been done in Patent Office fees, and this is a long overdue measure to revise these fee schedules.

Let me say for the benefit of those who were not here during general debate that this is a bipartisan measure. It was advocated during my period of service on the Committee on the Judiciary by the administration of President Truman, it was advocated by the administration of President Eisenhower, it was advocated by the administration of President Kennedy, and now the administration of President Johnson.

Now, in addition to this maintenance fee provision having the virtues described by the gentleman from New York and the gentleman from Maryland, let me point out this is a deferred payment for the benefit of the little guys that you have been talking about. We increased the basic filing fee in the bill from \$30 to \$50. Do you want to increase it from \$30 to \$350? This is a revenue measure. This is to bring the Patent Office, not on a pay-as-you-go basis but on a 75 percent pay-as-you-go basis. We could have raised this original fee from \$30 to \$350. We did not do that. We provided from \$30 to \$50. Why? As an aid to the small patent owner they are talking about. They say the big guys do not object to this. I wonder if they would object if we put it at \$350 to start with? But they are paying this at the end of the filing because it would compel these patents that are being sat on or suppressed and not developed to bear an additional amount or else to lapse.

The small patent owner initially would pay a \$50 filing fee, and after 5 years if he thinks his patent is going to pay off, at that time only is he called upon to pay \$50 more. Then on the 9th year of the patent if he thinks the fruits of his ingenious mind are paying off, and in that case only and at that point, \$100 more is assessed, and on the 13th year \$150 more is assessed, or a total of \$350, which is part of the total cost of processing and maintaining the patent. If he does not want to pay that cost he can permit the patent to lapse. If the large corporations that are sitting on these patents want to permit them to lapse, let them do so.

Mr. Chairman, I hope this amendment which would very substantially cut the revenues under this bill will be defeated.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, let us get to the heart of this. As the chairman says, they have not raised fees since 1932 and they need adjusting. The proposal under this bill is to raise the total fees approximately 169 percent. This amendment will cut out a small portion of that, but it will also stop the complicating of a system

of maintaining a patent and paying a penalty in maintaining one.

Look at the report on pages 14 and 15. The estimated revenue from the new maintenance fees—and, mind you, the chairman during the debate stated that this was the best name they could think of for this additional charge—is \$2,877,000. The total estimated revenue from the bill is \$12,888,000. So you knock out an estimated \$2,877,000 and are making the process of maintaining a patent much simpler.

The big corporations do not mind. They have bookkeepers and they have patent attorneys and they have clerks galore to keep up with this, but why complicate matters for a poor small businessman or small operator and compel him to pay this so-called maintenance fee in order to keep his patent alive? I am not going to quarrel with the chairman about whether these other fees are in line. I am not going to argue with him about that. But I say he is still left with an increase of 130 percent on present income if you adopt this amendment. So do not let anyone try to tell you that you are crippling the revenue on this because you are not.

Mr. CHAIRMAN, I urge the adoption of this amendment to keep this as simple as possible and still grant them what they want, to increase the revenue. I heartily urge each of you to vote for the amendment offered by the gentleman from Illinois.

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

Mr. CASEY. I yield to the gentleman.

Mr. GROSS. Does the gentleman know of any other place in Government or any other agency of Government where a direct tax is levied?

Mr. CASEY. Not in the U.S. Government. The gentleman from New York [Mr. LINDSAY] stated that this is a European plan. They are trying to put that in. This is a tax on patents. That is all this is—a tax.

Mr. GROSS. I am not surprised at that, but I do not know of any reason why we should adopt it simply because some European nations have such a plan, and I am sure the gentleman does not know of any reason why we should also adopt such a plan.

Mr. CASEY. No, sir, I will say to the gentleman.

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

Mr. CASEY. I yield to the gentleman.

Mr. WILLIS. In the interest of and in the name of the small patent processors, would the gentleman vote to increase the initial fee to \$.50 instead of the \$.50 you are speaking of?

Mr. CASEY. You are increasing the fees by 130 percent. That is what you have left—130 percent.

Mr. WILLIS. Then the total return on this maintenance provision is what percentage of the total revenue produced?

Mr. CASEY. What do you mean—under this amendment?

Mr. WILLIS. It is a considerable amount of the total revenues produced

and it is strange to see that those opposing it primarily—and I am not talking of Members of Congress, but I am talking of those who appeared before the committee—are the so-called corporate inventors and not the small inventors for whose benefit we put the provision in.

Mr. CASEY. I have not heard a word from any of my big corporations. All I have heard from are the small practicing attorneys.

Mr. WILLIS. I wish to say I excluded the gentleman in my remarks. I have also received correspondence along the lines I have indicated.

Mr. CASEY. I appreciate the gentleman's statement.

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

Mr. CASEY. I yield to the gentleman.

Mr. WHITENER. Would not the gentleman say from his legislative experience that the same thing would apply to almost any hearing—that the unorganized small citizen does not have a lobbying group to appear and testify before the committees, and that there is no particular magic in the statement that my good friend just made.

Mr. CASEY. In other words, right now the estimated income is \$7,700,000 and if you adopt this amendment you will still have an increase of \$10 million or over \$10 million which would be approximately, according to my arithmetic, a 130 percent increase.

Mr. CHAIRMAN, I urge the adoption of the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DADDARIO. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. CHAIRMAN, I came to the floor of the House this afternoon purposely to listen to the debate on this legislation affecting the patent fee system. I have had an interest in the general subject of patent legislation through work as chairman of the Subcommittee on Patents and Scientific Inventions of the House Committee on Science and Astronautics.

I had believed that this debate would center on the one issue of fees and the amount of return to be so derived but as I listened to the debate it became quite clear that the small businessman, the small inventor, would be affected. It is obvious on its very face that it will be a prohibition against him to pay a \$300 charge, even if it is spread over a period of time. The chairman of the subcommittee asked if one would like to have it as an initial fee rather than spread over a period of time as a maintenance fee. That remark indicates that it is too large a fee to pay in one instance.

I should like, however, to confine the remainder of my remarks to other points which are of fundamental importance.

If there is in this country a system through which there is an accumulation of patents so that they are hidden and remain unproductive, something ought to be done about it. It stands to reason that we are a progressive nation and that we will not allow knowledge and information to be suppressed. It is a matter of record, I believe, that no in-

vention can lie dormant. There are skills and abilities in our manufacturing concerns and among individual inventors so that any such attempt will be speedily circumvented. Our people have a great capability in inventing around existing patents.

But if there is a suppression or if there is a harmful accumulation, we should not use the subterfuge of a fee as a penalty. I believe we should look over the entire structure of Government patents and legislate across the board and the sooner the better. Such a step, properly taken, would lead to a better understanding of our patent system and is the way through which weaknesses should be corrected.

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

Mr. DADDARIO. I yield to the gentleman.

Mr. SIBAL. Is this maintenance provision a new patent tax concept in our law?

Mr. DADDARIO. As I have been able to review the situation, I have found no precedent for it in the patent system of this country. It is new and it is, as the gentleman from Texas [Mr. CASEY] pointed out, a takeoff on the European system, where it is more of a tax.

Mr. SIBAL. The gentleman's experience and contributions in this field are well known to all of us. I should like to ask the gentleman if he feels that our system, which is different from the traditional European system, has in any way inhibited the development of patents in the past?

Mr. DADDARIO. It is a matter of record, I believe, that we are the foremost nation in the world insofar as inventive genius is concerned. We have led by leaps and bounds over the course of the years.

I believe it is a fiction that patents can be suppressed. We all know that in every instance when an invention does come forth there are improvements on it time and time again, and these improvements come about because information is available and because Americans have the genius to invent around patents and inventions.

Mr. SIBAL. I thank the gentleman, and I join him in supporting the amendment.

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

Mr. DADDARIO. I yield.

Mr. LINDSAY. I take issue with the gentleman, but not with the gentleman's statement.

No one wishes to copy the European system at all. What we would like to do is to see what will happen.

The fact is that in respect to both copyrights and patents most of the European nations, under the systems used there, are much more protective of private ownership in regard to patent rights and copyrights than the United States.

Mr. DADDARIO. I believe the gentleman is correct. This is a reason why I believe we should get on with those steps that would lead to overall patent legislation so that we could protect the



private rights which exist in respect to patents.

If that is the situation, and I believe they are better protected, it is the fault of our own patent system. We should not try to overcome this by a fee or maintenance charge of this type. There are fundamental ways open to us to make necessary improvements and it would serve us well to move in that direction.

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

I rise in opposition to the amendment.

Mr. Chairman, we have heard some rather strange arguments here today. One was to the effect that we should not strive to put a department of Government on a nearly self-sustaining basis, which is the prime objective of the bill.

An argument was also advanced, in support of that argument, that only the other day the House considered a bill or bills which would not have placed a department on a self-sustaining basis and there was objection to that procedure.

We cannot have it both ways.

The Judiciary Committee has been striving to be fair to the inventor—to the small inventor, to the large inventor, to all inventors and all those who are under the label of "genius." We have striven to be fair to them.

On the other hand, we wish to be fair to the general public of the United States. Even a genius must pay his fair share.

We give to an inventor a monopoly, for 17 years. Generally we are opposed to monopoly, but when it comes to someone who devises something new and inventive we say, "Well and good; we will give you a special privilege." It is a special privilege. It is the exception we make, when we say that he or she shall have 17 years' exclusive use of that particular patent or the result of his inventiveness and ingenuity.

In addition, virtually no country in the world, has fees for patents that are as low as ours.

Now, I want to emphasize that this maintenance fee—and I say this in opposition to the amendment—is only a deferred payment. If you are going to wipe out the maintenance fee, you are going to incur the danger of increasing the initial fee. Almost all countries of Europe charge the maintenance fee, particularly Germany, Sweden, the Netherlands, Norway, Switzerland, and Great Britain. I have searched the records to find out whether any harm or disadvantage accrues to the inventors because of the maintenance fee, and I find no such record anywhere. I defy anyone in this House to point out to me one country where he will find a disadvantage to the inventor because there is charged a maintenance fee.

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

Mr. CELLER. Yes. I yield to the gentleman from Iowa, who is now objecting to a bill that would make a Department fairly self-sustaining. When he objects to such a bill, it goes counter to his frequently expressed philosophy. Why does he oppose this bill when it seeks to make this Department fairly self-sustaining? He has been arguing

day in and day out against Government costs.

Mr. GROSS. Is the gentleman going to yield?

Mr. CELLER. Let the gentleman tell us about that, and then, if he answers that, I will answer his other questions. But let him answer that first.

Mr. GROSS. I will get my own time. I thank the gentleman.

Mr. CELLER. All right. Then, the gentleman may get his own time.

But, in any event, this maintenance cost is spread over a period of 13 years. If that is not aiding a young or impecunious or small or poor inventor, I do not know what is. He has 5 years before he pays the first maintenance fee. Then he has until 9 years before he pays the second maintenance fee, and he has 13 years before he pays a third maintenance fee. If you are not going to charge these maintenance fees, he is going to have to pay all of those fees in the initial stage, namely, at the time he files the patent initially.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

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

There was no objection.

Mr. CELLER. He will have to pay that before he knows whether or not his patent is going to be in any wise successful. I read the record again, and I am told that by means of these maintenance fees we will shake out, as it were, out of the Patent Office, many unused, suppressed, and useless patents, and that will make it far less difficult to make the searches at the Patent Office. I am told that at the subcommittee hearings the then Commissioner of Patents indicated clearly the following:

The resulting simplification in the infringement searches and other investigations primarily concerned with patents still in force would be of considerable help to industry. In addition, new businesses would be far freer to utilize prior service in the development of their products and their processes.

That is what he said. His words are echoed by his predecessor, the former Commissioner of Patents, with reference to the so-called maintenance charges.

Now, the Committee on the Judiciary is composed of lawyers exclusively. We debated this bill very, very carefully. We went over it with a fine-tooth comb. We sought to find every conceivable defect in the bill. There was only one lone voice that expressed some opposition. That voice is stilled this afternoon. We do not hear from the gentleman. Therefore, I take it he has changed his views, and we have the virtually unanimous consensus of all the 35 members of the Committee on the Judiciary, all of whom are lawyers.

Enactment of the measure will be best for the Patent Office and also best for inventors and for the public in general.

For these reasons I hope that the amendment will be voted down.

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

Mr. Chairman, I doubt that I could conjure up a philosophy that would be

acceptable to the gentleman from New York. We are about as far apart as the poles and he has all the answers to all issues. At one time I nominated him for that new club, the famous 5-H Club. I understand he has become a charter member of the 5-H Club which means—"Hell, how he hates himself."

I do not think anything I could say would convince him, nor anything that he might say to me would be convincing.

I suggest that the gentleman from North Carolina made the best analogy of the afternoon in the discussion of this bill with respect to the maintenance fee.

I am not opposed to the other fees that are being increased and substantially. When you go from \$30 to \$50 for an original filing on a patent and collect additional fees in other provisions of the bill, I think you have done pretty well as a first bite in this agency. I want to see all the agencies of Government, and all the departments of Government, come as nearly as possible to balancing their budgets. But I will say to you that I do not know of a single agency or department, which charges a fee or an admission, that operates on a balanced budget. If you know of any tell me about it.

So I think we will be doing pretty well as a first step, as the first increase since 1932, without the maintenance fee.

The gentleman from North Carolina said that he knew of no municipality or county that levies a fee strictly for the maintenance of real estate records, or other records pertaining to property.

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

Mr. GROSS. I yield to the gentleman.

Mr. BELCHER. While we are talking about philosophy, I do not know of any philosophy that advocates wasting all afternoon talking about the loss of a little over \$2 million of revenue and then turn around and vote for a \$13 billion tax cut, vote for a \$600 million cotton bill, a \$45 million library bill, as we did on yesterday, and all of those put together did not take as much time and argument as has been taken on this question involving \$2½ million.

Mr. GROSS. I thank my friend from Oklahoma for his observation.

The gentleman from New York [Mr. CELLER] talks about the levying of fees for this purpose in foreign countries. If they are doing so well levying and collecting fees for this purpose, the purpose of registering patents in foreign countries and for other purposes I wish he would tell the House why the foreigners have their hands so deep in our pockets.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 53, nays 72.

So the amendment was rejected.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. JOELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes, pursuant to House Resolution 593, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDERSON. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. ANDERSON moves to recommit the bill, H.R. 8190, to the Committee on the Judiciary.

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

The motion to recommit was rejected.

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

The bill was passed, and a motion to reconsider was laid on the table.

#### VENEZUELA SULPHUR CORP.

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BECKER. Mr. Speaker, I do not have the time in 1 minute to read this entire statement; however, ever since 1962 I have been fighting with the State Department over the seizure by the Government of Venezuela of a plant owned by the Venezuela Sulphur Corp., a subsidiary of Chemical Natural Resources Corp., a U.S. corporation.

A case is coming up in the court of common pleas in Philadelphia to determine the sovereignty of Venezuela from U.S. courts. The Department of Justice is supporting Venezuela in this matter.

At the same time, Dean Acheson, a member of the law firm of Covington & Burling, is representing Venezuela while at the same time Dean Acheson is an adviser to the State Department appointed by the President of the United States. How can any man with ethics represent Venezuela as an attorney and receive fees while at the same time acting as an adviser to the State Department, appointed by the President?

If this is legal ethics, I think it is time we do something about it, and I hope the court will take an American stand for a change.

Mr. Speaker, I have been fighting, since 1962, the seizure by the Government of Venezuela of a \$20 million plant

owned by a U.S. corporation, the Venezuela Sulphur Corp., a subsidiary of Chemical Natural Resources, Inc., but without any success. I called attention to this matter in 1962 at a time when our Government loaned Venezuela \$30 million immediately after the seizure, but without any results. The attorneys for the Venezuela Sulphur Corp. have on many occasions met with and asked the assistance of our State Department, but with no results. The upshot of all this is that the Venezuela Sulphur Corp. has been informed by our State Department the only redress they have is to sue the Venezuelan Government in their courts. I think we could all determine in advance that such a suit would have no possibility of succeeding in Venezuelan courts. However, a new situation has arisen in that a case is coming up in the court of common pleas in Philadelphia which is being prosecuted by the Justice Department in support of the State Department's position in this matter, which supports the sovereignty of Venezuela against any suit in the United States.

At the same time, at the crux of this matter, it should be understood that Dean Acheson, a member of the Washington law firm of Covington & Burling, is representing, in the United States, the country of Venezuela. It is also an absolute fact that Dean Acheson is acting as an adviser to our U.S. State Department at the same time.

If one talks about ethics, I am wondering how the President of the United States can justify such a conflict of interest as I have detailed here. And, I sincerely hope when this matter does come before the court of common pleas next month, the court will for once recognize that U.S. investors in South America have the right to sue in the U.S. courts, and in the final analysis, have the Government fight on their side rather than on the side of a foreign state.

This case of Dean Acheson is typical of many with which he has been connected and these facts have appeared in the newspapers, on September 21, 1963.

#### UKRAINE INDEPENDENCE

Mr. DULSKI. 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 York?

There was no objection.

Mr. DULSKI. Mr. Speaker, today is the 46th anniversary of Ukraine's short-lived independence.

The Ukrainians have been among the most unfortunate peoples in modern history. For centuries their country was overrun by conquering armies, and remained divided under alien rulers until 1918 when they overthrew their oppressors. But this newly won freedom, from the time of its very birth on January 22, 1918, was to end all too soon 2 years later when the Red army invaded the Ukraine and took over. Since then the Ukrainians have been ruled by Moscow, victims of Soviet colonialism.

The sad occasion of this day, in reviewing events endured by these brave

Ukrainian people over the years, bids us to pause and reflect on the sufferings of these people in their thirst for freedom. Theirs is a thirst for freedom that has never once wavered, and it is as strong today as it ever was.

We, in America, who enjoy all of the God-given freedoms, must never forget these freedom-loving patriots. We must be ever mindful of their plight; ever cognizant of their relentless pursuit to gain independence and liberty.

In observing the 46th anniversary of the independence of Ukrainians, this event should also serve to give impetus to the formation of a Special House Committee on Captive Nations in this session of Congress. Such a committee could serve as a beacon throughout the world to show the solidarity and determination of the American people that these captive nations are not forgotten in their struggle for liberation and true independence.

The 42 million Ukrainians, who are virtually prisoners in their own homeland, cannot celebrate today as their own great national holiday. But those Ukrainians living in the free world, and especially Americans of Ukrainian descent in this great country, do so in the hope that some day—and soon—this independence day can be celebrated in a free and liberated Ukraine. I wholeheartedly join Ukrainians everywhere in the wish that this cherished dream will be realized.

#### LIMITATION OF DEBATE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I wish to address myself to a situation which has been developing in the House for quite awhile and which in my opinion is threatening to destroy the opportunity for free and open debate on some of the important issues which come before, and which are the responsibility of, this House.

I am referring to the tendency which has developed to limit and close off debate on amendments which are offered to important bills. For instance, yesterday when we were considering the Library Services Act, a very important amendment was offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN], and despite the fact that an attempt was made—and I might add with no small measure of success—to have it considered as a partisan political amendment, there were some of us on this side of the aisle who thought it had much merit, and would have retained and improved the original concept of the Library Services Act. The chairman of the Education and Labor Committee, after seeking to obtain unanimous consent, moved to close all debate on that amendment and all amendments thereto, at 5:15 p.m., allowing approximately—actually less than—10 minutes additional debate. There were some four



or five Members, including myself, who were standing and who had every reason to believe that we might obtain approximately 2 minutes to express our views. Unfortunately, a preferential motion was made, and while the proponent of the motion did not use the full 5 minutes to which he was entitled, the opponent of the preferential motion, did use all of the time up to 5:15, at which time the vote was taken.

Mr. Speaker, I think we are all aware of the fact that after 5 o'clock in the evening, there is a tendency for all Members to want to conclude the business of the day, even if it means doing our work in a slipshod manner, and without the proper consideration being given to important amendments. The House cannot do its best work in a creditable manner under such circumstances, and I am suggesting that, under such circumstances, it would be well to consider trying a new method of procedure, that of carrying over until the following day consideration of important bills when it appears that final action cannot be taken before 6 o'clock in the evening, without precluding Members from thoroughly discussing amendments which are pending.

I do not think there is anyone in this House so naive as to believe that this House is going to be in session on Friday of this week for the transaction of any important business. The whip notice so indicates, and I would predict that an effort will be made to adjourn over from Thursday until Monday, and if objection is made, there will be only a short session on Friday with no business of any consequence. Why, then, under such circumstances, especially here at the beginning of a session, can we not give full and complete consideration to legislation which is pending, rather than to try to push it through with Members who might make a worthwhile contribution being denied this privilege?

How long, Mr. Speaker, are we going to continue to operate the House of Representatives for the convenience of Members whose outside interests take precedence over their obligations as Representatives of their constituents to the extent that they feel compelled to be away from Washington from Thursday until Tuesday, thus preventing the efficient and effective operation of the Congress?

#### HENRY FORD SPEAKS OUT ON TECHNOLOGICAL PROGRESS AND HIGH EMPLOYMENT

Mr. RYAN of Michigan. 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 Michigan?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, last week in Detroit there was a meeting of some 20,000—that is right—20,000, scientists, engineers, and manufacturers who came to share their thoughts and experience.

They met in Detroit under the banner of the Society of Automotive Engineers,

a group devoted to progress. Its members include not only the top names of the industrial world but also thousands of engineers who are on the firing line of active, competitive, day-to-day business life.

On Wednesday, January 15, 1964, the society was privileged to hear an address made by Mr. Henry Ford II, chairman of the board, Ford Motor Co., in Detroit, Mich.

The response which Henry Ford II received after his speech was as encouraging as the speech itself. Mr. Ford's three-part program for unemployment was as good an answer as anyone could give. Ford argued that technological progress creates jobs, contrary to the views expressed by many who take the opposite view.

He is right; technology does displace some workers, but by making a product cheaper or possible, it creates more jobs than it eliminates. Mr. Ford contends that if people are able to take advantage of the possibilities of technology they must achieve a true equality of employment opportunities.

Finally, Mr. Ford put it up to the Congress. Technological progress comes when an industry can see how money spent on research can produce a dividend for the stockholders. Research is always a long-shot gamble.

If the Government, by confiscatory taxes, makes the payoff too small, industry will not take the chance. And without technological progress the result is—no jobs.

The remarks made by Mr. Ford brought out some well thought out ideas, and I would like to have the Members of this Congress give them their utmost consideration and thorough study. I am happy to have the opportunity to place them into the CONGRESSIONAL RECORD for I believe they merit our thinking big and being willing to look for radical solutions to rough problems.

The remarks of Mr. Ford follow:

REMARKS OF HENRY FORD II, JANUARY 15, 1964

January is a time for assessment, a time to look back to see where we have been in the past 12 months, and to look ahead to see where the next 12 months will take us. This evening, I plan to look ahead, not to see where the future may take us, but to consider what directions we want the future to take.

This is a year, like other years, in which America will arrive at a series of crossroads in the long journey in search of our national destiny. There have been many such crossings in our history. At each, we have made a choice—some for the better, some for the worse. But whatever course we chose, we managed, in the long run, to come out ahead. From weakness, we drew strength. From confusion, we brought about order. From doubt, we forced new confidence.

We Americans have made a habit of success—so much so that we take success for granted and look upon adversity as only a spur to later, greater triumphs.

At the beginning of this new year, our mood of confident optimism is especially strong. Our Nation has come through a great tragedy and emerged with a new President whose competence and leadership are widely acknowledged. Our economy bids fair to resume the pace of longrun growth that has been interrupted in the past few years. The Russian bear has grown a bit tamer, and the prospect for continued peace

a bit brighter. It is a good time for Americans, a time that gives us reason for confidence in ourselves and our future.

A generation ago, we were told that the only thing we had to fear was fear itself. Today our danger is the opposite. The only thing we have to fear is that confidence will become overconfidence. It is easy, when things are going well, to assume that all we need do is what we have traditionally done. It is tempting, when the road we are on is so pleasing, to ignore the choices that confront us at each crossing. It is natural, when times are good, to let both our problems and our opportunities slide beyond our grasp.

To be honest with ourselves, there is still much to be done in this country of ours. There are problems—serious ones—to which we must address ourselves before they become even more serious. There are opportunities—great ones—which we must begin to grasp while they are still within our reach. Neither our problems nor our opportunities will yield, unless we cultivate the ability and the courage to question the way things are and to set out boldly on new and unfamiliar roads.

Consider, for example, the current state of American industrial technology—and here I mean not only the way we make things, but the things we make. For generations, our technology has been the most advanced and progressive in the world. It is the basis of our standard of living, of our national security, of our position in the community of nations. We have grown accustomed to thinking of ourselves as the unchallenged masters of the machine age.

Fifteen years ago, such self-confidence was fully justified. The rest of the world came here to learn how to make things better and cheaper and faster. More recently, in industry after industry, we have seen new processes developed abroad and then adopted here. We have seen foreign products challenging our own, even in our domestic market, not only because the foreign products are cheaper but also because they are often better and more advanced.

Signs such as these suggest that we should be asking ourselves some important questions. Do we still have more to teach the world than it has to teach us? Are American contributions to technological advance proportionate to the size and resources of American industry? Has our rapidly growing investment in research and development paid off as it should have in new products and processes for the civilian economy?

While I'm at it, here is another question. Has automotive technology advanced as rapidly in the past as it might have and as it should in the future? The 1964 automobile is a remarkable machine. Compared to the cars we were making even 5 years ago, it's a more efficient, better-performing, more reliable, more durable, more comfortable and safer vehicle. Today's cars are a tribute to the ingenuity of the engineering profession in refining and developing and improving on the established principles of automotive design.

On the other hand, when you think of the enormous progress of science over the last two generations, it's astonishing to realize that there is very little about the basic principles of today's automobiles that would seem strange and unfamiliar to the pioneers of our industry.

I raise these questions not to cry wolf, nor to find fault, but to suggest that we in the United States have a problem, or, if you will, an opportunity—an opportunity to break away from technological traditions and to find really new and better ways of making really new and better products for the markets of the world. The slow and patient work of refining and improving on existing technology will always be important. But what we need even more than the refine-

ment of old ideas is the ability to develop new ideas and put them to work.

Increasing the flow of practical, new ideas in American industrial technology is, itself, a task that will require fresh approaches, not only in industrial management, but also in our universities, in Government, and in the engineering profession.

We must look to our universities to conduct basic research and to train scientists and research engineers in fields which underlie industrial technology as well as in fields which may have more glamour and prestige. Science cannot be bound by practical considerations—but neither can it neglect the needs of society.

Transportation engineering is a case in point. Although transportation accounts for roughly 20 percent of our gross national product, relatively little attention is now given to those branches of science and engineering research that are most closely related to transportation technology. In view of the economic and social importance of fast, efficient transportation, we might well expect much more activity than there now is in these fields.

We must look to industrial management to provide facilities and policies that will stimulate adventurous technological exploration. The development of new technology is a complex process involving the translation of scientific discovery into practical applications—practical not only in an engineering sense, but also in an economic sense.

It is a difficult process because it requires the blending of qualities which are natural enemies—of visions and dreams on the one hand, and of hard commonsense on the other. One of the greatest challenges facing industrial management today is to learn how to create an environment for research which is at the same time free enough to encourage dreams, and disciplined enough to lead to practical results.

To meet this challenge, industry needs a very special breed of engineer. We need engineers who can keep the spark of creative talent glowing while still accepting the discipline imposed by practical considerations. And we need engineers who combine in themselves the varied skills needed to harness science to practical ends.

The engineer stands in the middle of the research and development team. On the one side, he must understand the scientist whose discoveries he draws upon. And, on the other side, he must understand the economist, the cost analyst, and the market researcher who define the economic limits of practicality.

The more the engineer knows of all these disciplines, the better he will do his job and the faster our technology will advance. If all we want is to refine old ideas, then we can make good use of the engineer who is merely a specialist. But if we want big new ideas, then we need engineers who are at home in science and in management as well as in their engineering specialties.

People like this will always be scarce. Our job in industry is to make sure that when we do find them, we use and reward their very special talents appropriately. This is the only way in which we can hope to attract more of them in the future.

No matter what we may do, however, industrial research is always a gamble. If we are content to search for small improvements in old ways of doing things, then the cost may be small and the odds favorable. But if we seek for radical departures from established products and processes, then the cost is high and the odds are long.

The only reason why investors are ever willing to put down the money it takes to achieve a genuine technological breakthrough is the possibility of a return on their investment commensurate with the great risks involved. This is where Government policy may be the determining factor. For two

decades, our economy has been operating under high wartime tax rates which greatly reduce the possibility of earning a return on investment big enough to justify really big risks. This, I am convinced, is one of the major reasons why American industry has not been more venturesome in its pursuit of technological progress. The smaller the payout when a long shot wins, the less backing the long shots will have.

The tax reduction bill now before Congress is a first step toward restoring the incentive to invest in technological long shots, in the search for new ideas rather than the refinement of old ones. It is a step that should have been taken years ago, and one that should be followed by longer steps in the same direction in the years ahead.

Let me turn now to some of the other serious problems and great opportunities that confront us in 1964.

Industrial technology exists to serve people, to enable them to work more effectively and more productively and thereby to increase their real income. If, as I think, we are not taking full advantage of the opportunities for technological progress, then we are wasting the work of our people and limiting their ability to earn better and richer lives for themselves and their families.

There are other ways in which our Nation wastes work and limits the standard of living, and one of the worst of them is unemployment.

The fact that we are steadily providing more jobs for our growing labor force is small comfort to those who have no job, for nothing is more demoralizing to the individual than to find that no one wants his work.

Unemployment is dangerous, not only to those it hits directly, but to all of us. It breeds resentment and frustration and fear. It poisons our industrial relations and our politics and strains the fabric of our society. It makes us all poorer, for those who are not working must be supported by those who are.

Unemployment is a serious problem mainly for specific groups of Americans rather than for our labor force as a whole. Among white husbands with families to support, unemployment is close to the irreducible minimum. For them, it is mainly a brief interval between jobs—a normal result of the amount of job changing essential in a healthy and growing economy.

Among other groups—teenagers, Negroes, the unskilled and the undereducated—unemployment is very much higher. For many in these groups, it is a constant threat and when it strikes it often lasts for weeks and months and sometimes, even for years.

The heavy concentration of unemployment among particular groups of Americans suggests that we are really dealing with two different kinds of problems. Beyond the general problem of providing enough jobs for all the people who want to work, we face the specific problems of fitting the people who need work into the jobs that become available.

There are many today who argue that we are not providing enough jobs because we have too much technological progress, too much automation, too rapid displacement of men by machines. There are those who say we will never again have enough work to keep all of our labor force fully and productively employed; indeed, that we will have less and less work for more and more people.

From this point of view, the remedy for unemployment is to make work, to halt the progress of technology, to freeze people in their present jobs whether they are doing useful work or not, to create new jobs artificially by restricting the output of those who are already employed.

This is the most dangerous kind of nonsense. It is nonsense because it is based on the false assumption that technological

progress is abolishing the need for work. The rate of unemployment has been too high throughout the past 6 years but, in spite of the rapid growth of our labor force, it has not been increasing. This can only mean that we are creating new jobs substantially faster than we are eliminating old ones. We are not creating new jobs fast enough to close the gap between the level of unemployment we have had in recent years and the level we should have. But neither are we faced with a technological cataclysm that leaves us with more and more of our labor force unemployed.

Any effort to cope with unemployment by making work is dangerous because it can only intensify the problem it seeks to solve. To make work by restricting and limiting progress is to embark on a policy of deliberately cultivating industrial stagnation and inefficiency. In a competitive world, there is no way to protect the markets of stagnant and inefficient enterprises, and without markets there are no jobs.

If we have not had enough jobs in our economy during the past 6 years, the reason is not that we have had too much technological progress, but too little. We get new jobs when technology gives us new products and new industries. We get new jobs when technology expands the market for existing products by showing us how to make them better or more cheaply. Thus, we come back again to the need for new ideas, new processes and new products in American industry.

The automobile industry today provides an excellent example of the relation between technological progress and high employment. Our industry now has very close to total employment, with only a handful of employees on layoff. Ford Motor Co. employment for the last 2 years has been substantially higher than at any time since 1957. Unemployment in Detroit and in Michigan is at its lowest level in years.

These, of course, are the results of booming automobile sales. And the sales, in turn, are in large part the result of technological gains that have made it possible for us to offer our customers substantially better cars at virtually the same prices we were charging 6 years ago. If we can step up our rate of technological advance, we can add still more to our sales and our employment by offering our customers even better value for their money.

Providing a larger total number of jobs is only one of the things we need to do to solve the unemployment problem. Unemployment is too high, not only because we do not have enough jobs, but also because many of the unemployed are poorly qualified by skill and education to fill the jobs that are available.

In an advanced industrial nation, education is the key to employment opportunity, especially for young people who, because they are young, have had no chance to acquire skill through experience. Our country sends more of its young people through high school, college, and graduate school than any other country. But, compared to many other industrial nations, we also have many more of our young people beginning adult life with very little education—far less than they need to find a secure and productive place in our space age economy.

The fact that some 40 percent of our young people fail to complete high school is a serious and well-known problem. But what is far more serious and far less well known is that one youngster out of eight never even gets beyond the eighth grade. As recently as 1959 the Census Bureau counted 145,000 young adult Americans who had never even learned to read or write.

These are the unemployed of the future. Even when they are working, most of them will be employed in the least skilled, least productive, least secure, and lowest paying



jobs our economy has to offer. Lack of education contributes even more to the ranks of the underemployed and the lowest paid than it does to the ranks of the unemployed. In 1961, for example, families headed by persons who had not completed elementary school had an average income of little over \$3,000, while families headed by high school graduates had an average income of more than \$6,000—almost twice as high.

Lack of education will be an even greater handicap in the future than it is today. As our technology advances, and as prevailing minimum wage scales go up, the relative number of unskilled jobs will go down, and the undereducated will face increasing difficulty in making their way.

But the solution to this problem is not to keep the educational and skill requirements of work down to the educational level of our population. The solution is to raise the educational level of our people so that they are capable of handling work that demands less of their muscles and more of their minds. The problem is not just to put the unemployed to work, but to equip both the unemployed and the underemployed for better, more productive jobs—jobs that will permit them to contribute to and to share more fully in the affluence of our society.

The problem of undereducation is not the fault of the schools alone, nor can it be solved by the schools alone. The young people who are receiving the least education today are, for the most part, children of parents who themselves have had little education. Many of them are Negroes or members of other minority groups. Most of them come from poor homes and poor neighborhoods in our big cities and our depressed rural areas.

Low income and lack of education tend to feed upon each other and to perpetuate themselves. Breaking this circle will require changes in family attitudes toward education, in our Government policies and in our employment practices as well as in our schools. Among other things, it will require full equality of employment opportunity, regardless of race or color or national origin. Above all, it will require that we find new and better ways of awakening in young people the desire to stay in school and to profit from it.

Although the schools are only one element in the solution, their role is a crucial one. Today, it is clear that the schools in our poorest communities and neighborhoods are not able to do their job as well as they must. Part of the reason is that many of the schools that have the biggest educational problems also have most limited educational resources. The result is that youngsters who get the least stimulation and encouragement from their homes and families and friends often get the least from their schools, when they need the most.

The time has come for a fresh approach to these problems. Somehow, we must find ways to improve the performance of the schools that serve our least fortunate young people, and to pay the cost of giving these youngsters a better opportunity to improve upon the circumstances in which they were born and raised.

I do not know precisely what this will involve. Certainly, it will require better teachers, more and better guidance and counseling and, frequently, more and better classrooms, books, and school equipment. Certainly, it will require new programs and new approaches to provide the motivation essential for more and better learning. All of this will cost money.

Money alone will not solve the problem, but neither will it be solved without more money. Spending money to help people to help themselves is a far better investment than spending money to relieve the distress of those who are unable to help themselves.

The promise of the American dream is a genuinely equal opportunity to earn a better life. This is essentially what I have been talking about tonight. Technological progress is an important part of that dream, for the advance of technology is the record of man's growing ability to use his God-given intelligence to lighten his labor and to satisfy his needs and his desires.

Technological progress is an important part of the American dream in still another sense. It is the wellspring of the economic growth we need to provide jobs for all those in our increasing population who want to work and to expand the resources available for education and other essential services.

Technological progress, in short, is the key to the opportunity to earn a better life. To fulfill the promise of American life, we need, in addition, to make that opportunity an equal one. It will not be equal, and we will not be true to our dream, as long as we fail to teach so many of our young people what they need to know to take their place in our advancing technology.

Over the years, as social and economic inequality has diminished in America, we have turned away from political extremism. As more and more Americans share a material stake in the society's well-being, we are becoming a more conservative people—in the best sense of that word. If we can resolve the remaining hard-core problems in our social and economic life—and it's well within our power to do so—we shall have gone a long way toward protecting our free institutions against the danger of political and economic radicalism.

The social and economic problems of our society today—the problem of unemployment, the problem of poverty, the problem of equal opportunity to share in the riches of American life, the problem of faster economic growth, the problem of effective education for life in the space age—all of these are interrelated.

What helps solve one, helps solve all.

The aggregate power and wealth of the society must be employed not to control or dictate the course of the economy or the lives of individual human beings. It must be employed in the cause of freedom. It must be so used as to free men from their enforced dependence on the support of the society. It must be used, not in any attempt to control the Nation's productive resources to achieve predetermined goals, but to liberate further the latent energy and creativity of our people.

Where the remaining deep and vital problems of the Nation require action by the Federal Government, I believe that we, as businessmen, should support such action, so long as we are convinced that the principles underlying it, and the probable effects, as well, are liberating, conducive to freedom and, ultimately, to less direct governmental intervention in social and economic life.

But I do not say: Sit back and let Washington do it.

I say that industry, labor, education—all the dynamic forces in the society—must contribute their full shares to the solution of these problems.

And, gentlemen, for us, that means starting to do a better and more imaginative job in our own shops, so that we may sustain and increase the vitality of a great and creative industry—an industry that carries on its shoulders so great a share of America's resources, and of its hopes for a more abundant life for all its people.

#### THE 41ST ANNIVERSARY OF THE INDEPENDENCE OF THE UKRAINE

Mr. BECKER. 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 York?

There was no objection.

Mr. BECKER. Mr. Speaker, it saddens me that the 46th anniversary of the Independence of Ukraine, on January 22, finds the Ukraine enslaved behind the Iron Curtain. It is a captive nation today because other nations were not strong enough to understand agreements made with Soviet Russia only bind countries like the United States, but never the Soviets.

I believe a position of firmness, such as I have taken through the years, would have been of far greater advantage to the freedom of the captive nations than the policy of appeasement and so-called negotiation we have been following throughout the years.

Zanzibar and Ghana and Laos are more recent victims as well as Cuba. Unless we face up to the fact, become realistic, and realize we must take a firm stand now, it will be too late even to save ourselves.

In my attempts to free the Ukrainians, and other enslaved peoples, I must admit I have a selfish motive—and that is, to retain the freedom for the people of the United States and other free countries. But, whatever my motives are, I believe they are in the best interest of the people of Ukraine and other captive nations.

I pray we will alter our policies, and deal from strength, not in weakness.

#### THE 44TH ANNIVERSARY OF THE JUNIOR CHAMBER OF COMMERCE

Mr. DORN. 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 South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, this week the Nation is paying homage to one of its greatest, most accomplished, and dedicated national organizations—the junior chamber of commerce. I congratulate and salute the more than 200,000 young men who are this week celebrating their 44th anniversary as a great national organization.

The Jaycees philosophy in the United States is a dynamic, positive philosophy seeking to preserve for unborn generations the same concepts of private enterprise that made this Nation the arsenal of democracy and the hope of all freedom-loving peoples. The Jaycees know that the private enterprise philosophy is positive, modern, and progressive. They believe this proven and tried philosophy, which created out of the most undeveloped continent in the world, the United States of America, is the only philosophy that can save the undeveloped areas of the world from dictatorship, slavery, and poverty.

Mr. Speaker, let us not turn the clock back to the wornout, decadent philosophy of Socialist government; paternalism which was tried in ancient Greece,

tried by the Roman Empire, and by countless civilizations in the past and which always failed.

Mr. Speaker, may we in the Congress move the clock forward with these young men of the future who have confidence in the individual and his destiny.

Mr. Speaker, I commend the following to the attention of the Congress, which became the creed of the South Carolina Jaycees when they launched "Operation Free Enterprise":

**OPERATION FREE ENTERPRISE  
OBJECTIVES**

The objective of Operation Free Enterprise is threefold: (1) It is designed primarily as an educational program aimed at the general public to create a better understanding of the many facets of our traditional system of private enterprise; (2) it will provide unlimited opportunities for leadership training among Jaycees; and (3) it can become an effective cold-war weapon against the onslaught of communism and other systems of state control, both in our own Nation and throughout the world.

The program is based on the premise that private enterprise and the responsibilities it demands, and the individual initiative it creates, has been the driving force which has made this Nation strong and wealthy, and has raised us to the highest standard of living enjoyed by any nation in the world.

Before we discard, or even alter too much, the system we now have, let us take note of the fact that the United States of America today has the highest standard of living of any country in the world. Let us also remember the fact that no other country can match ours in the broad diffusion of its living standard to so high a percentage of its people. And let us note further, and more significantly, that our present and past record of outstanding productive achievement—on a scale not even closely approximated anywhere else in the world—was made with an economy that was relatively free of Government planning and domination. All this was attained with a measure of individual economic freedom unmatched by any other country on this globe at any time.

Because our Constitution was created primarily to limit government, the trend of the past 30-odd years toward bigger, more centralized, more bureaucratic government is considered to have adversely affected our free enterprise economy. More important, this trend is considered to have caused a change in the economic philosophy of a great many of our citizens, to the extent that paternalism in government is taken for granted by most people and demanded by a considerable number. These trends can be shown to have a weakening effect upon the morals of our people as the necessity for personal responsibility and individual initiative is gradually removed.

The program is based upon the concepts of (1) limited government at all levels, as envisioned by the Founding Fathers; (2) government by the consent of the majority of the governed with adequate protections for the rights of the minority; (3) government which does not compete with its private citizens in traditionally private enterprises; (4) government which does not compel its citizens to participate in social welfare experiments which are detrimental to the legitimate interests of even a minority group; (5) government which operates on a sound fiscal basis, operating within its income as any business must, and making a respectable effort to repay debt previously incurred; and (6) government capable of administering all regulations necessary for the protection of its citizens in all areas, including the protection of the right to participate freely in our private economy.

**ANNIVERSARY OF THE UKRAINE  
INDEPENDENCE**

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the RECORD and include a letter.

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

There was no objection.

Mr. BOW. Mr. Speaker, it is an honor to join in paying tribute to the brave people of the Ukraine who continue their struggle for independence despite 45 years of Soviet rule.

I hope Americans everywhere will join in observance of this significant anniversary and pledge their support to the aspirations of the enslaved people of the Ukraine.

I ask leave to include with my remarks a letter from Dr. Stephan B. Kurylas, chairman, and Ivan Ivanytzky, secretary, of the Canton, Ohio, branch of the Ukrainian Congress Committee of America, Inc. I am proud to know these men and to support them in their devotion to the cause of liberty for the Ukraine.

The letter follows:

UKRAINIAN CONGRESS  
COMMITTEE OF AMERICA, INC.,  
CANTON, OHIO, BRANCH,  
January 17, 1964.

The Honorable FRANK T. BOW,  
U.S. House of Representatives,  
Washington, D.C.

DEAR SIR: January 22, 1964, will mark the 46th anniversary of the proclamation of independence of the Ukrainian National Republic, which took place on January 22, 1918, in Kiev, and the 45th anniversary of the proclamation of the Act of Union on January 22, 1919, whereby Western Ukraine united with the Ukrainian people.

Although the young Ukrainian republic was recognized by a number of states, including the Government of Soviet Russia, it was attacked by the Communist forces of Soviet Russia. For almost 3½ years the Ukrainian people, deprived of any help and assistance from abroad, valiantly defended their independence and sovereignty in a defensive war against Communist Russia, but by 1920 this gallant struggle of the Ukrainian nation came to a tragic end, and Ukraine was reconquered by Communist Russia.

During the subsequent four decades of Russian Communist enslavement, the Ukrainian people never accepted the Communist yoke imposed by Moscow and have continued to wage an unequal struggle for their freedom and national independence. Through a series of bloody and heroic uprisings, active and passive resistance, and large-scale underground warfare against Communist Russia during World War II and after, the Ukrainian people have demonstrated their love of freedom and their opposition to alien slavery and oppression.

The U.S. Congress and the President of the United States of America have recognized the legitimate right of the Ukrainian people to freedom and national independence by respectively enacting and signing the "Captivity Nations Week Resolution" in July 1959, which enumerated Ukraine as one of the captive nations enslaved and dominated by Communist Russia. During the debate on colonialism at the U.N. General Assembly in 1960 and 1961, a number of Western statesmen, including the representatives of the United States, Canada, Great Britain, and the Republic of China, raised their voices in protest against the persecution and enslavement

of the Ukrainian people by Communist Russia.

Americans of Ukrainian descent in this city are planning to observe the forthcoming 46th anniversary of Ukrainian Independence on February 2, 1964, in a fitting and solemn manner. We firmly believe that you are fully aware of the importance of Ukraine as an ally in the common struggle against Russian Communist imperialism and aggression.

We sincerely hope that you, sir, fully understand the significance of this observance of Ukraine's independence anniversary and will issue an appropriate proclamation on or about January 22, 1964, in solidarity with the plight and struggle of the Ukrainian people for their freedom and national independence.

Respectfully yours,

DR. STEPHAN B. KURLAS,  
Chairman.

IVAN IVANYTZKY,  
Secretary.

**THE LATE GOVERNOR GEORGE  
DOCKING, OF KANSAS**

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] 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 Connecticut?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it was with deep personal regret that I read yesterday of the sudden passing of George Docking in a Kansas City, Mo., hospital. At the time of his death, Governor Docking was serving his Nation with distinction as a director of the Export-Import Bank. He had previously served the State of Kansas as Governor.

It was my privilege to serve in the Kansas Legislature during the 4 years of the Docking administration. Although our political philosophies were different, George Docking won the respect and cooperation of legislators on both sides of the aisle.

I join with my colleagues in the House of Representatives in conveying my sympathy to Mrs. Docking, her two sons, and their families. We pray that God will bless them and comfort them during this time of great sorrow. Kansas and the Nation have lost a dedicated public servant.

**FORTY-SIXTH ANNIVERSARY OF  
UKRAINE PROCLAMATION OF IN-  
DEPENDENCE**

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SHORT. Mr. Speaker, I would not want this day to pass without bringing to the attention of the House of Representatives the fact that this day is a very important anniversary to the Ukrainian peoples, both those who are still enslaved by the Soviet Union, and



those who enjoy the liberties and blessings of this republican form of government in the United States.

Our past President, Dwight D. Eisenhower, once made some comments about freedom which I feel are worth repeating, and I quote:

Suffocation of human freedom among a once-free people, however quietly and peacefully accomplished, is more far reaching in its implications and its effects on their future than the destruction of their homes, industrial centers and transportation facilities.

Out of rubble heaps, willing hands can rebuild a better city; but out of freedom lost can stem only generations of hate and bitter struggle and brutal oppression.

These comments—to me—exemplify what has happened to the once-free Ukrainians. Not one of us who has any knowledge of history, and the struggle in our own country for freedom, can blame the Ukrainians for commemorating each year the anniversary of their proclamation of independence. This is the 46th year. They are still enslaved. At this moment, I am sure not one has any assurance that they will successfully regain their freedom, as a nation. They are to be commended, admired, and respected for continuing their battle for freedom from the forum provided them in this country.

Today I would like to add to my remarks a copy of the press release drawn up by the Ukrainian Congress Committee of America, Inc., State branch of North Dakota. I would like to draw attention to the fact that a radio program to be beamed from Bismarck, Minn., and Dickinson, N. Dak. on Sunday, January 26, will be broadcast for 30 minutes by this same North Dakota branch, as a manifestation of their belief in American ideals and freedom from tyranny for all people.

I also would like permission to include with these remarks, a copy of a letter I have received from Dr. Anthony Zukowsky, president of the State branch of North Dakota Ukrainian Congress Committee of America, Inc. This letter expresses far better than I can express the history and feelings of these proud descendants of the once-free Ukraine.

#### JANUARY 22 IS UKRAINIAN DAY

For many years now the 22d of January has been proclaimed and celebrated in our American cities and States from coast to coast as Ukrainian Day.

It is the day when all Americans join their fellow citizens of Ukrainian descent in marking the anniversary of the renewal of the independence of Ukraine which was solemnly proclaimed by the Ukrainian Parliament on January 22, 1918, in the capital of the Ukraine, Kiev.

Moreover, the 22d of January 1964, is a double anniversary for Ukraine, and the rest of the world to which the fate of Ukraine is today more than ever of crucial importance.

For on January 22, 1964, 45 years will have elapsed since that day in 1919 when the unification of all Ukrainian territories in one independent Ukrainian state was solemnly proclaimed by another act of the Ukrainian Parliament in the capital city of Kiev.

January 22, 1964, will therefore be Ukrainian Independence Day.

It should be recalled that the independence and sovereignty of Ukraine were recognized

by a number of states, including Soviet Russia. But the latter attacked Ukraine both by direct military aggression and by subversion and infiltration from within. After almost 3½ years of bloody and heroic struggle, Ukraine, deprived of all military, economic, and diplomatic assistance from the Western World, succumbed to the numerically superior forces of Communist Russia.

For the past four and a half decades Ukraine has remained under the Communist yoke of Moscow, but it never has surrendered the spirit of freedom, nor has it given up the hope of regaining its full national independence.

During the period of enslavement the Ukrainian people have demonstrated their love of freedom and independence by a series of uprisings and large-scale resistance movements such as the underground warfare of the Ukrainian insurgent army (UPA) in World War II and after it.

The Ukrainians paid a high price in this struggle for freedom, and Moscow has tried every way to destroy the spirit of the Ukrainian people, by persecuting the Ukrainian churches, arresting Ukrainian leaders and clergy, by forced collectivization, mass deportations, executions, inhuman and cruel genocide, and many other inhuman methods. Khrushchev, himself, confessed at the 20th Congress of the Communist Party that Stalin planned the total annihilation of the Ukrainian people for their resistance to Russian communism.

Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by enacting and signing the Captive Nations Week resolution, which listed Ukraine as one of the captive nations enslaved by Communist Russia and entitled to full freedom and national independence.

Americans of Ukrainian descent in our great State of North Dakota are planning to observe this memorable event with appropriate ceremonies. Our national organization, the Ukrainian Congress Committee of America, which has State branches and local branches in our State, is now in the process of building a statue of Taras Shevchenko in Washington, D.C., in honor of the 150th anniversary of his birthday. Taras Shevchenko was an outstanding Ukrainian poet and freedom fighter and an ardent advocate of such political systems for Ukraine as the one established in the United States by George Washington.

The closeness of the Communist threat now in Cuba makes us realize much better the events of four decades in Ukraine and all the events since. It also makes us appreciate much more the unbroken spirit of freedom and the everlasting faith of the Ukrainian people.

And it is in the common spirit of liberty, faith, and justice that the American people join the Ukrainians all over the world in celebrating the anniversary of independence and reunification of Ukraine.

Special church services will be held in Belfield and Wilton, rallies and radio programs will be held on Sunday, January 26.

UKRAINIAN CONGRESS COMMITTEE  
OF AMERICA, INC.,  
STATE BRANCH OF NORTH DAKOTA.

UKRAINIAN CONGRESS COMMITTEE  
OF AMERICA, INC., STATE BRANCH  
OF NORTH DAKOTA,  
Bismarck, N. Dak., January 8, 1964.

HON. DON L. SHORT,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN SHORT: On January 22, 1964, Americans of Ukrainian descent will observe the 46th anniversary of the proclamation of independence of Ukraine, which occurred on January 22, 1918, in Kiev, the cap-

ital of Ukraine and the 45th anniversary of the proclamation of the Act of Union on January 22, 1919, whereby Western Ukraine (Galicia, Bukovina and Karpato-Ukraine) united with the Ukrainian National Republic into one, sovereign and independent Republic of the Ukrainian people. This day was a culmination of the aspirations of the Ukrainian nation, which after two and a half centuries of foreign oppression, regained its freedom and national independence. It should be recalled that the independence and sovereignty of Ukraine were recognized by a number of states including Soviet Russia. But the latter attacked Ukraine both by direct military aggression and by subversion and infiltration from within. After almost 3½ years of bloody and heroic struggle, Ukraine, deprived of all military, economic and diplomatic assistance by the Western World, succumbed to the numerically superior forces of Communist Russia.

For the past 4½ decades Ukraine has remained under the Communist yoke of Moscow but it never has surrendered the spirit of freedom nor has it given up the hope for regaining its full freedom and national independence. During the period of enslavement the Ukrainian people have demonstrated their love of freedom and independence by a series of uprisings and large-scale resistance movements such as the underground warfare of the Ukrainian insurgent army (UPA) in World War II and after it. The Ukrainians paid a high price in this struggle for freedom, as they were decimated by a man-made famine, ruthless deportations and executions. Khrushchev himself confessed at the 20th Congress of the Communist Party in February 1956, that Stalin planned the total annihilation of the Ukrainian people for their resistance to Russian communism.

Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by respectively enacting and signing the Captive Nations Week resolution which listed Ukraine as one of the captive nations enslaved by Communist Russia and entitled to full freedom and national independence.

Americans of Ukrainian descent in our great State of North Dakota are planning to observe this memorable event—the 46th anniversary of Ukraine's independence—with appropriate ceremonies. Our national organization, the Ukrainian Congress Committee of America, which has a state branch in our State, is now in the process of building a statue of Taras Shevchenko in Washington, D.C., in honor of the 150th anniversary of his birthday. Taras Shevchenko was an outstanding Ukrainian poet and a freedom fighter and an ardent advocate of such a political system for Ukraine as the one established in the United States by George Washington.

Therefore the 46th anniversary of the proclamation of independence of Ukraine and the 45th anniversary of the Act of Union of all Ukrainian lands into one sovereign and independent state of Ukrainian people, provides an appropriate occasion for the American people and the U.S. Government to demonstrate their sympathy with and understanding of the aspirations of the Ukrainian nation to freedom and independence.

We especially request that the U.S. Government issue a Shevchenko "champion of liberty" stamp in honor of this outstanding freedom fighter, as the first sign of support to the Ukrainian people, and to remove any and all obstacles in the way of erecting the statue of Taras Shevchenko in Washington, D.C., in accordance with Public Law 86-749.

Respectfully yours,  
DR. ANTHONY ZUKOWSKY,  
President, UCCA, State Branch of  
North Dakota.

## WHERE TO AFTER 1972?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks and include extraneous matter.

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

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on Tuesday night, it was my privilege to be the guest of the National Limestone Institute, Inc., at the reception and dinner scheduled each year as a highlight of the annual convention of this well-known organization.

Mr. Robert M. Koch, president, and his executive committee, always do a wonderful job in getting Members of Congress together with active members of the Institute from their home districts. The hospitality is the best and the programs are always worthwhile.

I was especially impressed this year with the awards which were made to two leaders of note: Maj. Gen. (retired) Louis W. Prentiss, executive vice president of the American Road Builders' Association who was presented the Distinguished Service Award for his many contributions to our national highway program, and Mr. E. A. Cleavinger, a Kansas soil scientist, who received the Distinguished Service Award for his outstanding contributions to American agriculture. I commend the National Limestone Institute for its selection of individuals to receive these awards.

Addressing the dinner this year was my able colleague from Iowa, the Honorable JACK MILLER, who made some thoughtful observations on what we might expect in the Nation's highway program after the present Interstate Highway program expires in 1972. Senator MILLER's remarks, "Where to after 1972?" bear reading by every Member of Congress who is interested in seeing that we have a sound highway program which not only meets the needs but anticipates some of them. I commend this address to all who read the CONGRESSIONAL RECORD.

Under leave to extend my remarks, I ask that it appear at this point.

## WHERE TO AFTER '72?

Members of the National Limestone Institute, Governor Morrison, my colleagues in the Congress, ladies and gentlemen—and my old colleagues in the IRS. It is always intriguing to be asked to forecast the future. One can make an estimate, and if the estimate turns out to be reasonably accurate, his reputation for genius is assured. If the estimate misses the mark, one can nevertheless preserve his reputation by pointing out certain unforeseeable events which quite understandably threw the estimate off. Those of us who have arrived at a fishing camp the day after the big ones were hitting, and left the day before they started hitting again, are familiar with explanations of unforeseeable events—such as the weather, a fresh hatch of bugs, sore mouths of the big ones, rough water, and the like. Of course, if the forecast is far enough into the future, the forecaster can feel safe because he won't be around to receive the epithets or accolades, as the case may be, so why worry?

But we do have forecasters who worry—not about their reputation but about their coun-

try. In the military we call them long-range, strategic planners. They have to be right. They have to take into account the unforeseeable through contingency plans so that if the unforeseeable happens, the country's security is maintained. It is a deadly serious business. The future of the free world is in their hands.

I have had the opportunity to participate in some of this longrange strategic planning—both during World War II and subsequently; to work on plans and contingency plans, to evaluate future developments—extending 5, 10, and 20 years into the future. All of us in Congress do a certain amount of longrange planning—not only in evaluating requests for authorizations and appropriations for the Department of Defense, for the Atomic Energy Commission, and for the National Aeronautics and Space Agency, but in other areas as well—education, social welfare, agriculture, natural resource development, and public works, to name only a few. The military, economic, technological, and social security of our Nation are all at stake. I have found my military experience in longrange strategic planning particularly helpful in this phase of my work in Congress. And if I were to make any criticism of the work we do, it would be that we are still too prone to consider only the problems of the moment without due regard to the future problems which will be created by our solutions of today's problems. For example, our serious balance-of-payments deficit and outflow of gold problems might have been avoided if several years ago they had been taken into account in developing solutions to problems of military assistance, foreign aid, taxation, and labor-management relations.

In short, laws with a good purpose can be bad laws—at least in their long-range effect. President Theodore Roosevelt once said: "It is difficult to make our material condition better by the best laws, but it is easy to ruin it by bad laws."

Businessmen have to do long-range planning too. They must foresee market trends and developments, production requirements, personnel needs, and—especially in your field—activities of the Federal, State, and local governments. Roadbuilders, road equipment and materials suppliers, and automotive manufacturers are today asking: "Where to after '72?" And they are developing plans based on their forecasts in answering this question.

It seems almost incredible that only 7 years ago the 41,000-mile interstate highway program began; that today it is more than one-third completed, with another one-third in various stages of completion, and the balance in the blueprint stage—scheduled for completion only 8 years from now, in 1972. Until last year, design specifications were required to only meet traffic flows through 1975; but Congress changed this to require that designs be geared to traffic flows 20 years from the date of the design, so that highways being designed today are calculated to meet the traffic needs of 1984. By that time, over 120 million registered vehicles will be traveling 1.3 trillion vehicle miles—roughly 50 percent more vehicles going 66 percent more miles than today. Our population will have increased from over 190 million today to nearly 260 million.

Not only will the interstate long since have been completed, but it can be expected that the 50-50 Federal-State A-B-C road program will have been continued, with its 800,000 miles of primary and secondary roads being both improved and added to. Industries, residential areas, and entire new communities can be expected to grow up along the way.

Our cities and towns do not have room to accommodate such a huge increase in population and the housing it will require. The president of the Mortgage Bankers Associa-

tion of America forecast just yesterday that 19 million new housing units will be built in just the next 10 years. So millions of people will have to locate in the growing suburbia, and many of them will even be able to locate in what is now considered rural America, from which rapid rail and highway transportation will enable them to commute to their jobs. Thousands of additional miles of freeways will be needed, because already the urban mileage of present freeways is operating at 90 percent of practical capacity. So we can expect a follow-on program of more freeways after completion of the interstate.

It is also possible that there will be a Federal program of matching funds with the States covering maintenance of the Interstate System if the States fail to handle this problem—not much now, but very expensive later on—in a satisfactory manner.

According to a recent Automobile Manufacturers Association study, freeway systems in our large urban areas will occupy not over 3 percent of the area's land, but will carry half of all motor traffic. Local streets will occupy up to one-third of the area's land and will carry the other half.

No matter how well new roads are built, there comes a time when the traffic flow is beyond their capacity. Until now, the answer has been to merely add more roads or build bigger ones—usually with little coordinated planning with overall community development. We have, so to speak, superimposed road systems on existing population centers. It has been horribly expensive. Now, belatedly, we are giving attention to metropolitan and areawide planning as a means of minimizing or eliminating duplicated or unnecessary costs and effort in our road programs. Bills are pending in Congress which would make such coordinated planning mandatory in connection with programs directed by the Federal Government. One, S. 855, was reported out favorably by the Government Operations Committee, of which I am a member, just today. Originally recommended by the Advisory Commission on Intergovernmental Relations, it would require any local application under a Federal program to be accompanied by appropriate comments from the local metropolitan or areawide planning agency so that the reviewing authority in Washington can determine whether or not the Federal project—housing, airport, urban renewal, bridge, or road—will meet future as well as present requirements.

But even this planning coordination has its limitations. What do you do when there has been good planning and fine roadbuilding, but the traffic density is such that public safety and convenience still cry out for relief? We have such conditions in some areas today—including the Washington metropolitan area.

One answer is to decentralize industries and Federal Government buildings and activities. Such a policy is now supposed to guide the Federal Government, but it has not been followed very well. Another answer is to require housing developments to be approved by an area planning or traffic agency, so that people to be housed will not buy a home or rent an apartment only to find that they cannot get to their jobs within a reasonable time due to the congestion on local roads and highways.

Recently a clergyman in a county adjoining Washington asked his congregation to write letters to the county commissioners. With tears in his eyes, he said that these officials had become so hungry to add population notches to their belts to show what a growing area theirs is that they were approving apartment construction while looking the other way when it comes to improving traffic arteries to carry the increased traffic load. His sermon blamed such a shortsighted policy for the deaths of two children



on a congested road within the past week. But no action has been forthcoming; more apartments are going up and the roads are still the same.

Local governments, through their zoning powers, probably can take action if they would. The trouble is that many of them are subject to control by special interest groups. In the years ahead, it may be necessary for the Federal Government, in the case of federally directed programs, to require agreements with local governments to insure that the traffic capacity of freeways will not be exceeded as a result of the location of housing developments or industrial complexes; to insure, in other words, that there will be a safe balance between population density and transportation.

Another answer is to tackle the density problem itself by improved electronic traffic control devices. Actually there are pilot projects underway today in Detroit, Toronto, New York, and St. Louis, using television, radar, electronic computers, and ultrasonic sensors. But they have their limitations.

In addition to more freeways after 1972 and the continued improvement of existing highways, two other areas of need are clear. One, parking. Improvements in this area have not kept pace with improvements in highways. The fact that traffic capacity has not been reached on most freeways does not mean that the commuter or shopper can therefore find adequate, convenient parking. More, much more, planning and coordination by local government agencies will be needed. And it is entirely possible that a federally directed program for parking will eventually emerge after the Interstate System is completed.

Another area of need—more and better highways for access to outdoor recreational areas. There are narrow acreage limits for most metropolitan areas to acquire and develop to meet the recreation demands of their citizens. Millions of these people will have automobiles or access to public transportation; and more and better, faster roads to parks, golf courses, lakes, streams, and forests must be built to enable people to use them. Meanwhile, Federal roads will continue to be constructed in our national parks and forests.

So, after 1972, I believe our national appetite, which will have been whetted by the Interstate, will be far from satisfied, and that the emphasis through the 1980's will be on freeways, parking facilities, and access to outdoor recreation. After that will come improved mass access to areas in Alaska, Canada and Latin America.

Not to be overlooked is the economic impact of our road programs. According to the Department of Commerce, for each \$1 billion of highway construction, there will be 1 year of onsite employment for 48,000 men; and offsite employment of at least the same number. It is estimated by the Bureau of Public Roads that the annual level of expenditures for roads and highways by all levels of government will be in excess of \$15 billion by 1970. Of equal importance to the employment potential is the fact that this activity of Government promotes commerce, safety, and economic growth of a lasting character.

Looking far into the future, it is, of course, reasonable to expect special freeways permitting the use of vehicles equipped with electronic guidance systems—quite possibly vehicles moving on a cushion of air at speeds of 150–200 miles per hour, rather than on wheels and pneumatic tires. Such systems would be expensive, but they are in the experimental stage today.

I believe we can look forward to new cities and towns being built—superimposed on efficient and safe road and highway networks, rather than the other way around—as it has been previously.

However, during the 20th century, I do not think we should expect our present system of automotive-highway transportation to be replaced with something new and revolutionary. Improvements—more safety devices built into both roads and vehicles—yes. In fact, I would expect that there will be something revolutionary in automobiles (such as the air cushion vehicle) before we have something greatly different in super-highways.

These are what I see in my crystal ball after 1972. I think I see something else too. Taxes to pay for all of these things. It won't be the Federal, State, or local government that will pay for them. It will be you. So even if you don't agree with my predictions, I hope you have enjoyed them. They haven't cost you any money—yet.

#### THE 46TH ANNIVERSARY OF THE INDEPENDENCE OF THE UKRAINE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OSTERTAG] 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 Connecticut?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, today marks the 46th anniversary of the independence of the Ukraine and I wish to take this opportunity to give special attention to this event. The 45 million people of the Ukraine were among the first victims of Soviet Russia's imperialistic oppression and today represent the largest captive nation of the Soviet Union.

The Ukrainians established a free and independent nation on January 22, 1918, but they did not enjoy their precious freedom for long. Only 2 years later the army of Communist Russia overran the Ukraine and brought it under the tyranny and oppression of a totalitarian government.

Nevertheless, the Ukrainians have never relinquished their desire for freedom and independence. Their strong nationalism has forced the Soviet Union to endeavor to satisfy this desire by classifying the Ukraine as a separate nation within the U.S.S.R. This is complete sham for propaganda and political purposes, however; the Ukraine remains a captive nation.

Today we hear more and more reports that the Soviet Union is encountering increasing difficulties in the application of its misguided economic and political principles. Those of us who believe in freedom of choice for all peoples must continue to pledge our support for the aspirations of the people of the Ukraine and all other subjugated lands. We salute those patriots here and in the Ukraine who continue to hold high the torch for liberty and freedom.

#### UKRAINE INDEPENDENCE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] 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 Connecticut?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, today marks the 46th anniversary of the independence of Ukraine.

Unfortunately, the 45 million persons in that subjugated country will not be able to celebrate because they are captives of Russia.

The Ukraine is one of the most powerful forces of patriotic nationalism in the U.S.S.R. In its constant and glorious fight for independence from Russia, it has forced Moscow to resort to unusual tactics.

Moscow, in its propaganda, refers to the Ukraine as an "independent" and "free" nation within the "federal" framework of the U.S.S.R.

Such a masquerade must be apparent to all the countries of the free world. It is part of the master plan of Russia to illustrate to the world that it is indeed paternalistic in its attitude toward enslaved people.

We in the West must give encouragement to this little nation because we were not strong enough or not farseeing enough to help it retain independence in 1918–20.

We can help ourselves, and the cause of freedom everywhere, by paying homage to this long-suffering country today.

In fact, we should intensify our efforts by deed and word to bring some hopeful feeling to the distressed people behind the Iron Curtain who would once again like to savor the joys of freedom.

#### WOOL IMPORTS

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] 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 Connecticut?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, while the President plans a campaign against poverty, he should not ignore the plight of the wool industry. The best way to attack poverty is to prevent it. In New Hampshire thousands of jobs are threatened by woolen imports. Despite repeated promises of aid, the wool textile industry has received no relief. During the past year I have, on at least 35 occasions, spoken out or acted in behalf of the wool manufacturing industry.

Yesterday I appeared before the U.S. Tariff Commission which is considering the matter of tariffs on wool manufactures. Because of the importance of this issue to the economy of New Hampshire and to the Nation, I enclose my statement at this point in the RECORD:

Mr. Chairman, in my district, the Second Congressional District of New Hampshire, several thousand people are employed by the woolen textile manufacturing industry. These people are now threatened with the loss of their jobs by increasing wool imports. The economies of whole communities are at stake. Since 1961, there have been repeated promises by the administration to

help protect these jobs by placing quantitative restrictions—similar to those arranged for the cotton industry—on wool imports. It seems unbelievable that these solemn promises and commitments have not been kept.

The wool textile situation remains extremely critical and is of major importance to New England. Facts and figures have been supplied to you by distinguished leaders of the wool manufacturing industry, such as George A. Dorr, Jr., chairman of the Northern Textile Association, of Newport, N.H. As Mr. Dorr pointed out in his excellent statement to you dated January 10, 1964, "If the rate of increase of imports of wool products continues at the same pace as during the past 4 years, the wool textile industry in the United States would disappear by 1968. Tariff rates which were intended to equalize production costs between European manufactures and American textile manufactures have proved wholly inadequate during the last decade to accomplish that result." Mr. Dorr further pointed out that "Employment in textile mills has declined by over 350,000 jobs or approximately 29 percent between 1947 and 1963—942 textile mills employing 253,000 workers have been liquidated since 1947. These declines have resulted in chronic unemployment concentrated in areas along the Atlantic seaboard in numerous cities and towns where textile mills constitute the sole or principal source of employment. Fifteen million people are dependent for a living on the textile and related industries."

For these reasons and in view of the stated objectives of this administration in warring on poverty and unemployment, any further reduction of the tariffs on wool imports by any agency of the Federal Government would be, in my opinion, a gross breach of faith. Any reduction in tariffs would make a bad situation worse.

Although my remarks have been addressed in particular to the problem of wool manufacturers, I should point out that my opposition is to any reduction of tariffs on textiles. I concur in the statements of Mr. Dorr and Mr. William F. Sullivan, president of the Northern Textile Association, insofar as they also protest against any reduction of tariffs on textiles and textile products.

The cotton textile arrangement is working fairly well. There is a general consensus that trade in wool products should also be handled by a separate international agreement providing quotas. If this cannot be accomplished by international agreement, as it has been for cotton, then I would recommend unilateral action by the United States under the authority of section 232 of the Trade Expansion Act. Hopefully, the progress that has been made for cotton will soon be matched in regard to wool textiles and products. Hopefully, promises by an American Government to American people will be kept. The entire matter should be reserved from the Kennedy round of tariff discussions and should be handled on a quantitative restriction basis by country and by category on all textile imports.

In conclusion, Mr. Chairman, I wish to affirm my concurrence with Mr. Dorr's excellent statement and to urge this Commission not to reduce tariffs on textiles generally and wool manufactures in particular. Such an action at this time would be ruinous. The textile program, as announced by this administration, is and should be distinct and separate from the GATT negotiations. The program should be carried out in accordance with the terms and promises of the administration. I urge this Commission to so recommend and to so act. At stake is an industry of importance and concern not only to whole communities, but to our national economy. Also at stake is

the fundamental question of whether or not people can trust their own government to keep its word. I beg of you not to break faith with people whose welfare and trust our government and its agencies are designed to protect, foster, and serve.

#### FURTHER ENCOURAGEMENT AND TAX RECOGNITION FOR THOSE WHO INVEST IN EDUCATION

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] 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 Connecticut?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, earlier in this 88th Congress, on September 24, 1963, I introduced a bill, H.R. 8539, designed to provide further encouragement and tax recognition for those who invest in education.

The bill calls for a tax credit—not a new deduction but a direct tax credit—which would be applicable in two areas. First, the bill would allow a credit of up to \$300 per year to a taxpayer for each dependent on whose behalf he pays college tuition and fees. Second, the bill would further encourage the direct giving of private gifts to colleges and universities by allowing a tax credit of up to \$100 per individual taxpayer, and up to \$5,000 for each corporation, for gifts made during a tax year.

Mr. Speaker, I have long been convinced that the genius of our Nation's educational system—the wellspring from which its vitality stems—lies in its diversity. Our educational system is diversified not only in teaching methods, but in philosophy, in curriculum, and in the composition of its varied student bodies.

This diversity in our educational system has contributed greatly to the preservation of our pluralistic society. Indeed, it has played an essential role in the constant battle against mounting pressures toward conformity and centralization.

Although there are great and important differences among America's colleges and universities, at the same time, they share some common problems. For example, they are caught up in the pressures of rising costs at every turn. I believe that the public is generally aware of this problem and is sympathetic toward it. The extent of public interest is amply demonstrated by the many bills which are introduced in Congress each year proposing various forms of Federal aid to schools from the primary grades through the graduate level.

Too many of the bills which are dropped in the congressional hopper to aid education at its various levels call for new grants of funds to be handed out by the Federal bureaucracy. The outlook for action on such legislation is always overshadowed by controversy about the church-state relationship as well as the specter of Federal control of education. These concerns cannot be ignored by the realistic legislator who sincerely seeks

practical and possible solutions for problems confronting education.

I believe that our tax system offers a vehicle which appropriately can be utilized to provide a greater measure of recognition and encouragement for those who invest in education—whether the education is furnished through our public or private or church-related schools. Every accredited school serves a valid and essential public purpose, and there is an urgent need for more equitable tax treatment among those who bear the heavy costs involved.

The bill I have introduced offers simplicity of administration and it avoids governmental controls. A tax credit would apply with respect to gifts made directly to the college or university of the taxpayer's choice. The funds would not pass through a governmental agency. Handled in this way, each institution would be free to use the private funds it receives for those educational purposes which are most important to its own needs and purposes.

In the same manner, a tax credit would be available with respect to payments made to a college or university for student tuition and fees. Again, the funds would not be channeled through a Federal bureau.

I am confident that such a tax credit in combination with the existing national student loan program—which I was proud to cosponsor in 1958—could make that extra bit of difference for many families of limited means. It would open the door of opportunity for many talented sons and daughters who might not otherwise be able to go to college.

Mr. Speaker, the use of tax relief and tax incentives as an avenue for assisting education has many advantages and is highly preferable, in many respects, to the outright disbursement of Federal grants. This avenue should be more fully explored by the Congress, because, in my opinion, it is the way which holds the greatest hope and promise for meaningful progress in the continuing struggle to find additional financial support for our educational system.

Like a number of other bills introduced in the House, my bill embodies a principle which is now the subject of a proposed amendment to the administration tax bill pending in the Senate. Unfortunately, when the same tax bill came before the House, it was brought up under a closed, or gag, rule which permitted no amendments to be considered.

I continue to believe strongly that a reduction in the level of Federal revenue should be accompanied by a responsible and determined effort to hold the line on Federal spending. I am also convinced that tax relief such as that proposed in my bill, and in the amendment pending in the Senate, is the kind of tax relief that we need and can afford.

#### UKRAINE INDEPENDENCE ANNIVERSARY

Mr. SIBAL. 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 Connecticut?

There was no objection.

Mr. QUIE. Mr. Speaker, today, January 22, marks the 46th anniversary of the independence of Ukraine. It is well that Americans should recognize and honor Ukrainian independence, for the Ukrainian people have spent centuries battling for that independence and after it was gained 46 years ago today, it was again quickly lost in fact, though not in spirit.

It was in the midst of a bloodbath that the Ukraine lost its newly found independence. Barely had that nation of 45 million people gained independence, when it was again lost to the colonialism of the Soviet Russian revolution. The freedom of the Ukraine was lost while Western hands were idle to help that nation in its defense.

Though held under Communist oppression, the people of the Ukraine have shown their independent patriotism and their desire for freedom. The Ukraine has continued its internal battle for independence and by doing so has forced Moscow to resort to masquerading this captive nation as independent and free.

Today the Ukraine is not free. It is held in the bondage of Soviet communism, along with others of its sister, captive nations. But the indications are strong that behind the Iron Curtain, the people of the Ukraine desire freedom, not as a masquerade but in the real and tangible way experienced for just a few brief days in the second decade of this century.

Therefore, let us pause for a moment to pay honor to the desire of Ukrainians for freedom; a desire which has been alive under the harshest of oppression for half of this century.

Let us hope that before this century ends—in the time which delayed justice dictates—that the Ukrainians may again call themselves free and may observe a day in memory of lasting, unconditional freedom.

#### JACK RUBY TRIP TO CUBA REVEALED

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] 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 Connecticut?

There was no objection.

Mr. CRAMER. Mr. Speaker, an Associated Press dispatch from Dallas, Tex., reported in the St. Louis Globe-Democrat dated January 21, 1964, carries the story of Jack Ruby's trip to Cuba in 1959 and other related facts as brought out in testimony at the Ruby hearings in Dallas.

Knowing of the interest of the Members in this subject matter, I include the article in the RECORD at this point.

#### JACK RUBY TRIP TO CUBA REVEALED—TRIED TO SELL JEEPS TO CASTRO IN 1959—OSWALD'S KILLER MENTALLY ILL, DEFENSE ASSERTS

DALLAS.—A psychiatrist described Jack Ruby Monday as a man wound up "to attack, to fight"—and one who did not understand what he was doing when he killed Lee Harvey Oswald, accused assassin of President Kennedy.

Cross-examination brought testimony that Ruby had a Russian father and made a trip to Cuba in 1959 to try to sell jeeps.

The description of Ruby was by Dr. Walter Bromberg, clinical director of Pinewood Psychiatric Hospital in Westchester County, N.Y. He testified for the defense in its effort to have Ruby freed on bond while awaiting trial on a charge of murder with malice for shooting Oswald.

#### 1959 TRIP

In cross-examination by State attorneys, Dr. Bromberg said Ruby had told him of making a trip to Cuba in 1959, 9 months after Prime Minister Fidel Castro took over.

District Attorney Henry Wade asked if Ruby had told Dr. Bromberg of trying to sell jeeps to Cuba. The doctor confirmed this and added: "But the deal didn't go through . . . . It was an involved financial deal in Houston and elsewhere. He wanted to make some money in a hurry."

He said Ruby spent about 10 days in Cuba. FBI Agent C. Ray Hall, last witness of the day, testified that Ruby had also told him of going to Cuba to try to sell jeeps, using a plane ticket sent to him by a person the State described as "someone in Cuba."

The hearing was recessed at 5:05 p.m. until 9 a.m. Tuesday.

Assistant District Attorney William Alexander asked if the doctors had learned from Ruby that his father was a native Russian named Rubenstein who had served in the Russian Army. The psychiatrist said, "Yes."

Mr. Alexander asked whether this Russian background might have influenced Ruby's state of mind.

Dr. Bromberg replied: "It might have had an effect on his organic background." There was no explanation of this answer.

Oswald spent several years in Russia, once tried to obtain Russian citizenship, married a Russian woman and, after returning to this country, handed out pro-Castro pamphlets in New Orleans.

Earlier, Psychologist Roy Schafer of Yale University testified he believes Ruby has an organic brain disorder that can cause an explosive mental state under emotional stimulation.

#### RIGHT AND WRONG

Describing Ruby, who grew up as a brawler in Chicago's South Side, Dr. Bromberg said: "He was pre-set to be a fighter, to attack, to fight. He's a fighting man, geared up for physical action. He thinks he's tough."

Dr. Bromberg said Ruby "did not know the nature of his act" when he killed Oswald November 24, could not tell the difference between right and wrong.

"I feel that the emotional excitement triggered a fugue state," Dr. Bromberg said. He described that as a state in which people do things without being aware of them.

Ruby stepped out of a crowd of newsmen and killed Oswald in the basement of the Dallas city jail.

"At the moment he caught sight of Oswald he lost recall," said the psychiatrist. "His recall came back during the scuffle on the concrete floor." The scuffle occurred as officers subdued Ruby after the shooting.

Mr. Alexander said Ruby was reported to have said of Oswald, "I hope he dies." Dr. Bromberg said that would not have been out of character with a fugue state.

Dr. Bromberg testified that "Ruby does not have delusions of grandeur. But he does

have a grandiose tendency and a paranoid tendency."

When Mr. Alexander asked whether Ruby should have psychiatric treatment, Dr. Bromberg replied that he should have a thorough and complete examination.

The defense headed by Attorney Melvin Belli of San Francisco, has announced it will try to prove Ruby was insane when he killed Oswald, 2 days after the assassination of the President.

Ruby's trial is scheduled to begin February 3.

Dr. Schafer said he examined Ruby in late December for 9½ hours, giving him standard psychological tests. But he said he believes other tests should be given.

He said he would recommend an examination of the physical and nervous systems, and electroencephalograph, and a psychiatric examination.

An electroencephalograph is an electronic measurement of the activity of the brain to try to determine whether it is normal.

Dr. Schafer said he thinks it likely but not certain that an electroencephalograph would show abnormalities in the functioning of Ruby's brain.

He testified he believes Ruby has a disorder called psychomotor epilepsy and that he has had it a long time.

#### LEGISLATIVE PROGRAM FOR BAL- ANCE OF THE WEEK

Mr. HALLECK. 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 Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire of the majority leader as to the program for tomorrow and the balance of the week if he can give it to us.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman, at the request of those managing the bill and for the information of the House, the Supreme Court parking lot bill will not be called up for consideration tomorrow.

I cannot advise the gentleman at this time with reference to the program for next week.

Mr. HALLECK. That will be announced tomorrow?

Mr. ALBERT. That will be announced tomorrow.

Mr. HALLECK. We will meet tomorrow. Would it be the plan then to go over until Monday?

Mr. ALBERT. It will be our plan to go over until Monday because we have no further legislative business for the week.

Mr. HALLECK. I thank the gentleman.

#### MR. PATMAN'S OPENING REMARKS AT FEDERAL RESERVE HEARINGS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include a statement.

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

There was no objection.

Mr. VANIK. Mr. Speaker, at the outset of the Banking Committee hearings on the Federal Reserve System, our distinguished chairman, the gentleman from Texas [WRIGHT PATMAN], made an opening statement that sets forth in clear, concise English the public purpose of this investigation and characterizes the spirit with which this committee intends to pursue the inquiry.

Because it so eminently expresses many of my own views and those of a number of my colleagues on the committee, I offer it here for publication:

OPENING STATEMENT BY CHAIRMAN PATMAN AT START OF HEARINGS ON BILLS TO REVISE THE FEDERAL RESERVE SYSTEM, JANUARY 21, 1964

The Federal Reserve System recently reached its 50th birthday, which I think is a good time for a general checkup. More than 30 years have gone by since the Federal Reserve System has received any legislative attention, and a great deal has happened in that time. Ours is a very different economy with different needs and different relationships than those that existed 30 years ago. Some of the revisions adopted 30 years ago were born in a depression atmosphere. Now we should look at the most powerful banking system on earth, our Federal Reserve, in terms of the conditions of 1964. We have learned a great deal in those 30 years about economic development, about interest rates, the money supply, and full employment.

It should be very clearly understood that the primary and fundamental consideration of this committee is to assure that our vast Federal Reserve System is serving the needs of the people and their Government to the greatest possible extent. That is the sole consideration. It should be clearly understood that these hearings will be so handled as to represent at all times the paramount interest of the people of the United States and their Government. We want to make sure that the public interest is the paramount consideration of the Federal Reserve. We want to make sure the Nation's money system is not governed by or for the private interest of any one group.

In line with this we are vigorously opposed to anything that smacks of unsound money. We want neither inflation nor deflation. We seek prosperity and high employment under the terms of the Full Employment Act and we want to be sure that the Federal Reserve System, holding as it does the great monetary powers of the United States, serves that end.

It is no secret that I have long been concerned about the aloofness of the Federal Reserve from both the executive branch and the Congress. Although the Federal Reserve System is a creature of Congress, it is not subject to any of the usual Government budgetary, auditing, and appropriations procedures. Also, the Federal Reserve is not required to obtain congressional approval for its policies, even though its actions have important repercussions for every sector of our economy. This sort of unbridled freedom, whether it is used for good or evil, just is not compatible with representative democratic government, in my opinion. The will of the people ought to be reflected in monetary policy as well as fiscal policy, foreign affairs, and all other matters affecting the public welfare.

These matters of concern on my part are well known, but it should be made absolutely clear that if any long-standing ideas that I hold should be proved erroneous, I will be the first to acknowledge it and change my viewpoint. We are after one major objective in these hearings: the truth.

It is our hope that these hearings will help us first of all to preserve the good that is in

the Federal Reserve System; second, to eliminate any undesirable or outmoded features of the existing system; and, third, to improve and strengthen the System to make it more responsive to the needs of our society.

We have for consideration by this committee several legislative proposals intended to make revisions in the Federal Reserve System. One, H.R. 3783, would direct the Federal Reserve System to retire the so-called stock now held by the privately owned member banks. A second, H.R. 9631, would bring about several structural changes in the Federal Reserve System—particularly through expanding the Board of Governors to 12 members, including the Secretary of the Treasury, eliminating the Open Market Committee and require an annual audit by the General Accounting Office.

There are three other bills which I now have in draft form and intend to introduce today. One would eliminate the prohibition on interest payments by commercial banks on demand deposits. A second would require banks to pay the Treasury interest on the Treasury's commercial bank demand deposits and would permit banks to collect for actual services rendered the Government after consideration of the value of services received by them. A third would eliminate the interest income now received by the Federal Reserve from the Treasury on the \$30 billion portfolio on Government bonds, and would require the Federal Reserve Board and Federal Reserve banks to obtain annual appropriations from the Congress like other Government agencies.

#### A NEW OPPORTUNITY FOR THE SAVINGS AND LOAN INDUSTRY TO SERVE THE EXPANDING ECONOMIES OF CALIFORNIA AND THE NATION

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

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in its new role as the Nation's largest State, California has had an unprecedented need for new housing for its burgeoning population. The providing of needed financing by the savings and loan industry has done much to enable California to meet this vital need.

While my State boasts what is probably the most vigorous sector of the industry, the contribution of savings and loan associations has been national in scope. Millions of Americans today own their own homes because of the availability of long-term loans at reasonable rates of interest from savings and loan associations. Millions more enjoy the security that comes from receiving generous rates of interest on funds which they have invested in federally insured savings and loan institutions.

I have today introduced a bill which will provide additional opportunities for the savings and loan industry to be of service to the people of my State and the Nation as a whole. The bill will provide a new convenience for State and local governments by allowing them to deposit funds in savings and loan institutions. The bill also provides that savings and

loan associations may invest a sum not in excess of 20 percent of their assets in loans insured under title I and II of the National Housing Act. Associations are further authorized by the bill to invest up to 5 percent of their assets in mobile homes. They will make available to those desiring to purchase mobile homes, funds on the same basis as those traditionally available to the purchasers of conventional homes. The final provision of the bill permits insured savings accounts and share accounts to be accepted as security for all public funds of the United States, as well as for the funds of all corporations organized under the laws of the United States.

The enactment of this bill would enable savings and loan associations to provide convenient places of deposit and other services for local governments, and to allow additional borrowers to avail themselves of the facilities of the industry by authorizing loans for additional purposes.

It is my privilege to join with the gentleman from Texas, the Honorable WRIGHT PATMAN, in introducing this measure. The proposal is presently before the Banking and Currency Committee; I know that the distinguished chairman and members of that committee will give this proposal their most serious consideration. It is my hope that they will see fit to act favorably upon it.

VICE ADM. JOHN S. MCCAIN, JR.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. HARDY] 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 Oklahoma?

There was no objection.

Mr. HARDY. Mr. Speaker, Vice Adm. John S. McCain, Jr., commander of the Amphibious Force, Atlantic, has a long and distinguished career in the Navy. Throughout his service he has directed attention to the value of seapower and emphasized the importance of naval supremacy to the Nation.

Under unanimous consent, I include in the RECORD at this point an editorial in the Virginian-Pilot entitled "An Indian Ocean Task Force," which calls attention to Admiral McCain's warning in 1960, since repeated, of the need for protection from Communist expansion into land regions bordering the Indian Ocean.

#### AN INDIAN OCEAN TASK FORCE

Washington's decision to send a task force from the Seventh Fleet into the Indian Ocean is in line with the McCain doctrine. Vice Adm. John S. McCain, Jr., commander of the Atlantic Amphibious Force, for a long time has been preaching the virtues of a fleet in that unguarded expanse. Back in October of 1960, for example, when his two-star flag flew over an amphibious group, he warned in a speech to the Military Order of the World Wars that land regions bordering the Indian Ocean were being eyed by the Communists for expansion. Africa and India are a part of those regions.

Not a fleet, but an aircraft carrier with a few destroyers and support ships, is tagged



for the assignment. This seems tiny in relation to the trouble and chances of it in that part of the world. India is under threat of a renewal of the Red Chinese attack over the Himalayas. President Sukarno, of Indonesia, is angry because his policy of confrontation of Malaysia has been thwarted by Britain. Pakistan plays a reckless game with the United States and the Soviet Union. In Somalia and elsewhere in Africa, communism is attempting to gain a foothold in the new lands and among tribal groupings.

Gen. Maxwell Taylor, Chairman of the Joint Chiefs of Staff, has sounded out New Delhi on the idea of the Indian Ocean venture. He has been poorly rewarded for his solicitude. While Prime Minister Nehru has assumed the chilly attitude that the high seas are not India's to regulate, Members of Parliament have protested that "America has no business to send ships to a region 7,000 miles away from its shores." The Indian press has charged that our aims are political and imperialistic.

The Pentagon's act of deference to Mr. Nehru has distorted the matter of an Indian Ocean naval force. India's curious record of "nonalignment" was warning enough that our good intentions would be made to look bad there. The question, anyway, is not for India to decide.

In the absence of a collective defense force among the countries of southeast Asia, there are sound strategic reasons for placing naval power in the military vacuum. Britain no longer is able to keep an effective fleet there. The United States must provide what ships are sent. The few in mind are hardly enough. The fleet envisioned by Admiral McCain would be in better order.

#### UKRAINIAN INDEPENDENCE DAY

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. 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 Pennsylvania?

There was no objection.

#### GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, at the end of the discussion on this subject today, I ask unanimous consent that the following Members be permitted to extend their remarks on this subject—the gentleman from Illinois [Mr. KLUCZYNSKI], the gentleman from Indiana [Mr. BRAY], the gentleman from New York [Mr. HORTON], and the gentleman from New Hampshire [Mr. CLEVELAND].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, today, January 22, 1964, marks the 46th anniversary of the independence of Ukraine. As in previous years, in both the House and the Senate, the elected representatives of the American people take this memorable occasion to express the deep feeling of affinity and common purpose

we hold for the captive nation of 45 million Ukrainians.

We share with them the ideals of real democracy, national self-determination, and individual liberty and in many ways truly support their undying aspirations for freedom and national independence.

#### OCCASION FOR HOUSE RESOLUTION 14

On this significant occasion of the 46th anniversary of Ukraine's independence, I deem it necessary to go beyond the realm of sincere expressions of thought and feelings by advancing a concrete proposal that would aid immensely in the eventual liberation of Ukraine—indeed, all other captive nations—from the impericcolonialist heel of Moscow. I know that by offering the adoption of House Resolution 14, a measure to establish a desperately needed Special House Committee on the Captive Nations, my proposal for specific and concrete action bespeaks also the desires of numerous Members of this body, who in both the 87th Congress and this one have joined in submitting similar resolutions. This congressional observance of Ukrainian independence affords us the excellent opportunity in this 88th Congress to urge the necessary creation of this special committee.

Mr. Speaker, in a move which I believe touches the heart of every Ukrainian patriot—in fact, the hearts of all our captive allies in the Red totalitarian empire—I take this important occasion to urge the immediate adoption of House Resolution 14, which reads as follows:

Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy, and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and

facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalitarian form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "non-interference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the four Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unrelenting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

*Resolved*, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representa-

tives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1964.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

#### THIS 46TH ANNIVERSARY

Mr. Speaker, the national histories of East European peoples are full of miseries and misfortunes, and the history of the Ukrainian people is no exception. Since the signing of a compact between the Russian czar and the Ukrainian leaders in 1654, stouthearted and liberty-loving Ukrainians have not been allowed, except for periods in the 18th century and the brief 2-year period of 1918-20, to enjoy the benefits of free and independent life in their historic homeland.

Through the turns and twists of fateful international events, 45 million Ukrainians have not been permitted to be masters of their fate. For too long a period they have been held down under the oppressing yoke of alien despots. They have endured hardships, privations, and indescribable miseries. They have been ruthlessly persecuted for clinging to their national ideals, for dreaming and cherishing their independence and freedom.

Yet, no oppressive measure, no amount of severe persecution could compel them to abandon their yearning for freedom. Instead, oppressions and persecutions have united the Ukrainians against their foes, held them together. Then toward the end of the First World War, when the decrepit czarist regime was overthrown, and Austria's hold over the western Ukraine was broken, the Ukrainians proclaimed their independence and established the Ukrainian National Republic.

This historic event took place on the memorable 22d of January 1918—46 years ago. That day has become a landmark in the history of Ukraine, and remains the brightest spot in their struggle for freedom and independence. Unfortunately, the newborn republic was suffering under severe handicaps. It was surrounded by powerful foes, ready to pounce upon it and put an end to its existence. And that is what happened even before the joy and jubilation had ceased.

Before the Ukrainian people had any time to recoup their losses, they were attacked by their inveterate foes, Moscow and its Red army. Early in 1920 enemy forces entered and occupied the eastern part of the country; soon the whole country was overrun and all Ukrainian opposition was ruthlessly crushed. Then in the fall of that year Ukraine became a satellite of Soviet Russia, and by 1933 it was forcibly incorporated into the Soviet Union.

Since those fateful days, for more than 40 years, Ukraine has been submerged in the Soviet Russian Empire, and the Ukrainian people have suffered grievously under Moscow's totalitarianism. For all practical purposes the country is sealed off from the free world. Neither the people of Ukraine are allowed in large numbers to travel abroad, nor are the people of the free world, except under carefully guided Communist supervision, permitted to go to Ukraine.

Thus, the country has become a large prison-house for its people. Their most cherished possession is their spirit of freedom. Inhuman Kremlin agents have resorted to every device to deprive the Ukrainian people of this possession, but fortunately they have not succeeded in their task. Today, even under the most relentless of Soviet Russian totalitarian tyrannies, the sturdy and stout-hearted Ukrainian clings steadfastly to his national ideals and still preserves his fervent love for freedom and independence.

The Ukrainian people, in and out of their homeland, have been a boon to the communities in which they lived. In this country they have been noted for their industry, ingenuity, and tenacity for hard work in whatever vocation. They have never shunned heavy labor in preference to something less arduous. In this respect their tough and resilient physique, and their tenacious nature have served them well.

Hundreds of thousands of loyal, patriotic, and hardworking Americans of Ukrainian origin have always given excellent account of themselves in this country. I can say this because I have known many of them in my congressional district, and have seen them at work. These people of stolid character have contributed their full measure to the free and democratic way of life in this great Republic. They have been a positive force in the building of our democratic institutions, and they have always been ready to fight and die for the preservation of these institutions.

Today on this solemn occasion, I am happy to join them in the celebration of the 46th anniversary of Ukrainian Independence Day.

In addition, Mr. Speaker, I would like to make the following material as part of my remarks today:

[From the Washington Report, Jan. 6, 1964]

#### THE NEXT MOVE

(EDITOR'S NOTE.—Dr. Lev E. Dobriansky is a professor of economics at Georgetown University. He is the author of the Captive Nations Week resolution (Public Law 86-90) which was passed by Congress in 1959. This resolution provides that the third week of July be set aside each year to remind the world of the nations held in bondage by Russian imperialism. Dr. Dobriansky is also a member of the American Security Council's strategy staff.)

What's next in the name of peaceful co-existence? Khrushchev now desperately wants our politico-moral acquiescence to his empire of captive nations, and he seeks to obtain it through a Soviet-styled nonaggression pact.

At the very moment of signing the test ban treaty—significantly the Treaty of Moscow—the Russian leader was in many ways making two points perfectly clear: (1) the

cold war is a permanent enterprise and (2) a nonaggression pact is a high priority Russian objective. At that time, his U.N. spokesman, Fedorenko, was attacking Portuguese colonial policies and equating these policies with United States and Western European policies in an attempt to influence Africa against NATO. As to the second, shortly thereafter, at the Inter-Parliamentary Meeting in Belgrade, Khrushchev's representatives hammered away at the need for a nonaggression pact between the Warsaw Pact Nations and NATO if international tensions are to be relaxed. These are just two of many examples of the Soviet Russian pattern.

In the meantime, reacting as usual to Moscow's maneuvers, we have been contenting ourselves with the mirage of progressive steps toward a genuine peace. In government and elsewhere many believe that the next step should be a confidence-building nonaggression pact with the world's foremost aggressor. This brand of naive thinking is a natural offshoot of our self-defeating policy of containment and all its accouterments of accommodation, coexistence with totalitarian puppet and satellite regimes, and the unrealistic hope for a structural fragmentation of Moscow's colonial empire.

Khrushchev has his troubles, of course. Contributing to his present troubles was a whole decade of unrest and uprisings among his captive nations, viz, to mention a few, Ukraine in 1950-51, Slovakia 1952, East Germany 1953, Turkistan 1954, Georgia, Poland, and Hungary 1956. (Many people do not realize that nationalistic, anti-Soviet uprisings have occurred within the Soviet borders as well as within the East European satellites.) Back in 1955 the power center of the world Communist conspiracy recognized that it couldn't afford such perpetual opposition if its global cold war ambitions were to be satisfied. Moscow launched its massive campaign for "peaceful coexistence" and, profiting from the fear induced by its military and space technology from 1957 on, it has succeeded in preventing most Western governments from concentrating on the core of the world's primary problem, Soviet Russian imperio-colonialism.

Historically, the Russians have always been masters in capitalizing on their troubles as well as their strength. Most Americans would be horrified to learn how, both officially and materially, we have aided the Russian imperio-colonialists in recreating and expanding their empire from 1918 to the present, particularly in periods of "Russian troubles." Whereas these periods, including the present one, should have been seized as our opportunities for the advancement of world freedom and thus genuine peace, they invariably have turned into phases of Russian power consolidation.

We are going through such a phase now, abetting it, as before, with our wishful hope for fragmentation of Moscow's empire, an erosion of its totalitarian power, and the weaning of its supposedly nationalist puppet regimes. The continued absence of an affirmative cold war strategy and the succession of compromises are now being eloquently rationalized as conscientious endeavors for peace, to be balanced against the horrendous prospect of thermonuclear destruction. The irony of it all is that this course paves the way for the outcome we all seek to avoid. A politico-moral acquiescence to the Soviet Russian Empire will take us a long way on this disastrous course.

Aside from the sticky problem of allied NATO consent, the chances for such acquiescence via a nonaggression pact depend on two contrary forces in the United States. One is the accommodationist spirit which is growing because of the above-mentioned poorly founded hope and illusions. This spirit is based on a persistent inability to profit from the lessons of history. Even on



the highest levels of our Government it is marked by a serious lack of understanding in regard to the empire-state nature of the Soviet Union, the long tradition of Soviet cold war policy and techniques, and the means for defeating the Soviets in the cold war without precipitating a hot one. Common expressions of this force are "don't irritate the bear," "the less said about the captive nations the better," "we must relax tensions."

If the spirit of accommodation is spread by further euphoria or plain fear, it will virtually guarantee the pact and our politico-moral acquiescence to Moscow's farflung empire. Countering this force is a second one based on the moral objective liberating the captive nations and clear understanding of the strategic importance of these nations in the cold war.

Aiding the totalitarian overlords of these nations on the basis of a "weaning" theory fortifies the unwanted regimes, not the people in their struggle for freedom. Indeed, it undermines the struggle which in essence is a cold war between the people and their Communist governments. The net result is a weakening of our own posture in the cold war. A nonaggression pact would be a crushing blow to that struggle.

#### THE LESSONS OF CAPTIVE NATIONS WEEK

On these major points, the lessons of Captive Nations Week in this country are both revealing and instructive. Millions of Americans know them; others have yet to grasp them. Many misconceptions of both the Captive Nations Week resolution and the week itself still circulate, but once they're dissolved the reasons why Khrushchev wants acquiescence to his empire become crystal clear. Also, it is an open secret that accommodationists seeking a pact with the constant aggressor would have the observance eliminated.

Khrushchev and his satraps have never opposed anything any more vehemently and for so long as the Captive Nations Week resolution (Public Law 86-90) which Congress passed in July 1959. His unprecedented explosion at that time is a matter of historical record. Here scores of officials were bewildered by the reaction. As he testifies in his book "Six Crises," former Vice President Nixon, who was then in the U.S.S.R., found the resolution to be "the major Soviet irritant throughout my tour."

Why this unusual Russian opposition to the resolution, then and since? Before 1959 our leaders had often spoken in behalf of some captive nations. Actually, there are several answers to the question. First, it was the first time that our Government recognized the numerous captive non-Russian nations in the U.S.S.R. itself, such as Georgia, Armenia, Ukraine, and others. Khrushchev instinctively understood the meaning of this for the false image of the U.S.S.R. in the world at large. Second, being self-renewing annually, the resolution could always be implemented to combat Moscow's cold war operations. That this will in time be done is a source of apprehension for the Russian cold war instigators. And third, as perpetual reminders of the slave half of the world, both the resolution and the week (third week in July) are stumbling blocks to Moscow's deceptive campaigns for peaceful coexistence and a nonaggression pact.

Just review these few highlights of Moscow's sensitivity to the law and week. Still in 1959, Khrushchev scorned the law in his Foreign Affairs article "On Peaceful Coexistence"; in October, before the Supreme Soviet in Moscow, the Russian leader again denounced the law. In 1960, similar denunciations flowed during the week's observance and new tactics were employed by Moscow to deflect world attention from the captive status of nations both within and outside the U.S.S.R., viz, the sudden Moscow-

sponsored publication in London of pamphlets titled "The 15 Soviet Republics, Today and Tomorrow"—a "Potemkin" version of their "independence and prosperous growth"—and also Khrushchev's tirade in the U.N. against "Western colonialism." The November 20, 1960 issue of the Neue Zürcher Zeitung gave a vivid report of how this maneuver almost backfired when Canada's John Diefenbaker broached the subject of the captive non-Russian nations in the U.S.S.R., even producing a furor there.

Similar evidence grows for 1961-63. In 1961, for instance, Khrushchev again violently attacked the resolution in the October Communist Party Congress, using the age-old Russian diplomatic gimmick of "no interference in internal affairs." Though Western diplomats fall for this gimmick, the fact that numerous non-Russian nations in the U.S.S.R. itself were originally conquered by Soviet Russian imperialism reveals the myth of this argument. The week's observance in 1962 received similar treatment. Then, in 1962, UNESCO aided Moscow's efforts immensely by publishing the fraudulent "Equality of Rights Between Races and Nationalities in the U.S.S.R." On January 23, 1963, Moscow's weekly the New Times asked "Is it not high time to discontinue the 'Captive Nations Week' in the United States?" On July 8, Pravda berated the President for proclaiming the week and "losing his sense of reality"; on July 14 Izvestia painted the week as "a propagandistic trick of the American enemies of the freedom and independence of nations." There is lots more.

The 1963 Captive Nations Week observance surpassed all others. The week's fifth anniversary in 1964 holds high promises for both public nonacquiescence to a Russian-styled nonaggression pact, and for a Special House Committee on the Captive Nations. Or, as other peoples have found to their tragic regret, would you prefer to follow Pavlovian Dr. Khrushchev's advice: relax, be less tense about basic truths, agree with our truth, and you'll have peace?

LEV E. DOBRIANSKY,

Editor.

#### NATIONAL CAPTIVE NATIONS COMMITTEE, INC.

NOW 30 SENATORS, 146 CONGRESSMEN MEMBERS OF NCNC—DONALD L. MILLER APPOINTED EXECUTIVE DIRECTOR

WASHINGTON, D.C.—The National Captive Nations Committee announced today, on the 7th anniversary of the smothering of the Hungarian Revolution, that 30 U.S. Senators and 156 Congressmen now comprise its honorary committee membership, 15 Senators and 105 Congressmen having joined during the past few weeks. The committee is headed by former President Herbert C. Hoover. (See enclosed list below.)

The NCNC Executive Committee today re-elected as chairman Dr. Lev E. Dobriansky, professor of economics at Georgetown University. In commenting to the committee on today's anniversary, Dr. Dobriansky stated: "On this day we mournfully recall the brutal Russian crushing of the Hungarian revolution 7 years ago. The National Captive Nations Committee's significant growth is our answer to the cynicism involved in the present U.S. corn deals with Moscow's puppet Kadar regime in Hungary."

Elected today also were: Donald L. Miller, of Alexandria, Va., vice chairman and executive director; and Mrs. Colby Bowden of Washington, D.C., vice chairman-treasurer.

Mr. Miller, who is president of Associated Public Relations Counselors, is a former naval intelligence officer and editor of three widely distributed analyses of Russian Communist affairs. He is a 1940 graduate of Kenyon College (Ohio) and a member of Phi Beta Kappa. For the past 4 years he has

been chairman of the Washington (D.C.) Captive Nations Committee.

Mrs. Bowden, who operates Colby Associates, a research and business services organization, is a former executive director of the Early American Research Foundation and associate editor of World Press. She is a graduate of Mt. St. Joseph College and attended the University of Cincinnati Graduate School.

The National Captive Nations Committee is a nonpartisan, nonprofit organization engaged in research and dissemination of educational information on the captive nations, and sponsors Captive Nations Week. Plans are now under way for the fifth anniversary of Captive Nations Week, scheduled for July 12-18, 1964. The committee's membership consists of 435 national leaders in labor; education; church, veteran, ethnic, civic, and women's groups; and public service.

#### NATIONAL CAPTIVE NATIONS COMMITTEE, HONORARY COMMITTEE

Honorary chairman: Herbert C. Hoover.

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CLEMENT J. ZABLOCKI, Democrat, 4th District, Wisconsin.

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

Mr. FLOOD. I yield to the gentleman from Ohio, who, year after year, has joined me in this effort.

Mr. FEIGHAN. I congratulate the able and distinguished gentleman from Pennsylvania, who has keen knowledge and insight into this extremely important and critical problem. Again I express appreciation not only for all of those of Ukrainian extraction but also for all freedom-loving people throughout the world, for the magnificent job the distinguished and able gentleman from Pennsylvania [Mr. Flood] has performed.

Mr. Speaker, on this 46th anniversary of the national independence of Ukraine, it is natural that our thoughts turn to the present plight of that ancient nation. As is well known, the era of national independence we observe today in Congress was snuffed out by imperial Russian communism before the rebirth of that nation could be solidified.

After several centuries of domination and occupation by Russian czardom, the Ukrainian people threw off the yoke of imperial control and declared their separation forever from Russia. The legitimacy of their return to sovereign nationhood was attested to by the Treaty of Brest-Litovsk. That treaty brought to an end the war between imperial Russia and the German empire. Trotsky was signatory to the treaty for the Bolsheviks who then were in control of Petrograd and much of the Russian nation. That was the first treaty signed by the new ruling class in Russia and it was the first treaty broken by the new Russian elite class. They have broken practically every treaty they entered into since then, on their way to establishing the last empire in the world. Ukraine, along with a score of other non-Russian nations, is held by force within that Russian prison house of nations.

After the U.S.S.R. was created by the Russian Bolsheviks their propaganda organs claimed that Ukraine, along with other captive nations, was free and independent. After Lenin's death Stalin went a step further by claiming a mythical national independence for Ukraine. That myth was launched in an effort to calm the heroic efforts of the Ukrainian people—who were determined to throw the imperial Russians off their soil.

World War II burst that Stalin myth, when the Ukrainian people opened warfare on their Russian occupiers when the German armies invaded the U.S.S.R. While this did not restore their national independence, it did put victory within the grasp of Germany—an opportunity which Germany failed—by virtue of the Hitler racist theories.

With victory for the Western Allies approaching, Stalin insisted that Ukraine, along with Byelorussia, be given full membership in the United Nations. His appeal to President Roosevelt and Winston Churchill at Yalta was that unless such separate recognition was given to Ukraine, he, Stalin, would not be able to hold the U.S.S.R. together. Stalin's appeal was heeded and Ukraine was given mythical membership in the United Nations. For the record shows the people of Ukraine are not represented in the United Nations—while the Russians have acquired another vote in the United Nations councils.

Khrushchev began his imperial reign by emphasizing that Ukraine and the other captive non-Russian nations of the U.S.S.R. had been given their national independence by the Russian Communists. He defined that independence as national in form but socialist in substance. That means, of course, the heart and soul of the Ukrainian nation are in Russian bondage.

Only a few years ago, Khrushchev paraded about in the captive non-Russian nations of the U.S.S.R. telling the people how free and independent they were. He encouraged them to display and enjoy their national cultures, to enjoy their freedom and national independence under communism. It now appears the captive peoples took him at his word because nationalism is rampant throughout the U.S.S.R., that is, non-Russian nationalism.

Khrushchev lifted the edge of Pandora's political box, ever so slightly, and what came out has driven him to a new tactic through which he will try to establish what he calls a Communist unitary state. By this he means elimination of the distinctive national character of these non-Russian nations, and another intensive program by Moscow of "Russification," in a last ditch effort to remake all the peoples in those captive non-Russian nations into conformist, contented, obedient, but exploited little Russians. That imperial objective possessed a long line of despotic Russian tsars from Peter I to Nicholas II. None of them was successful, and worse, they were the source of European and Asian wars over the centuries. Total collapse of the Russian empire in 1917-18 brought only temporary relief from this scourge upon all civilizations. The cold record of history over the past 45 years reveals that the Russian commissars took the torch of imperial tyranny from the hands of the fallen tsars and have raised it up in our times to threaten the unstable peace of a cruelly divided world.

These facts of contemporary life should govern our thinking on this commemoration of the 46th anniversary of the national independence of Ukraine. For these facts are the keys to universal peace

for all nations and all peoples. They are the truisms which explain the ages-long struggle of the Ukrainian people to assume a separate but equal station among the nations of the world.

Our distinguished colleague, "DAN" Flood, is a proven champion of the cause of justice among nations as well as among men. The service he has rendered our Nation as a dauntless advocate of the captive nations' cause has marked him as an uncommon man in an age when conformity and false fears bind the tongues of the less courageous. Week after week and year after year he has stood in the well of the House reminding all who will listen that universal and lasting peace can not be won so long as entire nations are held in a state of human bondage. He has held high the torch of truth so that the pathway to peace with freedom and justice could be lighted for all to follow.

I commend our colleague for the great work he has done and will continue to do. All of us appreciate and admire his determination and we are inspired by his dedication to a cause whose certain victory will be a lasting tribute to his labors.

Mr. FLOOD. The gentleman is very kind, but he knows full well that if it had not been for the help I have had through the years from the gentleman from Ohio and from many Members on both sides of the aisle this extremely important subject would not be as paramount as it is.

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

Mr. FLOOD. I yield to the gentleman.

Mr. PATTEN. Mr. Speaker, I am proud to join my colleagues in the commemoration of the 46th anniversary of Ukrainian Independence Day.

It was a pleasure to see my longtime personal friend, Bishop Gabro, here today, because he was the pastor of our Ukrainian church for many years.

It may interest the gentleman from Pennsylvania [Mr. Flood] to know that in my town the Ukrainian people bought more U.S. bonds during World War II than any other group; and that is the church itself. The amount was more than \$1,250,000. Those of us who served in the bond drive deeply appreciated it.

After years of struggle by the Ukrainian people against Russian autocracy, the Ukrainian National Council met on January 22, 1918, and proclaimed independence.

Tragically, the freedom and happiness of the Ukrainian people lasted only 2 years before another form of Russian despotism—communism—crushed their independence with brutal military power.

Since then, over 40 million Ukrainian patriots have dreamed of the day when their independence will be restored in the land they love and once again live and work in freedom.

The United Nations has recognized the Ukraine as a separate nation, but it remains a Russian satellite, dominated by the evil force of communism. Despite this tyranny, I know that some day—soon, we hope—the Ukraine's cherished dream of real independence, will come true.

On this anniversary, which is observed in the United States and in other free nations, let us not only honor the great heritage of the Ukrainian people and Americans of Ukrainian descent—their indomitable courage, their fine character and their valuable contributions to our community and national progress—but let us also reaffirm to the Soviet Union and the world that the United States has not abandoned hope for the freedom of the Ukraine and the rest of the captive nations, and that America will continue to work and fight for their independence until victory is inevitably achieved.

The flame of freedom can never be extinguished by any man or nation, for it is a divine gift, bestowed by the Creator, whose will can be violated, but never destroyed.

The Ukraine and other captive nations will be free again.

Mr. FLOOD. I thank the gentleman. I am always glad to have such vigor and courage in a new Member on this very important subject. I commend you to the Ukrainians in your district, and I hope they return you for many years until you are successful in this project.

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

Mr. KLUCZYNSKI. Mr. Speaker, the Ukrainians have been among the most unfortunate peoples in all Europe. Their fate seems to have been determined to a great extent by the geography of their beloved homeland. Placed almost squarely between Europe proper and the Eurasian continent the country has been a sort of gateway to Europe for invaders from the East. In this continental struggle between East and West the fate of unhappy Ukrainians has been conditioned by forces and factors over which they have no control. For centuries the country was overrun by conquering armies, and remained divided under alien rulers until the end of the First World War. Then, as the forces oppressing the Ukrainians were overthrown, the Ukrainians seized the opportunity thus offered to them and proclaimed their political independence on January 22, 1918.

The weak Ukrainian National Republic thus born was a helpless being; it was surrounded by powerful forces of destruction, and marked by its foes, especially by the Russian Communist regime, as a ready prey. That is what happened in 1920. After struggling for its very existence, the independent state was overrun by the Red army and all Ukrainian opposition in the country was ruthlessly subdued. That was the end of the short-lived but gallant Ukrainian National Republic.

Since then, for almost 44 years, the Ukraine has been part of the Soviet Union. There the Ukrainians toil, often under the most wretched and discouraging conditions, mostly for the benefit of Soviet Russia.

Under the circumstances, Ukrainians cannot hope to celebrate their national independence day in their own country, but they all cherish the idea and nurse the spirit of freedom and independence in their hearts and souls. On the 46th

anniversary of their independence day we all ardently hope and pray that they will regain their freedom, and enjoy it in the years to come.

Mr. BRAY. Mr. Speaker, this is the 46th anniversary of Ukrainian independence.

There is a strange irony in that statement. Although the Ukrainians declared their independence in 1918, they were one of the first victims of Soviet imperialism. They remain today one of the largest captive nations in Europe, even though their Soviet masters maintain the sham of calling them independent.

Some of the story of the Soviet treachery to the Ukraine is told in my book "Russian Frontiers." That story follows:

The Ukrainians learned to their eternal sorrow more than 300 years ago that treaties with Russia are used as a vehicle of enslavement. An oral treaty covering military operations with the czar was made at Pereyaslav on January 18, 1654. Russia used this vague treaty to interfere in the internal affairs of Ukraine and caused great difficulty. By the treaty of Andrusivo in 1667, the czar and the King of Poland divided the Ukraine. In order to obtain independence, the Ukrainians revolted in 1708 and joined the forces of King Charles XII of Sweden. Czar Peter I took terrible vengeance and tortured and massacred all of the citizens of the Ukrainian city of Baturyn. When Catherine II came to the throne, she took away all self-government in the Ukraine, established serfdom, changed the name of Ukraine and caused it to be called Little Russia or South Russia.

It is of note that, even after about 300 years of Russian control, Ukrainian nationalism asserted itself with great rejoicing at its first opportunity after the Russian revolution. On June 23, 1917, the Ukraine issued what was, in effect, a declaration of independence that was recognized by Lenin, when he said:

"We, the Soviet of People's Commissars, recognize the Ukrainian National Republic and its rights to separate from Russia or to make an arrangement with the Russian Republic for federative or other similar mutual relations between them. Everything that touches national rights and the national independence of the Ukrainian people, we, the Soviet of People's Commissars, accept clearly without limitations and unreservedly."

However, the Soviets immediately started trouble. Following the Russian pattern, a handful of Russian Bolsheviks established a Central Executive Committee of Ukraine and a People's Secretariat. On December 25, 1917, this group was recognized by Lenin.

On February 8 and 9, 1918, less than 2 months after Lenin promised to respect Ukrainian national independence "clearly without limitations and unreservedly," the Soviets entered Kiev against the heroic but futile efforts of the tiny Ukrainian Army. The Soviets executed more than 5,000 Ukrainians in 3 days. They even executed Ukrainian Communists caught speaking their native language.

In November 1918, Lenin set up another Ukrainian puppet government under Russian control and in December stated that anyone who obeyed the orders of the legal Ukrainian Government would be executed. The Germans later forced the Russians out of the Ukraine and the Ukrainian National Republic was proclaimed on January 22, 1919.

The duplicity of the Soviets is well documented in instructions given by Trotsky in 1919 to a group of women agitators who were sent to the Ukraine to get Ukrainian

confidence which would later be used in destroying the independence of the Ukraine. Extracts from his speech follow:

"Comrades, the arguments discussed here in Russia with complete frankness, can be spoken of only in a whisper in the Ukraine, but better still, should not be mentioned at all. The art of silence is one of the forms of eloquence. You, comrades, are going now to the Ukraine.

"Do not force communism on the Ukrainian peasants until our power is stabilized there.

"Try to convince the people that there is no communism in Russia.

"As a counter to the independence proclaimed by Petloura [Ukrainian leader] and others, one should affirm that Russia also recognizes the independence of the Ukraine, but on condition that the Soviet Government is established there, while Petloura in reality would sell the Ukraine to the bourgeois states."

Russian armed might finally overcame Ukrainian freedom in November 1920. Volodymyr Vynnychenko, a famous writer and member of the Directory of the Ukrainian Democratic Republic, who had returned from exile and was appointed Vice Premier of the Ukrainian Soviet Government in the 1920's, stayed a half year in the country and left the Soviet Union. Speaking for all non-Russian nations, he published a public protest on October 23, 1923, in the Socialist Journal *Nova Doba* stating:

"The policy of Russia toward the non-Russian nations of the former tsarist Empire, especially in regard to Ukraine, is the policy of the old one and indivisible Russia. Never has a government in a more cynical manner fooled public opinion by lies than the government of Soviet Russia. . . . There is a deep traditional goal of that policy, apparently inherited by the Russian Communist party from the political history of Muscovy and Russian history, a history bespattered with blood and filth. That is the traditional policy for the preservation by the Russians of the one and indivisible Russia at any price."

Later, to crush the spirit of the Ukrainians and force them to give up their land and accept communism, Stalin decided to cause starvation in the Ukrainian villages. In the period of 1922-1933, between five and eight million Ukrainians died. Ukrainian culture was destroyed. Of the 240 authors living in the Ukraine, all but 40 were liquidated. Thousands of Russian families were moved into this area for settlement on Ukrainian farms.

Another general purge of the Ukrainians took place in 1937-1938 under the leadership of Khrushchev. More than 400,000 were destroyed. More than 800,000 young Ukrainians were moved to cultivate new lands in Siberia and Kazakhstan.

In 1954 Russia celebrated the 300th anniversary of the Treaty of Pereyaslav which brought the Ukraine into Russia. However, there is still a burning desire for freedom in the hearts of the Ukrainians. During World War II they welcomed the invading German army as liberators but were repulsed with inconsideration and cruelty. The Ukraine revolt toward freedom got nowhere. Khrushchev returned to the Ukraine in 1943 to lead another ruthless purge of the Ukrainians. Since World War II the Ukrainians have again unsuccessfully attempted to regain their freedom through appeal to the United Nations.

The aspiration for freedom is a weapon that can destroy Communist tyranny and bring freedom to the captive peoples of the world. Instead of encouraging this aspiration for freedom, all too many of our American leaders have attempted to downgrade this aspiration for freedom.



For all too long we have allowed the Soviets to take the initiative, to keep on the offensive. For all too long we have tried merely to answer their false charges, to repair the damage made by the blasts that the Soviets have made against the dikes of freedom.

We have a weapon that will throw the Soviets on the defensive if we have the courage, vigor and tenacity to use that weapon to its fullest. That weapon is the demand that Russia give to her satellite countries freedom of choice—to allow these peoples to vote for the kind of government they want and to elect the officials they want.

This demand should not be repeated just once; it must be repeated a million times—in the legislative forums of the free world, from the rostrum of the United Nations, by press, radio, and television throughout the world. It should be beamed hourly to these captive nations. If we will publicize the truth with the same vigor as Russia publicizes her lies, truth will win.

This demand for freedom should not be an attack on the Russian people. We should point out that the only reason for the existence of such an empire as Russia's is for the glory of its leaders; that if such an empire ever was of value to the people that value has long ceased to exist. We only want for other people the freedom and dignity enjoyed by our own people.

The demand for free elections is one that Russia cannot openly refuse and yet one which she knows she can never accept and keep the people under her dictatorship. This demand on our part will put Russia on the defensive as nothing else will. The right of the free ballot box is inherent in the Atlantic Charter and in the Yalta declarations, which Russia accepted and cannot repudiate.

Let us lead from our strength to Russia's weakness. Our greatest strength, the strength that has made America what it is today, is the recognition of the freedom and dignity of man. It is the recognition of freedom and human dignity that has made America so strong economically that our problems are those of surplus while the Communist problem is that of a continuing scarcity.

The denial of the freedom and dignity of man is Russia's greatest weakness. As those behind the Iron Curtain become more aware of the advantages of freedom that have been denied them by Russian autocracy, that weakness will become catastrophic.

Our constant demands that Russia grant her satellite peoples the right of a secret ballot to allow them to chart their own lives will not be granted, of course, for a long time and only after great turmoil and repercussions in Russia. However, our demands that Russia grant her people the freedom enjoyed in other nations will focus world attention, the attention of the satellite peoples, and the attention of the Russian people themselves on Russia's great weakness.

Mr. HORTON. Mr. Speaker, today is an important occasion—a landmark in the struggle between the forces of freedom and slavery. January 22 is important to every freedom-loving American for it marks the 46th anniversary of the independence of the Ukrainian Republic.

The independence of the Ukraine was tragically short lived, for since 1920 its people have been living in involuntary servitude, the unwilling subjects of Soviet tyranny. The Ukraine is a captive nation. The Ukrainians are a people shackled and persecuted. Mr. Speaker, their plight is our plight. For as long as an atheistic and despotic political system can effectively withhold individual liber-

ties and collective determination from millions of people, those of us who live under those qualities now denied the peoples of the Ukraine and other captive nations are threatened.

I wish with all my heart that we could send a message to the Ukrainian people today which would convince them of our intention to meet and beat the challenge of international communism. Yet, I am sure the enslaved millions of the Communist world find little to cheer in the recent actions of the United States approving the sale—even granting credit for these transactions—of wheat, corn, and other agricultural commodities to their captors.

Too long, our national attitude toward the captive nations has been blurred and weak. For that reason, one of my first actions after being sworn in as a Member of the 88th Congress was to introduce House Resolution 175 providing for the establishment of a Special Committee on the Captive Nations. This committee would be charged with conducting a study of the captive nations with particular reference to the morality and legality of their Russian domination. The committee also would be responsible for recommendations on how the United States could assist the captive peoples in their aspiration to regain their national and individual freedoms.

I submit that no matter of foreign policy should have higher priority than the desire of this Nation to once and for all secure the freedom from Communist bondage of those in the Ukraine as well as all others who live under the Communist cloak.

Mr. CLEVELAND. Mr. Speaker, today we are commemorating the 46th anniversary of Ukrainian independence. That country's freedom was attained early in 1918 upon the overthrow of the czarist regime in Russia. It was the culmination of a long struggle which had its beginnings in the 17th century. The independence of the Ukraine was the happiest climax in the modern history of its people.

It was tragic, Mr. Speaker, how soon the freedom and independence of the Ukraine was destroyed. In 2 short years the Russian armies invaded the young republic and trampled on the liberty of its people. The country was put under the yoke of the Soviet Union where it remains to this day. The Ukraine became one of the very first of the captive nations under the tyranny of Communist rule.

For 44 years the Ukrainian people have suffered under Communist totalitarianism. They have courageously carried on a silent struggle against their oppressors. The spirit of the Ukrainian people will not be subdued and they will continue the struggle for liberty until it is won. Together with the 2½ million Americans of Ukrainian ancestry, I look to the day when the Ukraine will once again be a truly free nation.

Today is the time for free peoples to loudly proclaim their support of the Ukrainian peoples' struggle. The brave men and women in that captive nation cannot be expected to carry on the struggle alone. They need our encourage-

ment and that is the least we can give them in their time of trouble.

Mr. DERWINSKI. Mr. Speaker, today marks the 46th anniversary of the independence of the Ukraine, and I am pleased to join my colleagues this afternoon in commemorating this occasion.

The hard-fought freedom which was won by the people of the Ukraine on January 22, 1918, was short lived. Soon afterward, the Communists took control of these brave people, but the light of freedom that burns in the heart of every Ukrainian can never be extinguished.

The spirit of nationalism beats strongly in the hearts of these people. This spirit is pro-Western and anti-Communist in its history, philosophy, and tradition. The people are deprived of political and economic advances, and they continue to look to us—the leaders of the free world—for help in the ultimate restoration of a government of their own choice.

One way in which we can help bring about freedom not only for the Ukrainian people but also for all the enslaved peoples of communism, is by obtaining favorable consideration by the Rules Committee of House Resolution 14, to establish a Special House Committee on the Captive Nations, introduced by our colleague, the gentleman from Pennsylvania, DAN FLOOD.

Mr. Speaker, as you know, many Members on both sides of the aisle, including myself, have introduced similar resolutions, and it is our earnest hope that during this session of Congress we will be able to obtain favorable consideration by the Rules Committee, so that the House can work its will and, I am confident, approve the establishment of a Special Committee on the Captive Nations.

Mr. LIBONATI. Mr. Speaker, the 22d day of January 1964, marks the celebration of the 46th anniversary of Ukraine's national independence. In sad meditation on this day reviewing the horrors through the years suffered by the Ukrainian people held in captivity, marks this day one of lamentation and mourning. The Ukrainian people were the first victims of Communist aggression.

Ukraine is the largest captive non-Russian nation, both in eastern Europe and the Soviet Union. The Ukrainians are powerfully active in asserting their patriotic support of national independence. Its terrific fight for national independence and freedom forced the Soviets to act even though falsely propagandizing that Ukraine was a free and independent nation within the "Federal" framework of the U.S.S.R. So that we as a nation must encourage this spirit of nationalism especially at this time when Moscow is experiencing critical "times of trouble" within Russia itself.

I join with my friends of Ukrainian descent, in prayer, that we persevere to support and aid the realization of the desire of the Ukrainian people to regain their freedom.

In America, where we enjoy all of the God-given freedoms, it is important that we keep alive, by open discussion, the cause of Ukrainian independence. We are their only hope—and we must be ever

active to keep alive their fires of freedom. In strengthening our potential military power, we are able to give realistic impetus to their belief that, some day, these 45 million people will return to enjoy the democratic fundamental principles of liberty, as a nation. The flag of aqua blue and yellow gold is unfurled all over our land for those pioneers of Ukrainian ancestry who contributed so much to the economy and culture of our Nation. It is a reminder of the continuing protest of the American people against the enslavement of the Ukrainian people. We cannot accept the servitude of the people of the Ukraine nation without thinking that the true purpose of our foreign policy is to restore to them their historic claim of freedom as an independent nation in the free world. We have, through the courageous and determined stand taken by our martyred President, John F. Kennedy, in the recent Cuban incident, shown these devout Christian people, with a long record of opposition to Communist domination, that the military power of the United States is to be feared and respected.

The day is not distant when we will refuse to permit our enemies to retreat. The 86th Congress of the United States was militant in its pointed action toward this end—the sincerity of its attitude toward captive nations and their leaders was reflected in the passage of the Captive Week resolution, Public Law 86-749, authorizing a Shevchenko Statue and honoring this "Europe's Freedom Fighter," House Document No. 445.

At the insistence of the gentleman from Pennsylvania, Representative DANIEL J. FLOOD, as in the 87th Congress and presently in the 88th Congress, House Resolution 14 urges the formation of a special House Committee on Captive Nations. It is of monumental importance for the United States to further impress all of the peoples within the immediate control of the Soviet nation that our determined foreign policy be accentuated in purpose to strongly symbolize to the world the determination of the American people, reflected by the Congress, to work toward the liberation of all captive nations in order to secure a lasting peace among men and all nations.

The United States must destroy the false image of the capitalist system and its leaders. These are set up by our enemies as mental figments of clever propaganda—the method used to influence the peoples of the captive nations to transfer their loyalties and support to the Soviet Union.

We must, in our future actions, not only contrive to stop the spread of communism, but must, by every means, counteract false propaganda within the Soviet Union itself, and its satellites, to thus weaken our enemies from within.

The victory of this age of the cold war will only be ours when the internal control of the Soviet States will be weakened. This can best be accomplished by destroying the Russian image of power and falsity of purpose.

The freedom-loving patriots within these captive nations, armed with the

truth and realistic proof, can cause such a measure of unrest and confusion that enormous military forces will be needed for security surveillance.

This aroused populace, flexing its muscles of freedom, will, in itself, weaken and destroy the stability of the controls at Moscow. It will hasten the end of the cold war and result in independence and freedom among all nations at the new, extended frontier of peace. We must persevere to help, not to abandon, our allies for freedom. We owe it to the Ukrainian people—they must be free.

Mr. NEDZI. Mr. Speaker, I welcome the opportunity to contribute to the observance of the 46th anniversary of the proclamation of independence of the Ukrainian National Republic.

Probably no ethnic group within the Soviet Union has suffered more, suffered longer, and resisted harder than the Ukrainians. The wall which today divides Berlin dramatizes to the world the oppressive nature of the Soviet state. A fact not nearly as well known is that 40 million people of the Ukraine have been walled in over 40 years.

In my judgment, it is the duty of American Government officials to speak soberly and fairly about the realities of the world politics. They should not raise false hopes in the course of once-a-year speeches. Freedom for the Ukraine does not appear within reach, short of an all-out nuclear war which no responsible person advocates.

Is there any hope, then, or anything that can be done? Yes. We live in days when enormous social, economic, political, and scientific forces are at work, shaking our universe to its foundations. What appears hopeless today, may become possible tomorrow. There may be light at the end of the long, dark tunnel.

History teaches us that the spirit of freedom cannot be starved. The will to resist is a stubborn thing. Three centuries ago the Ukraine was independent and comparatively rich. Then, despite hundreds of years of domination by the Russian and Austro-Hungarian Empires, the hunger for freedom was maintained. Ukrainian culture and language was preserved, the nationalist drive remained alive. In 1918, freedom was briefly achieved and independence declared. But the freedom of a nation, when newly achieved, is often as delicate as a new-born baby. It needs time to strengthen itself against outside dangers. Precious time was denied to the Republic of the Ukraine. Hunger, disease, subversion, and war choked this young nation and tragedy was the result.

Our observation of Ukrainian Independence Day is a valuable thing. On this day first, we show the people of the Ukraine that they are not forgotten; second, we keep faith with what is morally right; third, we reaffirm the principle of self-determination; and fourth, we help remind the newly emerging nations of Africa and Asia, whose leaders are often unfamiliar with all but recent history, that the Soviet Union is the last big remaining colonial empire on earth.

In doing these things we serve the cause of freedom.

Mr. HALPERN. Mr. Speaker, on January 22 we celebrate a grim independence day, the independence anniversary of a nation which is no longer a sovereign and independent state. Forty-six years ago, on January 22, 1918, a band of stouthearted and patriotic Ukrainians revolted against their Russian oppressors and proclaimed the independence of the Ukraine. But it was an independence which lasted no more than 2 years; the new republic did not have time enough to gain strength to withstand the post-war convulsions in Europe or the onslaught of aggressive neighbors. Even before the end of the war Poland attacked from the north, and by the autumn of 1920 the Soviet armies had dealt the crushing blow of defeat. The independence which the Ukraine had gained with such pride in 1918 was brutally snatched from her in November 1920.

The history of the Ukraine is a tragedy, for the very resources which held the germ of a great nation—the fertile soil, the rich minerals, the intelligence and stamina of the people—made the Ukraine the target of jealous and unfortunately more powerful neighbors. Prior to independence the Ukraine had suffered for nearly 300 years under the autocratic rule of the Russian czar. That rule was broken only when the autocracy was shattered by revolutionary forces. It is not surprising that the Ukrainians felt some bitterness when 2 years later Russia again turned on the Ukraine and clamped upon it the yoke of Soviet dictatorship.

What then befell the Ukraine was far worse than the czarist autocracy had ever dreamed of being. Many thousands of Ukrainians were forced to flee from their homeland in search of refuge abroad. Those who remained were forced to live under the Soviet dictatorship which allows no freedom of expression or association, none of the individual liberties which we so cherish. For over four decades the Ukrainian people have been oppressed under a system which does not allow them to realize their national aspirations. They have not been permitted to fulfill their political and spiritual ambitions. As part of the U.S.S.R. the Ukraine contributes much of itself—its wheat, its minerals, its industrial products, and the labors of its people—and receives little but oppression in return.

It is an indelible tribute to the Ukrainian people that they have not broken under this tyranny. Their desire for freedom and independence is as fervent as ever. Their determination not to yield their spirits to the Communist dictatorship grows ever stronger. I join with the thousands of Ukrainians who took refuge in our own country and today are among our loyal, hardworking citizens in expressing sympathy to the Ukraine on its independence anniversary. I hope that the ultimate goal of the Ukrainian people—their freedom—will once again be achieved.

Mr. O'HARA of Illinois. Mr. Speaker, today we pay tribute to a nation which is living proof that the spirit of independence is indomitable. Forty-six years ago on January 22, 1918, the independence of the Ukraine was recognized. Even



today, imperialist Moscow resorts to the propaganda show of designating the Ukraine as an independent and free nation within the federal framework of the U.S.S.R.

On January 22, 1918, the Ukraine was proclaimed a sovereign and independent state, and recognized as such by Lenin. Prating of self-determination, he prepared to invade the Ukraine on the pretext that the Ukraine was acting in a bourgeois manner and could not be accepted as a representative of the laboring and exploited masses. Thus the Bolshevik government of Russia became a military aggressor against the young republic it had pretended to recognize.

After 4 years of bloody fighting, Communist rule, accompanied by deportation, genocide, purges, was imposed. The Ukraine, the largest of the captive countries, was the first to have the Iron Curtain lowered. Communist Russia turned a fair land into a prison.

The history of the domination of the Ukraine by U.S.S.R. was merely a repetition of the exploitation of the Ukraine by the czarist regime. It was one of complete economic exploitation of the resources, the labor of the Ukraine for the benefit of Russia. Economic exploitation was followed by a complete Russification of the schools. Russian industry was financed with Ukrainian money, and built by Ukrainian manpower. Ukrainians were deported to build public works or to cultivate through volunteer pioneering efforts more lands in Siberia.

Fortunately, many Ukrainians have migrated to the United States. They have contributed to our strength, our intelligence, our culture. They have found the freedom and independence denied them in their homeland. They give the lie to Russian protests of sympathy for national independence and hypocritical protests against colonialism.

The Ukraine, the largest non-Russian land within the Russian Empire presents to the world and before the bar of the United Nations an irrefutable demand for recognition of its right to independence and national sovereignty. We join with our American citizens of Ukrainian blood and their brothers behind the Iron Curtain in a demand for that independence and freedom which is their birthright and ours.

Mr. DELANEY. Mr. Speaker, January 22 signifies a great landmark in the epic struggle of man to attain national independence and personal freedom. On that date, 46 years ago today, the Ukrainian people proclaimed the independence of the Ukrainian National Republic. That winter day in 1918 marked the high point of a nation seeking and striving for survival as well as liberty.

The riches of Ukrainian fields and the country's strategic location have made the Ukraine one of the most coveted and fought over lands in modern history. This fertile country, situated between Europe and Asia, has been forced to fight usurpers from the early Mongol hordes to modern Soviet colonialism.

Ukrainians fought Russians as early as 1667 when the czar began annexing Ukrainian lands. Ukrainian history

from that time on is written in the blood of patriots who fought the Russian steamroller as it overran the country and then persisted in organizing revolutions against the czarist and, later, the Bolshevik armies.

January 22, 1918, the Ukraine emerged as a whole free nation for the first time since the 17th century. Unfortunately, her freedom was short lived and, in December 1920, the Bolshevik army again swept across the land. The Red army is still in control of the Ukraine and that country now is the largest non-Russian nation behind the Iron Curtain.

We Americans won freedom in a matter of years, but the Ukrainians have fought for centuries. When our men were fighting at Lexington and Concord, the Ukrainians had been defending their land, or trying to win it back, from the Russians for over a century.

On this 46th anniversary of Ukrainian Independence Day we can but look in awe at the epic struggle for a free Ukraine. I am proud to join with all Americans of Ukrainian extraction in observing Ukrainian Independence Day. I extend my sincere sympathy for the long suffering of the Ukraine and my limitless admiration for her valiant sons.

Mr. FALLON. Mr. Speaker, today is the 46th anniversary of the Ukrainian Republic, and a good time to inquire into the methods used by the Bolsheviks to conquer it.

The Ukrainian Republic was proclaimed by a group of patriots led by Volodymyr Vinnichenko and Simon Petlyura. The Government was to be based on a democratic assembly called a Rada, after the original Ukrainian Parliament of 300 years before. The people were hopeful for peace and independence for the first time since the czars had conquered them. But Lenin disregarded his early promises to them and established a Communist regime, supported by the invading Red army, and headed by Christian Rakovsky.

After this first defeat, the Ukrainian nationalists could never again overcome the military strength of Russia. But their resistance never weakened. The leaders of the Soviet Union employed the most extreme measures to retain their hold on the Ukraine. A Communist agent assassinated Petlyura in 1926; another shot underground leader, Evhen Konovalets, in 1938. Even the Ukrainian Communists were not proper servants to the Soviet empire it appears, because in major purges throughout the 1930's, many Ukrainian Communist premiers and deputy premiers were executed, in a frenzy of colonial suppression, directed by Stalin.

The Ukraine has since suffered terribly from Nazi invasion and Soviet reprisals. In the very brief spell of chaos after the Nazis were driven back, the Ukrainian desire for freedom momentarily burst forth again in a new attempt to regain independence. But the Red army crushed this attempt with brutal force, just as in 1920.

In recent years the Ukrainian underground leaders in exile have grown older and many have died. Because the Soviets will not allow any of their colonial

peoples to travel freely, it is difficult to get news on how strong resistance is in the Ukraine. But from the impressive example of Ukrainian citizens of the United States, we can see and hear how strong is the love of freedom among the Ukrainian people. What little news is received from behind the Iron Curtain indicates that the brutal invasion of the Communists and untold horrors of colonialism are not forgotten. The Ukrainians presently lack the means to revolt. But tyranny cannot long endure, founded as it is on the dead bodies and chained minds of suppressed peoples. A crack is bound to appear soon in the Iron Curtain shutting in the free emotions of the Ukrainian people. When it does, woe to the Communist imperialists, to their henchmen, and to their system. The Ukraine will be free again, its national flag will fly again on independence day, and the people will rejoice.

Mr. WALLHAUSER. Mr. Speaker, today marks the 46th anniversary of the independence of Ukraine. Naturally, the question arises of the importance this is to us as Americans. Why should we commemorate this event with addresses and statements in the Congress, with proclamations by State officials, and with observances across the Nation?

Let us consider these few facts. With its 45 million population, Ukraine was one of the first victims of Soviet Russian impericollonialism and to this day has been the largest captive non-Russian nation both in Eastern Europe and the Soviet Union. Had its independence been assisted by the West in 1918-20, there might have been no U.S.S.R. and thus no Soviet Russian menace to world freedom today. In the incessant cold war we can now help ourselves by supporting the goal of national freedom on the part of this large nation that for decades has given lie to any Soviet monolith.

Second, Ukraine represents one of the most powerful forces of patriotic nationalism in the U.S.S.R. Its invincible fight for national independence and freedom has forced Moscow to resort to the propaganda sham of masquerading Ukraine as an independent and free nation within the Federal framework of the U.S.S.R.

We, it appears, have done little to encourage this spirit of nationalism. Our support today of this 46th anniversary can lead to such encouragement. It will be a fitting answer to Khrushchev that we have no intention of abandoning our allies for freedom.

Mr. BOLAND. Mr. Speaker, this January 22, 1964, marks the declaration of independence made by the Ukrainian people 46 years ago, in 1918. Their declaration was the culmination of a long series of epic wars, fought against barbaric invaders, drawn to the Ukraine's great natural wealth from Europe on the one side and Asia on the other, who terrorized, enslaved, and massacred people wherever they went.

As soon as the scattered Ukrainian people became numerous and advanced enough to sense a better future in unity and common defense, they were torn asunder and parceled out at various times

among Poland, Czarist Russia, and Austria-Hungary.

This situation endured for 250 years. World War I ended it and gave the unyielding Ukrainian patriots the chance they had been awaiting so long. They took this chance and established the popular and democratic Ukrainian Republic.

Many mistakes were made by the statesmen of the world in the first chaotic years after World War I. One of the worst was overlooking the tremendous potential for wealth and stability which the Ukraine offered. Perhaps most statesmen took Lenin at his word when he said the former Czarist imperial colonies had the right of self-government. If they did believe Lenin, it was certainly a mistake. Because the Bolsheviks marched into the Ukraine and conquered it amidst terrible slaughter in 1920.

The ferocity of the Soviet attack carried the day, but did not break the spirit of the Ukrainian people. Their resistance has endured through famines in 1930-33, Nazi invasion, and Soviet reconquest. Their voice to the outer world fades with time, but there is no doubt the flame of liberty even now still burns brightly in most Ukrainian breasts.

It is about time the Soviet Union ceased hypocritically attacking the United States for so-called "imperialism." The Soviet Union is the largest imperial power in the world today. Let the Soviet leaders practice what they preach. Allow the peoples of the Ukraine, Latvia, Lithuania, Estonia, Turkestan, and all the other subject peoples to choose freely their own form of government. They would choose freedom, national independence, and representative democracy in every case. There would be a whole phalanx of reborn free nations in East Europe, if the Communists allowed it to be so.

On the anniversary of Ukrainian independence we should take the opportunity to remind ourselves of the true situation in the U.S.S.R., and to strengthen our determination to resist the Soviet tactic of stalling for time while new generations of obedient Communists are raised in Soviet colonies to crush forever the hope for freedom born 46 years ago today.

Mr. ZABLOCKI. Mr. Speaker, today, January 22, marks the 46th anniversary of the independence of the Ukrainian National Republic.

I am certain that the commemoration in the United States of this important date will serve as an inspiration to the millions of Ukrainians behind the Iron Curtain.

Words are inadequate to describe the tragic plight of the people living under the yoke of communism. Deprived of their basic rights and freedoms, they frequently live in abject poverty, in fear, and in terror. In spite of these conditions, we know that oppression has not succeeded in eradicating from their hearts their love of freedom and justice.

The continuing evidence of courage and sacrifices for freedom of the people of the Communist-dominated nations

are in inspiration and an example for all of us.

Today, as we consider the early indications of progress in the free world's struggle with the Communist menace, we should reaffirm our sympathy for the Ukrainian people's quest for freedom. We earnestly hope that this thirst for freedom and justice will be fulfilled before long and we pledge our continued efforts to this end.

The long history of the struggle for freedom and against Communist tyranny by the Ukrainian people is both tragic and heroic.

It is tragic because of the brutal suppression during the period of collectivization which was perhaps more bloody and more sharply resisted in the Ukraine than anywhere else in the whole U.S.S.R.

At the same time, it was heroic—heroic because this very resistance toward the forced domination of the Ukraine was another chapter in the glorious history of the Ukrainian people.

History has demonstrated that the undaunted human spirit cannot be suppressed.

The history of the Ukrainian people and their attitudes toward resisting any encroachment on their individual freedoms should today be a reminder that the air of freedom we breathe has been stifled for others, but never extinguished.

Mr. Speaker, let us today remember that we must pledge ourselves to the goal of a better world where all peoples must live in peace, freedom, and justice. The sympathies and hopes of the free world are with the Ukrainian people.

Mr. RODINO. Mr. Speaker, today, January 22, 1964, marks the 46th anniversary of the independence of the Ukrainian peoples. This year as in the past, the American people extend their hands and hearts thousands of miles into the heart of East Europe in an effort to express their deep feeling of compassion and affinity toward the more than 45 million persons of captive Ukraine.

On January 22, 1918, after hundreds of years of subjugation to the crown of Russia, the Ukrainian people announced to the world that they were a free and independent nation. This event, cause for joy among any freedom-loving people, was the more courageous in light of the fact that at the time the Ukrainian leaders declared the country's independence at last, the Russian Army had marched into the capital city of Kiev and began mass executions. With the help of the Germans, the Ukrainian people were able to push the Russians out of their country. On January 22, 1919, 1 year after independence, the Ukrainian leaders announced union with the western Ukraine. However, these two memorable events were short lived, for in 1920, 2 years after independence, the entire Ukraine was under the control of the Red army.

Mr. Speaker, Americans of all generations have shared a close feeling of kinship with people who share our ideals of democracy, individual liberty, and self-determination. On this 46th anniversary of Ukrainian independence which lasted only 2 years, I join with

other Members of this Chamber and Americans of all national origins in reflecting for a moment on the inspiring example the Ukrainian peoples have given the cause of liberty. I am certain that history will show theirs to be a temporary fate, and that someday the Ukrainian people will live in a close bond of friendship with American people, in a world of peace and self-determination.

Mr. PUCINSKI. Mr. Speaker, today we mark the declaration of the freedom of the Ukraine. This freedom was proclaimed 46 years ago, but the people of the Ukraine are unable to celebrate this independence for they remain sealed behind the wall of Communist imperialism.

Since coming to Congress in 1959, I have stood here each year and paid tribute to the anniversary of the proclamation of Ukrainian independence. It is important for us to keep this date, and the dates of all the nations locked in bondage which had once proclaimed their freedom to the world, fresh in our minds.

These important dates help us to remember the enormous value of our own independence and liberty. We won our liberty at great cost and, with the help of Providence, we have never had to yield it to a foreign power. In this time of trial for all nations who are striving to be free, let us remember and pay tribute to our friends who have waged such a long and gallant struggle against the slavery of a totalitarian dictatorship.

They deserve our support. Let the people of all captive nations know that we remember their anniversaries of freedom and that we will continue to acknowledge them publicly until one day they are able once more to commemorate them with us and with all the world.

Mr. MINISH. Mr. Speaker, today we should be reminded of the fate of a noble and brave people living under the yoke of Soviet tyranny. Today is the 46th anniversary of Ukrainian independence, an occasion not for rejoicing but for tributes to the valor of Ukrainian martyrs and to the sacrifices of a long-suffering people. Indeed, 3 years ago, when the centennial of the Ukrainian poet, Taras Shevchenko, was celebrated, we were reminded that in the poetry of Shevchenko, the Ukraine has contributed an eloquent monument to the cause of freedom and independence everywhere.

After 300 years of oppression, Ukrainian independence lasted only 2 short years—from January 1918 to the spring of 1920. The czar was overthrown and independence was proclaimed only to be crushed by the agents of 20th century totalitarianism. The Ukraine experienced no respite during World War II; the Soviets withdrew only to be replaced by other cruel masters—the Nazis. Today, the weight of Soviet authority rests as heavy as ever. But the aspirations of the Ukrainian people endure, and must be shared by all freedom-loving peoples.

It is especially important that here in the United States, where the cause of national independence has been traditionally regarded with warm sympathy, and where countless millions have sought shelter from oppression, the plight of the Ukraine be recalled. Moreover, the United States is today the mighty moral



leader of the forces of the free world. Can the United States afford to forget that the interests of all who seek freedom are indissolubly linked? The answer must be a categorical "No." Can the United States afford to deny hope to those who suffer under the burden of tyranny? The answer must again be an emphatic "No." The U.S. Congress recognized these facts in July 1959 when it passed a resolution affirming the right of 22 captive nations to self-determination, and established Captive Nations Week, dedicating it to the freedom of forgotten peoples.

Since the end of World War II, we have seen the rise of many new nations. Some of them have thrown off colonial bonds after long periods of subjugation. They have found self-respect; they have entered the community of nations; they have become members of the United Nations. The Ukrainians, too, have a delegation to the United Nations—a sham delegation. For the facade of independence covers the ugly fact of subservience. The Ukraine did not gain independence following World War II; it refound its traditional masters.

The Ukraine has a population of more than 45 million, and a territory which exceeds in area that of several Western European nations combined. The history and culture of the Ukraine is more than 1,000 years old; the Ukraine is rich in human and material resources. Is it not a singular injustice that this people continues to be subject to exploitation, that today it forms part of the worst colonial system of modern times? To be sure, the fate of the Ukrainians is shared by others. All the more reason not to be blinded by peace overtures and test ban treaties. Let us not fear to name the common oppressor. Let us be reminded by the Ukrainian cause that vigilance against the Soviet Union is a continuing necessity, that the "world will not be safe for democracy" until all captive nations have achieved the right to self-determination in freedom. Let us rededicate ourselves today to the ideals and aspirations that we share with the Ukrainian people, and express the fervent hope that they will soon rejoin the community of free nations.

Mr. GALLAGHER. Mr. Speaker, it is fitting that on this date each year, we recognize that in the dark world of captive nations, the light of freedom still burns. It is the symbol of a sustained spirit that communism has failed to destroy. Soviet dictators may imprison a man, but not his soul or his brain, where in the spirit rests.

Few free people in this world have suffered as long or as severely as those of the Ukraine. For more than 300 years, under czarists and Communists, they have borne the yoke of the oppressor. But still the torch of freedom burns not in a public square, but in the hearts of the people.

Only for a very brief period of 2 years did they enjoy some freedom. They tried hard to fashion their own destiny, but unfortunately they were not successful in their gallant attempt.

At the end of the First World War, when the autocratic czarist regime was

shattered and therefore Russians were unable to hold Ukrainians in check, then the people of Ukraine proclaimed their independence and established their national government in the newly created Ukrainian Republic. Under severe and indescribable handicaps they managed to maintain their freedom and preserve their rather weak state for about 2 years. But even from the moment of its birth, it seemed that the days of the new state were numbered unless effective foreign assistance was forthcoming. At the time this proved impossible. Then in 1920 the Ukrainian Republic was treacherously attacked by the Red army, was overrun, and all opponents of Soviet Russia were ruthlessly eliminated. Independent Ukraine ceased to exist, and the country became part of the Soviet Union. They were deprived of freedom, yet they still clung to their ideals of freedom and independence. Only by keeping alive the spirit of freedom can captive citizens ever hope to be free. This spirit, so evident in the Ukraine, is probably the free world's most effective weapon in our continuing fight against the powerful forces of communism.

Today marks the 46th anniversary of Ukrainian Independence Day, and I join all Americans of Ukrainian descent in the celebration of the Ukrainian Independence Day, a memorable and significant occasion.

Mr. FARBERSTEIN. Mr. Speaker, it is my privilege this afternoon to join with my colleagues in the commemoration of Ukrainian Independence Day. Today, January 22, 1964, marks the 46th anniversary of the independence of Ukraine; and I think it fitting and proper that we, the elected representatives of the American people express the deep feeling of affinity and common purpose we hold for this captive nation of 45 million Ukrainians, for we share with them the ideals of individual liberty, national self-determination and real democracy.

I believe this day of independence should be commemorated annually so that all the world will know that we do not recognize the right of the Soviet Union—or any country—to turn free nations into Communist colonies. We must continue to remember that the threat to freedom of any one people or any one nation is a threat to freedom of all peoples. We must send to these people constant reminders that we have not forgotten them, that we stand for their freedom with all the vigor that a free nation can muster, that we are dedicated to the restoration of liberty and self-determination to all who suffer under Red tyranny.

Those living in the Ukraine, under the tyrannical regime imposed upon them by the Kremlin dare not celebrate their independence day; but we Americans salute them and renew our pledge of support for their great cause.

We shoulder this responsibility gladly. We pledge ourselves to continue to fight for freedom for all who are denied this God-given right of man; and we will follow every course toward the achievement of this ultimate goal.

Mr. DENT. Mr. Speaker, the 20th century abounds in tragic ironies.

Surely one of the greatest is the fact that during an age when many nations are acceding to independence and freedom for the first time, others are being submitted to one of the cruelest tyrannies the world has known. The Ukraine is among the unlucky; the Ukraine has been among the unlucky for centuries. Today we commemorate the 46th anniversary of the declaration of Ukrainian independence, we mourn the loss of that independence, we reaffirm our faith that that loss shall be repaired.

For over a thousand years the Ukraine has constituted a distinct cultural entity. The history of the Ukraine as a national political and economic unit is long. Today the Ukraine supposedly enjoys an independent and sovereign status. The facts belie the appearance. Instead, the Ukraine is wholly submitted to Soviet control, and subject to Soviet persecution and exploitation. The Ukrainian people are the largest non-Russian people living under the Soviet dictatorship and behind the Iron Curtain. These facts are worth emphasizing. The Soviet Union pretends to be the defender of peace and justice and freedom for all peoples. At the same time, it ruthlessly subjects a sturdy and valiant people to the worst of hardships—the denial of independence.

The United States can boast of over a million Americans of Ukrainian descent. They have proved themselves to be hard-working, self-reliant citizens. Their hope to see their land of origin regain its independence after so many years of suffering accords well with American ideals and interests. The cause of the Ukraine is the cause of the United States. Today, it is worth remembering that even hard-won liberty is precarious, and that the enemies of freedom have yet to be vanquished.

Mr. LIPSCOMB. Mr. Speaker, 46 years ago, the people of the Ukraine declared themselves independent. This proclamation on January 22, 1918, was the culmination of centuries of struggle, of futile uprisings and crusades, mass purges and deportations and terrorism.

Unfortunately war did not end for the Ukrainian state at the conference table of Versailles. Victorious Polish and Russian Armies proceeded to conquer and annex once again the Ukrainian homeland. By 1922, independence was only a word; the territory became a part of the newly formed Union of Soviet Socialist Republics.

The memory of this short-lived Republic, however, has not been forgotten. Throughout the free world, those fortunate Ukrainians who managed to gain asylum from the tyrannical rule of Communist brutality, keep alive the spirit of independence through their writings and work in Ukrainian societies. They tell of the hardships which the people in their homeland are enduring. They relate how difficult it is for their relatives now living under Communist regulations to keep alive the spirit of independence.

Therefore, on the 46th anniversary of the proclamation of the sovereign Ukrainian Republic, let us remember, too, the valiant struggle of this oppressed people for freedom and add our encour-

agement and hopes that sovereignty may once more be enjoyed in their beloved homeland.

Mr. DADDARIO. Mr. Speaker, it is important that we note the traditions of liberty and the desire that all men attain the freedom for which they have struggled through the centuries. Today marks the 46th anniversary of the independence of the Ukraine, one of the first victims of Soviet imperialism.

When the Bolsheviks were moving toward conquest of the Soviet Union, they spoke often of the desire for self-government and for liberation from tyranny. But in the first years after their victory, they proved the mockery of these words. They overrode the efforts of smaller groups to recognize their own traditions and their own rights to self-government.

The Ukraine, from which so many brave people have come to the United States, and in which many fierce battles for freedom have taken place, is a key region for the U.S.S.R. It has always been a center of agricultural production, in a nation where continued meddling with the freedom of the farmers has caused desperate straits. I have talked with many who are deeply aware of the issues at stake in the Ukraine, and I believe we in the Congress should take note of, and celebrate the day when the Ukraine looked forward to a true independence under their own people.

I also want to call to the attention of the Congress, a letter written by a Hartford man and published in the Hartford Courant, which states his feelings on this anniversary:

#### INDEPENDENCE FOR THE UKRAINE

TO THE EDITOR OF THE COURANT:

Every year during the month of January Ukrainians this side of Iron Curtain mark the proclamation of independence of Ukraine, announced in the manifesto of the Ukrainian Central Rada, January 22, 1918, which declared: "As of today, the Ukrainian National Republic becomes the independent, free and sovereign state of Ukrainian people."

The history of Ukrainians' struggle for liberty and independence begins with the country's defense against the Tartar invasion from the east. The inhabitants of Kievan Rus—Ukraine—were known as Rusyns, Rusythy, and foreigners called them Ruthenians or Ukrainians.

These people conducted trade and waged wars with the Byzantine Empire and accepted the Christian religion from Byzantine under King Volodymyr the Great of Kiev. During 10th and 14th centuries, the Ukraine was an independent and flourishing nation with a highly developed culture.

At the beginning of the 18th century the Russian armies destroyed the Ukraine. Russia ruled until the revolution in 1917. On January 22, 1918, immediately after the revolution, the Ukraine announced its independence.

Its independence was destroyed by newly reborn Poland and Communist Russia, which reestablished Moscow control over Ukraine and promoted the creation of Soviet Ukraine. The Soviet Ukraine, regarded as a sovereign state, was actually a colony of Communist Russia's empire.

The history of the Ukraine for the last 250 years has been blood and tears. The people in Ukraine know, just as we knew while we lived behind the Iron Curtain, that there exists abroad an active government-in-exile of the Ukrainian Democratic Republic.

Today, the world understands the fate of countries like Ukraine, which are subjugated by Communist Russia. There will be no peace, not only in Europe but in the whole world, until Ukraine and other countries of a similar fate have once again gained their independence and have been accepted as a member of equal standing by the large family of the free nations.

HARTFORD.

PETER LUCYK.

Mr. BATES. Mr. Speaker, as we pause today to join the enslaved people of the Ukraine in prayers for their restoration to freedom, it seems appropriate to recall the prayer offered in this House Chamber 1 year ago by the Very Reverend Volodymyr Bukata, pastor of the Ukrainian Orthodox Church of Holy Ascension, Newark, N.J. He said, in part:

The universal cause of the dignity of man under God and his freedom is indivisible. We, therefore, on this day in the commemoration of the proclamation of independence of the Ukrainian people 45 years ago as the Ukrainian National Republic raise our voices in prayer for this long-suffering nation which is denied freedom by Communist imperialism. We pray also for the many other nations which aspired and continue to aspire to freedom despite the brutal and ruthless suppression then and now by the most despotic ideology and regime the world has ever known.

One year later, we reiterate those prayers but find, sadly, that in the past 12 months the same forces of oppression have engulfed even more nations which enjoyed only brief periods of long-sought independence. As we consider this distressing fact, we cannot help but become aware of the similarity of conditions which have led to one nation after another falling into the captivity of unprincipled foreign domination.

Geography has always been a factor when nations are overrun by aggressors—whether working from without or from within. The Ukraine has had more than its share of misfortune because of its location at the crossroads between Europe and Asia, and because of its rich, fertile soil. It has, accordingly, been an almost constant center of discord between East and West.

Today, the centers of discord between the East and the West are many—no longer confined to the region with which we are especially concerned on this date. Just as the struggle for independence and personal liberty continues for the 45 million people of the Ukraine—the largest non-Russian captive nation in eastern Europe—so does that struggle persist for countless millions in other oppressed countries.

Mr. Speaker, the United States is the largest and strongest free nation in world history, and it is, therefore, only right and proper that this country should, in every way possible, give encouragement to those in other lands who are less fortunate than we are, yet who strive for deliverance so that they, too, may reap the fruits of freedom. Because of this, I consider it a privilege to join my colleagues here on this 46th anniversary of Ukraine's independence by urging Congress to approve the establishment of a Special Committee on Captive Nations.

This committee would, I believe, symbolize to the world that Americans are determined never to forget the captive nations and their struggles for freedom from despotism. Moreover, such a committee might well acquaint others who are still free with the problems which resulted in those nations' captivity—thereby perhaps helping to preserve independence elsewhere.

At this same time, I am pleased to record and endorse the support of the Boston Branch of the Ukrainian Congress of America, Inc., not only for the resolutions seeking establishment of a Special Committee on Captive Nations, but also for the issuance in 1964 of a U.S. commemorative stamp of the "Champion of Liberty" category in honor of the 150th anniversary of the birth of Taras Shevchenko, the great Ukrainian poet and champion of universal freedom and justice. Issuance of such a stamp would coincide with the unveiling this year of a statue here in Washington, as provided by the 86th Congress, honoring this Ukrainian patriot.

And, Mr. Speaker, as we pay tribute to the freedom-hungry people of the Ukraine, may we also seek to give continued heart and hope to others like them wherever they may be in this half-slave, half-free world.

Mr. DINGELL. Mr. Speaker, the history of the Ukrainians is the story of a large group of gifted, industrious, and brave people who have not been allowed to enjoy the fruits of their labor during most of modern times. Through some unfortunate turn of history, these 40-odd million Ukrainians have not been masters of their fate, and for about 300 years, except for a brief period of 2 years, they have not known national political independence. In their historic homeland they have lived under alien despots and endured all sorts of hardships, privation, and misery, and yet they have retained their spirit of freedom. And freedom was at last attained at the end of the First World War. When Russia's czarist autocracy was overthrown by the Russian revolution, Ukrainians felt free, seized upon the opportunity and proclaimed their independence on January 22, 1918.

That event, the proclamation of the Ukrainian National Republic, symbolizes the realization of a dream centuries old, and justly has become a landmark of great significance in Ukrainian history. Unfortunately the newborn and very weak state was under severe handicaps at its birth. The war-torn country was literally ravaged and the fertile Ukraine was a wasteland. Most of its inhabitants were uprooted from their homes, and the normal course of life was badly disrupted. These were grave problems for a new government to face, but even more serious was the Communist Russian threat to the independence of the country. Before the Ukraine Government had the chance to bring some order out of the existing chaos, it was attacked by the Red army, the country was overrun early in 1920, and independent Ukraine ceased to exist. Then the country was merged with



the Soviet Union as one of its constituent republics.

Ukrainians have suffered more under the Soviet tyranny than under the autocratic czars. Today their fair land is practically sealed off from the free world, and there they live something like the people on the dark side of the moon. It is almost impossible to know their actual conditions, and just as difficult to understand their genuine feelings under such circumstances. Of one thing we are sure; we are positively certain that they have not given up their hope for freedom and independence. On the 46th anniversary celebration of their independence day we pray for their deliverance from Communist totalitarian tyranny.

Mr. ST GERMAIN. Mr. Speaker, January 22 each year is marked by many Members of Congress as the day on which to recall that 40 million people in the Ukraine are still held captive behind the Iron Curtain.

Forty-six years ago today the Ukrainian Republic was proclaimed despite the bitter opposition of the revolutionary government in Russia. The Republic was popularly constituted and had the backing of the great majority of the Ukrainian people. But fate and time dealt poorly with the Ukraine, despite every hope. It now languishes, suppressed and exploited, the major colony in the Soviet empire.

We should take this chance to emphasize to the world that the Ukraine was captured by the Communists against its will and is held by force. No country in the world ever received such treatment from the United States or ever will. We are here to proclaim that the Ukraine has as much right to its freedom, and to a government of the people, as any other country. Every American looks forward to the day when communism is defeated in the Ukraine and democracy allowed to flourish.

Mr. LINDSAY. Mr. Speaker, 46 years ago this month the Ukrainian National Republic declared her independence after centuries of subjugation under the yoke of Mongols and the Russian czars. The independence and liberty of the freedom-loving Ukrainians was almost immediately stamped out by the Soviet Communist dictatorship, but the indomitable spirit of the Ukrainian people survives despite the purges, repressions, and cruelties of the Communist dictators. The flame of liberty still burns brightly in the minds and hearts of the Ukrainian people.

Ukraine represents one of the most powerful forces of patriotic nationalism in Eastern Europe and the Soviet Union. Its invincible fight for national independence and freedom has forced Moscow to resort to a masquerade of Ukraine as an "independent" and "free" nation within the "federal" framework of the U.S.S.R.

As Prof. Lev E. Dobriansky, chairman of the Ukrainian Congress Committee, points out, we must offer our best in encouraging this spirit of nationalism in that captive nation. As he says, it would be foolhardy, indeed, to ignore our natural allies behind the Iron Curtain be-

cause Moscow is experiencing another "time of troubles."

With its 45 million population Ukraine was one of the first victims of Soviet Russian impericocolonialism and to this day has been the largest captive non-Russian nation both in Eastern Europe and the Soviet Union, Professor Dobriansky points out.

I am honored to pay tribute to this freedom-loving nation for her inspiring example in continuing the unabated struggle for recovery of the liberty which is rightfully hers. It is the sincere hope of America and the entire free world that soon the Ukraine will join them in the family of free nations.

It is fitting here that we also offer tribute on this occasion to all Ukrainian-Americans and to the Ukrainian Congress Committee of America, Inc., whose moral support and assistance in so many ways helps the people of the captive Ukraine to keep alive the spark of freedom and to maintain faith in their ultimate liberation. Again, I am honored to join my colleagues in paying tribute to this gallant, freedom-loving nation. We earnestly hope they will gain their goal of liberty.

Mr. PIRNIE. Mr. Speaker, 46 years ago in the great city of Kiev an independent Ukraine Republic was proclaimed. Released at last from Moscow's yoke, a proud people anticipated the blessings of liberty and self-government, but in less than 3 years the Red army brutally restored Kremlin tyranny in the Ukraine, obliterating the blazing fires of full nationhood. The Ukraine joined the long list of nations made captive by Russian imperialism. Recollection of their heroic resistance to Soviet oppression rekindles hope for eventual independence and continues to inspire freedom-loving people throughout the world. Not only must we preserve the memories of their struggle by annual recognition in the Congress, but this body should establish a Captive Nations Committee to better focus national and international attention on the menace of Red imperialism. Even though we cannot lift the Iron Curtain by force, we can proclaim the truth that we know will eventually free the multitude of peoples who currently inhabit the Russian prisonhouse of nations.

Mr. BUCKLEY. Mr. Speaker, January 22, 1964, marks the 46th anniversary of the independence of Ukraine. This is an anniversary that cannot really be celebrated because the 45 million citizens in the Ukraine live today under the cloak of Communist tyranny. Theirs is not a free and independent country.

With the rise of communism in Russia in the dark days of 1917 and 1918, the Ukraine became one of the first sovereign states to be overwhelmed by the colonialism of the Soviets. The darkness of Communist domination has covered the Ukraine from that day to this.

Within the breast of the people of the Ukraine, a constant yearning for freedom has burned ever brightly.

As a result, the Soviet Union has been forced to turn to a masquerade, wherein the Ukraine is held up to the free world as an independent and free nation within the federal framework of the U.S.S.R.

Those who are conversant with the facts know just how independent the Ukraine is. The day will come, however, when this independence will become a reality. Until that day arrives, I am proud to salute the Ukraine and its people on this 46th anniversary of their independence, knowing full well that some day it will take its rightful place in the family of free nations.

#### FIRM POSITION IN CANAL CRISIS

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Alabama [Mr. SELDEN] is recognized for 60 minutes.

Mr. SELDEN. Mr. Speaker, as chairman of the House Subcommittee on Inter-American Affairs, I have had numerous requests during the past 10 days for information dealing with our relations with the Republic of Panama. I would like to inform those who have requested such information that the Foreign Affairs Committee now has available reprints of a study prepared by the subcommittee. Although more than 3 years old, the report contains indispensable information for understanding the present crisis in United States-Panama relations. The report provides historical background, texts of the pertinent treaties with Panama, a review of Panama's grievances, U.S. efforts to relieve points of friction, suggestions which have been put forward as alternatives to U.S. control of the canal, and the subcommittee's recommendations.

Since the November 1959 riots along the Canal Zone border, the Subcommittee on Inter-American Affairs has followed developments in Panama carefully. In 1960, and again in late 1962, we conducted on-the-spot study missions in Panama and the Canal Zone. The reports of these study missions—which go into considerable detail regarding United States-Panama relations—are also available at the Foreign Affairs Committee.

Today I would like to clarify some of the issues involved in recent tragic developments surrounding United States-Panamanian relations.

First of all, let us consider the treaty arrangements by which the United States operates the Panama Canal. Under the basic agreement signed in 1903, the United States acquired in perpetuity the use, occupation, and control of a 10-mile strip of land across the Isthmus of Panama for the construction, maintenance, operation, and protection of a canal. Further, the Republic of Panama granted to the United States "all the rights, power, and authority within the zone—which the United States would possess and exercise if it were sovereign—to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield at that point?

Mr. SELDEN. I will be happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is the gentleman quoting now from the exact treaty document that was concluded between the

Republic of Panama and the United States?

Mr. SELDEN. That is correct.

Mr. EDMONDSON. I thank the gentleman.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Does the gentleman further mean to assure the House that the United States owns this property in perpetuity?

Mr. SELDEN. The Republic of Panama granted to the United States all the rights, power, and authority within the zone which the United States would possess and exercise if it were sovereign, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign right, power, or authority.

Mr. RIVERS of South Carolina. So, were the property located in the United States, the United States would have what in an individual we would call the fee simple title?

Mr. SELDEN. That is correct, except that I would say the Republic of Panama does have reversionary rights as far as the Canal Zone is concerned. If the United States should ever decide to give up the zone, then it would go back to the Republic of Panama.

Mr. RIVERS of South Carolina. Was there ever any understanding that the United States would have to renegotiate its holdings or its ownership of this property?

Mr. SELDEN. There was none.

Mr. RIVERS of South Carolina. But there was not any responsibility on the United States to do so?

Mr. SELDEN. Not at all. But it should be noted that the 1903 treaty was revised in 1936 and again in 1955 by the United States and Panama.

Mr. RIVERS of South Carolina. Is the gentleman going to cover this in the fine statement he is making?

Mr. SELDEN. Yes.

Mr. RIVERS of South Carolina. I would like to say to the gentleman, Mr. Speaker, that he has done an outstanding job in bringing to the attention of the American people our problems in Panama along with the distinguished gentleman from Pennsylvania [Mr. Flood]. I know of no two men in America or anywhere else who have done a more magnificent job for the security of America and, indeed, the free world. I hope that you, in your statement, will cover the vast benefits in dollars that these people have gotten from the Treasury of the United States and from the backs of our taxpayers. This has not been an unjust treaty. Panamanians have gotten 50 times more out of it than have we in the United States.

Mr. SELDEN. Mr. Speaker, I thank the gentleman for his remarks, and I assure him that I shall cover in my speech the points to which he has referred. As I intimated a few moments ago there has been much talk recently to the effect that a treaty secured 60 years ago is an outmoded relic of a bygone era. Panama's delegate to the United Nations, Mr. Aquilino Boyd, has been saying in New York that the 1903

treaty was secured under duress. Incidentally, Mr. Boyd was one of the leaders of the 1959 riots when the U.S. flag was torn to shreds at our chancery in Panama.

I would remind Members again that in 1936 and again in 1955, the United States and Panama revised the treaty arrangement, leaving intact the basic authority of the United States conferred by the 1903 treaty. Thus the revised agreement by which the United States runs the Panama Canal is only 8½ years old.

Clearly the architects of the original agreement and those who negotiated the subsequent changes wisely realized that authority and responsibility in the Canal Zone cannot be divorced.

In a recent speech Secretary Rusk called attention to the developing danger in the United Nations where the small nations, who contribute very little toward maintaining the United Nations or defending the peace, are becoming inordinately powerful within that world body. In short, United Nations experience is demonstrating once again the maxim that responsibility and authority must go hand in hand.

The subcommittee's special study mission to Panama recognized this basic principle in its 1963 report, stating:

The United States should be firm in resisting any erosion of its treaty rights in the Canal Zone.

At the same time, the subcommittee recognized that the efficient operation of the Panama Canal depends in large measure upon good relations between this country and Panama—especially the people of Panama. Certainly the United States has been and remains dedicated to a policy of securing the friendly cooperation of the Panamanian people.

Yet, in this endeavor, there are no easy solutions. United States-Panama relations are complicated by a complex intermingling of a number of historical, economic, political, and psychological factors.

The Republic of Panama is only half the size of Florida and has the smallest population in Latin America—slightly over 1 million people. The country is poor, with few natural resources. The per capita gross national product is only about one-seventh that of the United States. Moreover, income is badly distributed, being concentrated in the hands of relatively few families. Almost one-fourth of the population lives in single-room households of six members or more. Panama City boasts some of the most spectacular slums in the hemisphere. Unemployment in the terminal cities, Panama and Colon, reaches to about 17 percent of the working population.

Meanwhile, the canal slices the Republic of Panama in half. Panamanians in Panama City and Colon have only to cross the street into the zone to enter a different world. The contrast must be seen to understand its full impact. From a world of decaying structures, haphazard sanitation, and unfulfilled necessities, the Panamanian looks across the road into a neat American community,

with comfortable houses, plentiful food, modern schools, and manicured lawns.

Perhaps to the tourist's eye Panama is colorful. To the Panamanian who must endure the squalor, the presence of a prosperous American enclave is a constant goad. Furthermore, Panamanians are wont to connect the American level of living in the Canal Zone directly to the canal, and draw the conclusion that the canal is a cornucopia of all good things which they see beyond their reach in the zone.

The attitude that the canal represents the Nation's best hope for prosperity has roots back to the arrival of the Spaniards on the isthmus. Since earliest colonial days Panamanians have lived by supplying goods and services to people transiting the isthmus, first by mule, then by railroad in the 1850's, and finally by ship.

Preoccupation with commerce precluded the Panamanians from giving proper attention to other aspects of the economy. Only 1.4 percent of the country's rich hydroelectric potential has been developed and this is highly concentrated in the terminal cities near the Canal Zone. In rural areas electric power is sporadic, if it exists at all. In the economically vital central provinces only 12 percent of the population is served. Although two-thirds of the people live in rural areas and the country has unused land suitable for cultivation, Panama must import 12 percent of its food requirements. The present system of roads reaches only about half the rural settlements. What roads there are are of dirt construction usable only during the 4 months of the dry season.

This concentration on commerce which led to a neglect of most other resources also gave rise to differing views between the United States and Panama with regard to the canal. The U.S. objective has been the efficient operation of the waterway for international commerce at reasonable rates and for defense purposes. The Republic of Panama has regarded the canal as a source of revenue.

Earlier this week in a broadcast from Panama, Dr. Manuel Fabrega—a former foreign minister and an adviser to President Chiari—stated that Panama's chief resource is its geographic position, hence the canal should provide Panama great profits.

Dr. Fabrega's argument ignores two major considerations. In the first place the canal is not a floating cash register. While gross revenues—which include tolls, sales of commodities, service sales and rentals—amounted to over \$100 million during the last fiscal year, net revenue was only \$2.4 million. Thus, the \$1,930,000 annuity which Panama received during 1963 was more than two-thirds of the net proceeds from canal operations. Furthermore, over and above the normal operating expenses, last fiscal year the Panama Canal Company put in about \$14.6 million in capital expenditures, principally to enlarge Gaillard Cut and to install lights on the locks and a new power plant.

Secondly, Dr. Fabrega ignores the enormous contribution which the canal does make to Panama's economy. Income for Panama generated by the canal



far exceeds the \$1,930,000 annual annuity. Such factors as the payment of salaries and annuities to Panamanians employed in the zone, purchases made in Panama by U.S. Government agencies, expenditures made in Panama by U.S. citizens residing in the zone, et cetera, add up to over \$80 million a year. This dollar income helps substantially to offset Panama's traditional excess of imports over exports, and hence to maintain Panama's balance-of-payments position.

Panama's emphasis on the canal as a direct source of revenue is unfortunate not only from the point of view of the United States. Other countries have vital interests in the efficient operation of the canal. For example, almost one-fourth of the total commercial tonnage which transited the canal in fiscal year 1963 originated in or was destined for Japan. Forty percent of the total commercial tonnage originated in or was bound for Latin America.

Unfortunately, the small group of men who hold in their hands most of the wealth and political power in Panama, as well as all the media of information and communications, have found the canal an expedient political tool. Elections are largely a jockeying among the few at the top for a turn at bat. And there is the canal, vast and visible and foreign operated—an inviting target.

Over the years Panamanian politicians have found that the canal provides them a triple-headed weapon: First, it is a convenient scapegoat upon which to blame their own failures to solve their nation's pressing economic problems. They can continue to keep taxes low and largely evade even those on the books; run the government in such a way as to enhance their own fortunes; and ignore the social and economic development of their country. All they have to do is divert popular discontent by claiming that, if only the United States would be more generous with their only natural resource, everything would be rosy. Needless to say, the Panama Canal is not a natural resource. Rather, it is a contribution to hemispheric development constructed at great sacrifice and cost by the United States.

Second, the canal has proven to be an effective votegetter among the Panamanian people, who are extremely sensitive to slights against their national pride.

Finally, by exploiting this nationalistic sentiment, Panamanian leaders have been able to enhance their bargaining power with the United States. And each time they win a concession, they can go proudly before the Panamanian electorate while at the same time gaining another short reprieve in which national problems need not be faced squarely.

This is not to say that all of the Panamanian grievances which have cropped up have been without foundation. In the past 61 years the United States has taken many steps to ameliorate frictions which have developed.

These include: Renouncing the right to intervene in the terminal cities to maintain public order and to expropriate additional land for canal use; agreeing

to the principle of equality of job opportunities for Panamanian nationals; agreeing to discontinue the manufacture and processing of goods in the Canal Zone if they are available in Panama in satisfactory quantities and qualities and at reasonable prices; permitting the Panamanian flag to fly in the Canal Zone.

This last concession—the trigger to our current difficulties in Panama—was the result of a 1960 order of President Eisenhower, which bypassed the Senate and disregarded the overwhelming opposition of this body to the flying of the Panamanian flag in the Canal Zone. This action of the Eisenhower administration, in the opinion of a great majority of the Members of the House of Representatives, constituted a basic change in treaty interpretation which should not have been accomplished without due constitutional process.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. RIVERS of South Carolina. I think one of the greatest mistakes this country ever made was when the President of the United States—the then President—issued the order for the flying of that flag at that time without the consent of the Congress of the United States. We were never taken into the confidence of the President and of the State Department on this action. I think this is the one thing that has brought this trouble to our doorstep today. Would not the gentleman conjecture that that was a serious mistake?

Mr. SELDEN. As I pointed out a moment ago, I feel that this action is definitely connected to our current difficulties in Panama.

If the gentleman will remember, I introduced legislation which was considered and passed overwhelmingly on the floor of the House expressing the sense of the Congress that such action should not be taken except by due constitutional process.

Mr. RIVERS of South Carolina. That is correct.

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

Mr. SELDEN. I yield to the gentleman.

Mr. LINDSAY. I appreciate the gentleman's remarks and I appreciate the gentleman yielding to me. I just hope that before the gentleman has concluded he would be so kind as to advise the House as to why in this current ruckus there was no U.S. Ambassador to Panama in office and that prior to that a distinguished U.S. Ambassador had been removed and that during the height of the difficulties in Panama, in fact, the Governor was not even in residence in the Canal Zone. Before the gentleman has concluded, I would like to hear some discussion of that, particularly in view of the reference to the alleged error that was made by President Eisenhower.

Mr. SELDEN. Let me say in response to the gentleman that as far as I know, the distinguished Ambassador to Panama, Mr. Farland resigned. If he were removed, as the gentleman from New

York [Mr. LINDSAY] has stated, that is news to me. As far as I know, no new Ambassador has been confirmed by the Senate although an appointment was made by President Kennedy.

I assume that after President Kennedy's death ambassadorial appointments were held up until the new administration had had a chance to make its own selections.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. ROGERS of Florida. I want to say to the gentleman that I know the Members of the House are very conscious of the leadership the gentleman has exerted in this field. I think the gentleman is an outstanding expert, being the chairman of the Foreign Affairs Subcommittee on Latin America. I know the time and effort he has put in on trying to firm up the policy of this country and holding firmly on this issue. I was particularly pleased to see the views of the gentleman from Alabama set forth in one of the major publications, U.S. News & World Report, where he has again reiterated for the benefit of the American people the fact that we should and must maintain a position of firmness in this particular controversy. I think what the gentleman is doing today in giving the background and showing the problem that has existed, and the handling of it, certainly should be noticed most emphatically by our Department of State, by the administration, and by all those who will have to deal with this problem as it develops in showing that the Congress wants a firm policy here to continue. I think the gentleman certainly is responsible in large measure for the fact that to date we have taken a firm position. I commend the gentleman and join with him in calling for a continued firm policy in handling this particular situation.

Mr. SELDEN. I thank the able gentleman from Florida for his remarks, and I am pleased that he agrees with the position I have taken.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield at this point so that I may comment on the point raised by the distinguished gentleman from New York?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Let us get the record straight. An Ambassador was designated to Panama. The former Ambassador resigned. The Governor was on his way to testify before a congressional committee, but he got as far as Miami and went back so fast it would make your head swim. Now this I believe is a fact. I think there is more than an "alleged mistake" made by a prior administration. It just happened in that administration. It is not an allegation; it is a fact.

Mr. LINDSAY. Mr. Speaker, would the gentleman yield at this point?

Mr. RIVERS of South Carolina. If the gentleman would permit me to conclude my statement, I am sure the gentleman from Alabama will yield to you since he has yielded to me.

Mr. LINDSAY. It is always a pleasure to hear my friend speak.

Mr. RIVERS of South Carolina. Well, each of us can learn something once in a while, I am sure.

Let me say this to the gentleman. We must maintain a firm position. To the eternal credit of Lyndon Johnson, this is what he is doing.

We must back him up. We can ill afford not to give him the backing he needs at this time.

In my city of Charleston, S.C., every single evacuee who has been landed during the past couple of weeks—and more than 1,200 of them have—lived on the economy. Members should hear the harrowing tales those people have told me, as have others, when they got off those MATS planes. I saw little children, with their parents, who had brought nothing with them but the pajamas they were wearing. They were literally kicked out of their houses.

There has been talk about students leading riots, but some of these so-called students were 45 or 50 years old.

I said yesterday, as I say today, they were, in my opinion, fresh from an indoctrination on the island of Cuba. That is where those people were indoctrinated. I have said, as I said in 1960, behind all of this is Fidel Castro.

Unless and until we take a firm stand, in the future we shall have much more trouble in this and other places.

This small country—small as it is—could not exist without our help, in my considered opinion. We must, therefore, continue to be firm.

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

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

Mr. EDMONDSON. I certainly wish to join my other colleagues in commending the gentleman from Alabama for the presentation he is making today. One of the best parts of it is the fact that it has been a bipartisan presentation. The gentleman is not endeavoring to make "partisan medicine" out of this, because he has clearly indicated by his remarks that concessions to the Panamanians took place in 1936, under the Roosevelt administration, as well as in 1955 and 1960 under the Eisenhower administration.

I believe it is to the credit of this House that on February 2, 1960, when the question of whether we should have additional executive concessions without congressional approval was before this House, by a vote of 382 to 12, with a definite bipartisan majority, this House went on record as opposed to any further executive giveaways of sovereignty or authority in the Panama Canal Zone.

I hope we can continue to give to President Johnson strong bipartisan support for a firm position against the yielding of any of America's rights in the Panama Canal Zone.

Mr. LINDSAY. Mr. Speaker, will my good friend from Alabama yield?

Mr. SELDEN. I will yield to the gentleman from New York, and then I would like to finish my statement. After I have

done so, I will be glad to yield to anyone else who wishes me to do so.

Mr. LINDSAY. I should like to comment, not necessarily in disagreement with our distinguished friend from South Carolina, because I have a high regard for him, as I do for the gentleman in the well.

I agree with the gentleman from South Carolina [Mr. RIVERS], who is an expert on this subject. I always listen to him very carefully. I agree with what he said on the infiltration that occurred in Panama. The riots were unquestionably if not triggered off at least carried on as a result of infiltration by hard-core Communist infiltrators from Cuba. There is no doubt about that.

I believe, however, that at some time the question must be answered as to what happened to our distinguished former colleague from Maine, Frank Coffin, and the nomination which was made by the late President. I understand that nomination has been put on the back burner, if not thrown in the ashcan altogether.

To me this is quite serious. I believe it is a lapse about which the Congress has the right to ask questions and about which Congress should ask questions. Unless all the press is incorrect, there were real differences between the former Ambassador and elements of the Congress, and possibly of the executive branch, though I do not know.

I should like to ask the gentleman a question. If it was an error for President Eisenhower to suggest that the Panamanian flag be flown simultaneously with the American flag, was it in error for President Johnson—and I am not arguing it was—to order that the Panamanian flag be flown along with all American flags on all flagpoles rather than at only one location?

Mr. SELDEN. I will respond briefly to the gentleman, and then I should like to continue with my statement.

As the gentleman from Oklahoma pointed out, I have attempted to make this a nonpartisan statement. I merely pointed out that among the concessions which have been made—and there have been many—one concession, which happened to be made by the Eisenhower administration, was opposed by a record vote of this House. I feel the executive branch made a mistake in connection with that particular concession. Yet when one Panamanian flag was flown in the zone a precedent was established and it should have been obvious to all that further demands would be made and granted for the flying of additional flags. As far as the appointments of ambassadors are concerned, I presume we would have to secure information on that subject from the executive branch of our Government. As I stated earlier, however, perhaps the death of President Kennedy had something to do with the delay of the appointment and confirmation of an Ambassador to Panama.

I wish to say again, however, that the list of concessions over the years has been a long one. I have merely named a few. For those who are interested, all of these concessions can be found in the various reports which have been sub-

mitted by the Subcommittee on Inter-American Affairs, which are available in the Foreign Affairs Committee room.

With respect to concessions, the special study mission reported in 1963:

It seems unlikely that efforts to promote more friendly relations between residents of the zone and Panamanians or the granting of concessions will be sufficient to contain further manifestations of nationalism. Rather, it seems probable that concessions will merely encourage more sweeping demands.

Yet, the subcommittee has not ignored the responsibilities of Zonians who by their day-to-day conduct have a considerable bearing on our own Government's relations with the Government and the people of Panama.

In the subcommittee's 1960 report we stated:

The subcommittee recognizes that U.S. residents in the Canal Zone perform a great service for their country at certain personal sacrifices. At the same time, American citizens in the Canal Zone have a special responsibility to assist to the maximum extent toward furthering amicable relations with nationals of the Republic of Panama. The subcommittee approves every effort to assure U.S. citizens in the zone a standard of living comparable with that which they would enjoy in continental United States. However, the Republic of Panama is no longer the isolated frontier civilization of construction days which motivated the U.S. Government to adopt measures designed to mitigate harsh living conditions. Unfortunately, there exists a human tendency to regard emergency measures which endure for a long period of time as vested interests. The subcommittee is confident that officials of the U.S. agencies operating in the Canal Zone, in living up to our treaty commitments with Panama, will take into consideration the welfare of the residents of the zone. At the same time, the subcommittee urges the Panama Canal Company and Zone Government to emphasize to their employees their responsibilities as U.S. citizens living in a unique situation.

Nevertheless, the way in which some commentators have criticized the Zonians and leaped to the conclusion that U.S. treaty rights should be renegotiated is nonsense.

There is another side to this coin. Panamanian officials are not innocent bystanders in the recent unhappy events. The manner in which an incident involving schoolchildren escalated into full-blown riots in which some two dozen people lost their lives and hundreds were injured needs to be explored.

It must be noted that on Thursday, January 9, from the time the Panamanian schoolchildren sought to raise their flag at Balboa High School, Panamanian radio stations, which are owned by prominent political figures in the Republic, broadcast inflammatory reports of the flag incident and the subsequent rioting. These reports presented a distorted view of the activities of the Canal Zone police and zone residents, and generally described the events as a patriotic struggle for Panamanian sovereignty in the zone. These broadcasts intentionally incited the Panamanian people.

Panamanian elections are upcoming in May. Again Panamanian office-seekers seem to have found it expedient to whip



up a nationalistic fervor, then to present themselves as the most fervent of nationalists.

At the same time there is no question of the presence of trained Communist agitators in the mobs that tried to force their way into the Canal Zone. The rapid appearance of Molotov cocktails and the efficient manner in which buildings were demolished attest to the presence of expert organizers of chaos.

It may be that the Zonian schoolchildren were insensitive to a delicate political situation. But the real catalysts to the tragic riots of recent weeks in Panama were the Communists, who seized an opportunity to foment violence, and those Panamanian officials who aroused the people's emotions, then could not contain them.

Last April the special study mission warned:

It is increasingly clear that nationalism as a political weapon is no longer the sole possession of the governing group.

Perhaps, the tragic bloodshed 10 days ago will make this evident to the ruling classes in Panama.

In the meantime, the United States alone cannot resolve the present dead end into which the Panamanian Government has driven itself. President Johnson was correct to insist on the restoration of order and diplomatic relations before resuming discussions with Panama. The Panamanians must be made to understand that the United States cannot be blackmailed by a rioting mob.

If this means a prolonged break in diplomatic relations and an indefinite postponement of discussions of honest areas of disagreement, so be it. The administration should make unequivocally clear that we are prepared to run the canal and maintain safe the lives and property within our jurisdiction in the Canal Zone.

Let it be noted that the ruling group in Panama has in its power, through its ownership of all the news media, to create the climate of understanding and cordiality which is necessary for further discussions. Instead of grossly exaggerating canal matters and leaving false impressions with their own people, they could be presenting a true picture of how much the canal has meant to Panama and how the United States, through the Alliance for Progress, is striving to bring meaningful economic progress to the Republic.

For our own part, we would do well at this juncture to explore seriously the possible routes outside the Republic of Panama for the construction of a nuclear-blasted sea-level canal. If by their irresponsible leadership the ruling group in Panama cause the bypassing of the Panama Canal as a major route in hemispheric and world commerce, they will have to answer to their own people for their folly.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, I want to congratulate the gentleman on one of the finest dissertations

I have ever heard on this or any subject. He has given us a document that should be in the Archives of the Congress of the United States and made available to the American people. He has done an outstanding job. I want to congratulate him because I wish that every Member of the House, as well as of the other body, could have heard this fine, this excellent defense of America and of the free world, and the accurate appraisal of what transpired in this troubled part of our hemisphere.

Mr. SELDEN. I am very grateful to my distinguished colleague from South Carolina. I can assure him that I am aware of the position of firmness he has always taken when the prestige of our Nation is at stake, and I am extremely pleased that he concurs in the remarks I have made here this afternoon.

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

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

Mr. EDMONDSON. Mr. Speaker, I would like to join my colleague from South Carolina in complimenting the gentleman from Alabama for the statesmanlike presentation which he has made. I think he has spoken with a cool head and yet I think his position in favor of a firm hand is also unmistakable.

The post which he holds as chairman of the Subcommittee on Inter-American Affairs has certainly put him in a position of responsibility in connection with this issue for a long time. It is to his very great credit that in the debates on February 2, 1960, in connection with the resolution that he brought to the floor, he predicted with clarity, I think, exactly what would happen if we yielded on this score. The remarks of the gentleman from Alabama can be found in the CONGRESSIONAL RECORD, volume 106, part 2, page 1798. He stated very definitely that the flag matter would be an opening wedge in a long chain of demands to yield to the ultimate assumption by Panama of complete sovereignty over the canal. That was the prediction of the gentleman from Alabama on that date. He was backed up in that prediction by the able gentleman from Texas [Mr. BURLESON] who spoke along similar lines.

The United Press International story of January 20, 1964, gives the sequel to this story because on that date, as referred to previously by the gentleman from Alabama, Mr. Aguilino Boyd appeared before the television cameras of the country and demanded that we give to the Panamanians control over the Panama Canal. He made it very clear that the Panama Canal for Panamanians was the goal of the drive that is now going on in his country.

To my way of thinking this not a question of expropriation of private property or any question in which the sovereignty of the Republic of Panama is involved. This is a question of standing by our Government's treaty rights. It is a question as to whether the people of Panama are going to stand by the Government's treaty obligations and whether they are going to respect international law and

order and decency while they attempt to discuss the changes that they feel should be made.

Personally I strongly endorse the position which has been stated by the gentleman from Alabama and which I believe is held today by the President of the United States. We should refuse to continue discussions of any kind under the threat of force or blackmail. We should require that an orderly situation continue in effect at the canal for some time before we sit down at a table with the representatives of the Republic of Panama. When we do sit down with the representatives of the Republic of Panama I think it should be made clear at the outset that while we may be willing to discuss with them areas of honest disagreement, we certainly are not willing to even discuss the question of control of the canal and the responsibility for its operation and defense. These are points that are not negotiable as far as the American people are concerned, and I certainly hope they are points that are not negotiable as far as the Chief Executive of this Nation is concerned.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SELDEN. Mr. Speaker, I thank the distinguished gentleman from Oklahoma for his excellent contribution to this discussion of United States-Panamanian relations.

#### PANAMA CANAL—A FEDERAL CORPORATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mrs. SULLIVAN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, as chairman of the Subcommittee on Panama Canal, of the House Committee on Merchant Marine and Fisheries, responsible for all legislation pertaining to the operation and maintenance of the Panama Canal and the Canal Zone, I have been very close to the many problems of this area for many years.

Because of the very delicate situation existing between the United States and Panama at this time, I have refrained from making any public speeches or statements concerning the present conflict. This is true also of the members of my subcommittee. We have been, and are being constantly advised of the events as they are taking place in the area.

However, I have been greatly concerned over a number of statements in both the United States and Panama press concerning the desirability of increasing payments to Panama out of canal revenues. Unfortunately, in all the information which has been presented in the press about our operation of the canal, there has been almost no material on just how the Canal Company is set up and what its financial circum-

stances really are. This is not a money-making enterprise.

The Panama Canal Company is a Federal corporation in which the President is the sole stockholder and as such corporation it files an annual report which is available for examination. The latest report, that for the fiscal year 1962, shows that transit tolls have increased from \$37.5 million in 1953 to \$58.3 million in 1962. Unfortunately, advocates of larger payments to Panama concentrate on this figure rather than on the net revenue of the Company which has varied from \$300,000 in 1955 to \$7.3 million in 1962.

For the period following the published reports, I am informed that the net revenue of the Company for the current fiscal year is \$2.3 million and that there is every reason to believe that there will be no net income for the next fiscal year.

The decrease in net revenue arises from two things. First, there has been a leveling off of tolls by reason of a decrease both in number of ships and cargoes and recent wage increases given to Panamanian employees, in the amount of \$7 million per year, which wiped out not only the current net income but also accumulated reserves.

By reason of these facts, necessary work to keep the canal abreast of its expected increasing traffic has been deferred.

Transits through the canal have increased from 807 in the year 1916 to over 13,000 in 1963, and the tonnage carried has increased from slightly over 3 million to almost 64 million tons. The canal presently is operating at a capacity undreamed of by its designers but such was the soundness of their design and engineering and such is the ability of the present employees that present operations are being conducted without strain. However, it has been necessary to continue work to meet the increasing demands and since 1953 through the end of fiscal 1963, a total of \$122.7 million has been spent on canal improvements. These include lighting of Gaillard Cut and the locks to permit 24-hour operation, the purchase of faster towing locomotives, widening of the cut from 300 to 500 feet to permit uninterrupted two-way traffic and numerous other minor but equally important improvements.

During the next 2 years, it was anticipated that an additional \$25 million would be required to conduct the improvement program which is vital to maintain the free and uninterrupted flow of traffic as it increases.

Primarily because of wage increases given the Panamanian employees, this program will be slowed, with possible adverse consequences to the operation of the canal.

In addition to all of the varying expenses necessary for the maintenance and operation of the canal which must be paid out of the tolls revenues, there is an additional amount of \$1.5 million a year paid to Panama under the terms of the 1955 treaty which is not reflected in the expenses of the Canal Company. If this sum is deducted from net revenues of the Company, the current year net income would be only \$800,000 and

there would be a sizable deficit for the coming fiscal year.

It is extremely difficult to determine a reasonable source for any additional payments to Panama since the 1960 report of the board of consultants of the House Committee on Merchant Marine and Fisheries pointed out that while world shipping could stand a moderate increase in tolls, if a substantial increase were placed in effect, there would be an appreciable decrease in the traffic through the canal, so that the toll increase would not serve to appreciably increase the gross revenues of the Company.

#### NEED FOR LONG-OVERDUE REVIEW OF OUR IMMIGRATION POLICY

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, a misleading article appeared in the New York Times on January 14, 1964, on the status in Congress of administration proposals for revision of our immigration policy. That article, written by Tom Wicker, attempted to portray me as holding up a full-scale congressional review of immigration policy and therefore the prime opponent of new legislation. I quote the false charge in the Wicker story:

An administration source said Mr. Feighan was the prime opponent to new legislation.

After reading that false but planted charge, I telephoned the White House and spoke to Mr. Myer Feldman, Deputy Special Counsel to the President, and asked him if that charge represented the thinking of the Johnson administration. He replied emphatically that it did not. I then asked him if he knew the source of the false charge. He replied that he did not know the source but that it did not originate with any responsible people in the Johnson administration. I asked him what he intended to do to set the record straight. He requested that I quote him as correctly representing the administration's position in his repudiation of the charge in the New York Times story.

I invite members of the press, Members of Congress and the interested public to telephone or write Mr. Feldman at the White House for any further details they may require.

Let me identify the role of Mr. Feldman in the matter. I was at the White House meeting on January 13, 1964, as reported in the New York Times article to which I have referred. President Johnson informed me at that time he had assigned Mr. Feldman to immigration matters and that Mr. Feldman was to cooperate with me in my capacity as chairman of the Joint Committee on Immigration and Nationality Policy and as chairman of the Subcommittee on Immigration and Nationality of the House Judiciary Committee. It was only natural that I should turn to Mr. Feldman for a clarification of the false charge in the New York Times story.

After Mr. Feldman clarified the administration position on the New York Times story, I initiated discreet but pointed in-

quiries into the source of that false charge. I did not telephone Mr. Wicker, the vehicle used for it, because the press has a right to protect its sources and I was convinced Mr. Wicker would invoke that right to protect his misinformers. Since Mr. Wicker did not seek my reaction to the statement of an alleged administration source before filing his story, I could hardly expect him to reveal his source. But there are other means open for identifying and pinning down such faceless "administration sources." The results of my inquiry point the steady finger of truth at a high-ranking political appointee in the Department of State. While the long finger of truth is pointed at him, the opportunity is still open for him to clear himself of involvement in misrepresentation of the Johnson administration. He can do that by simply stating publicly that he was not involved, directly or indirectly, in using Mr. Wicker of the New York Times as a vehicle to misrepresent the Johnson administration. I am not questioning his personal convictions, which he is entitled to and which are well known, but if Mr. Wicker confused his personal convictions with the views of the Johnson administration, that confusion must be cleared up forthwith. No one has the right to drape his personal convictions over this or any Federal administration while he reposes safely in the bombproof shelter of the faceless mass in the Department of State.

The prime opponents to new legislation are those who have opposed and continue to oppose full and open inquiries by the Joint Committee on Immigration and Nationality Policy. It is the statutory function of the joint committee to make a continuing study of first, the administration of the immigration laws and its effect on the national security, the economy and the social welfare of the United States, and, second, such conditions within or without the United States which in the opinion of the committee might have any bearing on the immigration and nationality policy of the United States—section 401, Public Law 414, 82d Congress. These congressional responsibilities have not been discharged because the Joint Committee was not activated until July of 1963 and then was confronted with the lack of funds to discharge its responsibilities.

As chairman of the Joint Committee I initiated action in Congress on August 1, 1963, to secure the funds required to launch the work of the Joint Committee. If Congress is to act intelligently, objectively, and expeditiously on the administration's proposals for revision of our immigration policies, Congress has a first duty to establish all the facts bearing on those proposals. Congress should not be expected to act in the dark on any matter, let alone a matter of high public policy such as immigration. Moreover, the people are entitled to know all the ramifications of our present immigration policy and to be informed of the merits as well as to hear the arguments advanced for change in that policy. It is the duty by law of the Joint Committee to meet those responsibilities and I intend to see that those responsibilities are met.



It is significant to note that the last budget request made to Congress by President Kennedy, November 21, 1963, carried a request for funds to initiate the long overdue work of the Joint Committee on Immigration and Nationality Policy. That request, so far as funds for the work of legislative committees is concerned, was the only one blocked from consideration by Congress during the closing days of the first session. If those blocking efforts continue, I have no other course open but to put the full facts before the Congress and the American people, including public exposure of the name of the prime blocker and his close associates in efforts to prevent full and open inquiry by Congress.

Let me make the record clear. As soon as the hearings on immigration and nationality policy are concluded, the subcommittee of the House will then be in a position to consider substantive legislation to be presented to the Congress. Time is of the essence in this matter, as I have repeated to interested parties, and the sooner the hearings are completed on policy the sooner will Congress be able to take up specific legislation relating to that policy.

#### A FULL INVESTIGATION NEEDED

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, it is time for committee investigators of the other body to quit toying with Mr. Walter Jenkins and engage in serious questioning of this man as to his involvement in the gift of a stereophonic set to Lyndon B. Johnson.

It is clear favoritism to permit Jenkins to submit the type of statement that he did to the Rules Committee of the other body. The issue is clear:

Was pressure put upon Don B. Reynolds, a Maryland insurance agent, to force him to rebate or kickback things of value—an expensive stereo set and \$1,200 in unneeded advertising—to Lyndon B. Johnson and the L.B.J. Co.?

There apparently is no doubt that Reynolds paid for the advertising on the Austin, Tex., radio and television station, and it should be obvious that Reynolds' Maryland insurance firm had no need for it.

According to Reynolds' testimony under oath, he did not want this advertising time on the Austin station and he apparently worked out some kind of an arrangement to resell the time to a neighbor, Albert Young, who sells stainless steel ware. All of the documents thus far sustain Reynolds' version of this transaction, and it should be easy for the Rules Committee to call Mr. Young to determine if he was present at a meeting with Walter Jenkins when there was discussion of this advertising matter.

The questioning of Mr. Young and the investigation of further documents should be supplemented with a thorough questioning of Walter Jenkins under oath so that the public may know whether Jenkins' fuzzy explanation is fact or an attempted coverup.

It is important to know whether Jenkins, now reported to be the No. 1 aide at the White House, was a party to a scheme for extracting \$1,200 for the L.B.J. Co. from this Maryland insurance man.

It is also important to know just how much Lyndon B. Johnson knew about the gift of a stereo set from the same Don B. Reynolds who had written \$200,000 worth of insurance in favor of the L.B.J. Co.

The White House admits the stereo set was delivered to the Johnson home; that it was a gift, and that it was apparently selected by Mrs. Lyndon B. Johnson from a catalog supplied by Bobby Baker. The point at issue is whether Lyndon B. Johnson thought this expensive gift came from Reynolds or whether he thought it was a gift from his longtime friend, associate, and protégé, Bobby Baker.

I am not fully acquainted with how things are run on the other side of the Capitol, but it would seem to me that even if the White House version is correct, Mr. Johnson should have raised some questions if his \$19,500 a year protégé suddenly bestowed a stereo set, with an \$800 or \$900 retail value, on him as a gift.

Perhaps this type of thing was not unusual in the world Bobby Baker inhabited, especially from 1955 to 1961. As I recall from some earlier statements, it was in this same period that another friend said he gave Baker a piece of a Florida land deal because he felt Bobby had great need for extra money because of a young and growing family. It appears that the war on poverty started some time ago.

Apparently Bobby Baker was many things to many people. He was a contact for an abortion, a ready store of large stacks of cash money, a wheeler and dealer on the District of Columbia Stadium legislation, a Capitol contact for the Teamsters' Union crowd, a vending machine kink, and a magician who could produce free stereo sets out of a \$19,500 salary.

This scandal has so many ramifications that it would appear the House should set up a special committee to examine some of the tangents of the Baker probe, including the activities of one Matthew H. McCloskey, contractor for the construction of many federally financed buildings and bridges, including a badly defective Veterans' Administration hospital in Boston, Mass.

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

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I have listened with some interest to the remarks of the gentleman, as he has proposed the creation of a congressional committee in the House. I wonder if the gentleman believes that committee also should include in the scope of its inquiry the numerous bulls and expensive pieces of equipment which were delivered to the Eisenhower farm in Gettysburg during the time Mr. Eisenhower was President.

Mr. GROSS. I am well aware of that. I never condoned it when Mr. Eisen-

hower was the President. I questioned the preferential tax treatment which was given to the former President with respect to his book.

All of these things I have criticized in the past. I believe the gentleman from Oklahoma well knows my position on many issues during the administration of President Eisenhower.

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

Mr. GROSS. I am glad to yield.

Mr. EDMONDSON. I am quite sure the gentleman makes no distinction in his judgment on the propriety of the different gifts, and I am quite sure that he would have abundant support for his position that gifts of this type should be examined closely by the recipient.

Mr. GROSS. That is correct.

Mr. EDMONDSON. I do not recall the gentleman ever previously demanding a congressional committee to look into any of the numerous gifts that went to the Eisenhower farm at Gettysburg during the period of time he was there. If my knowledge of choice and fine beef is at all accurate, I have an idea that the former President, who has the ranch at Gettysburg, probably received more monetary value in beef each week than would be represented by the stereophonic set which has been talked about here on the floor.

Mr. GROSS. I say to the gentleman, I might have thought that the gentleman from Oklahoma would ask for an investigation committee to look into some of those things.

Let me point out that a congressional committee did investigate the Goldfine matter, the vicuna coats, and that sort of thing during the Eisenhower administration. I believe the gentleman recalls that investigation resulted in the early retirement of the then No. 1 White House aide to President Eisenhower.

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

Mr. GROSS. I am glad to yield.

Mr. EDMONDSON. I do not take any exception to anything the gentleman said, but I believe the reference to the stereo set ought to be put in context with some of the things that happened during the Eisenhower administration.

The gentleman is frank and honest about it. He will admit that many items of much greater value than a stereo set were delivered to the Eisenhower farm without any particular congressional disturbance on the matter.

Mr. GROSS. If I recall correctly, the Democrats were overwhelmingly in control of both Houses of the Congress during all but 2 of the 8 years of the Eisenhower administration, and they could very well have constituted any number of investigating committees. That would have had my approval and my support.

#### TRADE EXPANSION WITH RUSSIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 30 minutes.

Mr. LAIRD. Mr. Speaker, the decision of our Government to permit the sale of wheat in large quantities to Communist

countries is now history. When the late President Kennedy informed the Nation that the Government had decided to approve such a sale, much was made of the fact that this would be a one-shot transaction. I doubted it then and I am more convinced now that far from being a one-shot deal, our decision to expand trade with the Communist countries will become a long-range commitment.

When it became obvious that the executive branch would refuse to delay a decision until the appropriate committees of Congress had an opportunity to study the ramifications of such a decision, the senior Senator from Wisconsin, Mr. PROXMIRE, and I joined together in requesting an in-depth study of Soviet bloc grain trade. Three Soviet experts under the auspices of the American Enterprise Institute prepared a study in compliance with our request. They are Prof. Warren Nutter, of the University of Virginia; Prof. George Macesech, of Florida State University; and Prof. Stanley J. Zynievsky, of the University of Kentucky.

At the conclusion of my remarks, I ask unanimous consent that the two-part study on Soviet bloc grain trade be included in the RECORD.

Mr. Speaker, several very important considerations emerge from the evidence presented in this highly informative study. In the first place, a convincing case is made for the proposition that the Communists face a long-range problem in agricultural production. It is demonstrated that because "the United States, Canada, and Australia hold the principal carryover stocks of wheat outside the Communist countries," there is every reason to expect that the Communists for a long time to come face either of two grim alternatives: they can reduce their consumption of wheat, or they can make up their losses through increased imports from non-Communist countries. The principal reason for the Communist prospects of a long-range crisis in agriculture is contained in the following statement from the study:

The next question to ask is whether the emergency is likely to extend beyond this year. The possibility that it will do so should by no means be ruled out. The fragmentary evidence so far published clearly implies that the failure of the wheat crop occurred mainly in the new lands region of the Soviet Union. These are lands of marginal and highly variable rainfall and growing season. This year's crop failure has been widely attributed to an unusually severe drought coupled with other adverse weather conditions, and this diagnosis is most likely correct. But the situation may be much more serious than loss of a single year's crop.

Ever since the new lands were first plowed up, many Western specialists have doubted that they could yield crops over a sustained period unless they were sparingly cultivated, each plot being left fallow for a relatively long time after each short period of cultivation so that it might recapture lost soil moisture. The Russians have, however, not done this. On the contrary, they have heavily exploited the land year after year, leaving less and less of it in fallow at any time. One expects such a policy to lead to creation of a dust bowl, and this may be what has in fact happened. The primary evidence pointing in that direction is the intensive campaign, launched in the Soviet

press immediately after the first harvestings this fall, to solve the Soviet agricultural problem through irrigation and massive applications of fertilizer.

It may well be that we can look forward to substantial imports of wheat into the Soviet bloc over several years to come and perhaps indefinitely. In that event, the entire wheat situation in the non-Communist world would turn itself around: Wheat would cease to be a surplus commodity, and subsidies might not be needed to support prices at current domestic levels.

Mr. Speaker, in addition to a detailed analysis of the production and consumption and the export and import of wheat in the Communist countries, this study also attempts to analyze some of the implications contained in a U.S. decision to liberalize trade relations with Communist countries.

It is stated, for example, that "there are those who hold that any increase in economic contacts between East and West is likely to have a moderating effect on the internal climate of Communist politics." While admitting the possibility that if the Soviet economy becomes more consumer oriented, greater efforts will be made to expand trade, it is suggested that the real question is whether the converse is true; namely, whether widening of trade relations will cause the Soviet economy to be more consumer oriented. In the opinion of the author, this seems more doubtful.

He suggests instead:

Rather than opening trade and hoping for the best in the way of improvement in political relations, it would seem much more prudent to require some concrete political concessions as a condition for opening trade. The one thing we know now is that the bloc is suffering serious economic difficulties, difficulties that can be ameliorated through better trade relations with the West. Soviet leaders should be willing to pay something for the amelioration, and the most important payment from our point of view would come in the form of political concessions. We can be sure that there would be hard bargaining of this nature if the situation were reversed.

Mr. Speaker, no one I think doubts that were the situation reversed the Soviets would drive as hard a bargain as the traffic would allow, that every possible concession that could conceivably be wrested from the West would be sought. To my knowledge, there has not been one single attempt on the part of our Government to place any conditions on our blind offer to help the Soviet economy.

Mr. Speaker, to my mind, there are three central facts that emerge from this study. First, the Communists apparently are in for a long-range agricultural crisis, during which time they need the help of the West.

Second, we have it in our power to ease their economic problems. If we choose to do so, we can do it in one of two ways. Either we sell them wheat and perhaps other commodities at the prevailing world price for cash or for credit. Or, we can demand in addition certain political concessions which, if the situation were reversed, we can be certain they would demand of us.

Third, as the authors point out:

The big drive now underway is to expand the chemical industry as rapidly as possible

in order to provide fertilizer on a massive scale for agriculture. Simultaneously, ambitious irrigation projects are to be undertaken. The plan is obviously to seek a way to tide the country over its present agricultural crisis until a foundation is built for self-sufficient agriculture.

Obviously, during this "tiding over" period, Communist countries will have to rely rather heavily on imports from non-Communist countries. While this is happening, if the United States supplies both the grain they need as well as long-term credits, we will in effect be financing their buildup of the chemical industry. On the other hand, if we insist on short-term credits or cash, we will be draining away their foreign exchange and in effect squeezing their ability to buy machinery and other strategic materials.

Mr. Speaker, these matters and many others are examined and analyzed in the following report. I urge my colleagues to examine the evidence presented by these distinguished experts on Soviet economics.

The material referred to follows:

#### MEMORANDUM ON THE WHEAT SITUATION, DECEMBER 3, 1963—PART I

Over the years 1959-61 the Soviet bloc has produced and consumed more than a quarter of the world wheat crop. There was a slight net export of wheat out of the bloc as a whole, amounting to less than 1 percent of production. Trade in wheat was, however, more substantial than this net movement indicates, the Soviet Union exporting about 8 percent of its crop to the satellites and about 3 percent to the rest of the world while the satellites were importing about 21 percent of their consumption from the Soviet Union and about 7 percent from the rest of the world. On the average, the Soviet Union annually exported (net) 5.4 million metric tons, 3.9 million going to the satellites and 1.5 million to the rest of the world. The latter exports exceeded by a small amount the net satellite imports of 1.4 million metric tons from outside the bloc.

Against this background the bloc purchases of wheat this year, both actual and under negotiation, are striking: 6.5 million metric tons from Canada, 1.7 million metric tons from Australia, and 4 to 6.8 million metric tons from the United States—a total of 12 to 15 million metric tons. They exceed the average annual wheat crop of the satellites over 1951-61. They amount to more than a fifth of the average annual bloc production and consumption of wheat in the same period. Their importance in the arena of international trade in wheat is shown by the fact that total annual imports throughout the world, on a gross basis, have averaged less than 33 million metric tons over the last 5 years, or only 2½ times the planned bloc imports for this year.

Communist China is also increasing its imports of wheat above the relatively high levels of the last 2 or 3 years. Imports for the present crop year (July 1, 1963, to July 1, 1964) have been estimated as over 5 million metric tons as compared with 3 to 4 million in 1961 and 1962.

Yugoslavia, on the other hand, is apparently enjoying a good wheat crop this year, and its imports—recently 700,000 tons a year—are not likely to rise and may even fall.

Total imports into all Communist countries during the present crop year are likely, on the basis of purchases already made or under negotiation, to be more than double the imports of either 1961 or 1962. If consumption and trade in other parts of the world run their normal course, existing



stocks of wheat are likely to be reduced by around 9 million metric tons, or by almost a fifth.

The United States, Canada, and Australia hold the principal carryover stocks of wheat outside the Communist countries. Those stocks now amount to about 3½ months consumption at current rates in the non-Communist world. If the projected decline in stocks occurs, they will amount in mid-1964 to about 3 months consumption. At the same time, each country's stocks will represent a much longer period of consumption for that country alone: about 18 months for the United States, about 40 months for Canada, and about 12 months for Australia. The strategic reserve for the United States is generally placed at 12 months consumption, so that surplus stocks equal to 6 months consumption would still remain in mid-1964 under the projected conditions. This would represent a considerable fall from the peak surplus in 1961, which amounted to 16 months consumption.

The question whether world stocks of wheat will continue to be depleted depends on future developments in the Communist world. We should therefore analyze trends in wheat consumption and production there before proceeding further.

We may start with Communist China, about which we unfortunately have few reliable data. The Food and Agricultural Organization (FAO) of the United Nations gives the average annual production as around 16 million metric tons over 1948-49-1952-53, roughly the 4 years following the Communist takeover. The same Organization shows output as rising to 29 million metric tons in 1958-59 and 31 million metric tons in 1959-60, though the latter is described as an estimate. No further data are given by FAO. In view of the series of crop failures suffered by Communist China beginning with the fall harvest of 1959, the small rise shown by the FAO for the wheat crop in 1959-60 casts serious doubt on the accuracy of all of the FAO figures.

We do know that Communist China shifted in 1961 from being an intermittent exporter and importer of wheat in small amounts (around 100,000 metric tons a year) to being an importer in large quantities (about 3.6 million metric tons in 1961 and probably more in 1962). Recent purchases indicate that imports will rise even more in 1963 and 1964. Unless the leaders of Communist China completely reverse the agricultural policies introduced in 1958 and 1959, the need to import large quantities of wheat and other agricultural products will continue indefinitely. The extent to which imports actually materialize will depend on the success of Communist China in exporting other products in exchange. It is difficult to see how the economy as it is now constituted and is likely to be constituted over the next decade or so can sustain net importation of food without substantial outside loans or aid. In any case, as far as the next year or two are concerned, we may expect total trade in wheat to be larger than normal by virtue of Communist China's imports, and this factor in and of itself works in the direction of reducing wheat stocks in the non-Communist world.

Let us turn now to the Soviet bloc. The average annual wheat crop over the 6 years 1957-58-1962-63 has run around 65 million metric tons, 52 million in the Soviet Union and 13 million in the Soviet satellites. The peak crop of 74 million metric tons (63 million in the Soviet Union and 11 million in the satellites) was harvested in 1958-59, the most bountiful agricultural year in this century for the Soviet Union in terms of weather. Since imports into the Soviet bloc were balanced by exports out of it, the re-

sulting wheat used for consumption or stockpiling inside the bloc was virtually equal over these years to the total crop. The Soviet Union accounted for about 73 percent of this internal use and the satellites for the remaining 27 percent—shares not too different from the corresponding fractions of population, which run about 70 percent and 30 percent.

The situation since 1956 has been strikingly different in several important respects from the situation in the earlier postwar years. For one thing, before the plowing up of the Soviet new lands in south-central Asia that took place on a large scale in 1955 and 1956, wheat production was relatively stagnant at a level about 20 percent below the average for succeeding years. The subsequent increase in wheat production has probably come almost exclusively from these newly plowed lands.

Despite the smaller crop, the wheat available to the Soviet Union for internal use may well have been only around 10 percent less than in recent years because of the relatively low level of Soviet wheat exports before 1957. Exports to satellites amounted to only 1.7 million metric tons in 1955 and 0.5 million in 1956; exports to the rest of the world, to only 0.4 and 0.9 million metric tons. On the other side, the same Soviet situation and policy meant that there was significantly less wheat available for internal use in the satellites than in recent years.

There is no way of knowing how much of the wheat available for use in the Soviet bloc has been consumed and how much has been put into stockpiles. From available data on Soviet production of flour and on Soviet production and net exports of wheat and rye, we may estimate that the new supply of wheat and rye has exceeded use for flour and seed by around 40 million metric tons over the period 1958-61. An unknown but probably large fraction of this unaccounted-for remainder was used for animal feed. It is quite possible, however, that 20 million metric tons were added to the wheat stockpile, taken mainly from the bumper crop of 1958. This much wheat is equivalent to just under 6 months' consumption in the Soviet Union at recent rates. Whatever might be the case for additions to stocks over this period, it does not seem likely, in view of the poor record of agricultural production, that accumulated stocks now on hand can exceed required strategic reserves by very much if at all.

This leads us back to the question of what has caused the wheat problem this year and how the Soviet bloc is affected by it.

The immediate cause has been a major failure of the wheat crop in the Soviet Union combined with a poor harvest in the satellites. Judging by the projected bloc imports of 12 to 15 million metric tons during the current fiscal year, the crop this year is at least 20 percent below its normal level. There are probably no surplus reserves available to offset these losses. Hence the only probable alternatives open to Soviet leaders are either to reduce consumption of wheat by at least 20 percent or to make up the loss through imports.

It should come as no surprise that the final decision was to import wheat rather than to reduce consumption. Bread and potatoes are the staples of diet in the Soviet bloc, and neither has shown a significant upward trend in output since 1956, 1963 being left out of consideration. At the same time, population has been increasing by around 1.4 percent a year, or by almost 10 percent since 1956. The apparent fall in per capita consumption of these staples has been offset to an unknown degree by improvement in the supply of meat and other items, but the future does not promise a continuation of this development

unless the general grain problem can be solved. The situation this year is aggravated by a serious failure in the potato crop for 2 years in a row, this one and last one.

In brief, the food situation in the Soviet bloc is always tight, and failure of a major crop creates an emergency that cannot be easily ignored. On the basis of what we know now, it would be too strong to say that there would be starvation on a large scale in the absence of substantial imports of wheat this year, but it is not too strong to say that there would be widespread and intensive discontent, particularly among the populations of the satellite countries.

The next question to ask is whether the emergency is likely to extend beyond this year? The possibility that it will do so should by no means be ruled out. The fragmentary evidence so far published clearly implies that the failure of the wheat crop occurred mainly in the new lands region of the Soviet Union. These are lands of marginal and highly variable rainfall and growing season. This year's crop failure has been widely attributed to an unusually severe drought coupled with other adverse weather conditions, and this diagnosis is most likely correct. But the situation may be much more serious than loss of a single year's crop.

Ever since the new lands were first plowed up, many Western specialists have doubted that they could yield crops over a sustained period unless they were sparingly cultivated, each plot being left fallow for a relatively long time after each short period of cultivation so that it might recapture lost soil moisture. The Russians have, however, not done this. On the contrary, they have heavily exploited the land year after year, leaving less and less of it in fallow at any time. One expects such a policy to lead to creation of a dust bowl, and this may be what has in fact happened. The primary evidence pointing in that direction is the intensive campaign, launched in the Soviet press immediately after the first harvestings this fall, to solve the Soviet agricultural problem through irrigation and massive applications of fertilizer.

It may well be that we can look forward to substantial imports of wheat into the Soviet bloc over several years to come and perhaps indefinitely. In that event, the entire wheat situation in the non-Communist world would turn itself around: wheat would cease to be a "surplus" commodity, and subsidies might not be needed to support prices at current domestic levels.

#### ADDENDUM: BRIEF NOTE ON THE DATA USED

We have used official Soviet data in the case of imports and exports but not in the case of production. The latter are grossly exaggerated in varying degree for different years. This is also the case for some satellite countries. We have accordingly used USDA estimates for wheat production in all Soviet bloc countries.

We call attention to the fact that production data refer to fiscal (crop) years while trade data refer to calendar years. Trade occurring in 1958, for instance, will reflect production in both 1957-58 and 1958-59.

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#### MEMORANDUM ON THE WHEAT SITUATION, DECEMBER 30, 1963—THE ECONOMY OF THE COMMUNIST WORLD, PART II

It is impossible to construct an accurate and comprehensive picture of the Communist economy because of the selective and unreliable nature of available statistics. After many years of study, Western specialists have come to agree on the broad structural outlines of the Soviet economy, but there are still strong disagreements about aggregative levels of production in the economy as a whole and in some major sectors. Not even this stage of agreement has been reached for the European satellites and, particularly, for Communist China. We shall accordingly restrict the discussion here to rather general terms, hoping that it will provide the background needed for assessment of the primary issue at hand.

The Communist world has still not crossed the rudimentary boundary marking emergence of the truly industrial economy. In the Soviet Union half the population resides on the farm. (In the United States less than a third of the population resides in rural areas and less than a tenth on the farm.) The situation is roughly the same in the European satellites as a whole, the fraction varying from a third to three quarters in individual countries. In Communist China the fraction is perhaps four-fifths.

More than 40 percent of the active labor force works in agriculture in the Soviet Union and probably also in the European satellites, as compared with less than 8 percent in the United States. Similar figures are not available for Communist China, but it is reasonable to suppose that more than 80 percent of the labor force is currently engaged in agriculture there. Despite the heavy application of manpower to agricultural pursuits, labor is almost constantly in short supply relative to the output expected from agriculture. This results from the low productivity of labor, which is in turn attributable to two major factors: first, the inefficient system of collectivized production; and second, the small volume of capital investment. The Soviet Union uses almost 8 times as much labor in agriculture as the United States to produce 70 percent as much: each worker accounts for more than 10 times as much production in the United States as in the Soviet Union.

Except for Poland and Yugoslavia, agriculture is collectivized everywhere in the Communist world. Peasant farming predominates in Poland and Yugoslavia, but sizable segments of agriculture are also col-

lectivized there. The final drive for collectivization in the European satellites took place at the end of the 1950's and is therefore part of the Khrushchev, not the Stalin, era. Stagnation of agriculture in the 1960's is not unconnected with this development.

The Communist world has no reason to be pleased with its inefficient agricultural system, because the basic longrun objective is to become the dominant industrial power while retaining self-sufficiency. The system survives for a number of interrelated reasons: it conforms to ideological prescriptions; it keeps the bulk of the population more firmly under the control of the autocratic state; it is a logical extension of centralized planning; it is a convenient mechanism for regulating the flow of population into urban areas to their capacity for absorption; and so on. In other words, a lousy economic system is imposed on agriculture in order to gain other benefits, real or presumed.

The Communist world obsessively pursues the goal of power, and industrialization is viewed as the instrument of power. Industrial production accounts for 30 to 40 percent of the gross national product of the Soviet Union; agriculture, for 10 to 12 percent—even less according to the estimates of some Western specialists. According to my calculations, military and space products account for about a third of industrial production and investment goods for perhaps another third. The remaining third is available for consumer goods.

It is well at this point to specify the disagreements that exist among Western specialists on the size of Soviet production, and this is most easily done by using U.S. production as the reference point. In the generally accepted view, Soviet gross national product evaluated in U.S. prices is about 60 percent of the U.S. level, this fraction holding more or less for all major sectors except agriculture, where it is about 70 percent. My estimates are much lower in the cases of industry (29 percent), the services sector (15 to 30 percent), and consequently gross national product (35 to 30 percent). In the discussion here, I shall use my estimates, making parenthetical references to the generally accepted view where it differs markedly from mine. For example, on the matters already outlined, the generally accepted view would divide Soviet industrial production as follows: a sixth each to military space products and investment goods and the remaining two-thirds to consumer goods.

To return to the main thread of the discussion, the Soviet economy has been heavily unbalanced, when compared with Western economies, in favor of the military and investment sectors. In the United States, for example, military space products account for only a ninth of industrial production and investment goods for perhaps a fifth. At the moment, the Communist world is staggering under this heavy burden.

As economic problems have mounted, the Communist world has relaxed its policy of autarchy and expanded trade relations with the outside world. The volume of trade is, however, still small relative to internal production: on the average over the years 1957-61, the merchandise trade turnover amounted to about 7 percent of gross national product in the case of the Soviet Union (3.5 percent in the generally accepted view) and to about 20 percent in the case of the Soviet satellites (10 percent in the generally accepted view). Merchandise trade turnover with the non-Communist world amounted to only 2 percent of gross national product in the case of the Soviet Union and only 6 percent in the case of the Soviet satellites.

Over the same period, exports shipped out of the Communist world annually exceeded

imports shipped into it by about \$200 million on merchandise account, composed of an export balance of \$100 million for the Soviet Union and \$200 million for the Soviet satellites and an import balance of about \$100 million for Yugoslavia. The last item was financed by aid and loans, primarily from the United States. Merchandise trade between the non-Communist world and the Chicom bloc was roughly in balance. Payments by all Communist countries except Yugoslavia to the non-Communist world for shipping and related costs probably amounted to around \$500 million a year, leaving an annual current trade deficit of about \$300 million which was financed by gold shipments of around \$200 million from the Soviet Union and by emigrants' remittances and other invisible receipts of an additional \$100 million.

The trade pattern within the Communist world indicates a net annual movement of \$1.3 billion worth of merchandise from the Soviet satellites as a group to the Soviet Union. This exploitation of the satellites has been accomplished in two ways. First, there has been an indirect transfer of goods amounting to \$400 million through offsetting trade balances with the Chicom bloc and with underdeveloped areas of the non-Communist world. In both bases, the Soviet Union has run an annual import balance of \$200 million as against an equal export balance for the satellites. It is interesting to see that there has been no net movement of goods out of the Soviet bloc as a whole to either the Chicom bloc or underdeveloped countries over this period. Instead, satellites were merely financing net Soviet imports through net exports of their own.

Second, there has been a direct transfer of goods amounting to more than \$800 million through overcharging by the Soviet Union for exports and underpaying for imports. The official accounts show the Soviet exports to satellites as some \$400 million larger annually than imports, but studies by Western scholars have shown that, in trade with its satellites, the Soviet Union overcharges on the average of 25 percent and underpays on the average of 20 percent.<sup>1</sup> Hence Soviet exports to satellites must be reduced by 20 percent and imports raised by 25 percent to reflect values at normal world prices. When the proper adjustments are made, apparent Soviet net exports of \$400 million are shown to be instead net imports of \$800 million.

Both the Chicom bloc and Yugoslavia have maintained a rough balance in their merchandise trade with the rest of the Communist world. In the former case, as mentioned earlier, net imports from Soviet satellites have been offset by net exports to the Soviet Union.

In recent years the Soviet Union has been a net importer of food at the rate of about \$200 million a year. While drawing in net imports of around \$370 million a year from China and underdeveloped areas of the non-Communist world, the Soviet Union has been sending out net exports of around \$200 million to her satellites. The Soviet satellites are maintaining a rough balance in their food trade, exporting to the rest of the world about as much as they are importing from the Soviet Union.

It is against this background that we should view the recent wheat sales to the Communist world. In addition, we should recognize that, as a result of several converging developments, the Communist world is facing serious economic difficulties. As is normal for any economy that has followed

<sup>1</sup> See, e.g., S. Fischer-Galati (ed.), "Eastern Europe in the Sixties," Praeger, 1963, pp. 138 ff.



a similar path of growth, the economic growth rate is slowing down. This normal deceleration has been made much sharper by the massive expansion of the military space burden that has taken place since 1958. The inefficiency of the organizational structure of the economy has become increasingly damaging as the economy has become more and more complex. Finally, there has been the sudden failure of the new lands program in the Soviet Union, adding an agricultural crisis of unknown duration to the other accumulated problems. Meanwhile, in the Far East, the Communist Chinese economy continues in its "descending spiral," brought about by the excesses of internal policy.

#### THE SPECIFIC ISSUES

*What have been past experiences in commodity negotiations with Communist bloc countries?*

All Communist trade is carried out through the state monopoly. In general, Communist countries prefer to enter bilateral trading agreements under which transactions are carried out by governmental agencies. The bulk of Communist trade is of this nature, the primary exceptions being trade with the United States, Canada, and a few other Western countries. In bilateral trading, the purchasing and selling prices turn out to be whatever the bargainers can agree on, and they need not be the same from one country to the next—in fact, they will not be if there is any significant difference in bargaining power. At base and in principle, all Communist trade involves discriminatory pricing. Of course, Communist negotiators always argue the contrary as to prices they pay: they should never exceed those applying to the "most-favored nation." As already pointed out, the Soviet Union exploits every bargaining advantage to the fullest: in trade with her satellites, she overcharges for her exports by an average of 25 percent—varying widely from one commodity, and one country, to another—and underpays for her imports by an average of 20 percent.

In the case of countries like the United States and Canada, Communist purchases and sales must be arranged with private firms, subject to general governmental regulations. The terms are simply the best the Communist countries can extract. It is normal for the Soviet Union to insist publicly that prices charged should be nondiscriminatory, that is, should be world prices. This is sheer hypocrisy. In any case, we can be sure that Soviet leaders are not equally disturbed over the possibility that the prices they charge will turn out to be higher than world prices.

As far as credit financing of trade is concerned, the Soviet record since the 1920's has been virtually spotless. There are no important cases known of defaulting on payments due or failing to meet terms in other respects. Special courts exist to adjudicate disputes between foreigners and the export-import agencies.

*How are agricultural resources allocated in the Soviet bloc and how does this allocation affect production of war materials and other strategic goods?*

The heavy burden of the agricultural sector on the economy of the Soviet bloc has already been pointed out. Despite the fact that some 40 percent of the work force is engaged in agriculture, agricultural production accounts for perhaps 10 percent of gross national product. Food production is not growing as fast as population. If the Soviet bloc insists on retaining collectivized agriculture and also on remaining roughly self-sufficient in food, there will be a heavy cost imposed on the economy in terms of the growth and industrial production that could otherwise be achieved. The alternative is to solve the agricultural problem through

trade, a course that would impose a much smaller cost on further industrialization of the bloc.

*How have the grains previously sold been allocated in the Soviet bloc, and how has this allocation freed labor for industrial and other uses?*

While there is no direct evidence available on this matter, it seems reasonable in view of recent history to suppose that the grain supplies of the Soviet bloc will be distributed roughly on the basis of population, with a slight favoring of the satellites because of their traditionally higher food consumption. As far as this year's grain shortage is concerned, nothing can be done by shifting labor from industry or anywhere else into agriculture. The damage is already done with this year's crop and cannot be undone until next year's crop comes in.

There are three alternatives open to the Soviet bloc in any variety of combinations: (a) reduce consumption, (b) draw down reserve stocks of grain, and (c) import. Apparently, it has been decided that importing would impose the least cost under the terms of sale anticipated. In general, the shorter the period of time into which the costs can be compressed, the greater they will be. For example, the economic cost of importing grain will be higher if full payment must be made in cash than if credit is extended, for the latter allows some of the burden to be shifted forward to future years.

*What are the implications of the easing of trade relations with Soviet bloc countries in terms of their political objectives?*

Expansion of trade relations with the outside world would significantly improve economic conditions within the Soviet bloc. The cheapest way for the bloc to acquire a large portion of its food is to produce other commodities and exchange them for food. The bloc has been reluctant to follow this policy because of the political advantages it attributes to economic self-sufficiency, although in recent years it has turned increasingly to trade as a way out of growing economic difficulties.

Wherever possible, the Soviet Union has tried to orient its trade in such a way that it would be of maximum short-run assistance while not tying the country down to long-run dependence on outside sources. Trade has been used, for example, as a means of importing technology in one-shot deals. Specific items of machinery are purchased to serve as prototypes for copying by Soviet industry; entire plants and Western expertise are purchased in order to build an industry, such as the chemical industry at the moment; and so on. In all of these cases, however, there has not been a shift away from the traditional policy of exporting raw materials in exchange for complicated products. Now that the problem has become one of importing food, the situation changes to some extent.

Nevertheless, even in this case, Soviet leaders have not given up hope of eventually forgoing dependence on non-Communist sources. The big drive now underway is to expand the chemical industry as rapidly as possible in order to provide fertilizer on a massive scale for agriculture. Simultaneously, ambitious irrigation projects are to be undertaken. The plan is obviously to seek a way to tide the country over its present agricultural crisis until a foundation is built for self-sufficient agriculture. Whether this policy will ultimately be followed cannot now be known, but a major effort is clearly being launched to do so. Therefore, it is too early to say whether substantial expansion of trade relations would lead to permanent changes in economic relations between East and West.

There are those who hold that any increase in economic contacts between East

and West is likely to have a moderating effect on the internal climate of Communist politics. This is said to be particularly true to the extent that the Soviet economy becomes more consumer oriented. If the Soviet economy becomes more consumer oriented, greater efforts will be made to expand trade. The real question is whether the converse is true, whether widening of trade relations will cause the Soviet economy to be more consumer oriented. This seems more doubtful.

Rather than opening trade and hoping for the best in the way of improvement in political relations, it would seem much more prudent to require some concrete political concessions as a condition for opening trade. The one thing we know now is that the bloc is suffering serious economic difficulties, difficulties that can be ameliorated through better trade relations with the West. Soviet leaders should be willing to pay something for the amelioration, and the most important payment from our point of view would come in the form of political concessions. We can be sure that there would be hard bargaining of this nature if the situation were reversed. And, as of the moment, we know only that Communist tactics have changed; we have no firm evidence of an important change in Communist objectives or strategy.

*How has the Soviet bloc utilized gains acquired in the past from the free world—in particular, to what extent have they been used for political advantage such as in aid programs to other countries?*

As we have seen, the Soviet bloc has been, until this year, a net exporter of grain in small amounts. Hence imports have made no net contribution to programs of this sort. No doubt, in some specific instances it may have been more advantageous to ship Western grain to such places as underdeveloped countries than to ship Soviet grain, but again the Soviet bloc has been a net importer of food, particularly from underdeveloped areas.

The purchases of grain this year from the West have enabled the Soviet Union to maintain export commitments both inside and outside the Communist world. Included in those commitments were shipments to Cuba. But on the whole trade has not facilitated the Soviet foreign aid program primarily because there has been no discernible net shipment of goods from the Soviet bloc to underdeveloped areas.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of California for Wednesday, January 22, 1964, through February 12, 1964, on account of official business.

Mr. HOSMER, through Tuesday next, on account of official business in constituency.

Mrs. HANSEN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. PATTEN (at the request of Mr. FRIEDEL), from today through January 27, 1964, on account of official business.

Mr. McCLOXY, for January 27–31, 1964, on account of participation as subcommittee member in hearings to be held in Sacramento, Calif., by Special Subcommittee on Death Valley National Monument, Committee on Government Operations.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legisla-

tive program and any special orders heretofore entered, was granted to:

Mr. FLOOD, for 1 hour, on Monday, February 17.

Mr. O'HARA of Illinois, for 1 hour, on February 13, on the subject of the anniversary of the sinking of the battleship *Maine*.

Mr. GROSS, for 15 minutes, today.

Mr. LAIRD, for 30 minutes, today.

Mr. WELTNER, for 30 minutes, on January 30.

Mr. AYRES (at the request of Mr. SIBAL), for 45 minutes, on January 23.

#### EXTENSION OF REMARKS

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

Mr. HOSMER and to include extraneous matter.

Mr. LAIRD to revise and extend his remarks and to include extraneous matter under the special order for today.

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

Mr. WEAVER.

Mr. AYRES.

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

Mr. PURCELL.

Mr. MULTER.

#### ENROLLED JOINT RESOLUTION SIGNED

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

H.J. Res. 779. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1965 and 1966.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Thursday, January 23, 1964, 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:

1568. A letter from the Secretary of Agriculture, transmitting a report covering the activities of the Rural Electrification Administration for the fiscal year 1963; to the Committee on Agriculture.

1569. A letter from the Acting Associate Director, Bureau of Land Management, Department of the Interior, relative to report-

ing that there were no compensatory royalty agreements affecting oil and gas deposits in unleased Government lands entered into during calendar year 1963, pursuant to 30 U.S.C. 226(g); to the Committee on Interior and Insular Affairs.

1570. A letter from the Chairman, Board of Directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for the fiscal year ended June 30, 1963, pursuant to Public Law 740, 81st Congress; to the Committee on the Judiciary.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BECKWORTH:

H.R. 9708. A bill to amend title II of the Social Security Act to provide that monthly benefits based on age may be paid at age 55 rather than only at age 62 (subject to the existing actuarial reduction in the amount of such benefits in certain cases); to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 9709. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. HARVEY of Indiana:

H.R. 9710. A bill for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. HOLIFIELD:

H.R. 9711. A bill to amend the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

By Mr. HOLIFIELD (by request):

H.R. 9712. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ROOSEVELT:

H.R. 9713. A bill to broaden the investment powers of Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 9714. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 9715. A bill to amend the provisions of section 15 of the Shipping Act, 1916, to provide for the exemption of certain terminal leases from penalties; to the Committee on Merchant Marine and Fisheries.

By Mr. OLSEN of Montana:

H.R. 9716. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 9717. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. WINSTEAD:

H.R. 9718. A bill to authorize the crediting of certain military service for purposes of Reserve retired pay; to the Committee on Armed Services.

By Mr. CHENOWETH:

H.R. 9719. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

By Mr. KILGORE:

H.R. 9720. A bill authorizing a study of dust control measures at Long Island, Port Isabel, Tex.; to the Committee on Public Works.

By Mr. ANDREWS of North Dakota:

H.J. Res. 895. Joint resolution to authorize the President to proclaim October 9 in each year as Lelf Erikson Day; to the Committee on the Judiciary.

By Mr. BOGGS:

H.J. Res. 896. Joint resolution providing for the establishment of a bipartisan commission to make a study and investigation of the food and fiber policies of the United States; to the Committee on Agriculture.

#### MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Maine, memorializing the Maine congressional delegation to oppose new stringent requirements in public assistance cases, which was referred to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. AVERY:

H.R. 9721. A bill for the relief of Lt. Col. Stanley C. Morris; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9722. A bill for the relief of Eligio Ciardello; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 9723. A bill for the relief of Safia Talibi Naz; to the Committee on the Judiciary.

H.R. 9724. A bill for the relief of Hiram D. Moon; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 9725. A bill for the relief of Dirk Arnold ten Crotenhuis; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 9726. A bill for the relief of Mrs. Luigia Spaziani Parisi; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 9727. A bill for the relief of Dr. Violeta Poblacion; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

649. By Mr. BYRNE of Pennsylvania: Petition of the Democratic County Executive Committee of Philadelphia, Pa., extending their profound sorrow at the death of the Honorable William J. Green, Jr.; to the Committee on House Administration.

650. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to Congress legislating that in the President's antipov-erty campaign, there also be an extinguish-Federal-subsidies-to-the-rich campaign; to the Committee on Banking and Currency.

651. Also, petition of Henry Stoner, Avon Park, Fla., requiring members of the Joint Committee on Printing to promote the concept of listing standing committees of the House in the CONGRESSIONAL RECORD as often as those of the Senate are listed; to the Committee on House Administration.