

and a smaller number of nuclear ships for the same total cost. In other words, to improve a weapon system, we must reduce the number of weapons to pay for it. I do not share this view.

DEFECTS IN ANALYSIS

Cost effectiveness comparisons were cited by the Defense Department to support the contention that the advantages of nuclear propulsion are not particularly significant. These studies, however, contain a fundamental weakness that negates their validity. The comparisons were based on the assumption that in wartime logistic support forces operate unhampered and without losses. The defect in this analysis is immediately apparent. We must plan for times of crisis. It is precisely in such situations that the superior mobility, maneuverability, and reliability of nuclear warships will give the United States an unequaled naval striking force.

Our potential enemies may not use the same cost effectiveness criteria and thus oppose us with the best weapons technology can provide them. This could create an intolerable peril to our national security.

Our committee printed for the public record a report of these hearings in December 1963. In releasing this report, our chairman, Senator PASTORE, said that " * * the Joint Committee believes that cost cutting is important but it must eliminate the fat and not cut to the marrow. * * *

"It is my earnest hope that we will never again be forced to go to war, but if we do, I want our equipment to be second to none."

Just as men of vision in the past faced heavy opposition to bring about the change from sail to coal and the change from coal to oil, we who understand the great advantage of nuclear propulsion face an uphill

struggle in obtaining support for its use in the surface fleet.

But we don't tire easily. We will undoubtedly look in on the studies which have been carried out in the past year since our hearing. I sincerely hope that the new studies will be more realistic in evaluating the advantages of nuclear power.

NUCLEAR MERCHANT SHIPS

In addition to the propulsion of firstline surface warships of the Navy, I believe it is time to consider nuclear propulsion for our firstline merchant ships. Nuclear propulsion could provide the revolutionary factor we need to strengthen our merchant fleet for peacetime and also provide vital military logistic support in times of emergency.

The views I have expressed are, of course, not in conflict with the advanced thinking of the new Navy. I know that the worth of nuclear propulsion under wartime conditions is known to many of you here. As you know, the advantages of nuclear power are most evident under wartime conditions and that is the basis under which systems of war should be evaluated.

There are encouraging signs that the true significance of the increased capability of nuclear propulsion is beginning to achieve recognition. The 30,000-mile cruise around the world of the first nuclear-powered task force was completed only 2 months ago. This cruise proved conclusively the feasibility of operating nuclear surface ships in the oceans of the world on a self-sustaining basis. It gave world leaders the opportunity to witness firsthand the capability of the U.S. Navy to operate nuclear-powered warships anywhere independent of support ships—a feat out of the question for conventionally powered ships. In the last 3 years, the *Enterprise*, *Long Beach*, and *Bainbridge* have proved

their outstanding reliability during almost 500,000 miles of operation.

Further and even more encouraging is the recent decision announced by President Johnson to proceed with the development of a very high-powered, long-fuel-life nuclear reactor for application to a two-reactor nuclear-powered attack aircraft carrier. This carrier will require refueling only once during her life. The development of this reactor will be completed in time for it to be installed in the next carrier planned by the Navy.

In summary, if capital ships of the Navy are deemed necessary for the security of the Nation—and I believe they are—they should be nuclear propelled.

NUCLEAR POWER A "MUST"

The future is clear. Any capital ship in the future which does not have nuclear propulsion is doomed to obsolescence early in its expected life. The additional costs for nuclear propulsion are minor and, in fact, insignificant, when one considers how vitally important it is to the effectiveness of the ship as a weapons system.

As we celebrate today the launching of our latest nuclear warship, the *Truxtun*, I hope this event will mark the point in the history of the U.S. Navy where our Nation will accept the recommendation of the Joint Committee on Atomic Energy "that the United States adopt a policy of using nuclear propulsion in all future major surface warships" thus adding another link to the inevitable chain from sail to coal, from coal to oil, and from oil to nuclear power.

Godspeed to all who will sail in *Truxtun*. Our freedom depends on the brave men who man such ships as this. The least we can do is provide them with the best that our technical resources will allow.

SENATE

TUESDAY, JANUARY 19, 1965

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

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

Almighty God, in whose fear is the beginning of wisdom: We come, conscious that our only greatness is that we can lose ourselves in Thee and in Thy other children, and that in all our imperfections we can become the healing channels for what Thou dost desire and will for our common humanity.

Recognition of our oneness in Thee makes vivid our realization of the oneness of the human family across all separating barriers of distance or race or birth. May our human loyalties and sympathies be as wide as the divine fatherhood. Make us wise enough to give ourselves to the greatest purposes. Make us good enough to surrender to the best that beckons.

We ask it in the spirit of man's best Man, who, because of His inner goodness, went about doing good to all men. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 15, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

NATIONAL DEFENSE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 54)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Armed Services:

To the Congress of the United States:

One hundred and seventy-five years ago, in his first annual message, President Washington told the Congress:

Among the many interesting objects which will engage your attention that of providing for the common defense will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace.

For the 89th Congress—as for the 1st Congress—those words of the first President remain a timely charge.

In the 20th year since the end of mankind's most tragic war you and I are beginning new terms of service. The danger of war remains ever with us. But if the hope of peace is sturdier than at any other time in these two decades, it is because we—and freemen everywhere—have proved preparedness to be "the most effectual means of preserving peace."

Arms alone cannot assure the security of any society or the preservation of any peace. The health and education of our people, the vitality of our economy, the equality of our justice, the vision and fulfillment of our aspirations are all factors in America's strength and well-being.

Today we can walk the road of peace because we have the strength we need. We have built that strength with courage. We have employed it with care. We have maintained it with conviction that the reward of our resolution will be peace and freedom.

We covet no territory, we seek no dominion, we fear no nation, we despise no people. With our arms we seek to shelter the peace of mankind.

In this spirit, then, I wish to consider with you the state of our defenses, the policies we pursue, and—as Commander in Chief—to offer recommendations on our course for the future.

I. THE STATE OF OUR DEFENSES

I am able to report to you that the United States today is stronger militarily than at any other time in our peacetime history.

Under our free and open society, the American people have succeeded in building a strength of arms greater than that ever assembled by any other nation and greater now than that of any combination of adversaries.

This strength is not the handiwork of any one administration. Our force in being and in place reflects the continuity and constancy of America's purpose under four administrations and eight Congresses—and this responsible conduct of

our system is, of itself, a source of meaningful strength.

For the past 4 years, the focus of our national effort has been upon assuring an indisputable margin of superiority for our defenses. I can report today that effort has succeeded.

Our strategic nuclear power on alert has increased threefold in 4 years.

Our tactical nuclear power has been greatly expanded.

Our forces have been made as versatile as the threats to peace are various.

Our special forces, trained for the undeclared, twilight wars of today have been expanded eightfold.

Our combat-ready Army divisions have been increased by 45 percent.

Our Marine Corps has been increased by 15,000 men.

Our airlift capacity to move these troops rapidly anywhere in the world has been doubled.

Our tactical Air Force firepower to support these divisions in the field has increased 100 percent.

This strength has been developed to support our basic military strategy—a strategy of strength and readiness, capable of countering aggression with appropriate force from ballistic missiles to guerrilla bands.

Our forces are balanced and ready, mobile and diverse. Our allies trust our strength and our adversaries respect it. But the challenge is unceasing. The forms of conflict become more subtle and more complex every day. We must—and we shall—adapt our forces and our tactics to fulfill our purposes.

If our military strength is to be fully usable in times requiring adaptation and response to changing challenges, that strength must be so organized and so managed that it may be employed with planned precision as well as promptness.

The state of our defenses is enhanced today because we have established an orderly system for informed decision-making and planning.

Our planning and budgeting programs are now conducted on a continuing 5-year basis and cover our total military requirements.

Our national strategy, military force structure, contingency plans, and defense budget are all now related in an integrated plan.

Our orderly decisionmaking now combines our best military judgment with the most advanced scientific and analytical techniques.

Our military policy under the Secretary of Defense is now more closely tied than ever to the conduct of foreign policy under the Secretary of State.

Thus, we now have the ability to provide and maintain a balanced, flexible military force, capable of meeting the changing requirements of a constantly changing challenge.

II. BASIC DEFENSE POLICIES

First. Four years ago, President John F. Kennedy stated to the Congress and the world:

The primary purpose of our arms is peace, not war.

That is still their purpose. We are armed, not for conquest, but to insure

our own security and to encourage the settlement of international differences by peaceful processes.

We are not a militaristic people, and we have long denounced the use of force in pursuit of national ambition. We seek to avoid a nuclear holocaust in which there can be neither victory nor victors. But we shall never again return to a world where peace-loving men must stand helpless in the path of those who, heedless of destruction and human suffering, take up war and oppression in pursuit of their own ambitions.

Second. The strength of our strategic retaliatory forces must deter nuclear attack on the United States or our Allies.

The forces we now have give that capability.

The United States has more than 850 land-based intercontinental ballistic missiles; more than 300 nuclear-armed missiles in Polaris submarines; more than 900 strategic bombers, half of them ready at all times to be airborne within 15 minutes.

These strategic forces on alert are superior—in number and in quality—to those of any other nation.

To maintain our superiority, the immediate future will see further increases in our missile strength, as well as concentration on further technological improvements and continuing vigorous research and development.

We are—

Requesting more than \$300 million to continue our program for extending the life and improving the capabilities of our B-52 strategic bombers, while eliminating two squadrons of B-52B's, the earliest—and least effective—model of this plane.

Continuing development of engines and other systems for advanced aircraft to retain our option for a new manned bomber, should the need arise.

Continuing deployment of the SR-71, the world's fastest airplane, which will enter the Active Forces this year.

Continuing installation of the new over-the-horizon radars, giving us almost instantaneous knowledge of ballistic missiles launched for attack.

Continuing procurement and deployment of our latest strategic missiles, Minuteman II and Polaris A-3, greatly extending the range, accuracy, and striking power of the strategic forces.

Replacing older, more costly, and vulnerable elements of our strategic forces. The outdated Atlas and Titan I missiles will be retired this year and the remainder of the B-47 forces will be phased out during fiscal year 1966.

All this is part of a continuing process. There will always be changes, replacing the old with the new.

Major new developments in strategic weapons systems we propose to begin this year are:

A new missile system, the Poseidon, to increase the striking power of our missile-carrying nuclear submarines. The Poseidon missile will have double the payload of the highly successful Polaris A-3. The increased accuracy and flexibility of the Poseidon will permit its use effectively against a broader range of possible targets and give added insurance of penetration of enemy defenses.

A series of remarkable new payloads for strategic missiles. These include: penetration aids, to assure that the missile reaches its target through any defense; guidance and reentry vehicle designs, to increase manyfold the effectiveness of our missiles against various kinds of targets; and methods of reporting the arrival of our missiles on target, up to and even including the time of explosion.

A new short-range attack missile—SRAM—that can, if needed, be deployed operationally with the B-52 or other bombers. This aerodynamic missile—a vast improvement over existing systems—would permit the bomber to attack a far larger number of targets and to do so from beyond the range of their local defenses.

Third. The strength, deployment, and mobility of our forces must be such that, combined with those of our allies, they can prevent the erosion of the free world by limited, nonnuclear aggression.

Our nonnuclear forces must be strong enough to insure that we are never limited to nuclear weapons alone as our sole option in the face of aggression. These forces must contribute to our strategy of responding flexibly and appropriately to varied threats to peace.

I have already cited the increases achieved during recent years in the strength and mobility of our Army, Navy, Marines, and of our air transport which gets them to the scene of battle and the tactical aircraft which support them there. These forces, furthermore, are now better balanced, better integrated, and under more effective command and control than ever before. We shall maintain our present high degree of readiness.

We must further improve our ability to concentrate our power rapidly in a threatened area, so as to halt aggression early and swiftly. We plan expansion of our airlift, improvement of our sealift, and more prepositioned equipment to enable us to move our troops overseas in a matter of days, rather than weeks.

To this end, we will:

Start development of the C-5A cargo transport. This extraordinary aircraft capable of carrying 750 passengers will bring a new era of air transportation. It will represent a dramatic step forward in the worldwide mobility of our forces and in American leadership in the field of aviation.

Build fast deployment cargo ships, capable of delivering military equipment quickly to any theater. This represents a new concept in the rapid deployment of military forces. These ships will have a gas turbine engine propulsion system, a major advance in marine engineering for ships of this size. Such vessels will be deployed around the globe, able to begin deliveries of heavy combat-ready equipment into battle zone within days or even hours.

Increase our forward floating depot ships stationed close to areas of potential crisis.

Begin large-scale procurement of the revolutionary swept wing F-111 and the new A-7 Navy attack aircraft.

We will also begin construction of 4 new nuclear-powered attack submarines,

and 10 new destroyer escorts. And we will continue to develop a much smaller, more efficient, nuclear powerplant for possible use in our future aircraft carriers.

Fourth. While confident that our present strength will continue to deter a thermonuclear war, we must always be alert to the possibilities for limiting destruction which might be inflicted upon our people, cities, and industry—should such a war be forced upon us.

Many proposals have been advanced for means of limiting damage and destruction to the United States in the event of a thermonuclear war. Shifting strategy and advancing technology make the program of building adequate defenses against nuclear attack extremely complex.

Decisions with respect to further limitation of damage require complex calculations concerning the effectiveness of many interrelated elements. Any comprehensive program would involve the expenditure of tens of billions of dollars. We must not shrink from any expense that is justified by its effectiveness, but we must not hastily expend vast sums on massive programs that do not meet this test.

It is already clear that without fallout-shelter protection for our citizens, all defense weapons lose much of their effectiveness in saving lives. This also appears to be the least expensive way of saving millions of lives, and the one which has clear value even without other systems. We will continue our existing programs and start a program to increase the total inventory of shelters through a survey of private homes and other small structures.

We shall continue the research and development which retains the options to deploy an antiballistic missile system, and manned interceptors and surface-to-air missiles against bombers.

Fifth. Our military forces must be so organized and directed that they can be used in a measured, controlled, and deliberate way as a versatile instrument to support our foreign policy.

Military and civilian leaders alike are unanimous in their conviction that our armed might is and always must be so controlled as to permit measured response in whatever crises may confront us.

We have made dramatic improvements in our ability to communicate with and command our forces, both at the national level and at the level of the theater commanders. We have established a national military command system, with the most advanced electronic and communications equipment, to gather and present the military information necessary for top level management of crises and to assure the continuity of control through all levels of command. Its survival under attack is insured by a system of airborne, shipborne, and other command posts, and a variety of alternative protected communications.

We have developed and procured the postattack command control system of the Strategic Air Command, to assure continued control of our strategic forces following a nuclear attack.

We have installed new safety procedures and systems designed to guarantee that our nuclear weapons are not used except at the direction of the highest national authority.

This year we are requesting funds to extend similar improvements in the survivability and effectiveness of our command and control to other commands in our overseas theaters.

Sixth. America will continue to be first in the use of science and technology to insure the security of its people.

We are currently investing more than \$6 billion per year for military research and development. Among other major developments, our investment has recently produced antisatellite systems that can intercept and destroy armed satellites that might be launched, and such revolutionary new aircraft as the F-111 fighter-bomber and the SR-71 supersonic reconnaissance aircraft. Our investment has effected an enormous improvement in the design of antiballistic missile systems. We will pursue our program for the development of the Nike X antimissile system, to permit deployment of this antiballistic missile should the national security require. Research will continue on even more advanced antimissile components and concepts.

About \$2 billion a year of this program is invested in innovations, in technology, and in experimental programs. Thus, we provide full play for the ingenuity and inventiveness of the best scientific and technical talent in our Nation and the free world.

American science, industry, and technology are foremost in the world. Their resources represent a prime asset to our national security.

Seventh. Our soldiers, sailors, airmen, and marines, from whom we ask so much, are the cornerstone of our military might.

The success of all our policies depends upon our ability to attract, develop fully, utilize, and retain the talents of outstanding men and women in the military services. We have sought to improve housing conditions for military families and educational opportunities for military personnel.

Since 1961, we have proposed—and the Congress has authorized—the largest military pay increases in our history, totaling more than \$2 billion.

To insure that the pay of military personnel, and indeed of all Government employees, retains an appropriate relation to the compensation of other elements of our society, we will review their pay annually. The procedures for this review will be discussed in my budget message.

It is imperative that our men in uniform have the necessary background and training to keep up with the complexities of the ever-changing military, political, and technical problems they face each day. To insure this, the Secretary of Defense is undertaking a study of military education to make certain that the education available to our servicemen and women at their academies, at their war colleges, and at the command and staff colleges, is excellent in its quality.

In recent years large numbers of volunteers have been rejected by the military services because of their failure to meet certain mental or physical standards, even though many of their deficiencies could have been corrected. To broaden the opportunity for service and increase the supply of potentially qualified volunteers, the Army is planning to initiate an experimental program of military training, education, and physical rehabilitation for men who fail at first to meet minimum requirements for service. This pilot program, which will involve about 10,000 men in 1965, will establish how many of these young volunteers can be upgraded so as to qualify for service.

Eighth. Our citizen-soldiers must be the best organized, best equipped reserve forces in the world. We must make certain that this force, which has served our country so well from the time of the Revolution to the Berlin and Cuban crises of recent years, keeps pace with the changing demands of our national security.

To this end, we are taking steps to realign our Army Reserves and National Guard to improve significantly their combat readiness and effectiveness in times of emergency. This realignment will bring our Army Reserve structure into balance with our contingency war plans and will place all remaining units of the Army Reserve Forces in the National Guard. At the same time, by eliminating units for which there is no military requirement, we will realize each year savings approximating \$150 million. Under our plan, all units will be fully equipped with combat-ready equipment and will be given training in the form of monthly weekend drills that will greatly increase their readiness. Under the revised organization, both the old and the new units of the National Guard, as well as individual trainees who remain in the Reserves, will make a much greater and continuing contribution to our national security.

We shall continue to study our Reserve forces and take whatever action is necessary to increase their combat effectiveness.

Ninth. The Commander in Chief and the Secretary of Defense must continue to receive the best professional military advice available to the leaders of any government in the world.

The importance of a strong line of command running from the Commander in Chief to the Secretary of Defense and the Joint Chiefs of Staff to the unified and specified commanders in the field has been repeatedly demonstrated during recent years.

The Secretary of Defense will present to you certain recommendations to strengthen the joint staff.

Tenth. We will strengthen our military alliances, assist freedom-loving peoples, and continue our military assistance program.

It is essential to continue to strengthen our alliances with other free and independent nations. We reaffirm our unwavering determination that efforts to divide and conquer free men shall not be

successful in our time. We shall continue to assist those who struggle to preserve their own independence.

The North Atlantic Treaty Organization is a strong shield against aggression. We reaffirm our belief in the necessity of unified planning and execution of strategy. We invite our NATO allies to work with us in developing better methods for mutual consultation and joint strategic study. We shall continue to seek ways to bind the alliance even more strongly together by sharing the tasks of defense through collective action.

We shall continue our program of military and economic assistance to allies elsewhere in the world and to those nations struggling against covert aggression in the form of externally directed, undeclared guerrilla warfare.

In southeast Asia, our program remains unchanged. From 1950, the United States has demonstrated its commitment to the freedom, independence, and neutrality of Laos by strengthening the economic and military security of that nation. The problem of Laos is the refusal of the Communist forces to honor the Geneva accords into which they entered in 1962. We shall continue to support the legitimate government of that country. The Geneva accords established the right of Laos to be left alone in peace.

Similarly, the problem of Vietnam is the refusal of Communist forces to honor their agreement in 1954. The North Vietnam regime, supported by the Chinese Communists, has openly and repeatedly avowed its intention to destroy the independence of the Republic of Vietnam through massive, ruthless, and incessant guerrilla terrorism against government and people alike.

Our purpose, under three American Presidents, has been to assist the Vietnamese to live in peace, free to choose both their own way of life and their own foreign policy. We shall continue to honor our commitments in Vietnam.

PRINCIPLES OF DEFENSE MANAGEMENT

First. To carry out our strategy and enforce our policies requires a large budget for defense.

The world's most affluent society can surely afford to spend whatever must be spent for its freedom and security. We shall continue to maintain the military forces necessary for our security without regard to arbitrary or predetermined budget ceilings. But we shall continue to insist that those forces be procured at the lowest possible cost and operated with the greatest possible economy and efficiency.

To acquire and maintain our unprecedented military power, we have been obliged to invest more than one-half of every dollar paid in taxes to the Federal Government. The defense budget has grown from \$43 billion in fiscal year 1960 to more than \$51 billion in fiscal year 1964. I now estimate the defense expenditures for fiscal year 1965 to be about \$49.3 billion, or approximately \$2 billion less than in fiscal year 1964. I further estimate that defense expenditures for fiscal year 1966 will be reduced still another \$300 million.

There are two main reasons for this leveling off in defense expenditures: First, we have achieved many of the needed changes and increases in our military force structure; second, we are now realizing the benefits of the rigorous cost reduction program introduced into the Defense Establishment during the past 4 years.

As I have stated—and as our enemies well know—this country now possesses a range of credible, usable military power enabling us to deal with every form of military challenge from guerrilla terrorism to thermonuclear war. Barring a significant shift in the international situation, we are not likely to require further increments on so large a scale during the next several years. Expenditures for defense will thus constitute a declining portion of our expanding annual gross national product, which is now growing at the rate of 5 percent each year. If, over the next several years, we continue to spend approximately the same amount of dollars annually for our national defense that we are spending today, an ever-larger share of our expanding national wealth will be free to meet other vital needs, both public and private.

Let me be clear, however, to friend and foe alike. So long as I am President, we shall spend whatever is necessary for the security of our people.

Second. Defense expenditures in the years ahead must continue to be guided by the relentless pursuit of efficiency and intelligent economy.

There is no necessary conflict between the need for a strong defense and the principles of economy and sound management. If we are to remain strong, outmoded weapons must be replaced by new ones; obsolete equipment and installations must be eliminated; costly duplication of effort must be eliminated.

We are following this policy now, and so long as I am President, I intend to continue to follow this policy.

We have recently announced the consolidation, reduction, or discontinuance of defense activities in some 95 locations. When added to those previously completed, these actions will produce annual savings of more than \$1 billion each year, every year, in the operations of the Defense Department, and release about 1,400,000 acres of land for civilian purposes. These economies—which represent more prudent and effective allocation of our resources—have not diminished the strength and efficiency of our defense forces, but rather have enhanced them.

We are the wealthiest nation in the whole world and the keystone of the largest alliance of free nations in history. We can, and will, spend whatever is necessary to preserve our freedom. But we cannot afford to spend one cent more than is necessary, for there is too much waiting to be done, too many other pressing needs waiting to be met. I urge the Congress to support our efforts to assure the American people a dollar's worth of defense for every dollar spent.

Third. While our primary goal is to maintain the most powerful military force in the world at the lowest possible

cost, we will never be unmindful of those communities and individuals who are temporarily affected by changes in the pattern of defense spending.

Men and women, who have devoted their lives and their resources to the needs of their country, are entitled to help and consideration in making the transition to other pursuits.

We will continue to help local communities by mobilizing and coordinating all the resources of the Federal Government to overcome temporary difficulties created by the curtailment of any defense activity. We will phase out unnecessary defense operations in such a way as to lessen the impact on any community, and we will work with local communities to develop energetic programs of self-help, calling on the resources of State and local governments—and of private industry—as well as those of the Federal Government.

There is ample evidence that such measures can succeed. Former military bases are now in use throughout the country in communities which have not only adjusted to necessary change, but have created greater prosperity for themselves as a result. Their accomplishments are a tribute to the ingenuity of thousands of our citizens, and a testimony to the strength and resiliency of our economy and our system of government.

Fourth. We must continue to make whatever changes are necessary in our Defense Establishment to increase its efficiency and to insure that it keeps pace with the demands of an ever-changing world; we must continue to improve the decisionmaking process by those in command.

The experience of several years has shown that certain activities of the Defense Establishment can be conducted not only with greater economy, but far more effectively when carried out on a departmentwide basis, either by a military department as executive agent or by a defense agency. The Defense Communications Agency, established in 1959, and the Defense Supply Agency and the Defense Intelligence Agency, established in 1961, have all eliminated duplication of effort, improved management, and achieved better fulfillment of their missions. In addition, we have recently announced:

Consolidation of the Field Contract Administration offices of the Military Department under the Defense Supply Agency.

Formation of the Department of Defense Contract Audit Agency, to increase the efficiency and lower the cost of Government auditing of defense contracts.

Formation of the Traffic Management and Terminal Command, under the single management of the Department of the Army, to regulate surface transportation of military cargo and personnel within the continental United States.

Each of these actions will lead to better performance, surer control, and less cost. Most important, these actions are informing and expediting the decisionmaking process. We will continue to seek out opportunities to further increase

the effectiveness and efficiency of our Defense Establishment.

CONCLUSION

The Secretary of Defense will soon come before you with our detailed proposals for the coming year. He will have recommendations for further strengthening of our strategic forces and our conventional forces. He will have additional suggestions for achieving greater efficiency, and therefore greater economy.

As you consider the state of our defenses and form your judgments as to our future course, I know that you will do so in the knowledge that today we Americans are responsible not only for our own security but, in concert with our Allies, for the security of the free world. Upon our strength and our wisdom rests the future not only of our American way of life, but that of the whole society of freemen.

This is an awesome responsibility. So far, we have borne it well. As our strength rose—and largely as a consequence of that strength—we have been able to take encouraging steps toward peace. We have established an Arms Control and Disarmament Agency. We have signed a limited nuclear test ban agreement with the Soviet Union. We have, at the same time, met the challenge of force, unflinchingly, from Berlin to Cuba. In each case, the threat has receded and international tensions have diminished.

In a world of 120 nations, there are still great dangers to be faced. As old threats are turned back, change and turmoil will present new ones. The vigilance and courage we have shown in the last 20 years must be sustained as far ahead as we can see. The defense of freedom remains our duty—24 hours a day and every day of the year.

We cannot know the future and what it holds. But all our experience of two centuries reminds us that "To be prepared for war is one of the most effectual means of preserving peace."

LYNDON B. JOHNSON.

THE WHITE HOUSE, January 18, 1965.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

COMMITTEE MEETING DURING SENATE SESSION

Upon request of Mr. LONG of Louisiana, and by unanimous consent, the Committee on Public Works was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate proceed to consider executive business, to consider

the nominations sent to the Senate by the President of the United States.

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

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF THE TREASURY

The legislative clerk read the nomination of Sheldon S. Cohen, of Maryland, to be Commissioner of Internal Revenue.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Mitchell Rogovin, of Virginia, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that action on the remaining nominations be withheld.

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

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

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

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, TO INCREASE THE SIZE OF THE JOINT STAFF

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to increase the size of the Joint Staff, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Director of Civil Defense, Office of the Secretary of the Army, reporting,

pursuant to law, on property acquisitions of emergency supplies and equipment, for the quarter ended December 31, 1964; to the Committee on Armed Services.

REPORT OF SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF SECTION 1403 OF FEDERAL AVIATION ACT OF 1958

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend section 1403 of the Federal Aviation Act of 1958 to perfect certain provisions of the International Aviation Facilities Act (with an accompanying paper); to the Committee on Commerce.

AUTHORIZATION FOR COMMISSIONERS OF THE DISTRICT OF COLUMBIA TO UTILIZE CERTAIN FUNDS FOR SNOW AND ICE CONTROL

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to utilize certain funds for snow and ice control (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING FACILITY ACT OF 1942

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942 to authorize maintenance and repair of parking meters and payment for parking meters from fees collected from such meters (with an accompanying paper); to the Committee on the District of Columbia.

APPROPRIATION OF FUNDS FOR THE MAINTENANCE AND INSTRUCTION OF DEAF, MUTE, AND BLIND CHILDREN IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the appropriation of funds for the maintenance and instruction of deaf, mute, and blind children of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes (with accompanying papers); to the Committee on Government Operations.

AUDIT REPORT ON FINANCIAL STATEMENTS OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the financial statements of St. Lawrence Seaway Development Corporation, calendar year 1963, Department of Commerce (with an accompanying report); to the Committee on Government Operations.

REPORT ON OVERPAYMENTS OF PER DIEM TRAVEL ALLOWANCES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overpayments of per diem travel allowances, Department of State, dated January 1965 (with an accompanying

report); to the Committee on Government Operations.

REPORT ON ILLEGAL OBLIGATION OF EXPIRED FISCAL YEAR 1964 APPROPRIATIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on illegal obligation of expired fiscal year 1964 appropriations, Department of State, dated January 1965 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONCESSION CONTRACT IN WHISKEYTOWN RESERVOIR, CALIF.

A letter from the Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in the Whiskeytown Reservoir Area, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

RECEIPT OF APPLICATION FOR A LOAN UNDER THE SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application for a loan under the Small Reclamation Projects Act of 1956, to assist the Camarillo County Water District of Camarillo, Ventura County, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON KOKEE WATER PROJECT, KAUAI, HAWAII

A letter from the Governor, State of Hawaii, transmitting, for the information of the Senate, a report on the Kokee water project, Island of Kauai, Hawaii, dated 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON TORT CLAIMS PAID BY GOVERNMENT PRINTING OFFICE

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Office, during the fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

ADJUSTMENT OF STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered relating to the adjustment of status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF SECTION 1825, TITLE 28, UNITED STATES CODE, RELATING TO PAYMENT OF WITNESS' FEES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 1825 of title 28 of the United States Code to authorize the payment of witness' fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28, for persons who are authorized to proceed in forma pauperis (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON POSITIONS IN GRADES GS-16 AND 17

A letter from the Assistant Attorney General for Administration, Department of Justice, Washington, D.C., transmitting, pursuant to law, a report on positions in grades GS-16 and 17, for calendar year 1964 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT OF THE PUBLIC PRINTER

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, his report for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Rules and Administration.

MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Four joint resolutions of the Legislature of the State of Virginia; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 5

"Resolution memorializing the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States

"Resolved by the House of Delegates (the Senate of Virginia concurring). That the Congress of the United States is hereby memorialized to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate."

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission; and be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect, and be it further

"Resolved, That the clerk of the house of delegates is instructed to send copies of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

"Agreed to by the house of delegates, December 2, 1964.

"Agreed to by the Senate of Virginia, December 3, 1964.

"GEORGE R. RICH,

"Clerk of the House of Delegates.

"BEN D. LACY,

"Clerk of the Senate."

"HOUSE JOINT RESOLUTION 6

"Resolution memorializing the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States

"Whereas the history of freedom is a history of the limitation of governmental power, as the concentration of such power inevitably precedes and insures the destruction of human liberties; and

"Whereas the framers of the Constitution of the United States sought to protect and advance the cause of liberty primarily by

distributing governmental power between the Nation and the States, each supreme within its sphere, thus forming an indestructible Union of indestructible States; and

"Whereas this division of governmental power is a fundamental principle of our constitutional system, designed to insure to each State the right to establish such forms of local government as it thinks best suited to the interests, temper, and customs of its people and most likely to effect the safety and happiness of its citizens; and

"Whereas, in recent years, this foundation principle of our Government has been imperiled by the ever-expanding power of the Federal judiciary, until at last the Supreme Court of the United States has undertaken to alter by judicial decree the very forms of Government under which we live; and

"Whereas the Constitution of the United States contemplates the separation of the legislative and judicial functions to distinct branches of the Government; and

"Whereas the Constitution of the United States specifically reserves to the States or to the people thereof all powers not conferred upon the United States or denied to the States by said Constitution; and

"Whereas the apportionment of the several States for legislative representation is exclusively a legislative function reserved to the States and one which has never been delegated to the United States; and

"Whereas the Supreme Court of the United States, until recently, has historically denied jurisdiction to the courts of the United States in suits or controversies regarding such apportionment; and

"Whereas courts of the United States have now assumed the jurisdiction and authority not only to declare invalid the legislative actions of the several States regarding such apportionment, but the further jurisdiction and authority to exercise the legislative function and apportion the States by judicial decree; and

"Whereas such action by the Federal courts endangers the very fabric of a republican form of government: Now, therefore, be it

"Resolved by the House of Delegates (the Senate of Virginia concurring). That the Congress of the United States is hereby memorialized to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission: be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1966, this application for a convention shall no longer be of any force or effect;

"Resolved further, That the clerk of the house of delegates is instructed to send copies of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Agreed to by the house of delegates, December 2, 1964.

"Agreed to by the Senate of Virginia, December 3, 1964.

"GEORGE R. RICH,
"Clerk of the House of Delegates.
"BEN D. LACY,
"Clerk of the Senate."

"HOUSE JOINT RESOLUTION 9"

Resolution memorializing the U.S. House of Representatives to pass U.S. Senate Joint Resolution 139, proposing an amendment to the Constitution of the United States

"Whereas the Senate of the United States on September 29, 1964, with commendable praise, passed Senate Joint Resolution 139, which proposes an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice-Presidency of the United States and to cases where the President of the United States is unable to discharge the powers and duties of his office; and

"Whereas the American Bar Association has endorsed the contents of such resolution and urges its passage and submission to the legislatures of the several States for ratification: Now, therefore, be it

"Resolved by the House of Delegates of Virginia (the Senate concurring), That the Senate of the United States be commended for its passage of Senate Joint Resolution 139; be it further

"Resolved, That the House of Representatives of the United States is hereby memorialized to pass and submit to the legislatures of the 50 States for ratification Senate Joint Resolution 139, which is as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —"

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. If the President declares in writing that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. If the President does not so declare, and the Vice President with the written concurrence of a majority of the heads of the executive departments or such other body as Congress may by law provide, transmits to the Congress his written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"SEC. 5. Whenever the President transmits to the Congress his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President, with the written concurrence of a majority of the heads of the executive departments or such other body as Congress may by law provide, transmits within 2 days to the Congress his written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall immediately decide the issue. If the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of

the office, the Vice President shall continue to discharge the same as Acting President; otherwise the President shall resume the powers and duties of his office."

"Resolved further, That the clerk of the house of delegates is instructed to send copies of this resolution to the President of the United States, the clerk of each house of the legislature in the 50 States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Agreed to by the house of delegates, December 2, 1964.

"Agreed to by the Senate of Virginia, December 3, 1964.

"GEORGE R. RICH,
"Clerk of the House of Delegates.
"BEN D. LACY,
"Clerk of the Senate."

"HOUSE JOINT RESOLUTION 13"

Resolution memorializing the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States

"Whereas the Supreme Court of the United States has ruled that membership in both Houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the Supreme Court raised serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States; and

"Whereas, the 17th Biennial General Assembly of the States, meeting at Chicago, Ill., December 3, 1964, has adopted a resolution urging that the Congress propose an amendment to the U.S. Constitution which would provide that (1) any State which has a bicameral legislature may utilize factors other than population in apportioning one house of its legislature if the plan of apportionment is specifically approved by vote of the electorate of the State, and (2) any State may determine how governing bodies of its subordinate units shall be apportioned; and

"Whereas the 17th Biennial General Assembly of the States has proposed that the legislatures of the several States take immediate and uniform action, in accordance with article V of the Constitution of the United States, to apply to the Congress to convene a constitutional convention for the purpose of proposing an amendment to the Constitution as herein set forth: Now, therefore, be it

"Resolved by the House of Delegates of Virginia (the Senate concurring), That the Congress of the United States is hereby memorialized to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —"

"SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, pro-

vided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress: Be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

"Resolved further, That the clerk of the house of delegates is instructed to send copies of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Agreed to by the house of delegates, December 3, 1964.

"Agreed to by the Senate of Virginia, December 3, 1964.

"GEORGE R. RICH,
"Clerk of the House of Delegates,
"BEN D. LACY,
"Clerk of the Senate."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION A"

"GARRISON DIVERSION UNIT"

"Whereas a substantial irrigation development for North Dakota was not only promised, but was specifically authorized as an integral part of the Missouri River Basin project in the Flood Control Act of 1944, to partially offset the loss experienced in the State by the acquisition of over 550,000 acres of valuable agricultural lands by the Federal Government for the construction of the Garrison and Oahe Dam and Reservoir projects on the Missouri River; and

"Whereas the U.S. Bureau of Reclamation has determined from exhaustive studies and investigations conducted over the past 20 years, that the multiple-purpose Garrison diversion unit and irrigation development proposed therein is engineeringly and economically justifiable and feasible; and

"Whereas legislation that would reauthorize the Garrison diversion unit has been proposed in each Congress since 1957, and has been the subject of extensive and thorough congressional hearings held during the intervening years, at which strong and consistent project support has been given by the State's congressional delegation, Governor, legislature, potential irrigators, farm, business, labor, industrial, professional, and agricultural organizations and leaders, as well as from basinwide and national water resources organizations, and by the last two administrations; and

"Whereas the U.S. Senate in the 88th Congress, second session, passed a bill authorizing the construction of the initial 250,000-acre phase of the Garrison diversion unit, and the U.S. House of Representatives Committee on Interior and Insular Affairs in the same session, reported out favorably and recommended for passage a bill, H.R. 1003, as amended, authorizing the construction of the initial phase of the Garrison diversion unit, which report and amended bill were acceptable to the sponsors of the reauthorizing legislation, but said H.R. 1003 failed to receive House action because of lack of time before sine die adjournment of the 88th Congress: Now, therefore, be it

Resolved, by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the 89th Legislative Assembly of the State of North Dakota hereby expresses its unequivocal support for the early development of the Garrison diversion unit and fully concurs in and endorses the presentations by Gov. William L. Guy and other proponent witnesses at the hearings in the 88th Congress on S. 178 and H.R. 1003, and companion bills; and be it further

Resolved, That the 89th Congress be and it is hereby most respectfully urged to take early action to effect enactment of legislation authorizing the construction of the Garrison diversion unit along the lines of S. 34, H.R. 1718, and H.R. 237, 89th Congress; and be it further

Resolved, That copies hereof be transmitted by the secretary of state to the Members of the North Dakota congressional delegation, the chairman of the Senate and House Committees on Interior and Insular Affairs, President of the Senate, Speaker of the House, the President of the United States, the Secretary of the Interior, the Assistant Secretary of the Interior for Water and Power, and the Commissioner, Bureau of Reclamation.

"ARTHUR A. LINK,
"Speaker of the House.
"DONNELL HANGEN,
"Chief Clerk of the House.
"CHARLES TIGHE,
"President of the Senate.
"GERALD L. STAN,
"Secretary of the Senate."

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 36) to provide additional funds for the Committee on Interior and Insular Affairs, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

S. RES. 36

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to Indian affairs; irrigation and reclamation; minerals, materials, and fuels; public lands; and territories and insular affairs.

Sec. 2. Pursuant to its authority under section 134(a) of the Legislative Reorganization Act of 1946, as amended, the Committee is authorized to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, documents and to take such testimony on matters within its jurisdiction as it deems advisable.

Sec. 3. For the purposes of this resolution the committee, from February 1, 1965, to January 31, 1966, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,100 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the depart-

ments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed \$105,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. ANDERSON (for himself, Mr. JACKSON, Mr. DIRKSEN, Mr. MANSFIELD, Mr. BARTLETT, Mr. FANNIN, Mr. ALLOTT, Mr. CHURCH, Mr. CARLSON, Mr. LONG of Missouri, Mr. BIBLE, Mr. MONTOYA, Mr. BENNETT, Mr. GRUENING, Mr. HAYDEN, Mr. DOMINICK, Mr. JORDAN of Idaho, Mr. METCALF, Mr. CANNON, Mr. WILLIAMS of New Jersey, Mr. MOSS, Mr. MAGNUSON, Mr. HARRIS, Mr. SYMINGTON, and Mr. NELSON):

S. 564. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Finance.

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

By Mr. DIRKSEN:

S. 565. A bill to incorporate the McCarran Memorial Institution, and for other purposes; to the Committee on the Judiciary.

S. 566. A bill to amend the Federal Trade Commission Act to prohibit the use of the term "mahogany" in connection with woods and other products which are not in fact mahogany; to the Committee on Commerce.

S. 567. A bill to modify the flood control project for the Kaskaskia River, Ill., with respect to certain requirements for local cooperation; and

S. 568. A bill authorizing the Secretary of the Army to participate in the construction of a highway bridge across Carlyle Reservoir, Kaskaskia River, Ill.; to the Committee on Public Works.

By Mr. DIRKSEN (by request):

S. 569. A bill for the relief of Pasqua D'Inglillo; to the Committee on the Judiciary.

By Mr. CASE:

S. 570. A bill for the relief of Frank S. Chow; and

S. 571. A bill for the relief of Denise Hoebane Barrood; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 572. A bill for the relief of Robert L. Wolverton;

S. 573. A bill for the relief of Dr. Sedat M. Ayata; and

S. 574. A bill for the relief of Lester W. Hein and Sadie Hein; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 575. A bill to amend section 162 and section 832 of the Internal Revenue Code of 1954 to clarify the deductibility of premiums paid for flood insurance or indemnity; to the Committee on Finance.

By Mr. COTTON (for himself, Mr. MCINTYRE, Mr. YOUNG of North Dakota, and Mr. BURDICK):

S. 576. A bill to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a short-

age of physicians or dentists; to the Committee on Labor and Public Welfare.

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

By Mr. COTTON:

S. 577. A bill for the relief of Mary F. Morse; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. EASTLAND):

S. 578. A bill to amend section 47 of title 28, United States Code, to provide means for the disqualification of circuit judges for bias or prejudice; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. MCINTYRE):

S. 579. A bill for the relief of the State of New Hampshire; to the Committee on the Judiciary.

By Mr. PEARSON:

S. 580. A bill for the relief of Violeta V. Ortega, M.D.; and

S. 581. A bill for the relief of Phoebus Tongas; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 582. A bill for the relief of Aleksandr Kaznacheev;

S. 583. A bill for the relief of Mrs. Yee Au-Yeung Chan;

S. 584. A bill for the relief of Ming Chup Chow;

S. 585. A bill for the relief of Santiago Woo and Morjin Chee de Woo;

S. 586. A bill for the relief of Maria Tsilis; and

S. 587. A bill for the relief of Constantinos Pavlou; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 588. A bill for the relief of Armando Alfandari, Irene Alfandari, Alessandra Alfandari, and Elena Alfandari;

S. 589. A bill for the relief of Haralambos Foufas;

S. 590. A bill for the relief of Mrs. Athanasia Dagniantis;

S. 591. A bill for the relief of Verra Hionis;

S. 592. A bill for the relief of Ioannis Kosmakos;

S. 593. A bill for the relief of Panagiotis Spirakis; and

S. 594. A bill for the relief of Nikolaos Vilos; to the Committee on the Judiciary.

By Mr. HILL:

S. 595. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes;

S. 596. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases; and

S. 597. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities; to the Committee on Labor and Public Welfare.

By Mr. McGOVERN (for himself, Mr.

MANSFIELD, Mr. METCALF, Mr. BURDICK, Mr. McCARTHY, Mr. McGEE, Mr. MOSS, Mr. MONDALE, Mr. YARBOROUGH, and Mrs. NEUBERGER):

S. 598. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for continuation of the voluntary wheat certificate program, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. KUCHEL (for himself and Mr. MURPHY):

S. 599. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

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

By Mr. MORSE (for himself, Mr. CLARK, Mr. HARTKE, Mr. MANSFIELD, Mr. RANDOLPH, Mr. YARBOROUGH, Mr. GRUENING, and Mr. YOUNG of Ohio):

S. 600. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Labor and Public Welfare.

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

By Mr. MOSS (for himself, Mr. MUNDT, Mrs. NEUBERGER, Mr. MAGNUSON, Mr. CHURCH, Mr. CURTIS, Mr. BURDICK, Mr. BYRD of Virginia, Mr. RANDOLPH, Mr. LAUSCHE, Mr. HART, Mr. GRUENING, Mr. TOWER, Mr. DOUGLAS, Mr. BENNETT, Mr. COOPER, Mr. ALLOTT, Mr. INOUYE, Mr. MORSE, Mr. BARTLETT, Mrs. SMITH, Mr. SMATHERS, Mr. BIBLE, Mr. WILLIAMS of New Jersey, Mr. LONG of Missouri, Mr. McCLELLAN, Mr. PELL, Mr. McGOVERN, Mr. McGEE, Mr. HILL, Mr. SIMPSON, Mr. YARBOROUGH, and Mr. DOMINICK):

S. 601. A bill to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941; to the Committee on Armed Services.

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

By Mr. MOSS (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. CHURCH, Mr. KUCHEL, Mr. McGEE, and Mr. SIMPSON):

S. 602. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

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

By Mr. HICKENLOOPER:

S. 603. A bill for the relief of Alicia A. Basco;

S. 604. A bill for the relief of Elena A. Basco; and

S. 605. A bill for the relief of Norma T. Sadumiano; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 606. A bill for the relief of Daili Park;

S. 607. A bill for the relief of Bok Hi Lee Kang;

S. 608. A bill for the relief of Charles R. Hartew;

S. 609. A bill for the relief of George Orfanoudis; and

S. 610. A bill to increase the rates of compensation of the Chief Justice of the United States and of Associate Justices of the Supreme Court; to the Committee on the Judiciary.

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

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 611. A bill for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska; to the Committee on the Judiciary.

By Mr. GORE:

S. 612. A bill for the relief of Kevin Dillon Schofield; and

S. 613. A bill to require filing under chapter XIII of the Bankruptcy Act in certain bankruptcy proceedings; to the Committee on the Judiciary.

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

By Mr. CURTIS:

S. 614. A bill for the relief of Evangelia Moshou Kantas;

S. 615. A bill for the relief of Andreas Gregorios, Eleni, Nikolaso, and Anna Chingas;

S. 616. A bill for the relief of Miss Choun Seem Kim; and

S. 617. A bill for the relief of Zehra Ener; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. COOPER, Mr. HARTKE, Mr. KENNEDY of Massachusetts, and Mr. JAVITS):

S. 618. A bill for the relief of Nora Isabella Samuelli; to the Committee on the Judiciary.

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

By Mr. COOPER (for himself, Mr. Dodd, Mr. HARTKE, Mr. JAVITS, Mr. KENNEDY of Massachusetts, and Mr. PELL):

S. 619. A bill for the relief of Nora Isabella Samuelli; to the Committee on the Judiciary.

By Mr. NELSON:

S. 620. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the eastern district of Wisconsin; to the Committee on the Judiciary.

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

By Mr. PROUTY:

S. 621. A bill for the relief of Marija Malnar; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. CLARK, Mr. WILLIAMS of New Jersey, Mr. RIBICOFF, Mr. GORE, Mr. COTTON, Mr. MCINTYRE, Mr. MUSKIE, and Mr. TYDINGS):

S. 622. A bill to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. DODD:

S. 623. A bill for the relief of Jesus Miguez Miguez and Camilo Sotelino Miguez; and

S. 624. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption; to the Committee on the Judiciary.

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

By Mr. SIMPSON:

S. 625. A bill to authorize the sale of isolated or disconnected tracts of lands; to the Committee on Interior and Insular Affairs.

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

By Mr. LONG of Missouri:

S. 626. A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace; to the Committee on Interior and Insular Affairs.

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

By Mr. MAGNUSON:

S. 627. A bill to exempt oceanographic research vessels from the application of certain

vessel inspection laws, and for other purposes; to the Committee on Commerce.

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

By Mr. MAGNUSON:

S.J. Res. 29. Joint resolution to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions; to the Committee on Commerce.

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

By Mr. CURTIS (for himself and Mr. BYRD of Virginia):

S.J. Res. 30. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

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

CONCURRENT RESOLUTION PRINTING OF ADDITIONAL COPIES OF THE PRAYERS OF FORMER CHAPLAIN PETER MARSHALL

Mr. PEARSON. Mr. President, I send to the desk for appropriate reference a concurrent resolution which would allow the prayers of Peter Marshall, former Chaplain of the Senate, to be reprinted. These prayers were formerly printed as Senate Document No. 86 of the 81st Congress, 1st session, but the supply has now been exhausted. The demand for them continues to be great, however. This resolution would allow each Senator 100 copies and each Representative 50 copies.

The Joint Committee on Printing informs me that the estimated cost would be approximately \$6,200.

Peter Marshall's prayers, inspirational in their simplicity and clarity, have been a source of personal strength to many. I believe that each Member of this body would appreciate having another printing of them for his own personal use and as a valuable resource to pass on to the constituents in his State. I hope this resolution will receive the prompt attention of both Chambers.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 9) was referred to the Committee on Rules and Administration, as follows:

S. CON. RES. 9

Resolved by the Senate (the House of Representatives concurring). That there be printed thirty-two thousand, two hundred and fifty additional copies of Senate Document No. 86, Eighty-first Congress, first session, being the prayers offered by the Chaplain, Reverend Peter Marshall, D.D. at the opening of the daily sessions of the Senate of the United States during the Eightieth and Eighty-first Congresses, 1947-1949; of which ten thousand three hundred copies shall be for the use of the Senate and twenty-one thousand nine hundred and fifty copies shall be for the use of the House of Representatives.

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported

an original resolution (S. Res. 36) to provide additional funds for the Committee on Interior and Insular Affairs, which, under the rule, was referred to the Committee on Rules and Administration.

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

STABILIZATION OF THE DOMESTIC SUPPLY OF LEAD AND ZINC

Mr. ANDERSON. Mr. President, once again I must call the attention of the Senate to an item of congressional business that should receive our serious consideration and action during this session of the 89th Congress. I refer to enactment of a plan that will provide and stabilize a necessary domestic supply of the two metals, lead and zinc, and in so doing assure reasonable prosperity for the domestic miner, maintain adequate stocks of metal at reasonable prices for the domestic consumer and share a reasonable portion of our markets with other nations producing these metals for export.

I have discussed this matter many times in the past—in fact more often than I care to remember—but today I feel confident that the time is right and the plan we submit for consideration of the Senate is the correct method for obtaining the objectives cited above.

On previous occasions when I addressed the Senate regarding plans to assist the lead-zinc industry, we had to report that metal stocks were excessive as the quota plan of 1958 had not been effective and as a result metal prices were subnormal and mining activity depressed.

Today I can report that with increasing consumption, the metal stocks have dropped to near minimum levels and prices have risen to levels that once again encourage exploration, development, and mining. In fact, during 1964 a release of lead and zinc from the national stockpile was authorized by the Congress to supplement domestic stocks. This highlighted two important items. First, foreign lead and zinc prices increased to levels above those in the United States and attracted foreign production that normally would have reached our markets. Second, our domestic miners had suffered for years with unusually low prices and with no incentive to increase mine capacity. As a result there is a natural lag in time between an increased domestic price and increased mine production.

This experience has emphasized again that some stabilizing plan is essential to assure our domestic miner of a fair metal price over the long term to encourage continuation of exploration and development that leads to normal levels of lead and zinc mine production.

Our domestic smelters have also had their problems. With supplies of ores and concentrates limited by absolute quotas and elevated foreign prices during times of increasing consumption, there had not been sufficient material available for smelting to meet domestic consumers needs. This problem needs correction.

The miner and the smelter operators have both been concerned, and rightly so, about their desire and obligation to provide the necessary metals at fair prices to the consumers, as consumption has increased with the general level of the economy. We wish to correct that situation.

Together with all these factors we must provide a legislative program that will accomplish the normal objectives within the framework of our announced policy of encouraging trade with the exporting nations.

Today I am introducing proposed legislation that will accomplish all these objectives, and I am happy to be joined by Senators from the 20 lead-zinc producing States of our great country. The Lead and Zinc Act of 1965 provides for flexible import quotas that will establish a basic quota equal to those now in effect, but will permit increased imports in a direct ratio to increased domestic consumption. This serves as a relaxation and liberalization of the present quota plan—an objective of our trade policy and certainly meets with the expressed desire of those countries serving our markets.

The initial quota allocations to specific countries conform to the current allocations, but the bill has provisions to transfer unused quota tonnage to a global quota that will be available to those countries having increasing amounts of material available for export. This will accommodate the changing conditions of mine and metal production around the world with a minimum of negotiation on the part of our Government and our foreign friends.

Mr. President, in summary, I must emphasize that now is the time to enact this legislation.

During this period of temporary recovery from the years of depressed activity, the mining industry can agree to and operate with import controls that are no more restrictive than the present quota proclamation. Furthermore, they can agree to a liberalization of these quota levels as domestic consumption increases. This is possible because the excessive metal stocks, hanging over the market for the past 7 or 8 years have been eliminated. We do not believe this unhealthy situation would recur under the proposed flexible import quota plan.

I mentioned above the temporary recovery within the industry. Its economic history has been one of recurring cycles of boom and bust. Conditions may look bright now, but we know from testimony presented during a Tariff Commission hearing of the lead-zinc industry last June that potential mine and smelter production from foreign countries through the next 2 or 3 years greatly exceeds any estimates of increased world consumption. The resulting surplus of ores and metal from those countries will once again flood our markets—close our mines—if we are not prepared with a plan to provide long-term stability of the domestic mining and smelting industry.

I urge serious and immediate consideration of this proposed legislation that will equitably accommodate the interests of all concerned—the domestic producers—the miner and smelter, the con-

sumer and the importer of foreign production.

As stated during the Tariff Commission lead-zinc hearing of last June, the present absolute quotas were not sufficiently restrictive, when enacted in 1958 to correct the problems that existed at that time and that stayed with us until recent months. Under the present conditions of increasingly high foreign prices and changed world production patterns the absolute quotas can be too restrictive in some instances. We see that when world prices are higher than our own, then the foreign producers have no interest in flooding our markets. Now is the time to act. We must move to lend stability to the situation while prices are encouraging to domestic producers, yet not excessive to consumers; while our market is available to foreign producers, yet world demand prevents an oversupply and a depressing effect.

The Congress now has before it a plan workable and equitable for the producer, consumer, and importer—a long-range minerals policy for lead and zinc. Before any change is made in the present quota proclamation, this legislation must be enacted to solve industry problems that have troubled our communities, our States, our Federal Government, even our foreign policy since 1950.

Two years ago I introduced a bill which differed in method but not in goal. It was referred to the Interior and Insular Affairs Committee with the understanding that when consideration had been completed there it would be referred to the Committee on Finance since imports were involved.

The bill was the subject of hearings before the Interior Committee. As a result of that action further refinements have been made to the bill.

Accordingly, I ask that the bill be referred to the Committee on Finance where I hope hearings can be scheduled in the very near future.

I now send the bill to the desk and ask that it lie there for 10 days for additional cosponsors.

I introduce it for myself, Mr. JACKSON, Mr. DIRKSEN, Mr. MANSFIELD, Mr. BARTLETT, Mr. FANNIN, Mr. ALLOTT, Mr. CHURCH, Mr. CARLSON, Mr. LONG of Missouri, Mr. BIBLE, Mr. MONTOYA, Mr. BENNETT, Mr. GRUENING, Mr. HAYDEN, Mr. DOMINICK, Mr. JORDAN of Idaho, Mr. METCALF, Mr. CANNON, Mr. WILLIAMS of New Jersey, Mr. MOSS, Mr. MAGNUSON, Mr. HARRIS, Mr. SYMINGTON, and Mr. NELSON.

Mr. President, I ask unanimous consent that the bill be referred to the Committee on Finance, where hearings will be held. The subject has been considered by the Committee on Interior and Insular Affairs and previously reported. Therefore, I think it would expedite the matter if the bill were referred directly to the Committee on Finance.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be received and, without objection, it will be referred as requested, and will lie on the desk as requested by the Senator from New Mexico.

The bill (S. 564) to protect the domestic economy, to promote the general welfare, and to assist in the national de-

fense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. JORDAN of Idaho. Mr. President, I am very pleased to join with Senator ANDERSON of New Mexico and other Senators in supporting a bill to offer protection to our domestic lead and zinc miners and to assure needed supplies of lead and zinc for our custom smelters and consumers. We have experienced fluctuations in price for these metals for the past several years that have been inconsistent with our normal economic business cycle. These domestic changes in the market price disrupt the industry's plans and operations.

Mr. President, at one time we had nearly 100 lead and zinc mines in operation in Idaho. Now we have less than 25. During the period from 1950 to 1961 the output from these mines averaged \$52.5 million annually, while in 1962 it was about \$30 million. Our lead and zinc mines and processors at one time employed some 4,700 men but in 1962 this was down to 3,300. While there has been some improvement in the last year, we need much more stability if we are to explore, develop, and process these metals to our full potential in the future.

There is a definite relationship in most western lead and zinc mines and the production of silver in various percentages and proportions is usually recovered along with lead and zinc. We are facing a crisis in our domestic silver situation. Our supplies of silver bullion are being used up at an alarming rate. We have a shortage of silver coins. Hoarding of silver is another problem. We need to produce more silver to meet our increased usage of that metal. One of the ways to do this is to stabilize and encourage full development of our domestic lead-zinc mining properties.

This bill which would set up a flexible quota plan based on domestic production and needs would help to stabilize the industry to the benefit of all concerned, the miner, the processor, the consumer, and to a very great extent, the importer. I hope it will be favorably considered by the Congress early in this session.

ENCOURAGEMENT OF PHYSICIANS TO PRACTICE IN AREAS HAVING A SHORTAGE OF DOCTORS

Mr. COTTON. Mr. President, I introduce for appropriate reference a bill to encourage physicians who have received student loans under the Public Health Service Act to practice their profession in areas having a shortage of physicians.

The bill would permit the canceling of a portion of the unpaid balance of a student loan awarded to a physician who practices in a "shortage" area, as designated by the appropriate State health authority. For each year of practice in a shortage area, up to 5 years, 10 percent of the total of the outstanding loans, plus interest, could be canceled.

As S. 2220, the bill was overwhelming approved by the Senate last year, but did not pass the House.

I ask that the bill remain at the desk until the close of business next Tuesday, January 26, so that other interested Senators may have an opportunity to become cosponsors of this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will remain at the desk as requested.

The bill (S. 576) to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists, introduced by Mr. COTTON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EQUITY FOR WHEAT FARMERS

Mr. McGOVERN. Mr. President, I have sent to the desk for myself, Mr. MANSFIELD, Mr. METCALF, Mr. BURDICK, Mr. McCARTHY, Mr. MOSS, Mr. McGEE, Mr. MONDALE, Mr. YARBOROUGH, and Mrs. NEUBERGER, a bill to increase the assured return of farmers from wheat produced for domestic food use—approximately 45 percent of a cooperator's crop—to full parity.

The bill extends the voluntary wheat certificate plan—which has worked well—for an indefinite period, and provides that the basic price support loan, which this year will be approximately 50 percent of parity, plus the certificate issued against domestic food wheat, shall total 100 percent of parity.

The bill would not require an increase in the value of the export certificates, which the Secretary of Agriculture sets within his discretion. It would not change the provision in regard to diversion payments.

We have been given to understand that any increase in costs of farm programs to the Government will be resisted. The measure I have just introduced will not increase Federal costs, since it does not change the export certificate or diversion payments which ultimately come from the Treasury.

If the bill is enacted into law, farmers who reduce their wheat acreage and co-operate in production control, to keep Government holdings and storage costs at a reasonable level, will get an average of about 76.7 percent of parity for their wheat crop, composed of the 100 percent for domestic food wheat, 62 percent on 35 percent of the crop earmarked export wheat, and 50 percent of parity on 20 percent of their crop against which no certificates are to be issued. They currently have supports of about 71.7 percent of parity average over the whole crop. Even the 76.7 percent this bill seeks would be substantially below the 90 percent of parity level which was once our goal.

In dollars and cents, the bill will have the effect of raising the valuation of domestic wheat certificates approximately

50 cents per bushel above the 75-cent level announced for the 1965 crop. Nationally, it will mean a \$250 to \$300 million increase in farm income.

Passage of the measure could mean an increase of 1 cent per loaf in the price of 1-pound loaves of bread. When we instituted the voluntary wheat certificate plan last year, wheat cost to millers was increased 10 to 12 cents per bushel. There were spotty increases in retail bakery products prices but no general bread price increase. Such a general small rise in bread prices may occur when this bill becomes effective.

I regret the necessity of any action which will increase consumer prices, Mr. President, but I am sure that any fair-minded person—legislator or housewife who buys the groceries—will agree that the farmers of the United States are entitled to a fair return for their labor and investment, and that they are not now getting such a fair return.

Realized net farm income was \$15.2 billion in 1951. It fell to a low of \$11.3 billion in 1959, was raised to \$11.6 billion in 1961 and 1962. It dropped \$100 million in 1963 and another \$200 million last year, mostly as a result of decline in wheat income.

Production costs are rising while farm commodity prices are falling.

The parity index, which measures farm prices against the prices of things farmers have to buy, has dropped from 100 in 1949 and 107 in 1952 to 75 percent of parity now. Total farm income today buys farmers only three-fourths as much as their income did in 1952.

Much of the relative economic stability this country has enjoyed in recent years has occurred, not because prices in other sectors of the economy did not rise, but because farm prices were falling. Farmers have underwritten the cost of other price rises.

In 1958, midway in the 1957-59 base period on which price indexes are now based, farm prices stood at 104 on the index. They were at 97-7 points off—November 15, 1964, the last date for which I can get the figures. Prices paid by farmers for the products of others had advanced on the same index from 100 to 107—up 7 points, or the same number of index points that farm prices fell in the same period.

In this same period, Mr. President, total corporate profits after taxes have risen from \$18.6 billion to a \$22 billion annual rate last November 15. The average weekly earnings of workers in manufacturing industries have risen from \$82.71 to \$104.70.

I am not being critical of prosperity. I am only determined that farmers should share in it.

My purpose in citing these figures is not to be construed as an attack on profits or wages, but solely to indicate the serious situation in agriculture and the complete equity of improving farm prices.

One of the great difficulties those of us who plead the case of farmers face is translation of this sort of statistics into human terms—picturing their meaning in terms of people on the land. We can only resort to more statistics which are,

unfortunately, averages which can be misconstrued.

The average personal income of people in agriculture from farming in 1963 was only \$976 per capita. Because many of them are small farmers who work off the farm too, and a few have investments off the farm, the average disposable personal income of farm people in 1963 was \$1,376 compared to an average disposable personal income of the nonfarm population of \$2,181 per capita. The farm income figure includes the rental value of the farm home and the cash value of home produced foods. It was not all cash, and it was not quite two-thirds as much as nonfarm people had.

The consequences of low prices and low farm income are reflected in other statistics. There were 4,232,900 farms in 1958. The Statistical Reporting Service of the Department of Agriculture announced just a few days ago—January 14—that we now have only 3,376,000 farms. There has been an 857,000 decline in farm units in the last 7-year period.

The farmers who remain on the land are not as secure as they were a few years ago.

Total farm mortgage debt in the United States has increased almost 40 percent since 1960 from about \$12.1 billion to \$16.8 billion. In my own State of South Dakota, farm mortgage debt has increased from \$172 to \$277 million.

Non-real-estate loans to farmers since 1960 have increased almost 50 percent from under \$7 billion to \$10 billion. In South Dakota the increase is from \$143 to \$246 million.

The picture we have is of 100,000 farm families being forced off the land each year—and more hundreds of thousands lined up behind them, with increasing debt, who will have to go next year, and the next, or the next.

Their only future as of today appears to be the economic opportunity program and, unfortunately, the opportunities are not for people in the present farming age groups but for much younger age groups.

As the Senator from Vermont [Mr. AIKEN] said, in a recent splendid discussion of the farm situation on the Senate floor, the displacement of a farm family means a great deal more economic dislocation than just that of the family directly involved. Bankers, merchants, lawyers, doctors—all types of residents of rural communities and towns are displaced because their patrons are gone. Workers back in the industrial cities also lose their jobs because the market for the products they make is constantly declining. The suggested displacement of all but 1 million farmers would involve 7 or 8 million farm people, and millions more who serve them.

Equity for agriculture, still the biggest patron of our steel industry, our oil industry, our chemical industry, and many others, is a must for all of us.

I have been engaged recently in editing a collection of selections for an anthology on agricultural policy development in the 20th century. In the course of that work, I ran across three paragraphs in a book by Liberty Hyde Bailey, published

in 1911 on the country life movement, which Dr. Bailey chaired on appointment from Theodore Roosevelt. It represented a viewpoint of Dr. Bailey's time, which I believe has changed, but the moral of it is a good one.

Dr. Bailey wrote:

The fundamental weakness of our civilization is the fact that the city and the country represent antagonistic forces. * * * The city lives on the country. It always tends to destroy its province.

The city sits like a parasite, running out its roots into the open country and draining it of its substance. The city takes everything to itself—materials, money, men—and gives back only what it does not want; it does not reconstruct or even maintain its tributary country. Many country places are already sucked dry.

The future state of the farmer, or real country man, will depend directly on the kind of balance or relationship that exists between urban and rural forces; and in the end, the state of the city will rest on the same basis. Whatever the city does for the country it does also for itself.

We have a great deal better understanding of the interrelationship of city and country today—a half century after Dr. Bailey wrote that passage—than existed in his lifetime. We learned, the hard way, perhaps, in the great depression, that the state of agriculture and city are intertwined.

A good deal of farm legislation has been made possible by city Members of the Congress. An enlightened labor movement in the cities has recognized the equity of fair farm prices and farm income support programs and has supported our farm bills.

In the last few years, agriculture unfortunately has been drained.

It has been the victim of oversight and of a misunderstanding of the extent of aid being given it, as Senator AIKEN pointed out in his able talk last week. The Senator demonstrated that \$4.6 billion of this year's agricultural budget is for the benefit of businessmen, consumers, foreign assistance, and the general public, while only \$2.2 billion is aid for the farmers themselves. Last fiscal year, the figures were \$4.6 billion for nonfarm interests and \$3.3 billion of farm aid. I refer anyone who wants detail on these figures to Mr. AIKEN's presentation at page 562 of the January 12 RECORD. Parenthetically, I would like to compliment the Senator from Vermont, and express my appreciation for the fine service he did for farmers and agriculture.

As a result of misunderstanding, and a lack of awareness of the depth of agricultural distress, farmers find themselves confronted with a strong resistance to further budgeted farm aid, and must turn—as the bill I have introduced does—to consumers with a plea for more equitable prices.

I have confidence that the small increase in consumer costs this bill may entail will be accepted. I am certain that they will be if a majority of the Members of Congress get not only the statistical picture of the situation, but some realization of the human tragedies that are occurring in rural areas, day after day after day. Those tragedies are reflected in my mail.

This morning I find a letter from Alfred Moeller, of Gary, S. Dak., in my mail. He writes:

I am writing you in regard to egg prices. For the last 2 weeks we have been getting 20 cents per dozen for No. 1 eggs. We are on a small, family-type farm. We keep around 400 hens, milk 2 cows, and raise a few hogs. With present prices, we are just not able to make a go of it. The farmers in this area are in a desperate shape. Please, can you do anything for us?

A farm mother at Parker, S. Dak., writes me:

Just a plea from a farmer's wife in regard to the prices we are getting for our products. After a severe drought last summer, we are having to buy feed, corn, oats, and hay and now when we sell our eggs we are getting 18 cents a dozen. Please tell me how can we continue on this way?

We are not asking for handouts or relief or sympathy, but we want a better price for our eggs, and quick, too—that is our livelihood. Another thing, why do the city people have to pay so much for a dozen eggs, and for meat in the store when our hogs (if we have any) are only bringing \$16?

We have some nice brood sows but we cannot afford to buy any more feed for them. The same way with our milk cows.

So please, Senator, cannot something be done to help us through this winter—not loans, just better prices.

We have three children, one married, one graduating in May from high school and one girl age 11. Our other problem is the boy who will graduate in May. He is a diabetic—and that is what costs so much and nothing to pay for it with.

Why do those medicines, pills, and doctors have to be so high? We should put him in the hospital again for a checkup but we just cannot do it, so he will have to get along as is—and what will he do after he is out of high school?

He cannot get work because it seems nobody wants to hire a diabetic, why I do not know, and we cannot afford to send him on to school. So, please, won't you try to do some investigating on this problem, and see if somewhere something cannot be done so we can get better prices for our products. That is all we ask, is this too much?

The plight of farmers is the most serious I have known since I entered public life more than a decade ago.

It is no answer, Mr. President, to say that much of the benefit of improved farm income will go to a million larger farmers out of 3½ million.

We passed a tax reduction bill a year ago that will benefit individuals and corporations who are not going broke—who have enough profits and earnings to pay income taxes on them. We do not require a poverty oath of every beneficiary of every law which is enacted.

I have favored a family farm limitation on benefits from farm programs, but Congress has never seen fit to enact one.

It is true that there are large farmers who benefit more handsomely in dollars from farm programs than the small, family farmer, about to lose his land. But, I doubt that any large farmer gets more important help than the smaller producers. A small increase in price—the difference between 71.7 percent of parity for wheat and 76.7 percent of parity for wheat. It can mean the difference between solvency and insolvency to them; the difference between security

in the way of life they have chosen and being forced to enter competition for jobs in an economy with a persistently too high rate of unemployment.

During the New Deal, Mr. President, this Nation sought to reduce the relief rolls by giving unemployed with some agricultural experience small loans for a cow, a pressure cooker, and some fruit jars to produce their own food. It saved tax money. It started many on their way toward self-sufficiency on the land.

It would be unwise to resume that program today, but I think it is equally unwise to knowingly reverse it. We should still be building toward greater security for the small farmers of the Nation, and a situation in which they can remain on the land, at least until attractive opportunities draw them away. They should not be driven by unfairly low returns from their production to join an army of unemployed.

The wheat bill which has just been introduced can keep thousands of farmers secure on the land who would otherwise fail. It will provide no more than a fair return to others who produce America's foodstuffs for the lowest percentage of consumer income ever achieved in a major nation in world history.

I am hopeful that the measure will receive sympathetic and speedy consideration by the appropriate committees and Members of the Senate, and that it can be enacted into law.

I am considering, in consultation with my cosponsors, two additional changes in the wheat program. One would permit some small increases in the acreage for export purposes only. The other possible change would apply the so-called family farm cutoff on the amount that could go to any one producer, perhaps a limit of 15,000 bushels.

I hope that these two amendments, which are now under consideration, will be gone into by the committee.

I ask unanimous consent that some letters that I have received from constituents recently pointing up the urgency of this matter may be included in the RECORD at this point.

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

CASTLEWOOD, S. DAK.

DEAR SENATOR McGOVERN: I have farmed for myself for 28 years. I have always gotten along pretty good; making a little money most every year except a few dry years.

I have had to increase my production: From farming a 240-acre farm to a 560-acre farm, from 10 cows to around 30 cows, from about 40 hogs a year to about 150 hogs a year, and from about 20 feeding steers to about 80 steers a year. To make any money I have had to do this, not because I wanted to. I own 360 acres and rent 240 acres. I lost money last year, the first time in 28 years. Things are getting tough for the farmer and I don't mean maybe. I had a pretty good crop also last year. But expenses are getting terribly high and our income is way too low for the price we have to pay for machinery and parts and most anything we have to buy. I am concerned about these things and I hope you will try to do something for us farmers by getting our prices in line with the things we have to buy. Getting our prices up will help everybody down the line. When we quit buying as a lot of us have done the last few years, it is going to hurt

all down the line, labor and industry alike. Some more of us will be out looking for jobs; which there are not enough of now.

Hoping you will give us farmers some consideration in your work in Washington.

Sincerely yours,
HENRY WELLHOUSE.

ALPENA, S. DAK.

DEAR SENATOR McGOVERN: Lately there has been farm family after farm family in this community selling out because they couldn't hold on any more; they couldn't make a living on the farm. Several young families near here are trying to supplement their farming with part-time work in order to make enough to stay on the farm but even this doesn't do it because just yesterday we learned that a young family who are friends of ours and who have been supplementing their income are selling out.

Our son, Scott, is nearly four and we have been hoping to have a second child so that he wouldn't be alone but last night when I said something about having this second child, Larry's reply was so halfhearted that I asked him what was wrong. Reluctantly he said, "I suppose finances aren't the right things to base our decision on of whether or not to have another baby, but I don't even know where we are going to get the money to live on." When I questioned him further as to why, he told me, "It is just a matter of fact that our farming expenses amount to more than our income. Interest rates are too high across the Nation, the banks and finance companies have more money than they know what to do with, and the high-interest rates are included in the things we have to buy." Then he voiced the thing that was really worrying him, "This is just the way it was in 1929 just before the depression, the banks were sitting high and the farmers were going broke. We just may go into a depression." He also added that because of the drought this year we are going to have to buy the feed to raise our pigs next year and this will take most of the money we ordinarily have for operating expenses and next year's calves would probably have to go for that.

Senator McGOVERN, this isn't the dilemma of an eighth grade or high school graduate trying to start farming on his own, this is the dilemma of an agricultural graduate of State College who is taking over the operation of the established and productive farm of his father who is giving him all the assistance possible. Both are good farm managers and in a decent economy this would be a winning combination. But when such a seemingly ideal situation as this can't make it even with the help of FHA, then as Hamlet says, "There's something rotten in the state of Denmark."

And it isn't a matter of living or operating overly expensively. He and his brother share a grinder so they can grind and mix their own feeds, they went together on a used sheller so they can shell their own corn and even some for others. We don't even own a car, we drive the old 1950 Plymouth dad didn't trade in 3 years ago when he got a car. Our furniture is hand-me-down and we don't own a television because we don't have the money to get one. We are going to have to have a car because the old Plymouth is about done for. We planned to get a Volkswagen last year but when we sold our feeder pigs last year they brought in \$1,200 less than the same amount of pigs the year before.

I'm sure that Larry would be embarrassed at my writing you such a personal letter, but I don't know how else to convey to you the situation which confronts us. However, it would be better if you could come out and visit some farms and see for yourself how the current situation stands.

This isn't a problem we can solve from here, as far as producing more, our expenses in producing are exceeding the income from it. Something must equalize things else-

where since the packinghouses, steel companies and finance agencies are making more profit than ever before and we are going under. Once we go under, other industries fold also, but you know that process better than I. However, I do feel that the time for remedial measures to prevent the farm economy from folding is short.

Sincerely,

Mrs. K. D. L.

FAULKTON, S. DAK.,

January 11, 1965.

DEAR SENATOR McGOVERN: The net income of the farm and ranch operators in South Dakota is going down. With a decrease of income the buying power of a very important segment of our economy is deeply cut.

Many people I do business with are still too proud to assume debts beyond their means. All they ask is a comfortable living with an opportunity to contribute to the good of our great Nation.

We ask that the price support on basic commodities be maintained.

The use of nonsurplus commodities in your food for peace program must be made. We ask your support in the change of Public Law 480 to permit the use of nonsurplus food.

The rural area development is a fine program, but very little tax money has ever been authorized for it. The community action programs authorized by the antipoverty act are commendable but, this far, only 5 percent of CAP funds have reached rural communities. Attention should be directed to these matters.

Your consideration and favorable action will be much appreciated by a very grateful rural South Dakota.

Sincerely,

KARL W. BACHMAYER,
President, Bachmayer Lumber Co.

BRYANT, S. DAK.,

January 5, 1965.

DEAR SENATOR McGOVERN: First of all, it is my feeling that the farmer didn't vote Democratic because he was satisfied. He voted Democratic because he thought the Democrats would help him. The outlook on the farms today is probably darker than it has been for 30 years. We don't see any of that prosperity we hear you talk about.

Well, what does the farmer need?

He needs an investigation of the buying and selling practices at the marketplace. There are a hell of a lot of things setting the price besides supply and demand.

After these investigations are completed it should be determined whether legislation is needed to limit the power and practices of these chain stores or—whether the farmers should be legislated bargaining power at the marketplace.

All the money or political talk in the world will never solve the farmers problem. The farmer has got to have an equalizer at the marketplace. The present marketing setup is an evil system that legalizes stealing. It is certainly so one sided it can no longer be called a free market.

We need new programs and new solutions and we need them now. The farmer was desperate 30 years ago, and so he is now.

Now is the time to decide where the farmer fits into this Great Society. Is he going to be included in it or is it going to built on him. I think we have supported the economy on our 75 percent of parity long enough. I think the farmer should be invited into the present society and then on into the Great Society. I hope you realize the 25 percent of parity he hasn't been getting is the money he should be living on, the money he should educate his kids with, the money he should vacation with, doing and enjoying the things you people do.

I think its time this great Nation, in the 20th century faced up to its obligations,

stopped skimming off the rural cream and found some solutions to this rural problem.

I appreciate your consideration of my views and hope you will see fit to act upon them as I really feel this is urgent.

Sincerely,

KENNETH CRONKHITE.

BERESFORD, S. DAK.,

January 6, 1965.

DEAR SENATOR McGOVERN: As president of the First National Bank of Beresford, Beresford, S. Dak., I urge you, as U.S. Senator from South Dakota, to strengthen the economic conditions of our rural farmers.

If our farmers are to continue to feed livestock and grow field commodities, they will have to get a better price for their grain and livestock. It seems that the farmers always get the "short-end." This also affects the small businessmen in the rural areas. If Mr. Farmer does not make a profit in his operations the small businessmen will also get hurt.

Trusting you will give this some thought, I am,

Very truly yours,

T. A. PETERSON,
President.

THE PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 598) to amend the Agricultural Adjustment Act of 1938, as amended, to provide for continuation of the voluntary wheat certificate program, and for other purposes introduced by Mr. McGOVERN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CRUCIAL NEED FOR AUBURN-FOLSOM SOUTH PROJECT

MR. KUCHEL. Mr. President, I introduce, for appropriate reference, for myself and my distinguished colleague from California [Mr. MURPHY], a bill to authorize the Auburn-Folsom south unit, American River division, of the great Central Valley project in the State of California.

As every Senator is well aware, northern California has been subjected in the last 30 days to devastating heavy rainfall and disastrous floods. As it was so dramatically phrased in the San Francisco Examiner, "Sacramento came within inches of being flooded."

The Department of the Interior has estimated that the Folsom Dam, on the American River above Sacramento, our State capital, is credited with saving \$45 million in damages in the Sacramento area during the crisis, while an additional \$40 million in damages in the Sacramento River Valley is estimated to have been saved by the floodwaters stored in Shasta Dam on the upper Sacramento River.

The Auburn Dam and Reservoir is a necessary vital adjunct to the protection of our State capital from future flood threats.

The bill I am introducing today is identical with that which was approved unanimously by the Senate Interior Committee in the last Congress. Companion legislation was also approved last year by the Interior Committee of the House of Representatives. The same project, but with a modified plan, was

earlier approved by the Senate committee in the 87th Congress.

The plan thoroughly heard by the congressional committees and strongly endorsed by the administration in the 88th Congress represents maximum resource development. The Secretary of the Interior has already indicated that this project is high on the administration's priority list for the 89th Congress. This project represents the finest in multipurpose water development. It will be a gilt-edged addition to the gilt-edged Central Valley project.

The Auburn-Folsom project has the exceptionally favorable cost-benefit ratio of 3.71 to 1 and is financially, as well as engineeringly, feasible. Every million dollars invested by the Federal Government in this unit of the Central Valley project will produce nearly \$4 million in benefits. The Senate Interior Committee found this to be a most sound investment.

California, with a population of over 18 million people, is the most populous State of the Nation, and at present rates of growth in just 15 years—by 1980—some 27½ million persons will reside in the State. In addition, California is the home of a great number of wide-ranging industries and its highly specialized, intensive agriculture makes it one of the country's leading food producers.

All of these factors require tremendous and ever-increasing supplies of water. This need has been translated into a requirement for enough new supplies of water every Monday morning in the year sufficient to service the equivalent of a new community of 12,000 persons. Clearly, California's population and economic growth give rise to water requirements that now are outstripping the combined efforts of local agencies, the State itself, and those of the Federal Government to date.

Local agencies, private enterprise, and the State and Federal Governments have all made a significant contribution toward meeting the water needs of a burgeoning population. California is in the midst of construction of its \$1.750 billion bond-financed State project. But it will not serve the area to be served by the Auburn-Folsom south Federal project and is unrelated thereto. A sense of urgency for this project was stated by Secretary of the Interior Udall as follows:

There is an urgency to the Auburn-Folsom south project as a logical next addition to the Central Valley project for many of the areas it will serve are plagued persistently by drought, while much needed water flows unused down the American and its tributaries. The State of California cannot undertake this merited project because of its tremendous obligation of \$1.7 billion in other critically needed water-supply works.

Here is a project, however, that will assure continued growth and which counts as one of its strongest points the unusually high ratio of benefits to investment. In it, local interests will do their part to provide facilities essential to the Federal plan of action.

Traditionally, wide gaps of time always separate project authorization, appropriations, construction, and delivery of water. It is for this reason that I appeal for early authorization of Auburn-Folsom south unit of the Central Valley project.

The project involves a huge dam with a 2½-million-acre-foot capacity reservoir on the American River, effecting water conservation, flood control, fish, wildlife, and recreation values, and helping to meet the growing electric power requirements of the Central Valley. Downstream from this Auburn Dam and the presently existing Folsom Dam will begin the Folsom-South Canal to take water some 67½ miles for a valuable agricultural area already overdrawing its existing supplies. Municipal and industrial service will also be provided to several areas.

The bill would also authorize two smaller dams and reservoirs which, with appurtenant diversion works and conduits would also provide multipurpose water development to rapidly expanding adjacent areas to assure continued growth.

Mr. President, this project does not impinge upon the interests of any other State. The waters involved are solely intra-California. No part of this project is involved with any other, except other units of the wholly intra-California Central Valley project.

It stands on its own, a merited advance in the continuing efforts, for which Californians are eternally grateful, by which the Congress has sought to assist the people of my State in meeting the water and power needs of a burgeoning population.

Although Californians have bonded themselves extensively to undertake a huge water plan of their own, the Federal Central Valley project remains a vital complement to the maximum efforts which are being put forth at the State level. Both must go forward as rapidly as possible.

In a word, the bill I now send to the desk is one deserving of expeditious and favorable consideration by the Senate. Authorization of this project should be one of the primary conservation achievements of the 89th Congress.

On January 6, I submitted to the Senate a bill to develop the water resources of the Colorado River. I stated at that time the joint sponsorship of the authorization of the central Arizona project was necessary to solve the water problems of the whole Southwest. Today I submit a measure which we believe is essential to solve the water problems of northern California.

Two weeks ago I offered to cooperate with my distinguished colleagues from Arizona in authorizing the central Arizona project. Today I ask them to offer their cooperation in authorizing the Auburn-Folsom south unit of the Central Valley project.

I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 599) to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws, introduced by

MR. KUCHEL (for himself and Mr. MURPHY), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the principal purpose of increasing the supply of water available for irrigation and other beneficial uses in the Central Valley of California, the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the Auburn-Folsom south unit, American River division. The principal works of the unit shall consist of:

(1) the Auburn Dam and Reservoir with maximum water surface elevation of one thousand one hundred and forty feet above mean sea level, and capacity of approximately two and one-half million acre-feet;

(2) a hydroelectric powerplant at Auburn Dam with initial installed capacity of approximately two hundred and forty thousand kilowatts and necessary electric transmission system for interconnection with the Central Valley project power system: *Provided*, That provision may be made for the ultimate development of the hydroelectric capacity (now estimated at approximately four hundred thousand kilowatts) and such installation may be made when the Secretary determines that it is economically justified and engineeringly feasible;

(3) the Sugar Pine Dam and Reservoir;

(4) the County Line Dam and Reservoir;

(5) necessary diversion works, conduits, and other appurtenant works for the delivery of water supplies to projects on the Forest Hill Divide in Placer County and in the Folsom-Maliby area in Sacramento and El Dorado Counties;

(6) the Folsom south canal and such related structures, including pumping plants, regulating reservoirs, floodways, channels, levees, and other appurtenant works for the delivery of water as the Secretary determines will best serve the needs of Sacramento and San Joaquin Counties: *Provided*, That the Secretary is authorized to include in such canal and related operating structures such additional works or capacity as he deems necessary and economically justified to provide for the future construction of the East Side division of the Central Valley project, and the incremental costs of providing additional works or capacity in the Folsom south canal to serve the East Side division of the Central Valley project shall be assigned to deferred use for repayment from Central Valley project revenues. In the event that the East Side division is authorized, such costs shall be deemed a part of the cost of that division and shall be reallocated as the Secretary deems right and proper.

SEC. 2. Subject to the provisions of this Act, the operation of the Auburn-Folsom south unit, American River division, shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available. Auburn and County Line Dams shall be operated for flood control in accordance with criteria established by the Secretary of the Army as provided for in section 7 of the Flood Control Act of 1944 (58 Stat. 887; 33 U.S.C. 709).

SEC. 3. The Secretary is authorized as a part of the Auburn-Folsom south unit to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation, and to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of project lands or facilities, or to dispose of project lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes. The Secretary is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flowlines of any reservoir or otherwise needed or used for the operation of the project shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. The costs of land and basic facilities for the purposes of recreation or the enhancement of fish and wildlife resources shall be non-reimbursable. Joint costs of the unit allocated to the purposes of recreation and fish and wildlife enhancement shall also be non-reimbursable up to an amount not to exceed \$18,000,000. Joint costs allocated to the purposes of recreation and fish and wildlife enhancement in excess of the foregoing limitation shall be reimbursable with interest from the date of first delivery of water or power from the unit at a rate comparable to that for other project functions.

SEC. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to the reports upon the California water plan prepared by the State of California, and shall consult the local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

SEC. 5. Nothing contained in this Act shall be construed by implication or otherwise as an allocation of water, and in the studies for the purposes of developing plans for disposal of water as herein authorized the Secretary shall make recommendations for the use of water in accord with State water laws, including but not limited to such laws giving priority to the counties and areas of origin for present and future needs.

SEC. 6. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user for the production on newly irrigated lands in the Auburn-Folsom south unit, American River division, Central Valley project, of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity as estimated by the Secretary of Agriculture for the marketing year in which the bulk of the crop would normally be marketed and which will be in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Act of 1938, as amended,

unless the Secretary calls for an increase in production of such commodity in the interest of national security.

SEC. 7. There is hereby authorized to be appropriated for construction of the Auburn-Folsom south unit, American River division, the sum of \$425,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project and for future costs incurred under section 1(2) of this Act.

ADMINISTRATION HIGHER EDUCATION PROPOSALS

MR. MORSE. Mr. President, it is with a sense of high privilege that I introduce this morning for myself and other Senators the administration higher education bill, described so eloquently by President Johnson in his recent message on education.

I ask unanimous consent that at this point in my remarks there be printed excerpts from the President's education message relating to the higher education components.

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

III. HIGHER EDUCATION

Higher education is no longer a luxury, but a necessity.

Programs enacted by Congress in the past have contributed greatly to strengthening our colleges and universities. These will be carried forward under my 1966 budget, which includes—

An additional \$179 million to assist construction of college classrooms, libraries, and laboratories.

An additional \$25 million for 4,500 more graduate fellowships to overcome college teaching shortages.

An additional \$110 million to further basic research in the universities, to provide science fellowships, and to promote science education.

But we need to do more:

To extend the opportunity for higher education more broadly among lower and middle income families.

To help small and less well developed colleges improve their programs.

To enrich the library resources of colleges and universities.

To draw upon the unique and invaluable resources of our great universities to deal with national problems of poverty and community development.

A. Assistance to students

1. Scholarships:

I recommend a program of scholarships for needy and qualified high school graduates to enable them to enter and to continue in college.

Loans authorized by the National Defense Education Act currently assist nearly 300,000 college students. Still the following conditions exist:

Each year an estimated 100,000 young people of demonstrated ability fail to go on to college because of lack of money. Many thousands more from low-income families must borrow heavily to meet college costs.

Only one out of three young people from low-income families attend college compared with four out of five from high-income families.

For many young people from poor families loans are not enough to open the way to higher education.

Under this program, a special effort will be made to identify needy students of promise early in their high school careers. The scholarship will serve as a building block, to be augmented by work-study and other support, so that the needy student can chart his own course in higher studies.

My 1966 budget provides sufficient funds for grants to help up to 140,000 students in the first year.

2. Expansion of work-study opportunity and guaranteed low-interest loans.

I recommend:

That the existing college work-study program be made available to more students and that authority for the program be transferred to the Department of Health, Education, and Welfare.

That a part of the cost of interest payments on guaranteed private loans to college students be paid by the Federal Government.

Going to college is increasingly expensive. A student must pay nearly \$2,400 a year in a private college and about \$1,600 in a public college. These costs may rise by one-third over the next decade.

Two aids should be extended to meet the heavy costs of college education. First, the existing work-study program should be expanded for students from low-income families and extended to students from middle-income families. Under this program the Federal Government pays 90 percent of the wages earned by students on useful projects. This will enable a student to earn on the average of \$450 during a school year, and up to \$500 more during the summer.

Second, many families cannot cover all of college expenses on an out-of-pocket basis. We should assure greater availability of private credit on reasonable terms and conditions. This can best be done by paying part of interest cost of guaranteed loans made by private lenders—a more effective, fairer, and far less costly way of providing assistance than the various tax credit devices which have been proposed.

B. Aid to smaller colleges

I recommend that legislation be enacted to strengthen less developed colleges.

Many of our smaller colleges are battling for survival. About 10 percent lack proper accreditation, and others face constantly the threat of losing accreditation. Many are isolated from the main currents of academic life.

Private sources and States alone cannot carry the whole burden of doing what must be done for these important units in our total educational system. Federal aid is essential.

Universities should be encouraged to enter into cooperative relationships to help less developed colleges, including such assistance as a program of faculty exchanges; special programs to enable faculty members of small colleges to renew and extend knowledge of their fields; a national fellowship program to encourage highly qualified young graduate students and instructors in large universities to augment the teaching resources of small colleges; the development of joint programs to make more efficient use of available facilities and faculty.

In union there is strength. This is the basic premise of my recommendation.

C. More support for college library resources

I recommend enactment of legislation for purchase of books and library materials to strengthen college teaching and research.

Fifty percent of our 4-year institutions and 82 percent of our 2-year institutions fall below accepted professional standards in the number of volumes possessed.

As student enrollment mounts, we must look not only to the physical growth of our colleges and universities. They must be developed as true centers of intellectual activity. To construct a library building is

meaningless unless there are books to bring life to the library.

D. University-community extension program

I recommend a program of grants to support university extension concentrating on problems of the community.

Institutions of higher learning are being called on ever more frequently for public service—for defense research, foreign development, and countless other programs. They have performed magnificently. We must now call upon them to meet new needs.

Once 90 percent of our population earned its living from the land. A wise Congress enacted the Morrill Act of 1862 and the Hatch Act of 1887 which helped the State universities help the American people. With the aid of the land-grant colleges, American agriculture produced overwhelming abundance.

Today, 70 percent of our people live in urban communities. They are confronted by problems of poverty, residential blight, polluted air and water, inadequate mass transportation and health services, strained human relations, and overburdened municipal services.

Our great universities have the skills and knowledge to match these mountainous problems. They can offer expert guidance in community planning; research and development in pressing educational problems; economic and job market studies; continuing education of the community's professional and business leadership; and programs for the disadvantaged.

The role of the university must extend far beyond the ordinary extension-type operation. Its research findings and talents must be made available to the community. Faculty must be called upon for consulting activities. Pilot projects, seminars, conferences, TV programs, and task forces drawing on many departments of the university—all should be brought into play.

This is a demanding assignment for the universities, and many are not now ready for it. The time has come for us to help the university to face problems of the city as it once faced problems of the farm.

E. Special manpower needs

We must also ask the colleges and universities to help overcome certain acute deficiencies in trained manpower. At least 100,000 more professional librarians are needed for service in public libraries and in schools and colleges. We need 140,000 more teachers for handicapped children.

I recommend:

Grants to institutions of higher education for training of school, college, and community librarians and related services.

Extension and expansion of grants for training teachers and handicapped children.

Mr. MORSE. Mr. President, Senators will recall that in the beginning of the 88th Congress, the omnibus education act, S. 580, was sent to us by President Kennedy. I had the high privilege then of introducing the measure for myself and with me I had as cosponsors members of the Senate Committee on Labor and Public Welfare and the leadership of the Senate. Much of the omnibus education bill subsequently became law, as I pointed out in a recent floor statement.

Certain parts, however, of title I of S. 580, notably the student loan guarantee program and the scholarship program, remain as yet unenacted, and a third part, the work-study program, became law only in a somewhat curtailed fashion as a component of the Economic Opportunity Act.

Hearings on each of these portions of the omnibus education bill of the 88th Congress were held in conjunction with

other portions of that bill during 17 days of hearings. Later in the session, in connection with S. 2490, further hearings were held upon the problems facing our young college students who need financial assistance if they are to complete their college careers. Finally, in the 88th Congress, the Senate Committee on Labor and Public Welfare reported out S. 3140 favorably. This measure resulted from committee consideration of the administration proposals as incorporated in title I of S. 580, the proposal of Senator HARTKE as contained in S. 2490, and the proposals of Senator WILLIAMS of New Jersey with respect to interest rate subsidies by the Federal Government.

The administration higher education act of this Congress, which I am introducing today, continues the work that we had begun last session through recommending for the consideration of the Congress at this time the best features of our past legislative proposals while adding additional higher education proposals, notably the so-called domestic Fulbright teacher exchange program, which was pioneered on the House side by my highly respected colleague from the Third Congressional District, Representative EDITH GREEN.

Mr. President, at this point in my remarks I ask unanimous consent that for quick reference by all Senators there be printed the text of the proposed act, together with explanatory fact sheets which have been developed by the Office of Education relevant to it.

There being no objection, the bill and fact sheets were ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Act of 1965".

TITLE I—UNIVERSITY EXTENSION AND CONTINUING EDUCATION APPROPRIATIONS AUTHORIZED

SEC. 101. For the purpose of assisting the people of the United States in the solution of community problems such as housing, poverty, government, recreation, employment, youth opportunities, transportation, health, and land use by enabling the Commissioner to make grants and contracts under this title to strengthen continuing education and extension methods and teaching, and the public service resources, of colleges and universities, there are authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1966, and such sums for each of the four succeeding fiscal years as may be necessary for such purpose.

Allotments to States

SEC. 102. (a) (1) From 80 percent of the sums appropriated pursuant to section 101 for each fiscal year, the Commissioner shall allot \$25,000 each to Guam, American Samoa, and the Virgin Islands and \$100,000 to each of the other States, and he shall allot to each State an amount which bears the same ratio to the remainder of such 80 percent of such sums as the population of the State bears to the population of all States.

(2) Twenty percent of the sums appropriated pursuant to section 101 shall be reserved by the Commissioner for grants and contracts for experimental projects and for supplemental grants pursuant to section 106.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying

out the State plan (if any) approved under this title shall be available for reallocation from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year for carrying out the State plan; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated to a State under this subsection during a year from funds appropriated pursuant to section 101 shall be deemed part of its allotment under subsection (a) for such year.

(c) In accordance with regulations of the Commissioner, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of providing extension or continuing education services or activities under this title. If it is found by the Commissioner that the services or activities with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title to be used for the purpose referred to above.

(d) The population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

Uses of Allotted Funds

Sec. 103. A State's allotment under section 102 may be used, in accordance with its State plan approved under section 104(b), to provide new, expanded, or improved extension and continuing education activities and services designed to assist, particularly through new and advanced approaches, in the solution of community problems through activities and services such as—

(1) professional retraining and refresher programs for persons in professions such as architecture, engineering, law, medicine, pharmacy, science, social work, and teaching;

(2) training and consultative services to local, State, and Federal governments;

(3) training in leadership and in program planning for nonprofit voluntary associations and civic groups;

(4) special educational programs for adults with a view to increasing their opportunities for more productive employment and making them better able to meet their adult responsibilities;

(5) training and educational services relating to aging;

(6) training services related to labor education, management education, and employment opportunities;

(7) special educational programs for culturally disadvantaged adults;

(8) educational programs for women preparing to enter or reenter the labor market; and

(9) other training, demonstration, and public service programs.

State Plans

Sec. 104. (a) Any State desiring to receive its allotment of Federal funds under this title shall designate or create a State agency or institution which has special qualifications with respect to solving community problems and which is broadly representative of institutions of higher education in the

States which are competent to offer extension or continuing education activities and services, and shall submit to the Commissioner through the agency or institution so designated a State plan. If a State desires to designate for the purposes of this section an existing State agency or institution which does not meet these requirements, it may do so if the agency or institution takes such action as may be necessary to acquire such qualifications and assure participation of such institutions, or if it designates or creates a State advisory council which meets the requirements not met by the designated agency or institution to consult with the designated agency or institution in the preparation of the State plan. A State plan submitted under this title shall be in such detail as the Commissioner deems necessary and shall—

(1) provide that the agency or institution so designated or created shall be the sole agency for administration of the plan or for supervision of the administration of the plan; and provide that such agency or institution shall consult with any State advisory council required to be created by this section with respect to policy matters arising in the administration of such plan;

(2) set forth a comprehensive, coordinated, and State-wide program of extension and continuing education activities and services under which funds paid to the State (including funds paid to an institution pursuant to section 105(c)) under its allotment under section 102 will be expended solely for activities and services which meet the requirements of section 103 and which have been approved by the agency or institution administering the plan;

(3) set forth the policies and procedures to be followed in allocating Federal funds to institutions of higher education in the State, which policies and procedures shall insure that due consideration will be given—

(A) to the relative capacity and willingness of particular institutions of higher education (whether public or private) to provide effective extension or continuing education activities and services designed to assist communities in solving community problems;

(B) to the availability of and need for extension and continuing education activities and services among the population within the State; and

(C) to the results of periodic evaluations of the activities and services carried out under this title in the light of information regarding current and anticipated community problems in the State;

(4) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, or funds of institutions of higher education, but supplement them, and, to the extent practicable, increase the amounts of such funds that would in the absence of such Federal funds be made available for activities and services which meet the requirements of section 103;

(5) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State (including such funds paid by the State or by the Commissioner to institutions of higher education) under this title; and

(6) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

Payments

Sec. 105. (a) Except as provided in subsection (b), payment under this title shall be made to those State agencies and institutions which administer plans approved under section 104(b). Payments under this title from a State's allotment with respect to the cost of developing and carrying out its State plan shall equal 90 per centum of such costs for the fiscal year ending June 30, 1966, 75 per centum of such costs for the fiscal year ending June 30, 1967, and 50 per centum of such costs for each of the three succeeding fiscal years, except that no payments for any fiscal year shall be made to any State with respect to expenditures for developing and administering the State plan which exceed 5 per centum of the costs for that year for which payment under this subsection may be made to that State.

(b) No payments shall be made to any State from its allotments for any fiscal year unless and until the Commissioner finds that there will be available for expenditure for university extension and continuing education programs from non-Federal sources during such fiscal year not less than the total amount actually expended for university extension and continuing education programs from such sources during the fiscal year ending June 30, 1965, plus an amount equal to not less than the non-Federal share of the costs with respect to which payment pursuant to subsection (a) is sought. In determining the cost for any fiscal year of carrying out a university extension and continuing education program set forth in a State plan approved under section 104(b), and the amounts available for expenditure, or expended, therefor from State or other non-Federal sources, there shall be excluded any amounts the Commissioner determines have been or will be realized during that year by participating institutions from fees or other charges to persons benefiting from that program.

(c) Payments to a State under this title may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments, and they may be paid directly to the State or to one or more participating institutions of higher education designated for this purpose by the State, or to both.

Experimental Approaches and Supplemental Grant

Sec. 106. Twenty per centum of the sums appropriated pursuant to section 101 for each fiscal year shall be used by the Commissioner to make grants to or contracts with institutions of higher education to pay part of the cost of experimental approaches to extension and continuing education related to the solution of community problems, or, as may be determined by the Commissioner, for such augmentation of grants awarded under this title from allotted funds as may be desirable to advance the purposes of this title.

Administration of State Plans

Sec. 107. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency or institution submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency or institution administering a State plan approved under section 104(b), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 104(a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify the State agency or institution that the State will not

be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

Judicial Review

SEC. 108. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 104(a) or with his final action under section 107(b), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

National Advisory Committee on Extension and Continuing Education

SEC. 109. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Extension and Continuing Education (hereinafter referred to as the "Advisory Committee"), consisting of the Commissioner, who shall be chairman, one representative each of the Departments of Agriculture, Commerce, Defense, Labor, Interior, and State, of the Housing and Home Finance Agency and the Office of Economic Opportunity, and of such other Federal agencies having extension education responsibilities as the Commissioner may designate, and six members appointed, for staggered terms and without regard to the civil service laws, by the Commissioner with the approval of the Secretary of Health, Education, and Welfare. Such six members shall, to the extent possible, include persons knowledgeable in the field of extension and continuing education, State and local officials and other persons having special knowledge, experience, or qualification with respect to community problems, and persons representative of the general public. The Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 104(b) and the approval of projects and activities under section 106.

(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Review of Extension and Continuing Education Programs and of the Provisions of This Title

SEC. 110. (a) The Secretary shall, during 1968, appoint a Review Council on Extension and Continuing Education (hereinafter referred to as the "Council") for the purpose of reviewing the administration of the extension and continuing education programs for which funds are appropriated pursuant to this title and making recommendations for the improvement of that administration, and for purpose of reviewing the effectiveness of and making recommendations with respect to these extension and continuing education programs and with respect to this title.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall, to the extent possible, include persons knowledgeable in the field of extension and continuing education, State and local officials having special knowledge, experience, or qualification with respect to community problems, and persons representative of the general public.

(c) The Secretary is authorized to engage such technical assistance as may be required to carry out the functions of the Council and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary, such report to be submitted not later than March 31, 1969, after which date such Council shall cease to exist. The Secretary shall transmit such report to the President for transmittal to the Congress together with his comments and recommendations.

(e) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including travel time; and while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in Government service employed intermittently.

Relationship to Other Extension Programs

SEC. 111. Nothing in this title shall modify authorities under the Act of February 23, 1917 (Smith-Hughes Vocational Education Act), as amended (20 U.S.C. 11-15, 16-28); the Vocational Education Act of 1946, as amended (20 U.S.C. 15i-15m, 15o-15q, 15aa-15jj, and 15aaa-15ggg); the Vocational Education Act of 1963 (20 U.S.C. 35-35n); title VIII of the Housing Act of 1964 (Public Law 88-560); or the Act of May 8, 1914 (Smith-Lever Act), as amended (7 U.S.C. 341-348).

TITLE II—COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

Part A—College library resources

Appropriations Authorized

SEC. 201. There are authorized to be appropriated \$50,000,000 for the fiscal year ending June 30, 1966, and such sums for each of the four succeeding fiscal years as may be necessary, to enable the Commissioner to make grants under this part to institutions of higher education to assist and encourage such institutions in the acquisition for library purposes of books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding).

Basic Grants

SEC. 202. From 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, the Commissioner is authorized to make basic grants for the purposes set forth in that section to institutions of higher education and combinations of such institutions. The amount of a basic grant shall not exceed \$5,000 for each such institution, and a basic grant under this subsection may be made only if the application therefor is approved by the Commissioner upon his determination that the application (whether by an individual institution or a combination of institutions)—

(a) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes (exclusive of construction) (1) an amount not less than the average annual amount it expended for such purposes during the two-year period ending June 30, 1965, and (2) an amount (from such other sources) equal to not less than the amount of such grant;

(b) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this title) for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related materials (including necessary binding) for library purposes an amount not less than the average annual amount it expended for such materials during the two-year period ending June 30, 1965;

(c) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(d) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Supplemental Grants

SEC. 203. (a) From the remainder of such 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, the Commissioner is authorized to make supplemental grants for the purposes set forth in that section to institutions of higher education and combinations of such institutions. The amount of a supplemental grant shall not exceed \$10 for each full-time student (including the full-time equivalent of the number of part-time students), as determined by the Commissioner in accordance with regulations, enrolled in each such institution. A supplemental grant may be made only upon application therefor, in such form and containing such information as the Commissioner may require, which application shall—

(1) meet the application requirements set forth in section 202 except for the matching requirement set forth in paragraph (a)(2) of that section;

(2) describe the size and quality of the library resources of the applicant in relation to its present enrollment and any expected increase in its enrollment;

(3) set forth any special circumstances which are impeding or will impede the proper development of its library resources; and

(4) provide a general description of how a supplemental grant would be used to improve the size or quality of its library resources.

(b) The Commissioner shall approve applications for supplemental grants on the basis of basic criteria prescribed in regulations and developed after consultation with the Council created under section 205. Such

basic criteria shall be such as will best tend to achieve the objectives of this part and they may take into consideration factors such as the size and age of the library collection, student enrollment, and endowment and other financial resources.

Special Purpose Grants

SEC. 204. Twenty-five percent of the sums appropriated pursuant to section 201 for each fiscal year, plus any part of the remainder of such sums as the Commissioner determines will not be needed for making grants under sections 202 and 203, shall be used by the Commissioner to make special grants (a) to institutions of higher education which demonstrate a special need for additional library resources and which demonstrate that such additional library resources will make a substantial contribution to the quality of their educational resources, (b) to institutions of higher education to meet special national or regional needs in the library and information sciences, including those in the bio-medical, physical, and social science fields, and (c) to combinations of institutions of higher education which need special assistance in establishing joint-use facilities. Grants under this section may be used only for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding).

Advisory Council on College Library Resources

SEC. 205. (a) The Commissioner shall establish in the Office of Education an Advisory Council on College Library Resources consisting of the Commissioner, who shall be chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

(b) The Advisory Council shall advise the Commissioner with respect to establishing criteria for the making of supplemental grants under section 203 and the making of special purpose grants under section 204. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Council.

(c) Members of the Advisory Council, while serving on business of the Advisory Council, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding \$100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Accreditation Requirement for Purposes of This Part

SEC. 206. For the purposes of this part, an educational institution shall be deemed to have been accredited by a nationally recognized accrediting agency or association if the Commissioner determines that there is satisfactory assurance that upon acquisition of the library resources with respect to which assistance under this part is sought, or upon acquisition of those resources and other library resources planned to be acquired within a reasonable time, the institution will meet the accreditation standards of such agency or association.

Limitation

SEC. 207. No grant may be made under this part for books, periodicals, documents, or other related materials to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or

branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Part B—Library training and research

Appropriations Authorized

SEC. 221. There are authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1966, and such sums as may be necessary for each of the four succeeding fiscal years, for the purpose of carrying out this part.

Definition of "Librarianship"

SEC. 222. For the purposes of this part the term "librarianship" means the principles and practices of the library and information sciences, including the acquisition, organization, storage, retrieval, and dissemination of information, and reference and research use of library and other information resources.

Grants for Training in Librarianship

SEC. 223. (a) The Commissioner is authorized to make grants to institutions of higher education to assist them in training persons in librarianship, including the training of specialists in the communication of information in the biomedical, physical, and social sciences. Such grants may be used by such institutions to assist in covering the cost of courses of training or study for such persons, and for establishing and maintaining fellowships or traineeships with stipends (including allowances for traveling, subsistence and other expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner.

(b) The Commissioner may make a grant to an institution of higher education only upon application by the institution and only upon his finding (1) that such grant funds will be expended for a new or enlarged program of the institution for training persons in librarianship, and (2) that such new or enlarged program will substantially further the objective of increasing the opportunities throughout the Nation for providing such training.

Research and Demonstrations Relating to Libraries and the Training of Library Personnel

SEC. 224. (a) The Commissioner is authorized to make grants to institutions of higher education and other public or private agencies, institutions, and organizations and to individuals, for research and demonstration projects relating to the improvement of libraries or the improvement of training in librarianship, including the development of new techniques, systems, and equipment for processing, storing, and distributing information, and for the dissemination of information derived from such research and demonstrations, and, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to provide by contracts with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

(b) The Commissioner is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy concerning research and demonstration projects relating to the improvement of libraries and the improvement of training in librarianship, or concerning special services necessary thereto or special problems involved therein.

(c) The Commissioner shall also from time to time appoint panels of experts competent to evaluate various types of research and demonstration projects under this section, and shall obtain the advice and recommendations of such a panel before making each grant under this section.

(d) Members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall, while serving on the business of such a committee or panel, be entitled to receive compensation at rates fixed by the Commissioner, but not in excess of \$100 per diem, including travel time; and they may, while so serving away from their homes or regular places of business, be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Repealer

SEC. 225. Effective July 1, 1965, section 1101 of the National Defense Education Act of 1958 is amended by adding the word "or" at the end of clause (2), by striking out clause (3), and by renumbering clause (4) as clause (3).

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

Statement of Purpose, and Appropriations Authorized

SEC. 301. (a) The purpose of this title is to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life, and to do so by enabling the Commissioner to establish a national teaching fellow program and to encourage and assist in the establishment of cooperative arrangements under which these colleges may draw on the talent and experience of our finest colleges and universities, and on the educational resources of business and industry, in their effort to improve their academic quality.

(b) There are authorized to be appropriated \$30,000,000 for the fiscal year ending June 30, 1966, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out the provisions of this title.

Definition of "Developing Institution"

SEC. 302. As used in this title the term "developing institution" means a public or nonprofit educational institution in any State which—

(a) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

(b) is legally authorized to provide, and provides within the State, an educational program for which it awards a bachelor's degree;

(c) is planning to award or has awarded a bachelor's degree in the academic year for which it seeks assistance under this title and in each of the five academic years before that year;

(d) is accredited by a nationally recognized accrediting agency or association determined by the Commissioner to be reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation;

(e) is making a reasonable effort to improve the quality of its teaching and administrative staffs and of its student services;

(f) is seriously handicapped in its efforts to improve such staffs and services by lack of financial resources and a shortage of qualified professional personnel, and

(g) meets such other requirements as the Commissioner may prescribe by regulation; and

(h) is not an institution, or department or branch of an institution, whose program is specifically for the education of students

to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

Advisory Council on Developing Institutions

SEC. 303. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Developing Institutions (hereinafter in this title referred to as the "Council"), consisting of the Commissioner, who shall be Chairman, one representative each of such Federal agencies having responsibilities with respect to developing institutions as the Commissioner may designate, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

(b) The Council shall advise the Commissioner with respect to policy matters arising in the administration of this title and in particular shall assist the Commissioner in identifying those developing institutions through which the purposes of this title can best be achieved and in establishing priorities for use in approving applications under this title. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Council.

(c) Members of the Council who are not otherwise full-time employees of the United States shall, while serving on business of the Council, receive compensation at a rate to be fixed by the Secretary, but not exceeding \$100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Grants for Cooperative Agreements To Strengthen Development Institutions

SEC. 304. (a) The Commissioner is authorized to make grants to developing institutions and other colleges and universities to pay part of the cost of planning, developing, and carrying out cooperative arrangements which show promise as effective measures for strengthening the academic programs of developing institutions. Such cooperative arrangements may be between developing institutions, between developing institutions and other colleges and universities, and between developing institutions and organizations, agencies, and business entities. Grants under this section may be used for projects and activities such as—

(1) exchange of faculty or students, including arrangements for bringing visiting scholars to developing institutions;

(2) faculty improvement programs utilizing training, education, internships, research participation, and other means;

(3) introduction of new curriculums and curricular materials;

(4) development and operation of cooperative education programs involving alternate periods of academic study and business or public employment;

(5) joint use of facilities such as libraries or laboratories, including necessary books, materials, and equipment; and

(6) other arrangements which offer promise of strengthening the academic programs of developing institutions.

(b) A grant may be made under this section only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities which meet the requirements of subsection (a) and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(c) The Commissioner shall, after consultation with the Council, establish criteria as to eligible expenditures for which grants made under this section may be used, which criteria shall be so designed as to prevent the use of such grants for expenditures not necessary to the achievement of the purposes of this part.

National Teaching Fellowships

SEC. 305. (a) The Commissioner is authorized to award fellowships under this section to highly qualified graduate students and junior members of the faculty of colleges and universities, to encourage such individuals to teach at a developing institution. The Commissioner shall award fellowships to individuals for teaching at developing institutions only upon application by an institution approved for this purpose by the Commissioner and only upon a finding by the Commissioner that the program of teaching set forth in the application is reasonable in the light of the qualifications of the teaching fellow and of the educational needs of the applicant.

(b) Fellowships may be awarded under this section for such period of teaching as the Commissioner may determine, but such period shall not exceed two academic years or extend beyond June 30, 1970. Each person awarded a fellowship under the provisions of this section shall receive a stipend for each academic year of teaching of not more than \$6,500 as determined by the Commissioner upon the advice of the Council, plus an additional amount of \$400 for each such year on account of his dependents.

TITLE IV—STUDENT ASSISTANCE

Part A—Undergraduate scholarships

Statement of Purpose, and Appropriations Authorized

SEC. 401. (a) It is the purpose of this part to provide, through institutions that are participating in the higher-education work-study program and student loan program, scholarships to assist in making available the benefits of higher education to qualified high-school graduates from low-income families, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid. It is further the purpose of the Congress to encourage such institutions to use such work-study and loan programs and any other means of student aid available to them to combine with or supplement scholarship aid under this part, as may be appropriate in any case.

(b) There are hereby authorized to be appropriated \$70,000,000 for the fiscal year ending June 30, 1966, and such sums as may be necessary for each of the four succeeding fiscal years, to enable the Commissioner to make payments to institutions of higher education that have agreements with him entered into under section 407, for use by such institutions (1) for payments to under-

graduate students for the initial academic year of scholarships awarded to them under this part and (2) for defraying (within the limits specified in section 407(b)) eligible costs of administration, by such institutions, of the cooperative motivational program for high-school students described in section 407(a)(5). There are further authorized to be appropriated, for the fiscal year ending June 30, 1967, and each of the six succeeding fiscal years, such sums as may be necessary for payment to such institutions for use by them for making scholarship payments under this part to undergraduate students for academic years other than the initial year of their scholarship. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated. For the purposes of this subsection, payment for the first year of a scholarship shall not be considered as an initial-year payment if the scholarship was awarded for the continuing education of a student who had been previously awarded a scholarship under this part (whether by another institution or otherwise) and had received payment for any year of that scholarship.

Amount of Scholarship—Annual Determination

SEC. 402. From the funds received by it for such purpose under this part, an institution of higher education which awards a scholarship to a student under this part shall for the duration of the scholarship, pay to that student for each academic year during which he is in need of scholarship aid to pursue a course of study at the institution, an amount determined by the institution for such student with respect to that year, which amount shall not exceed \$800 or, if less, the amount deemed by the institution to be required by such student to pursue the educational program involved at the institution; except that if the amount of the payment so determined for that year is less than \$200 no payment shall be made under this part to that student for that year. The Commissioner shall, subject to the foregoing limitations, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such scholarship, taking into account the objective of limiting scholarship aid under this part to students from low-income families and such other factors, including the number of dependents in the family, as the Commissioner may deem relevant.

Duration of Scholarships

SEC. 403. The duration of a scholarship awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study at the institution of higher education from which he received the scholarship award, except that such period shall not exceed four academic years less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior scholarship award (whether made by the same or another institution). A scholarship awarded under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he received the award, and (2) is devoting essentially full time to that course of study, during the academic year, in attendance at that institution. Failure to be in attendance at the institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no

payments), shall not be deemed contrary to clause (2).

Selection of Recipients of Scholarships

SEC. 404. (a) An individual shall be eligible for a scholarship award under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereinafter in this part referred to as an "eligible institution"). If the individual (1) has not attained the age of 21 and will not attain that age prior to the beginning of the fiscal year for which he is applying for the award, (2) is from a low-income family (as determined in accordance with the criteria or schedules prescribed pursuant to section 402), and (3) makes application at the time and in the manner prescribed by that institution.

(b) From among those eligible for scholarship awards from an institution of higher education for each fiscal year, the institution shall, in accordance with the provisions of its agreement with the Commissioner under section 407 and within the amount allocated to the institution for that purpose for that year under section 406, select individuals who are to be awarded such scholarships and determine, pursuant to section 402, the amounts to be paid to them. An institution shall not award a scholarship to an individual unless it determines that—

(1) he is in need of the scholarship to pursue a course of study at such institution;

(2) he is capable, in the opinion of the institution, of maintaining good standing in such course of study; and

(3) he has been accepted for enrollment as a full-time student at such institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance there as an undergraduate student.

Apportionment of Scholarship Funds Among States

SEC. 405. (a) (1) From the sums appropriated pursuant to the first sentence of section 401(b) for any fiscal year, the Commissioner shall apportion an amount equal to not more than 2 percent of such sums among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of the sums so appropriated shall be apportioned among the States as provided in paragraph (2).

(2) Of the sums being apportioned under this subsection—

(A) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States,

(B) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of secondary school graduates of such State bears to the total number of such secondary school graduates of all the States, and

(C) one-third shall be allotted by him among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under eighteen years of age living in families with annual incomes of less than \$3,000 in such State bears to the number of related children under eighteen years of age living in families with annual incomes of less than \$3,000 in all the States.

(3) For purposes of paragraphs (1) and (2) of this subsection—

(A) the term "State" does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands.

(B) the term "secondary school graduate" means a person who has received formal recognition (by diploma, certificate, or similar means) from an approved school for successful completion of four years of education beyond the first eight years of schoolwork, and

(C) the number of persons enrolled on a full-time basis in institutions of higher education and the number of secondary school graduates shall each be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Health, Education, and Welfare, and the number of related children under eighteen years of age living in families with annual incomes of less than \$3,000 shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

(4) If the total of the sums determined by the Commissioner to be required under section 406 for any fiscal year for eligible institutions in a State is less than the amount of the apportionment to that State under paragraphs (1) or (2) for that year, the Commissioner may reapportion the remaining amount from time to time, on such data or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

(b) Sums appropriated pursuant to the second sentence of section 401 for any fiscal year shall be apportioned or reapportioned among the States in such manner as the Commissioner determines to be necessary to carry out the purposes for which such sums are appropriated.

Allocation of Appropriated Funds to Institutions

SEC. 406. (a) (1) The Commissioner shall from time to time set dates by which eligible institutions in any State must file applications for allocation, to such institutions, of student scholarship funds from the apportionment to that State (and of any reapportionment thereto) for any fiscal year pursuant to section 405(a), to be used for the purposes specified in the first sentence of section 401(b). Such allocations shall be made in accordance with equitable criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

(2) The Commissioner shall further, in accordance with regulations, allot to eligible institutions, in any State, from funds apportioned or reapportioned pursuant to section 405(b), funds to be used for the scholarship payments specified in the second sentence of section 401(b).

(b) Payments shall be made from allotments under this section to institutions as needed.

Agreements With Institutions—Conditions

SEC. 407. (a) An institution of higher education which has in effect an agreement for Federal capital contributions for a student loan fund under title II of the National Defense Education Act of 1958 and an agreement for assistance in the operation of a work-study program under part C of title I of the Economic Opportunity Act of 1964 (including any agreement under such part C as amended by part C of this title), and which desires to obtain funds for scholarships under this part, shall enter into an agreement with the Commissioner. Such agreement shall—

(1) provide that funds received by the institution under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

(2) provide that in determining whether an individual is an eligible student from a low-income family the institution will (A)

consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

(3) provide that in the selection of students to receive scholarships under this part preference shall be given to (A) students who are beginning their first year of undergraduate study and (B) students who are transferring from an institution of higher education which customarily offers only a two-year program of study to an institution which offers four or more years of higher education;

(4) provide that the institution will combine in an appropriate manner financial assistance in the form of loans under title II of the National Defense Education Act of 1958, work-study opportunities under part C of title I of the Economic Opportunity Act of 1964 (as amended by part C of this title), and scholarships under this part, in an effort to meet the financial needs of students from low-income families;

(5) provide that the institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths from low-income families and to encourage them to continue their education beyond secondary school through programs and activities such as—

(A) establishing or strengthening close working relationships with secondary-school principals and guidance and counseling personnel with a view toward motivating students to complete secondary school and pursue postsecondary school educational opportunities, and

(B) making, to the extent feasible, tentative commitments for scholarships to qualified students enrolled in grade 11 and lower grades or to secondary school dropouts who have a demonstrated aptitude for college study;

(6) provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

(7) include provisions designed to make scholarships under this part reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

(8) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

(b) An institution may spend up to 5 percentum of the funds paid to it for any fiscal year ending prior to July 1, 1970, for the administration of the program described in paragraph (5) of subsection (a).

Contracts To Encourage Full Utilization of Educational Talent

SEC. 408. To assist in achieving the purposes of this title the Commissioner is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), to enter into contracts, not to exceed \$100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

(a) indentifying qualified youths from low-income families and encouraging them to complete secondary school and undertake postsecondary educational training;

(b) publicizing existing forms of student financial aid, including aid furnished under this part, and

(c) encouraging secondary school dropouts of demonstrated aptitude to reenter educational programs, including postsecondary school programs.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

Definition of "Academic Year"

SEC. 409. As used in this part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Commissioner.

Part B—Insurance of reduced-interest loans to students in institutions of higher education and postsecondary schools

Appropriations Authorized

SEC. 421. For the purpose of enabling the Commissioner to insure eligible lenders (as defined in section 431), on behalf of the United States, against losses on loans made by them upon the conditions and within the limits specified in this part to students in eligible institutions (as defined in section 431) who do not have reasonable access to substantially similar loan insurance programs, and to pay a portion of the interest on loans insured under this part or under a program of a State or a nonprofit institution or organization which has an agreement with the Commissioner pursuant to section 426—

(a) there are authorized to be appropriated to the Student Loan Insurance Fund (established by section 429) (1) the sum of \$1,000,000, and (2) such further sums, if any, as may become necessary for the adequacy to the Student Loan Insurance Fund, and

(b) there are authorized to be appropriated, for payments under section 426 with respect to interest on insured loans, such sums for the fiscal year ending June 30, 1966, and such sums for succeeding fiscal years, as may be required therefor.

Such sums appropriated under this section shall remain available until expended.

Scope and Duration of Reduced-Interest Loan Insurance Program

SEC. 422. (a) The total principal amount of new loans to students covered by insurance under this part shall not exceed \$700,000,000 in the fiscal year ending June 30, 1966, \$1,000,000,000 in the fiscal year ending June 30, 1967, and \$1,400,000,000 in the fiscal year ending June 3, 1968, and each of the two succeeding fiscal years. Thereafter, insurance pursuant to this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit as defined in section 431) to enable students, who have obtained prior loans insured under this part, to continue or complete their educational program; but no insurance may be granted for any loan made or installment paid after June 3, 1974.

(b) The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this part, assign, within the maximum amounts specified in subsection (a), insurance quotas applicable to eligible lenders, or to States or areas, and may from time to time reassign unused portions of these quotas.

(c) If the Commissioner determines in accordance with regulations that students, or one or more classes of students, in a State or other area have reasonable access to another public or a private program of loan insurance which is at least substantially as beneficial to such students as is the program of loan insurance set forth in this part, he shall not, for so long as he determines such condition to continue, issue certificates of insurance to lenders under section 427 covering loans to such students or classes of students.

Limitations on Individual Loans and on Insurance

SEC. 423. (a) No loan or loans by one or more eligible lenders in excess of \$1,500 in the aggregate to any student in any academic

year or its equivalent shall be covered by insurance under this part. The aggregate insured unpaid principal amount of all such insured loans made to any student shall not at any time exceed \$9,000 in the case of any graduate or professional student (as defined in regulations of the Commissioner, and including any such insured loans made to such person before he became a graduate or professional student), or \$6,000 in the case of any other student. The annual insurable limit per student shall not be deemed to be exceeded by a line of credit (as defined in section 431) under which actual payments by the lender to the borrower will not be made in any year in excess of the annual limit.

(b) The insurance liability on any loan insured under this part shall be 100 percent of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

Sources of Funds

SEC. 424. Loans made by eligible lenders in accordance with this part shall be insurable whether made from funds fully owned by the lender or from funds held by the lender in a trust or similar capacity and available for such loans.

Eligibility of Student Borrowers and Terms of Student Loans

SEC. 425. (a) A loan by an eligible lender shall be insurable under the provisions of this part only if—

(1) made to student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and (C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

(2) evidenced by a note or other written agreement which—

(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required.

(B) provides for repayment (except as provided in subsection (b)) of the principal amount of the loan in installments during a period of not less than five years (unless sooner repaid) nor more than ten years beginning (i) not earlier than one year following the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution, or (ii) if sooner, and if agreed upon between the borrower and the lender, not earlier than one year following the date on which the student completes or ceases to pursue the study program in which he was enrolled or had been accepted for enrollment, except that (iii) the period of the loan may not exceed fifteen years, and (iv) the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made.

(C) provides for interest on the unpaid balance of the loan at a yearly rate, not exceeding the applicable maximum rate as prescribed and defined by the Secretary on a national, regional, or other appropriate basis, which interest shall be payable in installments over the period of the loan except that, if provided in the note or other

written agreement, payment of interest may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has accrued during such period may be added on that date to the principal (but without thereby increasing the insurance liability under this part).

(D) provides that the lender will not collect or attempt to collect from the borrower that portion of the interest on the note which is payable by the Commissioner under this part.

(E) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan, and

(F) contains such other terms and conditions, consistent with the provisions of this part and with the regulations issued by the Commissioner pursuant to this part, as may be agreed upon by the parties to such loan, including, if agreed upon, a provision requiring the borrower to pay to the lender, in addition to principal and interest, amounts equal to the insurance premiums payable by the lender to the Commissioner with respect to such loan.

(b) The total of the payments by any borrower during any year of any repayment period with respect to the aggregate amount of all loans to that borrower which are insured under this part and held by any person shall not be less than \$500 or the total of the amount payable during that year with respect to such loans, whichever amount is less.

Federal Payments To Reduce Student Interest Costs

SEC. 426. (a) (1) Each student who has received a loan which is insured under this part, and each student who has received a loan which—

(A) is insured under a State program, or under a program of a nonprofit institution or organization, covered by an agreement made pursuant to subsection (b),

(B) is insured under that program to the extent of at least 90 per centum of the unpaid balance of the loan, and

(C) was contracted for after the effective date of that agreement and was paid to the student either (i) prior to July 1, 1970, or (ii) prior to July 1, 1974, in the case of a loan made (or a loan installment paid pursuant to a line of credit) to enable a student who has obtained a prior loan insured under such program to continue or complete his educational program,

shall be entitled to have paid on his behalf and for his account to the holder of the loan, over the period of the loan, a portion of the interest on the loan. Such portion shall be determined pursuant to regulations of the Secretary in effect at the time the loan is paid, and shall not equal more than 2 per centum of the unpaid principal (excluding interest which has been added to principal) of the loan. The holder of that loan shall be deemed to have a contractual right, as against the United States, to receive this portion of interest from the Commissioner. The Commissioner shall pay this portion of the interest to the holder of the insured loan on behalf of and for the account of the borrower at such times as may be specified in regulations in force when the applicable agreement entered into pursuant to subsection (b) was made.

(2) Each holder of such an insured loan shall submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan.

(b) Any State which has a program under which loans to students in eligible institutions are insured by the State, or by a State

agency or instrumentality wholly owned by the State, and any nonprofit institution or organization which insures loans to students in eligible institutions, may enter into an agreement with the Commissioner for the purpose of entitling students who receive loans which are so insured to have made on their behalf the payments set forth in paragraph (1) of subsection (a). Such an agreement shall—

(A) provide that a loan to a student will be insured under the State program or by the nonprofit institution or organization, as the case may be, only if the loan meets the requirements of section 423(a) and paragraphs (1), (2)(A), (2)(D), and (2)(E) of section 425(a).

(B) provide that the holder of any such loan will be required to submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan;

(C) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the State; and

(D) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his function under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Certificates of Insurance—Effective Date of Insurance

SEC. 427. (a) (1) If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provisions of this part, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance.

(2) Insurance evidenced by a certificate of insurance pursuant to subsection (a)(1) shall become effective upon the date of issuance of the certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans, or with respect to lines (or proposed lines) of credit, submitted by eligible lenders, and in that event, upon compliance with subsection (a)(1) by the lender, the certificate of insurance may be issued effective as of the date when any loan, or any payment by the lender pursuant to a line of credit, to be covered by such insurance was made. Such insurance shall cease to be effective upon thirty days' default by the lender in the payment of any installment of the premiums payable pursuant to subsection (c).

(3) An application submitted pursuant to subsection (a)(1) shall contain (1) an agreement by the applicant to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (c), and (2) an agreement by the applicant that if the loan is covered by insurance the applicant will submit such supplementary reports and statements during the effective period of the loan agreement, upon such forms, at such times, and containing such information as the Commissioner may prescribe by or pursuant to regulation.

(b) (1) In lieu of requiring a separate insurance application and issuing a separate certificate of insurance for each student loan made by an eligible lender as provided in subsection (a), the Commissioner may, in accordance with regulations consistent with

section 422, issue to any eligible lender applying therefor a certificate of comprehensive insurance coverage which shall, without further action by the Commissioner, insure all insurable loans made by that lender, on or after the date of the certificate and before a specified cutoff date, within the limits of an aggregate maximum amount stated in the certificate. Such regulations may provide for conditioning such insurance, with respect to any loan, upon compliance by the lender with such requirements (to be stated or incorporated by reference in the certificate) as in the Commissioner's judgment will best achieve the purpose of this subsection while protecting the financial interest of the United States and promoting the objectives of this part, including (but not limited to) provisions as to the reporting of such loans and information relevant thereto to the Commissioner and as to the payment of initial and other premiums and the effect of default therein, and including provision for confirmation by the Commissioner from time to time (through endorsement of the certificate) of the coverage of specific new loans by such certificate, which confirmation shall be uncontested by the Commissioner in the absence of fraud or misrepresentation of fact or patent error.

(2) If the holder of a certificate of comprehensive insurance issued under this subsection grants to a student a line of credit extending beyond the cutoff date specified in that certificate, loans or payments thereon made by the holder after that date pursuant to the line of credit shall not be deemed to be included in the coverage of that certificate except as may be specifically provided therein; but, subject to the limitations of section 422, the Commissioner may, in accordance with regulations, make commitments to insure such future loans or payments, and such commitments may be honored either as provided in subsection (a) or by inclusion of such insurance in comprehensive coverage under this subsection for the period or periods in which such future loans or payments are made.

(c) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this part a premium in an amount not to exceed one-fourth of 1 percent per year of the unpaid balance of principal and accrued interest of such loan, payable in advance, at such time and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest or after the borrower has died or becomes totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 428(a).

(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned as security by such lender only to another eligible lender, and subject to regulation by the Commissioner.

(e) The consolidation of the obligations of two or more insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. If the loans thus consolidated are covered by separate certificates of insurance issued under subsection (a), the Commissioner may upon surrender of the original certificates issue a new certificate of insurance in accordance with that subsection upon the consolidated obligation; if they are covered by a single comprehensive certificate issued under subsection (b), the Commissioner may amend that certificate accordingly.

Procedure on Default, Death, or Disability of Student

SEC. 428. (a) Upon default by the student borrower on any loan covered by insurance pursuant to this title, or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon any security for that loan, the insurance beneficiary shall promptly notify the Commissioner, and the Commissioner shall if requested (at that time or after further collection efforts) by the beneficiary, or may on his own motion, if the insurance is still in effect, pay to the beneficiary the amount of the loss sustained by the insured upon that loan as soon as that amount has been determined. The "amount of the loss" on any loan shall, for the purposes of this subsection, be deemed to be an amount equal to the unpaid balance of the principal amount of the loan, excluding interest whether or not that interest has been added to the principal amount of the loan, except that where the Commissioner has decided to make payment on his own motion the amount of the loss as so determined shall be deemed tentative and shall be increased by the excess, if any, over the tentative amount of any net recovery made by the Commissioner on the loan after deduction of the cost of that recovery (including reasonable administrative cost).

(b) Upon payment by the Commissioner of the insured portion of the loss, or tentative amount of loss, pursuant to subsection (a), the United States shall be subrogated to the rights of the holder of the obligation upon the insured loan and be entitled to an assignment of the note or other evidence of the insured loan by the insurance beneficiary.

(c) Nothing in this section or in this part shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner in the enforcement of the insured obligation after payment on that insurance, or to require collection of the amount of any loan by the insurance beneficiary or by the Commissioner from the estate of a deceased borrower or from a borrower found by the insurance beneficiary to have become permanently and totally disabled.

(d) Nothing in this section or in this part shall be construed to excuse the holder of a loan from exercising reasonable care and diligence in the making and collection of loans under the provisions of this part. If the Commissioner, after reasonable notice and opportunity for hearing to an eligible lender, finds that it has substantially failed to exercise such care and diligence or to make the reports and statements required under section 426(a)(2) and section 427(a)(3), or to pay the required insurance premiums, he shall disqualify that lender for further insurance on loans granted pursuant to this part until he is satisfied that its failure has ceased and finds that there is reasonable assurance that the lender will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

(e) As used in this section—

(1) the term "insurance beneficiary" means the insured or its authorized assignee in accordance with section 427(d); and

(2) the term "default" includes only such defaults as have existed for (A) one hundred and twenty days in the case of a loan which is repayable in monthly installments, or (B) one hundred and eighty days in the case of a loan which is repayable in less frequent installments.

Insurance Fund

SEC. 429. (a) There is hereby established a Student Loan Insurance Fund (hereafter in this section called the "Fund") which shall be available without fiscal year limitation to the Commissioner for making payments in connection with the default of loans insured under this part. All amounts received by the Commissioner as premium charges for insurance and as receipts, earnings, or proceeds derived from any claim or other assets acquired by the Commissioner in connection with his operations under this part, and any other moneys, property, or assets derived by the Commissioner from his operations in connection with this section, shall be deposited in the Fund. All payments in connection with the default of loans insured under this part shall be paid from the Fund. Moneys in the Fund not needed for current operations under this section may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

(b) If at any time the moneys in the Fund are insufficient to make payments in connection with the default of any loan insured under this part, the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the Fund and redemption of such notes and obligations shall be made by the Commissioner from such Fund.

Legal Powers and Responsibilities

SEC. 430. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this part, the Commissioner may—

(1) prescribe such regulations as may be necessary to carry out the purposes of this part.

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this part without regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in that office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this part from the application of sec-

tions 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

(3) include in any contract for insurance such terms, conditions, and covenants relating to repayment of principal and payment of interest, relating to his obligations and rights and to those of eligible lenders, and borrowers in case of default, and relating to such other matters as the Commissioner determines to be necessary to assure that the purposes of this part will be achieved; and any term, condition, and covenant made pursuant to this clause or any other provisions of this part may be modified by the Commissioner if he determines that modification is necessary to protect the financial interests of the United States;

(4) subject to the specific limitations in this part, consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest or any portion thereof, or any other provision, of any note or other instrument evidencing a loan which has been insured under this part;

(5) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(6) enforce, pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this part—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act;

(2) maintain with respect to insurance under this part an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 226, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.

Definitions for Reduced-Interest Student Loan Insurance Program

SEC. 431. As used in this part—

(a) The term "eligible institution" means either—

(1) an institution of higher education; or

(2) a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left secondary school, (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations, and (C) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause: *Provided, however,* That if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools of that category, which shall prescribe the standards of content, scope, and quality which must be met by those schools in order for loans to students attending them to be insurable under this part and shall also determine whether particular schools meet those standards.

For the purpose of paragraph (2) the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(b) The term "eligible lender" means an eligible institution, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

(c) The term "line of credit" means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years.

Part C—College work-study program extension and amendments

Transfer of Authority and Other Amendments

SEC. 441. Effective July 1, 1965, part C of title I of the Economic Opportunity Act of 1964 (Public Law 88-452) is amended as follows:

(1) By striking out "Director" in the first sentence of section 122(a) and inserting in lieu thereof "Commissioner of Education (hereinafter in this part referred to as the 'Commissioner')", and by striking out "Director" wherever that word appears in the other provisions of such part C and inserting in lieu thereof "Commissioner";

(2) By amending that part of section 121 that follows the section designation to read as follows: "The purpose of this part is to stimulate and promote the part-time employment of students, particularly students from low-income families, in institutions of higher education who are in need of the earnings from such employment to pursue courses of study at such institutions";

(3) By redesignating clauses (2), (3), and (4) of paragraph (c) of section 124 as clauses (1), (2), and (3), and by striking out so much of such paragraph as precedes such redesignated clauses and inserting in lieu thereof the following: "(c) provide that in the selection of students for employment under such work-study program preference shall be given to students from low-income families and that employment under such work-study program shall be furnished only to a student who";

(4) By striking out "June 30, 1966," in paragraph (1) of section 124 and inserting in lieu thereof "June 30, 1967".

Appropriations Authorized

SEC. 442. There are authorized to be appropriated \$129,000,000 for the fiscal year ending June 30, 1966, and such sums as may be necessary for each of the four succeeding years, to carry out the purposes of part C of title I of the Economic Opportunity Act of 1964 (Public Law 88-452). Any sums which prior to the enactment of this Act, were appropriated for carrying out such part C of that title for the fiscal year ending June 30, 1966, or were allocated from an applicable appropriation for that purpose, and which have not been expended prior to the date of the enactment of this Act, shall be available to the Commissioner for carrying out such part C.

Conforming Amendment

SEC. 443. Part D of title I of the Economic Opportunity Act of 1965 (Public Law 88-442) is amended to read as follows:

Part D—Authorization of appropriations

"SEC. 131. The Director shall carry out the programs provided for in parts A and B of this title during the fiscal year ending June 30, 1965, and each of the two succeeding fiscal years, and he shall carry out the program provided for in part C of this title dur-

ing the fiscal year ending June 30, 1965. For this purpose there is hereby authorized to be appropriated the sum of \$412,500,000 for the fiscal year ending June 30, 1965; and for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967, such sums may be appropriated as the Congress may hereafter authorize by law."

Part D—Extension of national defense student loan program

Extension of Appropriation Authorization

SEC. 461. The first sentence of section 201 of the National Defense Education Act of 1958 is amended—

(1) by striking out "and" after "June 30, 1967," and inserting after "June 30, 1968," the following: "\$225,000,000 for the fiscal year ending June 30, 1969, \$250,000,000 for the fiscal year ending June 3, 1970, and \$275,000,000 for the fiscal year ending June 30, 1971"; and

(2) by striking out "and such sums for the fiscal year ending June 30, 1969, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1968, to continue or complete their education" and inserting in lieu thereof "and such sums for the fiscal year ending June 30, 1972, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1971, to continue or complete their education".

Conforming Amendments

SEC. 462.(a) Section 202 of such Act is amended by striking out "1968" wherever it occurs therein and inserting in lieu thereof "1971".

(b) Section 206 of such Act is amended by striking out "1972" wherever it occurs therein and inserting in lieu thereof "1975".

TITLE V—GENERAL PROVISIONS

Definitions

SEC. 501. As used in this Act—

(a) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized

within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any business school or technical institution which meets the provisions of clauses (1), (2), (4), and (5). For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

(c) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) The term "secondary school" means a school which provides secondary education as determined under State law except that it does not include any education provided beyond grade 12.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "Commissioner" means the Commissioner of Education.

Method of Payment

SEC. 502. Payments under this Act to any individual or to any State or Federal agency, institution of higher education, or any other organization, pursuant to a grant, loan, or contract, may be made in installments, and in advance or by way of reimbursement, and, in the case of grants or loans, with necessary adjustments on account of overpayments or underpayments.

Estimated Federal payments under the Higher Education Act of 1965

State	Total estimated Federal payments	University extension and continuing education	Scholarships	College work-study programs	State	Total estimated Federal payments	University extension and continuing education	Scholarships	College work-study programs
United States and outlying areas	\$219,000,000	\$20,000,000	\$70,000,000	\$129,000,000	50 States and District of Columbia—Continued				
50 States and District of Columbia	214,646,115	19,626,115	68,600,000	126,420,000	Nevada	\$349,499	\$129,959	\$77,226	\$142,314
Alabama	5,033,521	360,004	1,643,951	3,029,566	New Hampshire	747,404	149,598	210,284	387,522
Alaska	269,685	118,869	53,051	97,765	New Jersey	4,918,123	604,759	1,517,264	2,796,100
Arizona	1,976,867	216,755	619,135	1,140,977	New Mexico	1,346,436	175,937	411,733	758,766
Arkansas	3,137,404	26,483	1,016,907	1,874,014	New York	15,713,873	1,462,865	5,012,917	9,238,091
California	17,555,551	1,450,697	5,665,025	10,439,829	North Carolina	7,378,367	468,673	2,430,546	4,479,148
Colorado	2,321,636	247,716	729,520	1,344,400	North Dakota	1,105,428	149,675	336,194	619,559
Connecticut	2,397,545	369,097	734,630	1,353,818	Ohio	9,686,866	870,155	3,101,355	5,715,356
Delaware	540,358	136,967	141,896	261,495	Oklahoma	3,392,171	287,995	1,091,921	2,012,255
Florida	5,702,179	525,972	1,820,776	3,355,431	Oregon	2,201,872	242,633	689,180	1,270,059
Georgia	5,681,445	424,774	1,819,080	3,407,591	Pennsylvania	11,309,619	979,901	3,633,569	6,696,149
Hawaii	828,825	152,756	237,813	438,256	Rhode Island	984,852	168,698	287,089	529,065
Idaho	922,441	152,910	270,690	498,841	South Carolina	3,993,122	292,847	1,301,604	2,398,671
Illinois	9,786,575	899,574	3,126,080	5,760,921	South Dakota	1,154,353	154,527	351,698	648,128
Indiana	5,143,069	468,057	1,644,476	3,030,536	Tennessee	5,525,594	388,577	1,806,992	3,330,027
Iowa	3,682,710	312,178	1,185,614	2,184,918	Texas	12,720,907	887,714	4,162,430	7,670,763
Kansas	2,886,872	270,748	920,246	1,695,883	Utah	1,529,921	174,782	476,681	878,458
Kentucky	4,406,573	340,770	1,430,189	2,635,634	Vermont	639,289	131,191	178,728	329,370
Louisiana	5,174,073	363,008	1,692,334	3,118,731	Virginia	4,914,858	429,780	1,577,666	2,907,412
Maine	1,131,676	175,937	336,189	619,550	Washington	3,367,720	328,043	1,069,233	1,970,444
Maryland	3,218,435	358,156	1,006,128	1,854,151	West Virginia	2,670,941	239,629	855,236	1,576,076
Massachusetts	5,658,360	507,874	1,811,729	3,338,757	Wisconsin	4,613,333	413,145	1,477,453	2,722,735
Michigan	8,361,732	718,511	2,688,570	4,954,651	Wyoming	475,340	126,108	122,845	226,387
Minnesota	4,451,308	368,938	1,436,010	2,646,360	District of Columbia	1,160,195	161,458	351,315	647,422
Mississippi	4,299,709	276,057	1,415,355	2,608,297	Outlying areas	4,353,885	373,885	1,400,000	2,580,000
Missouri	5,304,563	437,636	1,711,985	3,154,942	American Samoa		26,625		
Montana	938,454	153,988	275,943	508,523	Guam		30,114		
Nebraska	1,934,464	213,059	605,519	1,115,886	Puerto Rico		289,458		
					Virgin Islands		27,688		

Federal Administration

SEC. 503. (a) The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the titles of this Act for which he is responsible, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

Federal Control of Education Prohibited

SEC. 504. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,

Washington, D.C., January 19, 1965.

Higher Education Act of 1965

[In millions of dollars]

Authorization for fiscal 1966

Title I: University Extension and Continuing Education	25
Title II: College Library Assistance and Library Training and Research	65
Title III: Strengthening Developing Institutions	30
Title IV: Student Assistance:	
A. Undergraduate Scholarships	70
B. Insured, Reduced-Interest Loans	15
C. College Work-Study Program Extension and Amendments	145
D. Extension of National Defense Student Loan Program	(2)
Total	250

¹ In addition to \$84 million contained in budget request for the Economic Opportunity Act of 1964 (Public Law 88-452).

² No additional cost.

Mr. MORSE. Mr. President, in conclusion I wish only to reiterate to the Senate the pledge that I gave with respect to the elementary and secondary school bill. It is, that as soon as our hearings on the elementary and secondary school bill, S. 370, are completed, I shall attempt to move with dispatch into hearings on the higher education bill.

Mr. President, I send to the desk for appropriate reference the measure to which I have referred, for myself, the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. CLARK], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Indiana [Mr. HARTKE].

I also ask unanimous consent that it may be held at the desk until the close of business Friday, January 29, 1965, so that such Senators as may wish to join us in sponsoring this proposed legislation may have an opportunity to add their names to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oregon.

The bill (S. 600) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MORSE. Mr. President, I ask unanimous consent that the name of the Senator from Alaska [Mr. GRUENING] may be added as a cosponsor, as well as that of the Senator from Ohio [Mr. YOUNG].

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

Mr. MORSE. Mr. President, I am sure that the leadership of the Senate will be adding their names as cosponsors.

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

Mr. MORSE. Mr. President, may I have an additional minute?

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

Mr. MORSE. Mr. President, majority leaders themselves have introduced administration bills. But, Senator MANSFIELD is one who believes in the committees taking leadership on these bills. He joins in the cosponsorship of the bills. He gives his unfailing interest.

I thank both the Senator from Indiana and the Senator from Montana.

Mr. HARTKE. Mr. President, I thank the senior Senator from Oregon. He has done yeoman work in the field of education. Without his valuable and undying assistance in that field, we would have accomplished much less in the way of providing education for our younger people of today. Unless we provide a better education for them today than we have in the past, the future of America will suffer as well as the future of the young people.

Yesterday, Mr. President, the Washington Daily News published an editorial under the title "College Help for Whom?"

The editorial pointed out that there are two approaches to the high cost of education which will be considered by the Congress in this session. One is that which is embodied in S. 5 and S. 600—the proposal for, in the editorial's words, help to students "through cash aid and Government-guaranteed private loans, with the taxpayers picking up part of the interest tab." The other is the tax-credit route. In judging between these two, the editorial made plain what I believe is the correct preference in these words:

From the national standpoint, however, the choice seems clear. It is of more value to the country to invest tax funds in helping those who otherwise would never get beyond high school, than to ease the financial load for those who, through parental help, would go to college anyhow.

Mr. President, I ask unanimous consent that the full text of this editorial may be printed at the close of my remarks.

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

(See exhibit 1.)

Mr. HARTKE. Mr. President, I ask unanimous consent that a second editorial, published in a recent issue of the Decatur Daily Democrat of Decatur, Ind., entitled "College Student Plan" be printed at the conclusion of my remarks.

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

(See exhibit 2.)

EXHIBIT 1

[From the Washington Daily News, Jan. 18, 1965]

COLLEGE HELP FOR WHOM?

Two approaches to the high cost of higher education are before the new Congress for consideration. Both seek to ease the heavy burden of putting a youngster through college. But they attack the problem in different ways and, in effect, are designed to aid different segments of the population.

One plan, proposed by President Johnson, is aimed primarily at helping students from poverty-stricken families, who otherwise could not go to college at all. It would do this through cash aid and Government-guaranteed private loans, with the taxpayers picking up part of the interest tab.

The other, proposed by several Members of Congress, is aimed at helping parents who can finance their children's higher education—but at considerable financial sacrifice to themselves. It would permit college expenses to be deducted by the parents for income tax purposes.

Either proposal would cost the taxpayers quite a bit—\$260 million a year to start with for the President's plan and more than \$1 billion annually for the tax deduction scheme. Assuming the goal is worthwhile, the question is: By which method would the national interest best be served?

This is admittedly a tough decision. It is easy to feel sympathy for the parent who finds his budget strained to the breaking point during his family's college years—especially if two or three are in school at the same time. On the other hand, many of our brightest youths are denied higher education simply because of lack of funds.

From the national standpoint, however, the choice seems clear. It is of more value to the country to invest tax funds in helping those who otherwise would never get beyond high school, than to ease the financial load for those who, through parental help, would go to college anyhow.

Parents may object that such an approach amounts to penalizing self-reliance while re-

warding those who have been improvident. But it is certainly not the fault of a bright high school student if his parents are too poor or too ignorant to provide for further schooling. Nor does any special virtue rest with the indifferent pupil who happens to go to college just because his folks have the money to send him there.

The national interest is served by seeing that as many as possible of our brightest youngsters get a chance for all the education they can absorb. They will become our assets of the future. Painful as it may be to parents who already are footing the bills on their own, they should remember that that is what parents are for.

EXHIBIT 2

[From the Decatur (Ind.) Daily Democrat, Jan. 8, 1965]

COLLEGE STUDENT PLAN

(By Dick Heller)

Senator VANCE HARTKE today proposed a new broad-based program to help meet the Nation's education needs.

The three-point plan, designed to make college possible for every qualified student, implements the goals outlined by President Johnson in his state of the Union message.

The Hartke college student assistance bill, tagged with a high-priority number, S. 5, features a loan program similar to the FHA program, an expanded "work-study" program, and grants to undergraduate students. The plan advances the proposals made by Senator HARTKE last year, some of which are now law.

Here are the highlights of the Hartke plan:

1. Loan insurance program: This is a Federal insurance guarantee for loans arranged directly by the student with a lending institution. S. 5 calls for the insurance of loans up to a total of \$700 million in fiscal 1966, with an increase of \$100 million annually to a peak of \$1 billion in the fourth year. These figures are for gross amounts of insured loans, not the cost to the Government. Two percent of the interest charges will be borne by the Government.

2. Work-study program: This plan, part of the original Hartke bill, introduced last year has been partially implemented as part of the new Office of Economic Opportunity. Senator HARTKE's new proposal would extend this concept by helping approximately 330,000 additional students a year at a cost of \$250 million.

3. Student grants: These grants are intended to aid a student who has exhausted all other possibilities in financing his college education. Administered by the college or university, the grants would assist 100,000 students in the first year, with an additional 100,000 in each of the following years at a cost of \$75 million per year, with a peak of \$300 million in the fourth year of the program.

AID TO COLLEGE STUDENTS

Mr. HARTKE. Mr. President, I am most happy to be a cosponsor of the administration bill for the improvement of higher education. It is a comprehensive effort to do two things—to improve the educational facilities, particularly the library facilities, and to strengthen the institutions for higher education; and to give much needed assistance to financially hard-pressed students to assure educational opportunity unhampered by financial problems so severe as to prevent attendance.

I am happy to know that the recommendations concerning student assistance so closely follow those which I have

already presented in S. 5, with which 25 other Senators have now associated themselves as cosponsors. The proposal for scholarships in this bill is very close in amount to that of the Hartke bill—\$70 million where I have proposed \$75 million. The loan program starts with the same figures—the guarantee of \$700 million, but whereas the sum increases to \$1 billion in the program of S. 5, the administration would guarantee loans on an increasing scale to \$1,400 million, a difference which is all to the good. Likewise, I am gratified that the administration bill so closely follows the work-study proposal of S. 5, which appeared last year also in S. 2490. Shifting the responsibility for this portion of the antipoverty program to the Office of Education, which will provide a single source of operations under both pieces of legislation, is a desirable change.

Much more might be said, and will be said in due time, for the virtues of the comprehensive higher education bill now before us. I have a concern for the entire program, and it is for that reason, together with the fact that I have concentrated much attention and effort on the higher education assistance features, that I am pleased to join in sponsoring this broader effort, which so well reinforces the program of S. 5.

Mr. MORSE. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I wish the Senator from Indiana were an additional member of my Subcommittee on Education, for I desire to have the record show my sense of gratitude to him for the great help he has been to our committee during the past several years, as we have sought to carry out the pledges that we made when President Kennedy first offered S. 580. We said then that we would give the Senate an opportunity to vote on each section of the omnibus bill, S. 580. We have delivered on 20 of the 24 sections. The other four sections are included, in part, in the great educational message which President Johnson sent to Congress, to which I referred earlier today.

In particular, I commend the Senator from Indiana for his help in connection with the student loan program, for which he introduced a bill last year. As he knows, our committee held hearings. My subcommittee favors the principle of his bill. I am optimistic that with his continuing pledge, which he is making anew as a cosponsor of the higher education bill, we shall enact a loan program this year.

Mr. President, I ask unanimous consent that the name of the distinguished majority leader [Mr. MANSFIELD] be added to the list of sponsors of the higher education bill that I introduced earlier today. This is typical of the majority leader.

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

U.S.S. "UTAH"

Mr. MOSS. Mr. President, almost everyone knows about the 1,102 American officers and men who lie entombed in

the hulk of the U.S.S. *Arizona* at Pearl Harbor. Many tributes have been paid to them and their bravery under Japanese fire in the infamous attack of December 7, 1941. A grateful Nation has erected a handsome monument over the *Arizona* where the colors are flown every day.

But relatively few people realize that the same recognition has not been given to 54 other officers and men who also lost their lives in the Pearl Harbor attack, and who lie entombed in the U.S.S. *Utah* only a few miles away. Their resting place is identified only by a small plaque.

Mr. President, the dead of the U.S.S. *Utah* deserve recognition as do the dead of the U.S.S. *Arizona*. I am, therefore, today introducing for myself and Senators MUNDT, NEUBERGER, MAGNUSON, CHURCH, CURTIS, BURDICK, BYRD of Virginia, RANDOLPH, LAUSCHE, HART, GRUENING, TOWER, DOUGLAS, BENNETT, COOPER, ALLOTT, INOUE, MORSE, BARTLETT, SMITH, SMATHERS, BIBLE, WILLIAMS of New Jersey, LONG of Missouri, McCLELLAN, PELL, McGOVERN, McGEE, HILL, SIMPSON, YARBOROUGH, and DOMINICK, a bill directing the Secretary of the Navy to erect a flagpole over the hulk of the U.S.S. *Utah* on which the colors will be raised and lowered each day.

I introduced a similar bill in the 88th Congress, but no action was taken on it. I shall press for action this session in the hope that the flagpole can have been erected, and the colors raised for the first time, next December 7—on the 24th anniversary of the Pearl Harbor attack.

The impetus for this bill came from an article printed 2 years ago in the Navy Times by its able editor, Bill Kreh. This article stimulated a flood of letters from the American people, both to Bill Kreh and to me. At once I agreed to head the drive to give the men of the *Utah* the recognition they deserve.

The Department of the Navy insists that the flag which flies over the U.S.S. *Arizona* is for all of the Pearl Harbor dead. This implies that if our flag were flown also over the *Utah* it would detract from the flag and memorial over the *Arizona*. I do not agree. The *Utah* is on the opposite side of Ford Island out of view of the *Arizona*. It is a separate ship in a separate location. Moreover, there are separate flags flying over other Pearl Harbor dead who are buried in land cemeteries nearby—and the *Utah* is just as much a military cemetery as any plot of ground containing graves and the granite markers and flowers. Flying the flag over the *Utah*, and raising and lowering it each day, would give similar recognition to its men.

Almost every State, and certainly every area of the country, has one or more of its boys listed among the U.S.S. *Utah* dead. Of the 54 men whose bodies were not found or identified, 13 gave California as their home State; 11, Texas; 3 each Illinois, Iowa, Washington State, and New York; 2 each Colorado, Missouri, Virginia, and Massachusetts; 1 each Kentucky, Arkansas, Minnesota, Louisiana, Michigan, Oregon, Ohio, and Nebraska; and one who did not list his home. He was, however, born in Iowa.

Another man was a native of the Philippine Islands. Many men showed next of kin in States other than their home at time of enlistment, so there is hardly a State which is not touched in some way by the ghostly hand of those entombed in the U.S.S. *Utah*. The roster of the men, as I received it from the Department of the Navy is as follows:

OFFICERS KILLED ON U.S.S. "UTAH," DECEMBER 7, 1941

Rudolph P. Bielka, lieutenant commander.

John E. Black, lieutenant, junior grade. Herold A. Harveson, lieutenant, junior grade.

David W. Jackson, ensign.

John G. Little III, lieutenant, junior grade.

Charles O. Michael, lieutenant commander.

ENLISTED PERSONNEL KILLED ON U.S.S. "UTAH," DECEMBER 7, 1941

S2c. William D. Arbuckle.

F3c. Joseph Barta.

S1c. Virgil C. Bicham.

F1c. John T. Blackburn.

S2c. Pallas F. Brown.

F3c. William F. Brunner.

OC2. Feliciano T. Bugarin.

S2c. George Chestnutt, Jr.

S2c. Lloyd D. Clippard.

F1c. Joseph U. Conner.

F1c. John R. Crain.

S1c. David L. Crossett.

F2c. Billy R. Davis.

S2c. Leroy Dennis.

SM1. Douglas R. Dieckhoff.

S2c. William H. Dosser.

S1c. Vernon J. Eidsvig.

QM1c. Melvyn A. Gandre.

BM2c. Kenneth M. Gift.

S2c. Charles N. Gregoire.

S2c. Clifford D. Hill.

Bk1c. Emery L. Houde.

S1c. Leroy H. Jones.

SC2c. William A. Juedas.

Y3c. John L. Kaelin.

GM3c. Eric T. Kampmeyer.

F1c. Joseph N. Karabon.

S1c. William H. Kent.

GM3c. George W. La Rue.

S2c. Kenneth L. Lynch.

S2c. William E. Marshall, Jr.

EM3c. Rudolph M. Martinez.

S2c. Marvin E. Miller.

S2c. Donald C. Norman.

F2c. Orris N. Norman.

EM2c. Edwin N. Odgaard.

CSK (PA) Elmer A. Parker.

SC3c. Forrest H. Perry.

S1c. James W. Phillips.

MM1c. Walter H. Ponder.

SF3c. Frank E. Reed.

S1c. Ralph E. Scott.

F1c. Henson T. Shouse.

StM1c. George R. Smith.

S2c. Robert D. Smith.

S2c. Joseph B. Souseley.

F3c. Gerald V. Strinz.

CWT (PA) Peter Tomich.

F3c. Elmer H. Ulrich.

F3c. Michael W. Villa.

FC1c. Vernard O. Wetrick.

F1c. Glenn Albert White.

Mr. President, I am not asking for an elaborate or costly memorial structure for the U.S.S. *Utah*. I am asking only for a simple standard from which our national emblem can be raised with each

dawn and lowered with each sunset so that all who see it can remember and honor the brave men who lie under it. I ask only for the men of the U.S.S. *Utah* the same recognition which is willingly given to our other military dead wherever they may lie the world over.

This is a bill on which the Congress cannot afford to delay. This is a bill which I feel we must pass this session. I ask the support of my colleagues who are cosponsoring the measure in requesting early action on it.

Other Senators may wish to join as co-sponsors. I request, therefore, that the bill lie on the desk for 1 week.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will lie on the desk as requested.

The bill (S. 601) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT

MR. MOSS. Mr. President, for myself, and Senators ALLOTT, BENNETT, BIBLE, BURDICK, CHURCH, KUCHEL, McGEE, and SIMPSON, I introduce, for appropriate reference, a bill to amend the Small Reclamation Projects Act of 1956.

The small water projects loan program has proved itself a most desirable supplement to the Federal Reclamation program. It has closed a gap in our water resource development. As of January 13, applications had been received and approved by the Secretary of the Interior and Congress for 29 separate projects, involving loans estimated at over \$68 million, and 1 application for a loan of over \$1.7 million is now pending before the Congress. Three applications totaling nearly \$9.8 million have been approved by the Secretary of the Interior and will be submitted to the Congress in the near future, and 3 additional applications involving loans of over \$6.7 million are under consideration by the Department. With favorable action on the pending applications, over \$86.5 million of the original \$100 million authorized for this program in 1956 will have been committed, leaving only about \$13.5 million for future loans. However, 14 local agencies are actively working on loan applications involving over \$30 million.

The idea of a small reclamation program was born in National Reclamation Association resolution in 1946. It took 10 years to translate that resolution into public law. There was doubt on the part of some Members of Congress that the plan was workable. It was finally given a chance because there was obviously a no man's land in our western reclamation development, and all were agreed that neither the western reclamation States, nor the Nation, can afford under-

development of any part of our water resources.

Irrigation by Anglo Saxons was introduced in America by the Mormon pioneers. That was over 115 years ago. Almost immediately after arrival in Utah, groups of Mormon pioneers joined together to build ditches and to construct small irrigation dams. As other Western States were settled and developed, small irrigation ditch groups and companies began to develop small irrigation projects, each of them monuments to private cooperative initiative.

Naturally the easy projects were developed first. Then the settlers began to work on those where the water was harder and more expensive to divert. The Reclamation Act of 1902 made possible the vast projects which have turned water onto millions of arid acres, and built community after community in the West. But left undeveloped were the smaller projects which fell outside the conventional reclamation program, and it gradually became evident that these smaller projects, like their larger counterparts, could not be developed without some Federal financial assistance. The Small Reclamation Projects Act has been the answer.

Enactment of this legislation has made it possible for local water users and small ditch companies to combine their efforts, talents, and investments with Bureau of Reclamation know-how and financing to broaden our water resource development. The program has been a success.

But experience has shown that improvements are needed to increase the scope and effectiveness of the program and to bring it more nearly in line with related water programs. I introduced a bill in the 88th Congress to amend the small water projects loan program, which a number of my colleagues joined as co-sponsors, and it was favorably reported by the Senate Interior Committee and passed by the Senate. The bill I am introducing today contains the amendments agreed to by the Senate committee and passed by the Senate in the last Congress, together with some additional amendments. All are supported by the NRA.

The first amendment will increase the maximum amount of Federal funds that can be provided for such projects from an uncertain amount less than \$5 million to \$7,500,000. The present act requires the subtraction of a local contribution from the \$5 million limitation in a manner that causes the maximum loan to vary with local conditions, which has resulted in some confusion and inequities. The amendment also increases the maximum loan to compensate for the increases in construction costs since the program was originally proposed. Other than these two changes, the remainder of the section is the same as before.

The second amendment redefines the amount of detail to be included in the report that is the application for a loan. The present act might be construed to require information that is unnecessary and incompatible with the scope and

relative simplicity of these smaller projects. This does not contemplate an applicable change from the type of application now being required by the Secretary but is intended as reassurance to some organizations now fearful of the requirements that might be imposed.

The third amendment is a clarification. At present the requirement for a local contribution is related to the cost of construction. It has been found that differences of opinion exist as to what items are cost of construction and what might properly be other project development costs. Therefore, it is proposed to relate this to the total cost of the project.

The fourth amendment will amend subsection (d) of section 4 to permit the legislative committees of the Congress to reduce the 60-day waiting period for a specific project by resolution of both committees. At present, the full 60 days must run although the committees may be fully satisfied with the proposal. In several cases, this situation has delayed the projects by nearly a year. This amendment also permits the Secretary to make loans up to \$250,000 immediately, for qualifying projects which he has approved, without prior approval by the House and Senate Interior and Insular Affairs Committees. This would provide the Secretary with similar authority, although not so broad, as that given the Secretary of Agriculture in making the smaller loans under the Watershed Protection and Flood Prevention Act.

The fifth amendment would adjust the wording of subsection (a) of section 5 to clarify the intent. As now worded, it might be construed as requiring an organization to accept a grant or to accept a lower loan because a grant might be unreasonable and incompatible with section 5(d) of the present act which provides authority for operation by the United States or for repayment of the grant in the event of noncompliance with regulations for the project operation to qualify for the grant.

The sixth amendment proposes to conform the treatment of recreation and fish and wildlife aspects of projects constructed under the Small Reclamation Projects Act with projects constructed under the Watershed Protection and Flood Prevention Act. This amendment, proposed by the Department of Interior on behalf of the administration, instead of making all project cost properly allocable to fish and wildlife nonreimbursable as the present act permits, and all project costs properly allocable to public recreation nonreimbursable as in other reclamation projects, would provide that a maximum of only one-half of these costs would be nonreimbursable, in accordance with the practice now being followed under the Watershed Protection and Flood Prevention Act.

The seventh amendment would change the interest formula to bring it into line with other related programs. This change is identical to that made a few years ago for the Colorado River storage project which originally had a formula similar to that of the existing Small Projects Act. The proposed formula is

that of the Water Supply Act of 1958 which was adopted for the Colorado River storage project and has been used in other recent authorizations. This bill would make this change retroactive to loans already made under this program. In all cases, this would reduce the interest payments.

The bill proposes a new section 8 which would permit the Secretary to advance to the local organization, up to half of the funds required for planning its small project. Experience has shown that some organizations have been delayed and others have been unable to complete their applications because of a lack of funds while others have skimped on their planning to complete an analysis within a limited budget. To some extent, this has been a factor in the localization of activity on such projects. If financial assistance were available for planning it is probable that applications would have been received from more than half of the States. The amendment also contains a provision to allow repayment of other Federal agencies in the event that they had made planning funds available as loans. This will consolidate the obligations.

The new section 9 amends the present section 8 by naming the Fish and Wildlife Coordination Act rather than reference to date and statute number. That act has been amended since the original Small Project Act was passed and might be in the future so that the general title reference is preferable.

Except for the section number, section 10 is the same as the old section 9. Section 11 amends the original section 10 to increase the limit on the authorization for this program. At present, appropriations are authorized up to \$100 million. The proposed wording would, in effect, authorize appropriations up to \$200 million of outstanding loans. If the limit were reached, loans could continue to be made at the rate at which past loans were repaid. The amendment also recognizes the fact that contracts or agreements will be required to carry out the provisions of section 8 to provide planning funds.

Sections 12 and 13 are unchanged from the original sections 11 and 12, except for the numbers.

The most significant changes are those which increase the limitation on Federal funds in the form of loans and grants for each project, the change in the interest formula, the authorization for financial assistance on planning, and the increase of the overall program authorization. The rest are minor changes to clarify the act or to remove operating difficulties.

Mr. President, full water resource development is the key to tomorrow. To serve the national interest properly we must use imagination, resourcefulness, and tenacity to develop every source of water available to us. There are numerous opportunities for the development of new small sources of irrigation water, and for the rehabilitation and better-

ment of existing irrigation projects through the Small Reclamation Projects Act. It offers us the type of cooperative local-Federal project which is most desirable. It has its roots in local initiative and local management, but it is made feasible through Federal technical and financial assistance.

I am hopeful that in this session the Senate will again take favorable action on this bill to expand and make more workable the Small Reclamation Projects Act, and that the House of Representatives will pass it likewise. We must move on with water development on every front.

I ask unanimous consent that there may be printed in the RECORD at this point a table showing the small reclamation projects program status as of January 1, 1965.

Mr. President, I also ask that my bill to amend the Small Reclamation Projects Act of 1956 may lie on the desk for 1 week for further cosponsorship.

The PRESIDING OFFICER. The bill will be received, appropriately referred, lie on the desk, as requested, and, without objection, the table will be printed in the RECORD.

The bill (S. 602) to amend the Small Reclamation Projects Act of 1956, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The table presented by Mr. Moss is as follows:

Small reclamation projects program status as of Jan. 1, 1965

Organization	Region	Loan	Organization	Region	Loan			
Construction completed:								
Bountiful Water Subconservancy District, Utah	4	\$3,510,000	Applications approved and 60 days completed before Congress:					
Centerville-Deuel Creek Irrigation Co., Utah	4	401,802	Cassia Creek Reservoir Co., Idaho	1	\$2,498,000			
Georgetown Divide Public Utility District, California	2	3,877,670	St. John Irrigating Co., Idaho	4	853,000			
Goleta County Water District, California	2	1,626,344						
Haights Creek Irrigation Co., Utah	4	326,845	Applications approved and sent to Congress:					
Klamath Basin Improvement District, Oregon	2	817,993	Byron-Bethany Irrigation District, California	2	1,756,700			
Pleasant Valley County Water District, California	2	2,040,000	Camarillo County Water District, California	2	4,800,000			
San Benito County Water Conservation and Flood Control District, California	2	1,425,000	Nevada Irrigation District, California	2	4,780,000			
South Davis County Water Improvement District, Utah	4	570,933	Total approved but not under contract		14,687,700			
South Sutter Water District, California	2	4,875,600	Grand total applications approved		74,686,375			
Weber-Box Elder Conservation District No. 1, Utah	4	302,458						
Total completed		19,774,645	Applications under consideration in Bureau and Department:					
Under construction:								
Banta-Carbona Irrigation District, California	2	964,000	Brown Canal Co., Arizona	3	200,000			
Browns Valley Irrigation District, California	2	4,804,000	Fallbrook Public Utility District, California	2	4,457,000			
Cameron County Water Control and Improvement District No. 1, Texas	5	4,600,000	Kays Creek Irrigation Co., Utah	4	406,000			
Donna Irrigation District, Texas	5	4,067,000	Teel Irrigation District, Oregon	1	1,885,000			
Eastern Municipal Water District, California	3	4,980,000	Total applications under consideration		6,948,000			
Georgetown Divide Public Utility District, California, supplemental	2	759,330	Grand total applications received		81,634,375			
Hooper Irrigation Co., Utah	4	1,163,000						
Jackson Valley Irrigation District, California	2	2,378,000	Applications under preparation:					
King Hill Irrigation District, Idaho	1	696,700	Belridge Water Storage District, California	2	4,330,000			
Molokai project, Hawaii			Colorado River Water Conservation District, Colorado	4	4,800,000			
Orchard City Irrigation District, Colorado	4	270,000	Huntsville-South Bench Canal Co., Utah	4	85,000			
Roosevelt Irrigation District, Arizona	3	4,620,000	Malad Valley Irrigation Co., Idaho	4	1,190,000			
Santa Ynez River Water Conservation District, California	2	3,800,000	Mitchell Irrigation District, Nebraska	7	1,240,000			
Settlement Canyon Irrigation Co., Utah	4	1,104,000	Mosier Irrigation District, Oregon	1	800,000			
Walker River Irrigation District, Nevada	2	2,693,000	North Extension Canal Co., Idaho	4	625,000			
Weber-Box Elder Conservation District No. 2, Utah	4	811,000	North Poudre Irrigation Co., Colorado	7	600,000			
Total under construction		40,224,030	River Junction Reclamation District, California	2	480,000			
			Roosevelt Water Conservation District, Arizona	3	4,750,000			
			San Juan Ridge County Water District, California	2	970,640			
			Salmon River Canal Co., Idaho	1	775,000			
			Semotropic Water Storage District, California	2	4,800,000			
			Yolo County Flood Control and Water Conservation District	2	4,800,000			
			Total applications under preparation		30,245,640			
			Grand total		111,880,015			

¹ Includes grant of \$94,500.

² Includes grant of \$130,000.

³ Includes grant of \$156,400.

⁴ Includes grant of \$122,000.

⁵ May be incomplete listing; includes only those that have been submitted to Bureau for comment.

⁶ Includes undetermined grant.

**LET US RECTIFY AN INJUSTICE TO
THE SUPREME COURT**

Mr. GRUENING. Mr. President, last year, during the Senate's consideration of the Federal employees pay bill of 1964 (H.R. 11049), a motion was made to limit the increase of the Chief Justice of the United States to \$38,000 instead of \$43,000 as provided in the bill as reported, and to limit to \$37,500 the increase of the Associate Justices of the Supreme Court instead of \$42,500 as provided in the bill as reported.

The motion carried 46 to 40.

I voted in favor of the motion. At the time, and under the circumstances in which the motion and the bill were being debated, my vote seemed a reasonable and proper one. For it seemed to me that the tenor of the Senate debate and the amendments to the bill being proposed and adopted such as to downgrade the positions and prestige of Members of Congress while upgrading what should be the coordinate and equal other branches of the Federal Government—the judicial and the executive.

I recall how the distinguished majority and minority leaders both voiced their dissent at the way the Congress had downgraded itself in its provisions for its own salary arrangements in contrast with what it had done for the other branches of government. That view was shared by many of our senatorial colleagues. I suspect it affected their attitude on the action taken in regard to the salary increases for the Supreme Court.

It seemed to me at the time that the limitations proposed on the salaries of the Chief Justice and the Associate Justices of the Supreme Court were, in the light of the other emoluments attaching to these offices, fair and equitable.

Upon reflection during the intervening months, I have come to the conclusion that my vote in favor of the motion was incorrect and that the adoption of the motion, even though partially corrected in conference, worked an injustice upon the Chief Justice and the Associate Justices of the Supreme Court and that this injustice should be corrected.

Accordingly, I send to the desk a bill to amend the Federal Employees Pay Act of 1964 to provide compensation for the Chief Justice at the rate of \$43,000 and for Associate Justices at the rate of \$42,500. These amounts are the amounts recommended by both the Senate and House committees in reporting out the bill last year. I ask that the bill lie at the table for 10 days in order to give those who desire to do so an opportunity to join with me in sponsoring the bill.

The House of Representatives, on the basis of the report of its Committee on Post Office and Civil Service had previously approved an across-the-board salary increase of \$7,500 for all Federal judges, including Justices of the Supreme Court of the United States. The Senate Committee on Post Office and Civil Service had likewise recommended a similar increase in the salary of a Supreme Court Justice. However, as a result of the adoption of the motion referred to, the Senate passed a bill setting the salary

increase for a Justice of the Supreme Court at \$2,500, an amount \$5,000 below the salary increase unanimously recommended by the Senate committee. Subsequently, by way of compromise, the conferees appointed to reconcile differences between the Senate- and House-passed bills recommended a salary increase for Supreme Court Justices of \$4,500.

This action by the Congress brought into imbalance the relationships heretofore recognized for high-echelon officers in the three branches of the Government. Traditionally, the salaries of Justices of the Supreme Court have equaled or exceeded salaries paid to both the Vice President and the Speaker of the House of Representatives. In 1874, when the salaries of the Vice President and Speaker of the House were set at \$8,000, Justices of the Supreme Court were receiving \$10,000 per annum. By 1925 the salaries of the Vice President and Speaker had increased to \$15,000 per annum, but a year later in 1926 the salary of a Supreme Court Justice was fixed at \$20,000 per annum. In 1946 the Vice President and Speaker of the House were receiving salaries, exclusive of any expense allowance, of \$20,000 per annum and Supreme Court Justices were receiving salaries of \$25,000 per annum. However, in 1949, independent of any increase in salaries for Members of Congress or for Federal judges, the basic salaries of the Vice President and Speaker of the House were increased to \$30,000 per annum. The pattern of 25 years whereby Supreme Court Justices received \$5,000 more in salary than either the Vice President or Speaker of the House, was thus reversed. However, this was again changed in 1955 when the basic salaries of the Vice President, Speaker of the House of Representatives, and Supreme Court Justices were fixed equally at \$35,000 per annum. The Chief Justice of the United States since the Judiciary Act of 1789 has traditionally received \$500 more than the Associate Justices of the Supreme Court. This differential has always been maintained.

The Government Employees Salary Reform Act of 1964 increased the annual salary payable to the Vice President and to the Speaker of the House of Representatives to \$43,000 per annum, exclusive of any expense allowance. This is the salary originally set out in the bill for the Chief Justice of the United States. Each Associate Justice was to receive \$42,500 per annum. However, the salary of the Chief Justice of the United States, finally approved at \$40,000 per annum, is \$3,000 less than that of the Vice President and the Speaker of the House. The salaries of the Associate Justices, at \$39,500 per annum, are \$3,500 less.

With the exception of the salary of the Chief Executive, there appears to be no reason why the salaries of the highest officers in the three coordinate branches of the Government ought not to be comparable. The Commission on Judicial and Congressional Salaries, appointed pursuant to Public Law 220, 83d Congress, in its recommendation in 1954 for an appropriate salary to be paid to the

Vice President of the United States reasoned as follows:

Following historical precedents, the Commission determined that the Speaker of the House should receive a salary equal to that of the Vice President.

The Commission also determined that the compensation of the Chief Justice of the United States, as head of the judicial branch of the Government, should be established (at an amount equal to the salary recommended for the Vice President).

With the salaries of the three highest ranking officials in our governmental system, other than the President, thus determined, the Commission concluded that the historical relations and the differentials between the salaries of these highest officials and the others within the scope of the Commission's inquiry be retained.

The salary of the first Chief Justice of the United States was fixed at \$500 above the salary of the Associate Justices of the Supreme Court. This historical differential has been maintained throughout the history of our Government and the Commission finds its continuance desirable. Accordingly, the Commission finds that a salary (\$500 less than the salary of the Chief Justice) would be appropriate for the Associate Justices of the Supreme Court of the United States.

The report of the Randall Commission in 1963 also recommended that the salaries of the Chief Justice of the United States, the Vice President, and the Speaker of the House of Representatives be fixed at the same level.

The action taken by the Congress in 1964 in refusing to grant salary increases to Supreme Court Justices comparable to those authorized for other officials in the Government, is inconsistent with all these recommendations. The action of the Congress should be reconsidered and the salaries of Supreme Court Justices should now be increased in the amount of \$3,000 per annum.

THE PRESIDING OFFICER. The bill will be received and appropriated referred.

The bill (S. 610) to increase the rates of compensation of the Chief Justice of the United States and of Associate Justices of the Supreme Court, introduced by Mr. GRUENING, was received, read twice by its title, and referred to the Committee on the Judiciary.

STRENGTHENING OF THE BANKRUPTCY LAW

Mr. GORE. Mr. President, our economy today operates on credit. This is the day of the installment purchase. This is a time when many prospective purchasers ask not the total price of an article; rather, most want to know the minimum monthly payment required. About this I do not complain.

But a concomitant situation has arisen which does disturb me. Altogether too many individuals who have good incomes but few tangible, unmortgaged assets deliberately run up large debts and then proceed to file a petition in bankruptcy. So common has this practice become that many credit managers, I learn, place those who have recently been through the bankruptcy mill in a preferred class, extending them credit freely, knowing that they cannot again file a petition in bankruptcy for a period of 6 years.

I think this is something of a national disgrace. There was a time when it was considered shameful to avoid the payment of just debts by filing a petition in bankruptcy. Unhappily, this is no longer true. A few years ago, the unfortunate member of the community who had "gone bankrupt" was something of a social pariah. But no longer. He can drive about in his new automobile, with his reputation enhanced by this evidence of this "sharpness," provided he properly prepares his path to the office of the referee in bankruptcy. I refer, of course, to the nonbusiness category of bankruptcies. I offer no criticism of the legitimate businessman who meets with reverses and must clear the decks legitimately and seek legal means of doing so.

During the past fiscal year, 171,719 petitions in bankruptcies were filed. This was an increase of more than 56 percent over 1960. But more disturbing to me than the total number of filings is the high percentage of non-business bankruptcies. In fiscal 1964, more than 90 percent of petitions were classified as nonbusiness. For the most part these represent individuals who have jobs, often good jobs, but who, for one reason or another, want to avoid payment of all or part of their legal obligations.

In Tennessee, in fiscal year 1964, 8,767 petitions in bankruptcy were filed. This is almost a 100-percent increase over the 1960 figure of 4,644. Nationally, some 90 percent of filings are classified as nonbusiness; in Tennessee, 97 percent are so classified. Statistics vary from State to State, of course, but the situation is not good in any State. I do not prejudge those individuals who filed nonbusiness petitions but I would like to make it possible for the court to determine which of them have good jobs, and order appropriate payment to creditors.

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

Mr. GORE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

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

Mr. GORE. It has been said that since some States do not have proper laws, or fail to enforce what laws they do have, to protect the ordinary workingman from loan sharks, a loose bankruptcy law is necessary as an escape valve.

This is poor reasoning, indeed. The answer is proper State laws and proper enforcement to control usurious activities by loan sharks, not ill-contrived Federal bankruptcy laws.

Shall we continue to let the loan sharks victimize the people for 6 years, and then allow a loose bankruptcy law to wipe away the debt? And then start all over on another 6-year cycle? Is this the proper answer?

I should hope we can do better than that.

At any rate, the bill is permissive in nature, and I do not visualize any Federal court ordering payment continued on a debt which is on its face usurious and illegal.

The history of our bankruptcy laws is interesting, but I shall not take the

time to discuss that subject today. Let me say only that I do not approach this problem, as it has so often been approached historically, from the standpoint of property rights versus human rights. Anyone who is familiar with my record would know better.

But I am disturbed whenever I find a loophole in our laws by which anyone can shirk his duty to the community. Often I have spoken to the Senate on the subject of loopholes in our tax laws—provisions which allow one person or type of enterprise to escape carrying a fair share of the total tax load.

An analogy can be drawn here. For every person who purchases an article "on time" and does not pay for it, some other person must be found who will make up the deficit thus created. The merchant must mark up his remaining goods to cover his loss. In one way or another, you and I, Mr. President, must pay the debts of the person who can afford to pay those debts but who decides to take the easy road to bankruptcy.

Moreover, I am not concerned only for the economics involved. This sort of thing eats away at the moral fiber of the Nation. I realize we cannot legislate morals, but we, as responsible legislators, must bear the responsibility of writing laws which discourage immorality and encourage morality; which encourage honesty and discourage deadbeating; which make the path of the social malingerer and shirker sufficiently unpleasant to persuade him at least to investigate the way of the honest man.

So far as I am concerned, it is past the time for amending our bankruptcy laws, particularly as they affect individuals, and more particularly as they affect individuals with good jobs.

The bill I am introducing is a simple one. It would authorize the court, upon the application of a creditor, or upon its own motion, when it appeared feasible and desirable, to order the petitioner to proceed under chapter XIII. Under that provision, a petitioner could pay into court a certain sum of money each month, and this money could then be paid out to his creditors over a period of time.

In my view, some such change as this in our bankruptcy statutes will prove to be most desirable and healthy, both economically and morally.

Mr. President, I introduce the bill for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 613) to require filing under chapter XIII of the Bankruptcy Act in certain bankruptcy proceedings, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on the Judiciary.

NORA ISABELLA SAMUEL

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill for the relief of Nora Isabella Samuelli, a former Rumanian national who was imprisoned for 12 years by the Communist government of Rumania on charges that she had acted as a spy for the United

States while employed by our legation in Bucharest.

In presenting this bill, I am honored to have as cosponsors Senators COOPER, KENNEDY of Massachusetts, JAVITS, and PELL.

I would like to point out to my colleagues that this bill was unanimously approved by the Judiciary Committee before Congress adjourned last year and that it was passed without dissenting vote by the Senate.

Unfortunately, Congress adjourned before the House could act on the measure. This is a most deserving case and it is my earnest hope that Congress will act expeditiously to provide Miss Samuelli with the relief to which she is entitled and for which, regrettably, she has already had to wait almost 4 years.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 618) for the relief of Nora Isabella Samuelli, introduced by Mr. Dodd (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

APPOINTMENT OF THIRD FEDERAL JUDGE FOR EASTERN DISTRICT OF WISCONSIN

Mr. NELSON. Mr. President, today I am introducing a bill to give the eastern district of Wisconsin a third Federal judge. The bill is identical with those being introduced today in the House by Congressman ZABLOCKI and Congressman REUSS.

We clearly need a third judge for the eastern district of Wisconsin. Justice delayed is often justice denied. Yet there is now excessive delay in the disposition of many cases in the Milwaukee Federal court because Judges Robert E. Tehan and Kenneth P. Grubb face a docket which has become too large for two judges.

The addition of a new judgeship is urged by those most familiar with the workings of the Milwaukee court. Judges Grubb and Tehan support an added judge with the backing of Chief Judge John S. Hastings, of the Seventh Circuit Court of Appeals. The Milwaukee Bar Association has appointed a special committee to work for a new judgeship under the leadership of Frederic Sammon.

The prospects for our bills depend largely upon the recommendations of the Judicial Conference of the United States. After making a study of caseload trends occasioned by Congressman REUSS' bill in the 88th Congress, the Judicial Conference's Committees on Judicial Statistics and Court Administration decided in September 1964, to recommend a temporary third judge for the eastern district of Wisconsin.

We expect that the conference at its March 1965, meeting will recommend an omnibus bill to create new judgeships, including a judge for Wisconsin. We hope it will be a permanent judge. If not, we shall work to have the bill amended to make the judgeship permanent. Senator PROXMIRE has pledged to support this effort.

The bills for a permanent new judge-shit introduced today are an earnest of our desire for a lasting improvement of the administration of justice in the eastern district of Wisconsin.

I ask that the bill lay on the table for a day for the additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 620) to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the eastern district of Wisconsin, introduced by Mr. NELSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

FACILITATION OF MANAGEMENT, USE, AND PUBLIC BENEFITS FROM THE APPALACHIAN TRAIL

Mr. NELSON. Mr. President, on behalf of myself and the Senator from Pennsylvania [Mr. CLARK], the Senator from New Jersey [Mr. WILLIAMS], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Tennessee [Mr. GORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Maryland [Mr. TYDINGS], and the Senator from New Hampshire [Mr. CORTON], I introduce, for appropriate reference, a bill for the purpose of facilitating the management, use, and public benefits from the Appalachian Trail, a beautiful scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from the State of Maine to the State of Georgia; it also has the purpose of facilitating and promoting Federal, State, local, and private cooperation and assistance for the promotion of the trail. I ask unanimous consent that the bill be held at the desk until January 27 for additional cosponsors. I also ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

Mr. President, I originally introduced this bill in May of last year with the Senator from New Jersey [Mr. WILLIAMS] and the Senator from New Hampshire [Mr. MCINTYRE]. Subsequently, four other Senators joined us as cosponsors. I was gratified by the public response to our bill for, without exception, the conservation and recreation groups, the Appalachian Trail Conference, a private group which maintains the trail, and others who wrote me were enthusiastic in their support. I feel even more strongly now that we must act to provide protection for the trail against the many threats now confronting it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 622) to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extend-

ing generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in recognition of the public benefits already received from the establishment of the Appalachian Trail, extending generally along the Appalachian Mountains from Maine to Georgia for a distance of more than two thousand miles, and in order to promote and perfect the delineation, protection, and management of such trail, the cooperation of Federal, State, local, and private organizations and persons, for these purposes, is hereby declared to be in the public interest.

(b) In furtherance of these purposes, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Defense, and any other Federal officials who now or hereafter administer Federal properties traversed by the Appalachian Trail shall coordinate their efforts in providing uniform administration and protection of the trail; and they shall give encouragement to and cooperate with the States, local communities, and private organizations and persons in promoting the purposes of this Act.

Sec. 2. (a) The Appalachian Trail, together with sufficient land on both sides thereof to protect adequately and preserve its character, shall comprise the Appalachian Trailway, which shall be administered, protected, and maintained so as to retain its natural or scenic character in keeping with the purposes of this Act, excluding therefrom all inconsistent and nonconforming uses wherever this can be accomplished in the public interest: *Provided*, That such administration shall not render inapplicable to the lands within the trailway the pertinent laws and regulations governing particular Federal areas or lands traversed by the trailway.

(b) The Secretary of the Interior, with the concurrence of other Federal agencies administering lands through which the Appalachian Trail passes, is authorized to issue, and to amend from time to time, as required by circumstances, regulations to carry out the purposes of this Act and to serve as guidelines in its administration, protection, and general management.

Sec. 3. In furtherance of this Act and the objectives prescribed by the basic Act relating to outdoor recreation activities approved May 28, 1963 (77 Stat. 49), the Secretary of the Interior, with the advice, consent, and assistance of the aforesaid Federal agencies, States, and others, is authorized to define, redefine, and delineate, where advisable, the route of the Appalachian Trailway in order to retain wherever possible the natural or scenic character of the trail and adjoining lands. The Secretary shall cause public notice to be given concerning the trailway route, as soon as possible after the enactment of this Act and thereafter whenever additions or changes are made, either through publication in the Federal Register, or in such other manner as he shall consider practicable. The route of the trailway may be revised from time to time, as required by circumstances, with the consent of the Federal agencies directly involved. In determining the width and location of the trailway, the following principles shall govern—

(a) the trailway shall be of sufficient width and shall be so located as to provide the maximum retention of natural condi-

tions, scenic or historic features, and the primitive nature of the trailway.

(b) the route of the trailway shall be selected to avoid, so far as possible and practicable, established highways, motor roads, mining areas, power-transmission lines, private recreational developments, public recreational developments not related to the trail, and other activities that would be inconsistent with the purposes of this Act and the protection in its natural condition and use of the trail for outdoor recreation.

Sec. 4. (a) In order to promote continuity of the Appalachian Trailway and its uniform administration as a continuous area throughout its full length, and to promote its use and management in keeping with the purposes of this Act, Federal agencies administering land through which the trailway passes are authorized to acquire, within the authorized boundaries of areas they administer, through donation or such other manner as they shall consider to be in the public interest, any land, interests in land, rights, or easements; or they may enter into agreements with private landowners for the purpose of promoting the said Appalachian Trailway.

(b) Where the trailway extends across the other non-Federal lands, the Secretary of the Interior and the heads of other Federal agencies involved in administering adjacent lands are authorized to cooperate with States, political subdivisions, and local and private organizations and persons for the purpose of encouraging their acquisition of land, interests in land, rights, easements, or the consummation of agreements with landowners that will further the purposes of this Act; and if private properties within such portions of the trailway are offered for sale for purposes of this Act, the Secretary of the Interior, to the extent of any funds that are made available therefor, may purchase such properties or interests therein for purposes of the trailway only from willing sellers, and he shall thereafter make such arrangements as he deems appropriate for the management of such properties.

INTERSTATE ADOPTION PRACTICES

Mr. DODD. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Connecticut is recognized for 5 minutes.

Mr. DODD. Mr. President, I introduce for appropriate reference a bill amending title 18 of the United States Code to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption.

This proposed legislation, if enacted into law, would eliminate the deplorable practice of selling newborn babies for profit to the highest bidder.

I ask unanimous consent that the bill may be allowed to lie on the table for 5 days, so that additional Senators who so desire may join as cosponsors. I also ask unanimous consent that a copy of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, will lie on the desk as requested; and, without objection, the bill will be printed in the RECORD as requested.

(See exhibit 1.)

Mr. DODD. Mr. President, this proposed legislation would establish criminal penalties for the activities of certain

unscrupulous lawyers, doctors, and other assorted baby brokers who now act as organizers and middlemen in the interstate traffic in black-market infants. It will help safeguard the rights and welfare of the children and the parents who today all too often fall into the merciless hands of these slave traders grown fat on human misery, ignorance, and misfortune.

I should like to point out that this bill would not infringe upon State laws or responsibilities; that it would not abolish private or nonagency adoptions; that it would not abolish interstate or foreign adoptions; that it would not deprive parents of the right to seek new homes for their children without agency intervention; that it would not prevent childless couples from seeking to adopt a child directly from its natural mother; and that it would not prohibit receipt of professional fees for adoption-connected legal or medical services, child-birth, prenatal or postnatal care and the adoption proceeding itself.

Mr. President, this proposal is not entirely new. It was championed for many years by our late colleague Senator Estes Kefauver and it was passed by the Senate in the 88th Congress. It has received widespread support from governmental agencies, from welfare organizations, and from a large number of individuals concerned with child care.

One of the fears expressed against legislation of this type is that it might de-limit private adoptions. This fear is coupled with the criticism that many times official adoption agencies turn couples from their doors because of unrealistic or arbitrary standards for parenthood. I wish to take this opportunity to point that if there is any truth to such charges, they must be investigated by the governmental and public authorities responsible for licensing these adoption agencies. But I emphatically state that whatever the agencies do or fail to do cannot excuse under any circumstances the vicious interstate trafficking in defenseless human infants which is the main target of the proposed legislation.

One wrong does not justify another. There is no justification for cases described at our hearings last year involving a ring of doctors, lawyers, and housewives that sold babies for prices ranging from \$1,100 to \$4,000; of college professors peddling children born to school girls, and of assorted other crooks whose charges for illegal adoptions have gone up to \$7,000.

There is no justification for selling a baby to a man convicted on the charge of a sexual offense involving children.

There is no justification for a doctor coercing a teenage mother to give up her baby to cover hospital expenses so he can then resell it for a huge profit.

There is no justification for these brokers to coerce prospective mothers to travel across State lines just to take advantage of more lenient adoption laws.

There is no justification for the misery and heartbreak of adoptive parents whose babies are taken away after improper adoption procedures by the middleman, concerned solely with the mone-

try gain from the deal and often showing complete disregard for the human beings they manipulate for selfish ends and for the lives they throw into havoc and often into tragedy.

Most of all, there is no justification for the passing of a newborn baby back and forth from hand to hand, a frequent occurrence in these black-market operations, while the two sets of parents decide what to do with the new life that, above all, needs protection, but which in this trade is handled like a piece of merchandise no different from a television set, an automobile, or a vacuum cleaner.

We have been told of a case where the adoptive parents who obtained a child in the black market wanted to return it because they were "dissatisfied" with the baby. They were then advised by the middleman-lawyer to try it out a little longer.

We have been told of a black-market sale of a baby who was subsequently found to be mentally defective. He was thereupon returned to the doctor who, in turn, hired a woman to take the child without notice to its natural mother, and, since she was not home at the time, it was simply left in her room.

We have been told of a black-market baby who was rejected by his father soon after adoption because he had a darker complexion than the rest of the family. Another child manifested racial characteristics incompatible with those of the adoptive parents and was turned over to an agency for readoption.

Mr. President, most of these shocking activities would not have taken place if these adoptions had been arranged through official agencies. Many of these so-called parents would not be given a child and many of them have in fact been rejected by agencies as unfit and incapable of taking proper care of children. Many of these deals that pass for adoptions would not have been made if there was a Federal law forbidding interstate adoptions arranged by unauthorized individuals or rings of racketeers.

The black market in babies thrives largely on the shame, guilt, or ignorance of unmarried mothers and on the frustration, impatience, and haste of childless couples. These are not qualities that assure adequate protection for the child, the innocent victim of irresponsible adults.

The Subcommittee on Juvenile Delinquency has studied the plight of children in this country for several years and we know the importance of a good family for their development into mature and constructive adults, but we know that a good home for babies in nonagency adoptions is a matter of chance rather than certainty.

The very recent emergence of the battered child syndrome throughout the Nation provides tragic evidence that not all adults are fit to be parents. It has made law enforcement and social agencies aware that some of these so-called parents have beaten, burned, maimed, mutilated, and killed their own or adopted children.

It will allow prosecution of baby racketeers by establishing a \$10,000 fine and a 5-year term of imprisonment for crim-

inal practices against infants that even today flourish unchecked throughout the United States, Canada, Mexico, and South America as well.

There is little assurance that a non-agency adoption will not put an infant into the hands of such people, because in some cases even the courts have no say in these operations when a fraudulent birth certificate is made out to show that a child delivered by an unmarried mother is born to the adoptive parents. Yet, during subcommittee hearings last summer, we learned that over 40,000 children per year are placed with no prior investigation by a social agency regarding the suitability of the home and other factors.

Mr. President, every child who is a victim of unsuitable parents is also a potential victim of delinquency. The bill I introduce today will help minimize this danger. It will not outlaw private adoption, but it will strengthen the case of the agencies.

No legislation can improve the quality of parents, but, if enacted into law, this measure will diminish the criminal rings to which unmarried prospective mothers now turn to dispose of their babies and will encourage them to seek aid from legitimate agencies.

It will help eliminate the nationwide scope of this racket by making it illegal for brokers to transport mothers and babies in interstate commerce for profit and for the purpose of evading State laws.

It will prevent persons who have been found to be sex deviates, who have been convicted in some cases of molesting minors, from adopting infants. This situation is going on in this country at the present time, and it is done through interstate traffic. The only way we can put an end to it is to get control over it through passage of this proposed legislation.

The Senate unanimously passed a similar bill last year. The late Senator Kefauver, of Tennessee, previously introduced the bill. It was his idea. He was responsible for getting it through the committee and bringing it to the floor of the Senate for passage. The bill was passed last year, but unfortunately it was late in the session and the House did not get an opportunity to act upon it. I am hopeful, therefore, that the bill will pass during this session of Congress.

Mr. President, the proposal has been supported by the U.S. Children's Bureau, by the National Conference of Catholic Charities, by the National Jewish Welfare Board, by the various denominational groups of the Protestant church, and by a large number of other regional and local organizations with special interest in the care and welfare of children.

I express once more the hope that it will receive favorable and speedy action by both Houses of Congress.

The bill (S. 624) to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption, introduced by Mr. Dodd, was received, read twice by its title, referred to the Committee on the

Judiciary, and ordered to be printed in the RECORD, as follows:

EXHIBIT 1

S. 624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by inserting at the end of chapter 53, a new chapter as follows:

"CHAPTER 54—INTERSTATE PLACEMENT OF CHILDREN FOR PERMANENT FREE CARE OR FOR ADOPTION"

"§ 1181. Placing child for permanent free care or for adoption for compensation

"(a) Whoever, either by himself or through any agent or employee, or other person, directly or indirectly solicits, collects, or receives any money or anything of value, or the promise thereof, in any manner whatsoever, for placing or arranging for the placement of any child in any home for permanent free care or for adoption, under circumstances requiring or resulting in such child being transported in interstate or foreign commerce, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"(b) The provisions of this section shall not apply in the case of (1) money received by or paid to a child-care or adoption agency in any State, either public or private, which is authorized or licensed by said State to provide permanent care for children or to place children for adoption, as reimbursement for providing services by said agency; (2) fees received solely for professional legal services; or (3) fees received solely for professional medical services directly in connection with the prenatal care of the natural mother or delivery, examination, or treatment of the child.

"(c) Nothing in this section shall be construed to penalize (1) any person for placing or arranging for the placement of any child in any home for permanent free care or adoption, if such person is the natural parent of such child; or (2) any person who arranges, or seeks to arrange, for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1182. Coercion or enticement of natural parent or adoptive parents

"(a) Whoever, by himself or through any agent or employee or other person, whether in return for the payment or receipt of money or anything of value, or the promise thereof or without any such payment or receipt, in any manner whatsoever, persuades, induces, coerces, or arranges for a parent of a child (including a child in utero) to travel from or to another place in interstate or foreign commerce to place said child for permanent free care or for adoption when the placement is made or will be made in return for the payment of money or anything of value, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"(b) Whoever, by himself or through any agent or employee or other person, whether in return for the payment or receipt of money or anything of value, or the promise thereof, or without any such payment or receipt, in any manner whatsoever, persuades, induces, coerces, or arranges for a prospective adoptive parent, or prospective adoptive parents, to travel from or to another place in interstate or foreign commerce to obtain a child for the purpose of adopting such child or providing him with permanent free care, when the placement is made or will be made in return for the payment of money or anything of value, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"(c) The provisions of this section shall not apply in the case of arrangements for

the transportation of a natural mother in interstate or foreign commerce by (1) any child-care or adoption agency in any State, either public or private, which is authorized or licensed by such State to provide permanent care for children or to place children for adoption; (2) any licensed or authorized maternity home or shelter; or (3) any person who legally arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1183. Definitions

"As used in this chapter—

"(1) The term 'child' means any individual who has not attained the age of sixteen years; and

"(2) The term 'permanent free care' means the care given to any child on a permanent basis by any person who is not receiving compensation therefor, and is neither related to the child nor standing in such relation to the child or its mother as to create a legal interest in the child's welfare, but such term does not include the free care provided to any child by or through any licensed or authorized child-care agency or courts having juvenile jurisdiction."

SEC. 2. (a) The analysis of part 1 of title 18 of the United States Code is amended by inserting after

"53. Indians..... 1151"
the following:

"54. Interstate placement of children for permanent free care or for adoption..... 1181"

(b) that part of the index to title 18 of the United States Code which describes the contents of part 1 of such title is amended by inserting after:

"53. Indians..... 1151"
the following:

"54. Interstate placement of children for permanent free care or for adoption..... 1181"

SALE OF CERTAIN ISOLATED OR DISCONNECTED TRACTS OF LAND

Mr. SIMPSON. Mr. President, I introduce for appropriate reference a bill relating to the sale of isolated or disconnected tracts of public land.

A problem has developed in Wyoming, and I am sure in other States, concerning agricultural trespass. This comes about because in years gone by our pioneers and settlers had difficulty in laying out their homesteads and in fencing irrigable land. Often the settler would fence a unit of land which could be irrigated profitably, even though he might have known that a portion of that fenced-in area was Government land. More often than not the Bureau of Land Management knew of this but, because no one's rights were being damaged by the action, did not correct the fence lines. Now, after many years of this technical trespass, the Bureau of Land Management has been resurveying the lands and ordering the ranchers to build their fences on the boundary lines and pay fines for the back trespasses.

For the most part, these lands are isolated or disconnected tracts of public land which are of little, if any, value to the U.S. Government. However, the loss of these agricultural lands to the individual ranchers involved would be severe.

I am pleased to report that the local, as well as Federal, Bureau of Land Management officials have been cooperative on this matter and have met with our

local ranchers to explain the difficulties that have been encountered. It has been agreed by all those interested that the proper solution to the problem is for the ranchers to be given an opportunity to buy those isolated and disconnected areas which have been privately fenced in for so many years. Unfortunately, the Bureau of Land Management does not now have the authority to sell the land to the ranchers.

The purpose of the bill I am now introducing is to authorize the sale of these lands to the ranchers who are committing the "agricultural trespass." It is my understanding that the Secretary of the Interior has issued a directive to the Bureau of Land Management personnel instructing them to reach settlement on all agricultural trespass cases by July 1, 1965. With this in mind, I am hopeful that the committee to which this legislation is referred will act on it as soon as practicable.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 625) to authorize the sale of isolated or disconnected tracts of lands, introduced by Mr. SIMPSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ERECTION OF MONUMENT ON ALCATRAZ ISLAND TO COMMEMORATE THE FOUNDING OF THE UNITED NATIONS

Mr. LONG of Missouri. Mr. President, in a few months, the United Nations will celebrate its 20th anniversary. The years that have followed its creation in San Francisco have been years of tension, danger, and frustration, but they also have been years of achievement and hope.

The United Nations was founded in the closing days of the greatest war in history for the purpose of achieving the fondest and most noble goals of mankind: the maintenance of international peace and security, victory over the scourges of famine, disease, ignorance and pestilence, and promotion of respect for human rights and fundamental freedoms.

When the U.N. Charter was drafted in 1945, most of the participants in the Conference envisioned a new kind of world emerging from the war. A world in which international cooperation could be brought to bear on solving the age old problems of man.

Unfortunately, this was not to be. Before many months had passed after the Charter's adoption, the Soviet Union made it clear that it had joined the U.N. in name only. The Soviet Union made it clear that while a new kind of world had emerged from the war, it was not the kind of world foreseen by most of the men who drafted the Charter.

But thanks to the competence of those men who gathered at San Francisco, the United Nations was able to function in the world that actually came out of the war. And in the ensuing years, it has been able to meet and serve the new requirements of an ever-changing world.

Fifty-one nations made up the original membership of the U.N. Today, only 20 years later, its membership numbers over 100. During this period, 50 nations passed from colonial status to some form of national independence. This breakup of the European colonial empire in a short two-decade period has been truly revolutionary. The Communists have tried hard to exploit the turmoil inherent in such rapid change. But not one new nation chose communism as a way of life or as a system of government. Membership in the United Nations has materially aided these nations in resisting domination from outside sources. The U.N. has provided them a forum in which to air attempts by other powers to interfere with their governmental process.

The agencies of the U.N. have performed yeoman service in the battle against disease, hunger, and ignorance. They have been instrumental in helping underdeveloped nations both new and old in their efforts to develop their economies looking toward the day when they will be self-sustaining economically as well as politically. These agencies in many respects are the unsung heroes of the world organization for their efforts and achievements usually go unpublicized and unnoticed by the world at large.

Conversely, the peacekeeping efforts of the United Nations have received an abundance of news coverage. During the 20 years, situation after situation has arisen threatening world peace. From Korea to Kashmir, from Cuba to the Congo, from Cyprus to New Guinea, and in many other troubled spots, the U.N. has been looked to to help smother flames of conflict before they could grow and possibly engulf the world. On each occasion, it has been instrumental in preserving peace. The role it has played in these instances has not necessarily been the one foreseen in 1945. However, this in no way detracts from the world organization's achievements. Rather, it proves that man's desire for peace is so strong and so enduring that given a vehicle for peace, he will strive to make it work.

Today, the United Nations is facing one of its most serious crises. I have the utmost confidence it will be resolved without the destruction of the charter's integrity. But a solution of the current difficulty will not by any means bring clear sailing for the organization. The imperfection of today's world is reflected in the U.N. Thus, we can foresee more crises in the future.

Those of us who endorse the purposes of the U.N. as outlined in the charter and believe the organization can serve these purposes must make clear our support of the charter and our support of our Nation's continued active participation in the U.N.

Last year, I had the honor of serving as Chairman of the Commission on the Disposition of Alcatraz Island. This Commission held extended hearings in San Francisco, receiving testimony from more than 40 witnesses. In addition, the Commission received and considered almost 500 letters containing proposals and suggestions for future use of the

former prison island. The Commission, composed of four Californians and myself, filed its report with the Congress in accordance with the legislation establishing it on August 3, 1964. The Commission recommended that the island be used as the site for a monument to commemorate the founding of the United Nations in San Francisco in 1945 and to serve as a symbol of peace. The report further recommended the design of the monument be selected through an international architectural competition. Further, the island would be left in its natural state except for the monument and would be administered by the National Park Service. These recommendations followed a proposal submitted by the San Francisco chapter of the American Association for the United Nations. The AAUN also offered to raise and donate sufficient funds to remove the present structures on the island, to conduct the architectural competition, and to build the monument. The Commission included the acceptance of this magnanimous offer as a part of its recommendations.

On August 7, Congressman JEFFERY COHELAN, a member of the Commission, and myself introduced bills in both Houses of Congress to carry out the Commission's recommendations. No action was taken prior to adjournment.

Today, Congressman COHELAN and I again join in introducing legislation in our respective Houses to carry out the Commission's recommendations.

This legislation provides the Congress a most unique opportunity. In the first place, Alcatraz Island is an unusual piece of property. As we all know, it is a dominant feature in one of our Nation's most important seaports. It is an historic landmark in one of our Nation's most beautiful harbors. It is an inherent part of one of our Nation's most lovely and most famous cities. Also, the island is one of the most universally known places in the United States. Today, the buildings on the island stand in a state of advanced deterioration. However, due to the type of construction, if nothing is done, the deteriorated structure may well stand forever. When the penitentiary was in operation and the buildings maintained, the island was considered by many as an eyesore. Presently, I believe all would concur that the island is becoming a serious blot on the beauty of our land.

Normal real property disposal procedures would not be an appropriate solution to this problem. Not only does the location of the island militate against such a solution but past use of the island does also. Due to its use for over 30 years as the Nation's maximum security prison, it has become well known throughout the world. Its reputation makes it highly susceptible to improper exploitation. Under no circumstances should anyone be allowed to use the island to glorify the criminal acts which brought men to Alcatraz or to exploit the human misery associated with crime.

These factors all point to a need for Federal action. The future use of the island will have a significant impact on

the Nation as well as San Francisco and the State of California. The fact that the United Nations was founded in San Francisco gives us the opportunity to put the island to a good use and, at the same time, demonstrate our commitment to peace, security, and justice, the purposes for which the United Nations was founded. Also, through the bill I shall introduce, this action can be taken with only minimum expense to the taxpayer.

It is my hope that the Congress takes early action on this legislation to accept the offer of the San Francisco chapter of the American Association for the United Nations. It would be a significant contribution to the celebration of the U.N.'s 20th anniversary. Whatever is ahead for the world organization, let it never be said that the United States failed to exert every effort to make the U.N. work. This legislation would give the American people a chance to rededicate themselves to mankind's dream of a good world.

Therefore, Mr. President, I introduce for appropriate reference a bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945 and to serve as a symbol of peace.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 626) to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace, introduced by Mr. LONG of Missouri, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

EXEMPTION OF OCEANOGRAPHIC RESEARCH VESSELS FROM THE APPLICATION OF CERTAIN INSPECTION LAWS

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to exempt oceanographic research vessels from the application of certain vessel inspection laws. An identical bill last year was unanimously ordered reported by the Committee on Commerce on July 28, and on August 1 passed the Senate. However, no action on the measure was taken in the House.

As stated in the Committee on Commerce report on this earlier bill, the purpose of the proposed legislation is to encourage and facilitate oceanographic research by removing certain impediments which have been handicapping research vessel operation by both oceanographic institutions and private industry.

These impediments are described in reports on last year's bill submitted to the Committee by the Department of the Treasury, Department of Commerce, and the Department of the Navy, the latter expressing also the position of the Department of Defense. All of these reports were favorable and each of the Departments supported enactment of the bill. I would anticipate no change of departmental views on the identical bill being placed before the Senate today.

The General Counsel of the Treasury in his comment on the bill stated in part:

The bill would remove several restrictions which have hampered the expansion of research in the marine sciences. Under existing law, scientific personnel carried on board a ship used in oceanographic research are classified either as passengers or members of the crew. If classified as passengers, the vessel would, depending upon the number of personnel carried, be classified as a passenger vessel, and would be subject to higher requirements under the marine safety inspection laws and the International Convention for Safety of Life at Sea. In order to avoid such stringent requirements, which are not appropriate to this category of vessel, research vessel operators have been required to limit their carriage of scientific personnel thus hampering full utilization of their vessels. If, on the other hand, scientific personnel are classified as members of the crew, they then become subject to the laws applicable to seamen which are not appropriate to scientists and technicians who perform duties considerably different from those usually performed by the members of a ship's crew.

In addition to recognizing that persons on board oceanographic research vessels, who are engaged in scientific research, are neither passengers nor seamen, the bill also would give the Department authority to tailor the vessel inspection, manning, and other safety laws to the particular characteristics of vessels used in marine research.

Similar views were presented by the Department of the Navy, which assists in financing much of the oceanographic research undertaken by non-Government and nonprofit institutions, and by the Department of Commerce, with broad interests in the oceans.

Mr. President, in addition to the Departments, the objectives of the bill I have reintroduced today, are strongly supported by the Committee on Oceanography of the National Academy of Sciences, the Research Vessel Operators Council, and by industries operating vessels employed exclusively in scientific research.

Both the National Committee on Oceanography and the Research Vessel Operators Council have sought enactment of legislation such as proposed in this bill for several years. Institutional members of the Council are: Chesapeake Bay Institute, Duke University, Florida State University, Gulf Coast Research Laboratory, University of Hawaii Hopkins Marine Station, Lamont Geological Observatory, University of Miami, University of Michigan, Oregon State University, University of Rhode Island, Scripps Institution of Oceanography, Texas A. & M. Research Foundation, Virginia Institute of Marine Science, University of Washington, and Woods Hole Oceanographic Institution.

Mr. President, enactment of this bill will increase efficiency without additional costs, and will enlarge and strengthen the national oceanographic program.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 627) to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes, introduced by

Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

SURVEY OF MARINE AND FRESH-WATER COMMERCIAL FISHERY RESOURCES

Mr. MAGNUSON. Mr. President, I introduce, for appropriate referral, a joint resolution to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions.

Unanimous consent is requested that the joint resolution may lie on the table through January 27 to afford an opportunity for those of my colleagues who may wish to do so to be cosponsors.

The resolution is virtually identical to Senate Joint Resolution 174 of the 88th Congress which the Committee on Commerce unanimously voted to report favorably on August 4 of last year and which passed the U.S. Senate on August 19 without dissent.

A comprehensive survey of the fishery resources available to the United States is long overdue. No survey has been conducted since 1944, when the late Senator Josiah Bailey of North Carolina, chairman of the Senate Committee on Interstate and Foreign Commerce, initiated such a study with a joint resolution similar in its objectives to the one I am sending to the desk today.

Although the 1944 survey was largely limited to a description of the various commercial species in adjacent waters, it did contribute to recovery of an industry that had been sharply curtailed by the war, and to an acceleration of the catch of food species which continued through 1951.

Since 1951 the American fisheries industry has alarmingly declined.

The total catch of food species has dropped more than half a billion pounds.

So has the average price per pound received by fishermen.

The number of American fishermen has shrunk one-fourth.

So has the number of documented fishing vessels while the number of new documentations has shrunk two-thirds.

Decline of fisheries has brought acute depression to many areas and communities dependent almost entirely on harvesting the sea for basic income.

All of us know that many shore communities are located in terrain unsuitable for profitable agricultural production. They have been restricted in the past to one basic industry as surely as have some of the coal mining towns in Appalachia, and some of these fishing communities are equally depressed. But there is this difference.

The aggregate resources of the sea are not being depleted.

The demand for products of the sea has grown, not diminished.

The bounty of the sea is not challenged by substitute products.

While American fisheries are declining the American people are utilizing more fish and shellfish than ever before.

Forty-five percent of the edible fish consumed in the United States is imported; 65 percent of the fishery products used by industry or for animal feed.

We know that many of these imported products, both edible and inedible, were produced from fish harvested from waters contiguous to America.

Waters over our great continental shelves are among the most productive in the world, ocean eldorados that attract the fishing fleets of Japan, Russia, Poland, Spain, France, Norway, both West Germany and East Germany, and the United Kingdom.

World fisheries production has doubled in the past decade, and sea life in waters adjacent to America has contributed materially to this increase.

Every maritime nation in the world except the United States has shared in this expansion of the fishing industry.

Fisheries are revolutionizing the economy of some of the lesser developed countries of the world, while there are fishing localities in our own United States suffering increasing economic distress. The blight afflicting these localities in America must not continue. It need not continue.

The industry itself, given some incentive, some encouragement, scientific and technological assistance, can revive, expand, and prosper to the benefit of our national economy and health.

The Senate joint resolution now before you will, I am convinced, contribute substantially to revival of the industry, the first and oldest industry on this continent.

Two weeks ago the National Academy of Sciences—National Research Council, published a report titled: "Economic Benefits From Oceanographic Research," prepared by its Committee on Oceanography.

Many of the pages of this report are given to the economic potential of the American fishing industry.

A rational development of our domestic fisheries, the Committee states, could result in doubling production in the next 10 to 15 years, and it further contemplates a fourfold increase in American oversea fisheries.

Both domestic and oversea fisheries depend for their development upon many things in addition to oceanographic research—

The report observes—

but such research on a continuing basis is essential if the potential rates of growth are to be realized and maintained.

More directly applicable to the survey contemplated in the joint resolution I have introduced today, the Academy report states:

Increasing the U.S. domestic catch of fish requires the existence of sufficient additional productive potential of fish stocks accessible to our fishermen, and the existence of markets for the catch. Both of these conditions, we believe, can be satisfied if the necessary research is done on the living resources of the sea and methods of harvesting them.

For example, a large population of anchovies exists off the coast of California, which appears to be capable of sustaining a fishery of about a million tons a year. Tak-

ing this catch should assist in rebuilding the stock of sardines with which they compete. A very large unused stock of hake exists in the same region. Both these species are used primarily as fish meal.

Research has shown that the population of jack mackerel off the Pacific coast, now supporting a catch of about 45,000 tons a year, could support greatly increased catches.

Large stocks of demersal fish exist in the Bering Sea and the Gulf of Alaska, as well as large populations of ocean perch (redfish) in the latter. Catches of over a million tons a year are being made by Russian and Japanese fishermen from these stocks. There is no reason why U.S. fishermen should not participate in this bonanza.

During the past 2 years—

The report continues—

a new high-seas fishery by U.S. tuna vessels for bluefin tuna and for skipjack tuna has begun in the Atlantic. The presence of skipjack in commercial abundance was not known a few years ago. The new fishery for these valuable species, and for the tropical tuna species further south in the Atlantic, may be expected to grow to rival the present tuna fishery in the eastern Pacific, which now produces landings valued at over \$40 million a year.

Continued growth of the Pacific tuna fishery is to be expected because, although the populations of yellowfin tuna and perhaps of albacore are near their level of maximum sustainable harvest, catches of skipjack tuna, certainly, and of bluefin tuna, probably, can be greatly increased. Continuing research will undoubtedly reveal many further new opportunities.

So far as the domestic market is concerned, if our fishermen, through research and engineering, can recapture the share of the market lost to imports during the past decade and a half by cutting their production costs, an annual market for nearly 800,000 tons of edible fish, and a similar amount of industrial fish, would be provided.

Additional markets exist in other countries, if prices are competitive. The world's burgeoning population increased consumption of fishery products should assure a market in the foreseeable future.

Referring again to the feasibility of doubling U.S. domestic fisheries and quadrupling U.S. fisheries overseas, the report adds this note of counsel and warning:

However, this growth rate cannot be established or maintained, unless oceanic investigations are conducted on a worldwide basis to find: (1) how the locations and sizes of the fish population vary with changing conditions in the sea; (2) the ocean conditions that bring about economically catchable fish concentrations; and (3) those aspects of behavior that can be exploited to reduce the costs of catching the fish.

Within 10 years, the fisheries section of the Academy report concludes, "the addition to the gross national product from increased fisheries-oriented oceanic research can be in the neighborhood of \$2 billion a year."

The fisheries section of the report, the Academy of Sciences advises, was prepared by Dr. Milner E. Schaefer, chairman of the Academy's Committee on Oceanography, director of the Institute of Marine Resources, University of California and, I am proud to state, an alumnus of the University of Washington.

It would be a small investment toward eliminating poverty in many communi-

ties dependent on commercial fisheries, and among thousands of citizens whose only source of livelihood are the living creatures of the seas, our bays and estuaries, and our lakes and streams.

Enactment of this joint resolution will be one achievement, in my opinion, in our national war on poverty.

I ask unanimous consent that the joint resolution be held at the desk through January 27, 1965, for additional cosponsors.

Mr. President, for the benefit of Members of the Senate who were not with us last fall when the Senate joint resolution was passed by unanimous consent, I ask unanimous consent that there may be appended to my remarks a summary of the joint resolution proposing this survey.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD, and the joint resolution will be held at the desk, as requested by the Senator from Washington.

The joint resolution (S.J. Res. 29) to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

The summary presented by Mr. MAGNUSON is as follows:

SUMMARY OF RESOLUTION

This resolution would authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the character, extent, and condition of the marine and fresh-water commercial fishery resources, both present and potential, of the United States, its territories and possessions; the economic status and organization of the industry; the economic, legal and other institutional handicaps to industrial development and conservation of fishery resources; the effects thereon of existing conventions and treaties relating to the living marine resources of the high seas, and the nutritive and industry values of fishery products and byproducts affecting or potentially affecting the industry and its economy.

The survey also would include, but not be limited to:

(1) The current methods, practices, facilities, gear, craft, and equipment used in producing commercial fishery products.

(2) The accretion or depletion of the various species and stocks resulting from the methods, practices, facilities and equipment used in their production, not only by the fishery industry of the United States, but by other nations fishing in waters contiguous to the United States.

(3) The accretion or depletion resulting from agreements, conventions, or treaties with other nations, or with the indigenous inhabitants of this country.

(4) The methods, practices, facilities, and equipment used in processing, preserving, distributing, transporting, marketing and storing fishery products, including an assessment of measures existing or in the process of development for their augmented protection or preservation, among the latter the recent program for radiation-pasteurization of fishery products.

(5) Methods, practices, facilities, and equipment which may be practicable for expanding the utilization of existing or poten-

tial marine and fresh-water commercial fishery resources.

(6) Laws and regulations that govern the commercial fisheries.

The Bureau is directed in the joint resolution to submit a report to Congress as soon as practicable, but not later than January 1, 1968, on the results of the survey, and to make specific recommendations based on its survey findings.

Recommendations requested include:

(a) New and improved methods of capturing, landing, processing, storing, distributing and marketing fishery products.

(b) New and improved methods of increasing consumption as food and increasing industrial utilization of fishery products through public education, such recommendations to contemplate the full and cooperative use of personnel and facilities of State, territorial, county, local, and other public bodies, and of private, industrial, or other organizations.

(c) A program of economic stabilization of the fisheries, and for the orderly development and expansion of the commercial fisheries and allied industries.

(d) New and improved methods of stimulating and encouraging exports of U.S. fishery products and commodities.

(e) Desirability and opportunities for further international agreements, conventions, or treaties for the conservation of fishery resources of the high seas.

(f) Opportunities for coordinating fishery administration and management through State fishery compacts with the consent of Congress as authorized by article 1, section 10, of the Constitution of the United States.

(g) Special and regular appropriations necessary to carry out a program for the optimum utilization of our marine and fresh-water commercial fishery resources.

PROPOSED AMENDMENT TO THE CONSTITUTION RELATIVE TO BALANCING THE BUDGET

Mr. CURTIS. Mr. President, I send to the desk a joint resolution and ask that it be appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 30) proposing an amendment to the Constitution of the United States relative to the balancing of the budget, introduced by Mr. CURTIS (for himself and Mr. BYRD of Virginia), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. CURTIS. Mr. President, for several years I have endeavored, together with a number of like-minded colleagues, to secure the approval of Congress to propose to the States a constitutional amendment designed to put an end to deficit financing by the Federal Government and, eventually, to restore order in our Government's fiscal affairs.

I am today again proposing this amendment, and am pleased to be joined in this effort by the distinguished senior Senator from Virginia [Mr. BYRD]. I ask unanimous consent that the joint resolution remain at the desk for 1 week for additional cosponsors.

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

Mr. CURTIS. Mr. President, I am happy to add the name of the distinguished Senator from Ohio [Mr. LAUSCHE] as a cosponsor.

Mr. President, if made a part of our Constitution, this proposal would require that the Federal Government operate on a pay-as-you-go basis. It would further require the reduction of our national debt by at least a half-billion dollars a year.

The amendment would provide that Congress could not adjourn until provision had been made for a balanced budget and for the minimum payment on the national debt during the ensuing fiscal year.

The proposal does provide that, in case of war or other grave national emergency, the Congress may, by a three-fourths vote, follow a recommendation by the President to suspend the amendment's provisions for a year at a time.

The amendment would not become operative unless ratified by three-fourths of the States within 7 years of its submission to the States.

That, Mr. President, is the substance of our proposal. It is identical with Senate Joint Resolution 29 of the 88th Congress, and it is similar in its objective to proposals which have been before this body during the past several Congresses.

Mr. President, the rank and file of our citizens bear the great burden of our tax load. It falls directly and indirectly upon the workers, the farmers, the small businessmen, and white-collar people. Those of small- and middle-bracket incomes make up the large bulk of our taxpayers—and they pay the largest share of our taxes, both directly and indirectly. What I am saying, Mr. President, is that the burden is borne in most part by young people trying to get started in life, by farmers and businessmen and workers who are buying homes, educating children, trying to acquire the means for a better life for themselves and their families.

They are the ones, Mr. President, who are being dealt the greatest blow by runaway spending and evermounting deficits year after year.

The idea that Federal expenditures can be financed solely by taxing the rich is fallacious.

Our Federal budgets now approximate \$100 billion annually. If the Federal Government were to tax at 100 percent, in other words confiscate, all individual incomes over \$25,000 per year, we would realize about \$1 billion additional revenue. The remaining \$99 billion would come from all the rest of the Nation's taxpayers having lesser incomes.

If individual incomes over \$100,000 a year were taxed at 100 percent, this would bring in an additional \$100 million, and all the less wealthy taxpayers would carry the rest of the load. Both of these comparisons are based upon official figures of 1963 incomes and estimated at 1965 tax rates.

I believe this demonstrates, although in somewhat oversimplified manner, that the rank and file of the country's taxpaying citizens do indeed bear by far the greatest share of the tax burden. It is in the interest of these millions of Americans that I feel so strongly we should put the brakes on spending and cut back our national debt.

I commend our proposal to the Senate and urge its early and favorable consideration.

ADDITIONAL COSPONSORS OF BILLS, ETC.

Mr. MUNDT. Mr. President, I am happy to welcome as cosponsors of S. 309, the obscene literature bill, the Senator from Connecticut [Mr. RIBICOFF], the Senator from Kansas [Mr. PEARSON], the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from Alaska [Mr. GRUENING], and the Senator from Hawaii [Mr. FONG]. I ask unanimous consent that their names be added to the bill as cosponsors, and that on the next printing of the bill their names may be shown as cosponsors.

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

Mr. MORSE. Mr. President, I ask unanimous consent that at the next printing of S. 289 the name of the Senator from New Jersey [Mr. WILLIAMS] be added as a cosponsor.

I am delighted to be working shoulder to shoulder with him on this bill.

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

Mr. GRUENING. Mr. President, I ask unanimous consent that the name of the senior Senator from Indiana [Mr. HARTKE] be added as a cosponsor of S. 110, to increase the amount authorized to be appropriated to carry out the provisions of the Public Works Acceleration Act.

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

Mr. HARRIS. Mr. President, I ask unanimous consent that I be joined as a cosponsor of Senate Resolution 20 at its next printing.

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

Mr. PROUTY. Mr. President, I ask unanimous consent that the names of the Senator from Connecticut [Mr. RIBICOFF]; the Senator from North Dakota [Mr. YOUNG]; the Senator from West Virginia [Mr. RANDOLPH]; the Senator from Idaho [Mr. CHURCH]; the Senator from Alaska [Mr. GRUENING]; the Senator from South Dakota [Mr. McGOVERN]; the Senator from Wyoming [Mr. McGEE]; the Senator from New Jersey [Mr. CASE]; the Senator from Hawaii [Mr. FONG]; the Senator from Iowa [Mr. MILLER]; the Senator from Delaware [Mr. BOGGS]; the Senator from North Dakota [Mr. BURDICK]; the Senator from Utah [Mr. MOSS]; the Senator from California [Mr. KUCHEL]; the Senator from Pennsylvania [Mr. SCOTT]; the Senator from South Dakota [Mr. MUNDT]; the Senator from New York [Mr. JAVITS]; the Senator from Colorado [Mr. ALLOTT]; and the Senator from Minnesota [Mr. McCARTHY], be added as cosponsors of Senate Resolution 30, a resolution to give the Select Committee on Small Business the authority to have bills and resolutions re-

ferred to it, and to report legislation for consideration on the floor of the Senate.

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

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and joint resolution:

Authority of January 6, 1965:

S. 3. A bill to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region: Mr. GORE, Mr. MONDALE, and Mr. YARBOROUGH.

S. 5. A bill to provide assistance for students in higher education by establishing programs for student grants, loan insurance, and work-study: Mr. BARTLETT, Mr. BAYH, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. CLARK, Mr. DOUGLAS, Mr. GRUENING, Mr. HART, Mr. INOUYE, Mr. JORDAN of North Carolina, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. McCARTHY, Mr. McGEE, Mr. McGOVERN, Mr. MCINTYRE, Mr. MONTOYA, Mr. MOSS, Mr. MUSKIE, Mr. PELL, Mr. RANDOLPH, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota.

S. 110. A bill to increase the amount authorized to be appropriated to carry out the provisions of the Public Works Acceleration Act: Mr. YARBOROUGH.

S. 201. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year: Mr. DIRKSEN, Mr. HART, Mr. HARTKE, Mr. KENNEDY of New York, Mr. LAUSCHE, Mr. McCARTHY, Mr. MONDALE, Mr. NELSON, and Mr. YOUNG of Ohio.

S. 252. A bill to provide for appointment by the Postmaster General of postmasters at first-, second- and third-class post offices: Mr. BENNETT, Mr. CASE, Mr. CLARK, Mr. MORSE, Mr. MOSS, Mr. NELSON, Mrs. NEUBERGER, Mr. SIMPSON, Mr. TOWER, Mr. TYDINGS, and Mr. YOUNG of Ohio.

S. 293. A bill to authorize the establishment of a public community college and a public college of arts and sciences in the District of Columbia: Mr. CLARK, Mr. DOUGLAS, Mr. GRUENING, Mr. McGEE, Mr. MCINTYRE, Mrs. NEUBERGER, and Mr. YOUNG of Ohio.

S.J. Res. 6. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office: Mr. ALLOTT, Mr. CURTIS, and Mr. DIRKSEN.

Authority of January 7, 1965:

S. 310. A bill to amend the National Arts and Cultural Development Act of 1964 to authorize the National Council on the Arts to accept and receive bequests, gifts, and donations for use in carrying out the purposes of such act, and to establish the National Arts Foundation: Mr. DOUGLAS, Mr. SCOTT, and Mr. YARBOROUGH.

NOTICE OF HEARING ON THE NOMINATION OF ARTHUR M. OKUN TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS

Mr. ROBERTSON. Mr. President, I should like to announce that the Committee on Banking and Currency will hold hearings on the nomination of Arthur M. Okun, of Connecticut, to be a member of the Council of Economic Ad-

visers. The hearing is scheduled to be held on Tuesday, January 26, 1965, in room 5302, New Senate Office Building, at 10 a.m.

Any persons who wish to appear and testify in connection with this nomination are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, telephone 225-3921.

NOTICE OF HEARINGS ON IMMIGRATION AND NATURALIZATION LEGISLATION

Mr. EASTLAND. Mr. President, as chairman of the Immigration and Naturalization Subcommittee of the Committee on the Judiciary, I wish to announce the beginning of hearings on general immigration and naturalization legislation, particularly S. 500, Monday, February 8, 1965, at 10:30 a.m. in room 2228, New Senate Office Building.

Prospective witnesses desiring to be heard should contact the Immigration Subcommittee, room 2306, New Senate Office Building, so that a schedule may be arranged.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. ROBERTSON:

Statement by him on the retirement of Frank H. Fuller, of the Associated Press.

By Mr. McGOVERN:

Debate between Senator MORSE and Henry Cabot Lodge on U.S. policy on Vietnam, published in the New York Times Magazine on January 17, 1965.

TWO UNIQUE CALIFORNIA CONTRIBUTIONS TO THE INAUGURAL PARADE: SANTA BARBARA "BARBARETTES" AND DOS PALOS HIGH SCHOOL BAND

Mr. KUCHEL. Mr. President, the spectacle presented every 4 years when an impressive parade climaxes the swearing-in of a new President of the United States allows watchers across the land the chance to see a unique array of marching units, colorful floats, dignitaries, mounted riders, well-drilled military groups, and other awe-inspiring features.

To appear in this procession is a coveted honor. Especially this year, when efforts are made to keep the length of the parade within tolerable limits, an opportunity to take part is most cherished.

California, now the Nation's largest State in population, of course has innumerable units well qualified to represent her in this event. The marchers from the Golden State tomorrow celebrating President Johnson's inauguration will be an accomplished high school band from a typical small farming area town and a striking organization from a

much larger municipality which has gained nationwide attention and prominence in less than a decade.

California's contribution to the color of the spectacle and entertainment of watchers will be the Santa Barbara "Barbaretttes," a novelty drill team of 17 girls and 2 boys, and the Dos Palos High School Band.

Those viewing the procession in person or over television will be rewarded by the performance of the "Barbaretttes," of which Jean Robbins is director, that has been featured at such a variety of events as the East-West Shrine football game, the Washington Redskins-Los Angeles Rams football game, the Las Vegas "Hell Dorado Days" and Santa Barbara "Old Spanish Days" parades, Salinas Rodeo, and a host of civic celebrations in California and neighboring States. This aggregation's precision and distinctiveness has brought it over 100 trophies and an equal number of blue ribbons in assorted competitions.

The Dos Palos High School Band is equally distinguished. Representing a community of only some 2,000 souls in the agricultural region of California's rich San Joaquin Valley, this musical group has gained fame in statewide competition. The justified civic pride in its achievements and competence prompted residents of the town to raise funds to meet expenses of sending the band to the National Capital for this occasion.

California is proud, indeed, to be represented by the Santa Barbara "Barbarettes" and the Dos Palos High School Band.

REAUTHORIZATION OF GARRISON DIVERSION IRRIGATION PROJECT, NORTH DAKOTA

Mr. YOUNG of North Dakota. Mr. President, the Pick-Sloan plan for development of the Missouri River Basin was authorized under the Flood Control Act of 1944. Much of this great program has already become a reality.

It includes five very large multiple purpose dams on the Missouri River. The people of the Missouri Basin have already realized untold benefits from these huge dams, including protection against the devastating floods of the past.

In making possible these vast reservoirs to store flood waters, it was necessary to acquire a large amount of very fertile land. North Dakota alone lost over 550,000 acres of its most valuable agricultural lands for the Garrison and Oahe Dams.

Under the Flood Control Act of 1944 one of the major commitments was to replace this lost acreage with irrigated land. The Flood Control Act of 1944 specifically authorized a large irrigation project for North Dakota.

Because of the long delay on the part of the Federal Government in embarking upon the irrigation phase of the Pick-Sloan plan, it is felt by many that the Garrison diversion irrigation project in North Dakota should be reauthorized.

The project for which we are seeking reauthorization would irrigate only about

250,000 acres as against approximately 1 million acres authorized under the Flood Control Act of 1944.

Mr. President, the Garrison diversion irrigation project, besides providing this most necessary irrigation, would also greatly enhance the fish and wildlife interests not only in North Dakota but the entire Nation. Too, it would provide badly needed and necessary water supplies to at least four of our larger cities.

Mr. President, the entire State of North Dakota is united in support of this project. The original authorization was endorsed by President Franklin D. Roosevelt when he signed the Flood Control Act of 1944 of which it was a part. The reauthorization, which we are now seeking, was endorsed by Presidents Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson.

I am pleased to offer for the RECORD House Concurrent Resolution A, just approved unanimously by the State Legislature of North Dakota.

I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

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

The concurrent resolution ordered to be printed in the RECORD is as follows:

HOUSE CONCURRENT RESOLUTION "A": GARRISON DIVERSION UNIT

Whereas a substantial irrigation development for North Dakota was not only promised, but was specifically authorized as an integral part of the Missouri River Basin project in the Flood Control Act of 1944, to partially offset the loss experienced in the State by the acquisition of over 550,000 acres of valuable agricultural lands by the Federal Government for the construction of the Garrison and Oahe Dam and Reservoir projects on the Missouri River; and

Whereas the U.S. Bureau of Reclamation has determined from exhaustive studies and investigations conducted over the past 20 years, that the multiple-purpose Garrison diversion unit and irrigation development proposed therein is engineeringly and economically justifiable and feasible; and

Whereas legislation that would reauthorize the Garrison diversion unit has been proposed in each Congress since 1957, and has been the subject of extensive and thorough congressional hearings held during the intervening years, at which strong and consistent project support has been given by the State's congressional delegation, Governor, legislature, potential irrigators, farm, business, labor, industrial, professional, and agricultural organizations and leaders, as well as from basinwide and national water resources organizations, and by the last two administrations; and

Whereas the U.S. Senate in the 88th Congress, 2d session, passed a bill authorizing the construction of the initial 250,000-acre phase of the Garrison diversion unit, and the U.S. House of Representatives Committee on Interior and Insular Affairs in the same session, reported out favorably and recommended for passage a bill, H.R. 1003, as amended, authorizing the construction of the initial phase of the Garrison diversion unit, which report and amended bill were acceptable to the sponsors of the reauthorizing legislation, but said H.R. 1003 failed to receive House action because of lack of time before sine die adjournment of the 88th Congress: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate

concurring therein: That the 39th Legislative Assembly of the State of North Dakota hereby expresses its unequivocal support for the early development of the Garrison diversion unit and fully concurs in and endorses the presentations by Gov. William L. Guy and other proponent witnesses at the hearings in the 88th Congress on S. 178 and H.R. 1003, and companion bills; and be it further

Resolved, That the 89th Congress be and it is hereby most respectfully urged to take early action to effect enactment of legislation authorizing the construction of the Garrison diversion unit along the lines of S. 34, H.R. 1718, and H.R. 237, 89th Congress; and be it further

Resolved, That copies hereof be transmitted by the secretary of state to the Members of the North Dakota congressional delegation, the chairmen of the Senate and House Committees on Interior and Insular Affairs, President of the Senate, Speaker of the House, the President of the United States, the Secretary of the Interior, the Assistant Secretary of the Interior for Water and Power, and the Commissioner, Bureau of Reclamation.

ARTHUR A. LINK,
Speaker of the House.
DONNELL HONGEN,
Chief Clerk of the House.
CHARLES TIGHE,
President of the Senate.
GERALD L. STAN,
Secretary of the Senate.

EARLY AND FULL DEBATE ON SOUTH VIETNAM IMPERATIVE

Mr. GRUENING. Mr. President, last Friday, January 15, 1965, the able and distinguished senior Senator from Idaho [MR. CHURCH], one very well versed in the foreign affairs of the United States, stated:

The Senate has a responsibility in the field of foreign affairs. We have suffered from too much conformity of thought on the matter of Vietnam. A dissent constructively expressed, indeed, a full-fledged debate on the subject of Vietnam, is long overdue. At the very least, such a debate would give the American people a better idea of the alternatives available to us. It would give the President more elbow room, should he need it, within which to deal with this difficult situation in southeast Asia.

I concur wholeheartedly in Senator CHURCH's recognition of the need for a full, frank, and open debate in the U.S. Senate of the situation in South Vietnam. The American people have a right to demand such a debate on a subject matter so important to their future welfare and to the welfare of the Nation as a whole.

As a matter of fact such debate has already started.

In the issue of the American Legion magazine for August 1964, some of the pro and con arguments for our present position in South Vietnam are set forth by the able and distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] and myself. I ask unanimous consent that those arguments under the heading "Should U.S. Troops Be Withdrawn From Vietnam?" be printed in full in the RECORD at the conclusion of these remarks.

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

(See exhibit 1.)

Mr. GRUENING. Mr. President, last Sunday, January 17, 1965, in the New

York Times Magazine a similar discussion of the pros and cons of our continued unilateral presence in South Vietnam by the able and distinguished senior Senator from Oregon [Mr. MORSE], and the former Ambassador to South Vietnam, Mr. Lodge, were set forth. I ask unanimous consent that this discussion also be printed in full in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. GRUENING. Mr. President, both of these debates in the Nation's periodicals serve a most useful purpose. But the debate on South Vietnam should be brought to the Senate floor for here there can be give and take which in years past has been used so often to focus public attention on vital issues.

And at this time there can be no more vital issue than our future course of action in South Vietnam.

The U.S. position in South Vietnam is steadily deteriorating. It is deteriorating despite the massive military and financial aid the United States is increasingly pouring into that country and despite the stepup and extension of our Air Force bombings which, although they have been going on for some time, were revealed to the American people only by the shooting down of two of our planes.

Not only is the stability of the Government of South Vietnam ebbing and flowing from day to day, but it seems to be losing—if indeed it ever had—the confidence and support of an increasing segment of the people. I ask unanimous consent that there be printed at the conclusion of these remarks a report by United Press International in the New York Times for January 18, 1965, entitled "Four Students Shot in Vietnam as Rioting Sweeps Two Cities."

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

(See exhibit 3.)

Mr. GRUENING. Mr. President, as further indication of the rapidly deteriorating situation in South Vietnam and the impossibility of U.S. fighting advisers replacing South Vietnamese troops lacking the will to fight, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a dispatch by Jack Langguth in the New York Times for today, January 19, 1965, entitled, "Thirty Percent of Vietnam Draftees Desert Within 6 Weeks."

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

(See exhibit 4.)

Mr. GRUENING. Mr. President, in an excellent editorial published in the Christian Science Monitor for January 18, 1965, entitled, "Delay or Diplomacy in Vietnam," the alternatives facing the United States are set forth clearly and concisely. I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 5.)

Mr. GRUENING. Mr. President, the time is long overdue for the full airing on

the floor of the Senate of all the facts on the U.S. position in South Vietnam and for a discussion of the alternative choice for future action open to the United States legally, morally, militarily, and politically.

It is my earnest hope that such a debate will take place without delay and will be participated in by as many of my colleagues as possible.

[From American Legion magazine, August 1964]

EXHIBIT 1

SHOULD U.S. TROOPS BE WITHDRAWN FROM VIETNAM?

YES

(By Senator ERNEST GRUENING, Democrat, of Alaska)

The war in South Vietnam is not and never has been a U.S. war. It is and must remain a fight to be fought and won by the people of South Vietnam themselves.

Will to fight and will to win must come from the spirit of the South Vietnamese. The United States cannot instill that will in them. For the past 14 years, U.S. military and economic aid to South Vietnam has totaled nearly \$3 billion, but despite statements of leaders of both political parties, Vietnam continues to be rocked by internal strife which drains the nation of its resources.

The root of the present dilemma in which the United States finds itself in South Vietnam lies in the aftermath of France's defeat at Dienbienphu on May 7, 1954. Today—10 years later—the U.S. position resembles that of France although we haven't used a quarter of a million troops, yet.

Those who compare South Vietnam today with South Korea of the 1950's make a great mistake. South Korea had the will to fight and to win. South Korea was a country invaded from the north—South Vietnam is a country divided within itself by a civil war. More important—in Vietnam we are alone; in Korea we were in there as part of the United Nations effort.

Where are our allies in South Vietnam? Over 200 Americans have been killed in South Vietnam, as we fight alone. Prospects are that we will continue to do so.

The theory was advanced by the late John Foster Dulles that the United States must keep South Vietnam strong to prevent the fall of Cambodia and Laos to Red China like a row of dominoes. We poured aid money into each domino, including \$300 million into Cambodia, yet it recently neutralized itself and fell of its own accord, thereby voiding the Dulles progression theory advanced during the Eisenhower administration.

I consider the life of one American worth more than this putrid mess. Let us do a little hard rethinking. Must the United States be expected to jump into every fracas all over the world, to go it all alone, at the cost of our youngsters' lives, to stay blindly and stubbornly when a decade of bitter experience has shown us that expenditure of blood and treasure has resulted in failure?

The time has come to reverse our policy of undertaking to defend areas such as South Vietnam, whose people are so reluctant to fend for themselves. Let us keep on, by all means, supplying them with arms. Let us continue to give them the means if they wish to use them. But not our men.

We must reassess the Dulles doctrine of seeking to engage communism on its own ground—12,000 miles away.

The situation in South Vietnam and elsewhere in southeast Asia cries out for international solution. The problem will not be resolved in battle but around a conference table. The United Nations is such a conference table.

NO

(By Senator LEVERETT SALTONSTALL, Republican, of Massachusetts)

The withdrawal of U.S. troops from South Vietnam would assure the Communists of victory there and result in a drastic defeat for the United States—morally, politically, and psychologically.

The issues at stake in South Vietnam reach far beyond our minimum objective of preserving the non-Communist social order of that country. The war in Vietnam is a struggle for the survival of U.S. leadership in the fight against Communist expansion, not only in southeast Asia but throughout the world. Those who propose U.S. withdrawal, a negotiated settlement, or the neutralization of South Vietnam as alternative solutions for terminating the conflict there, have failed to grasp this underlying significance of the war and the importance of its outcome upon the U.S. world position.

While it may be debatable whether we were prudent in doing so, nevertheless, the unalterable fact remains that the prestige of the United States has been fully committed to the prevention of a Communist takeover of South Vietnam. If the United States should fail to honor that commitment by disengaging from South Vietnam, our default would disastrously affect world opinion and would surely be construed by the nations of the world as evidence of our weakness and vacillation in coming to grips with communism.

Moreover, from the military standpoint, the U.S. formula for advising and assisting the South Vietnamese to resist Communist-inspired wars of national liberation rests in the new concept of counterinsurgency—now undergoing its acid test in the rice paddies of the Mekong River Delta. If this defensive concept fails in its purpose to overcome the creeping aggressions of Communist guerrilla warfare, the United States will have to admit to a military defeat in being incapable of devising effective military tactics to cope with that type of warfare. As a consequence, an increase in guerrilla wars can surely be anticipated not only in southeast Asia but throughout the world as communism expands without U.S. military hindrance or resistance.

Politically, a defeat in South Vietnam will be the catalyst for the nations of the Orient to align themselves with Communist China which would, as a result of U.S. disengagement, become the dominating influence of all of Asia. Should South Vietnam fall, it is more than likely that communism would eventually triumph in southeast Asia through subversion, bloodless coups, or guerrilla wars.

The neutralization of South Vietnam is appealing in principle but it has thus far failed in Laos. Similarly, a settlement under United Nations auspices is attractive in principle, but there is no assurance that the Communists would not undermine and subvert United Nations efforts in South Vietnam as they did in the Congo.

The United States, whether rightly or wrongly, is so involved morally, militarily and politically, and its prestige so fully committed in South Vietnam that it cannot countenance a defeat there. Consequently, under present conditions U.S. troops cannot be withdrawn if we are to avoid serious international repercussions.

EXHIBIT 2

[From the New York (N.Y.) Times Magazine, Jan. 17, 1965]

WE MUST LEAVE VIETNAM

(By WAYNE MORSE)

Ten years ago the United States embarked upon an adventure in South Vietnam that was just about 100 years out of date. While Britain, France, and the Netherlands were terminating their rule over their Asiatic colonies, the United States began trying to

establish its own beachhead on the Asiatic mainland.

Although present at the Geneva Conference of 1954, which drew up the accord whereby France withdrew from its old colony of Indochina, the United States refused to sign the final agreement. So did one of the subdivisions of Indochina, South Vietnam. The United States began a heavy program of financial and military aid to a new Premier in South Vietnam who, we believed, was most likely to preserve a Western orientation. When it came time for the 1956 election throughout both North and South Vietnam required by the Geneva accord, we and our client in Saigon, Ngo Dinh Diem, realized it would be won by Ho Chi Minh's followers not only in his own North Vietnam but in the South as well. South Vietnam refused to proceed with the election.

In the last decade we have explained our policy as one of helping a free government resist Communist subversion. But South Vietnam never has had a free government. In its 10 years of existence its governments have been picked for it by the United States and maintained by our heavy doses of economic and military aid.

The fraudulence of our claim has been starkly exposed by the successive coups in Saigon and by the piecing together of one government after another by the American Embassy. Leaders suspected of favoring neutralism or any form of negotiation for settlement of the civil war are firmly excluded from Government ranks. The major tools we have used in manipulating political and military leaders have been various threats and promises regarding our aid, which now hovers around the level of \$600 million a year in a country of 14 million people. This sum is exclusive of the cost of keeping 23,000 American "advisers" and large contingents of aircraft in the country.

In fact, our official explanations of why we are there now play down the "helping a free government" line and play up American security and American prestige as the stakes in Vietnam. At least, the explanations are getting closer to the truth, which is that the United States took over this quarter of Indochina in 1954 when the French pulled out. Having intruded ourselves into southeast Asia, where we never were before, it was this country and not the Communists who made our prestige in Asia the issue.

Our Secretary of State often says that "China must leave her neighbors alone." Under this premise, our officials have vaguely threatened to expand the war to North Vietnam and possibly China if we cannot win in South Vietnam. But there are no Chinese forces in South Vietnam nor Chinese equipment in appreciable amount. Americans are still the only foreign troops in South Vietnam.

Nonetheless, China has the same interest in what goes on in the subcontinent of southeast Asia as we have in Mexico, Cuba, and other countries of Latin America. She will increasingly resist having hostile governments on her borders, as do Russia and the United States. We recognize and accept this principle as regards Russia, but we refused to recognize it as regards China.

This has been true even though we have watched other Western nations ousted from Asia and Africa by rising nationalism. It was inevitable that once China became part of this tide she would reassert her interest in the governments on her borders. A reawakened China would assert this interest whether she were Communist or not. The more we escalate the Vietnam conflict, the more likely China is to intervene directly.

In South Vietnam, we invite China's apprehension, but more than that, in trying to surround China with American bases and pro-Western states, we have to buck not only communism but anticolonialism. One of our

many mistakes is to equate the two, especially when antiwhite feeling is directed against the United States. Advocates of a containment policy for China, similar to that applied to Russia with some success in the late 1940's and 1950's, overlook the impossibility of maintaining Western strongholds in Asia, no matter what their purpose. What we could do in white Europe and even the Middle East is not to be imposed upon an Asia that is united in at least one respect—its determination to see the white man sent back to his own shores.

With our great wealth we can sustain the current war effort in Vietnam indefinitely, even if it is escalated. But it will never end because our presence and our selection of Saigon's rulers will always inspire rebellion.

Far from maintaining our prestige in Asia, our present policy in Vietnam is eroding it. The fact that we are losing despite the steady increase in our aid, the addition of 23,000 American advisers, and complete American air domination, has already led several Asian nations to throw out an anchor on the Chinese side. Of the famous dominoes that were all supposed to fall to China if we failed to take up the French burden in southeast Asia, Burma and Cambodia have already neutralized themselves. Pakistan has made it clear that the aid she gets from us is directed against India and not against China, Japan and India, the largest non-Communist nations of Asia, who might be expected to be the most helpful to us in Vietnam, have not associated themselves with what we are doing there. A few days ago India's Premier Shastri urged a new international conference to negotiate a settlement. He asked the United States not to press for a military decision and urged that we avoid a major military conflict.

Of all the nations touted as potential Chinese victims, only Australia and the Philippines have offered tangible help in South Vietnam. The Australian contribution amounts to some 66 advisers and 3 aircraft planes. The Philippine offer of a force of volunteer veterans was turned down.

That is the extent of the local interest and support for the American view that we are saving all of Asia from communism by our policy in Vietnam. Surely if one of these so-called dominoes believed it, they would be fighting side by side with us in Vietnam. They are not, because they see us having to run faster and faster just to stay in the same place in Vietnam. They see that the bulk of its people are too indifferent to American objectives to resist the Vietcong. They know that sooner or later we will have to leave and they do not want to jeopardize their own standing in Asia by supporting a last-minute white intervention.

There are many ways this country could crawl back from the limb we crawled out on 10 years ago. Through the Southeast Asia Treaty Organization, the United Nations or a reconvened Geneva conference we could seek to establish an international presence in Vietnam to stabilize and pacify the country while it develops political institutions. Our refusal to sign the accord of 1954 has always made suspect our claim that we were enforcing it.

In truth, our enforcement has taken the form of violations far more massive than any violations by North Vietnam. Our jet air forces and bases, our helicopter fleet, the 23,000 U.S. military advisers are all violations of the 1954 accord. So are they violations of section after section of the United Nations Charter, under which we are pledged to seek peaceful solutions to disputes and to lay before the U.N. those disputes we are unable to solve peacefully through means of our own choosing. We have done neither in Vietnam.

A negotiated settlement in South Vietnam is the first solution we are obliged to seek. Of course, it would mean some guaranteed neutralization of the country. That would give its war-torn people the best chance they have yet had to construct a country of their own, something the French, the Japanese, the French again, and now the Americans have not given them.

If we fail to reach a negotiated settlement, then the U.N. Charter requires the dispute to be laid before a regional organization, such as SEATO, or one of the U.N. bodies. Both groups have the capacity to police the country; both the more likely to bring it some degree of cohesion than is the United States with its unilateral intervention in pursuit of our own interests.

Some Americans have busily erected an enormous pyramid of disasters they contend would result even from this limited American retrenchment. They see America as a power in the Pacific only if we and our friends control all its shores instead of just its northern, eastern, and southern shores, plus the island fringe off its western shore. Most important, they ignore the impossibility of creating an American foothold on that shore in mid-20th century, communism or no communism.

Many countries, East and West, have accommodated themselves to the end of the old order in Asia. We will, too, eventually. The only question is how much blood and money we will waste first trying to turn the clock back.

[From the New York (N.Y.) Times Magazine, Jan. 17, 1965]

WE CAN WIN IN VIETNAM
(By Henry Cabot Lodge)

"Pulling out of Vietnam" is exactly the same as "turning Vietnam over to the Communists." Such a course would not be merely imprudent, but actually extremely dangerous.

Geographically, Vietnam stands at the hub of a vast area of the world—southeast Asia—an area with a population of 240 million people extending 2,300 miles from north to south, and 3,000 miles from east to west. The Mekong River, one of the 10 largest rivers in the world, reaches the sea in South Vietnam. He who holds or has influence in Vietnam can affect the future of the Philippines and Taiwan to the east, Thailand and Burma with their huge rice surpluses to the west, and Malaysia and Indonesia with their rubber, oil, and tin to the south. Japan, Australia, and New Zealand would in turn be deeply concerned by the communization of South Vietnam.

Historically, Vietnam has long played a part in the political development of the Far East. For many centuries it was under the occupation or influence of the Chinese and was used by the Chinese as a means of enforcing their hegemony over the whole of southeast Asia. The Vietnamese did not enjoy this experience and have traditionally done what they could to throw off Chinese overlordship. In a very real sense, therefore, the present struggle is one of self-determination.

But today Vietnam should be seen as one more instance in a long series of events which began in Iran, Turkey, and Greece after World War II; which include the seizure of Czechoslovakia; which led to the Marshall plan in Europe; which caused the Korean war, the Malayan emergency, the Hué rebellion in the Philippines, and the Berlin crisis. In all these widely separated places the Communist bloc has tried to subvert and to undermine the free world in order to spread its control and its suppression of freedom.

In opposing this Communist onslaught, the free world has stood together for nearly two decades. One man's station of our common

determination to frustrate the Communist design to conquer Europe was the creation of NATO. Elsewhere in the world we have formed other alliances. The United States alone has suffered 160,000 casualties since the end of World War II in this effort to contain the spread of communism.

This worldwide effort by nations of the free world has not been undertaken out of a simple quixotic delight in engaging in battles in distant places. Nor does it signify a desire to establish a new colonialism or any kind of special position. The war in Vietnam is not only the struggle of a small nation to exist, but it is also an open encounter between the doctrine that "wars of revolution," as the Communists call them, are the wave of the future, and our belief that in the future nations should be allowed to develop their own destinies free from outside interference.

Although the North Vietnamese have their own motives for their aggression in South Vietnam and have played the leading role, they have always been backed by the Chinese Communists. Should their aggression be successful, the Chinese Communists will have seen positive proof that their approach to international relations is correct.

Such an outcome might well lead the Soviets, in their desire to retain the leadership of the Communist bloc, to adopt a more belligerent stance in their relations with the outside world. This would surely affect the West.

It would also be regarded everywhere as a reflection of the inability or lack of will of the free world to prevent aggression. What, for example, would be the reaction in Europe if the United States were to withdraw from southeast Asia in the face of the commitment to assist the nations there?

The state of public opinion in the United States itself would also be affected. Should Vietnam be lost, many voices would be heard urging us in effect to "resign from the world," fall back onto our "fortress America" and gird up our loins for a contest with guided missiles. This too would be something which neither Europe nor the rest of the free world could ignore.

Because of all these considerations, the United States has undertaken to support the Vietnamese both politically and militarily, in an effort which has cost us lives and treasure. The effort has not been in vain.

Although we are not yet victorious, we have achieved a stalemate, which is surely much better than defeat. On the economic and social front the United States has contributed to the building of schools, clinics, and better farms, all of which are essential to gaining and holding the political support that must be had to win the war. And we try to help in every way in training civil administrators and in creating political energy in the country.

Some have said that despite this effort the war in Vietnam cannot be won. Yet recent history shows that we have been fighting wars of this sort for the past 20 years and that the record is creditable. We of the free world won in Greece, we thwarted the Communist aggression in Korea, we won in Malaya, we won in the Philippines, and we can win in Vietnam. We must persist and we must not play into the enemy's hands by counting on a quick, sensational, and easy way out and then being disappointed when it does not occur.

Persistent execution of the political and military plans which have been agreed to will bring victory—provided outside pressures do not become too great. These outside pressures occur in many forms such as the problem of sanctuaries from which Vietnam can be attacked and the Vietcong helped with impunity. Infiltration from such sanctuaries cannot be allowed to defeat the efforts the Vietnamese are making. We will

not shrink from taking such measures as seem necessary to cope with it.

Another form of "outside pressure" is the desire in some quarters for an international conference here and now. We do not oppose the idea of holding international conferences as an abstract proposition—if they are held at the proper time and under the proper circumstances—but we think that to hold a conference now would serve no good purpose and would seriously undermine morale in South Vietnam. Consider the reasons:

1. There have already been two conferences on southeast Asia (one on Vietnam and another on Laos), the terms of which were satisfactory but which the Communists violated before the ink was dry. Before holding another conference there must be some sign that the Communists of Hanoi and Peiping are prepared to let their southern neighbors alone.

2. For the South Vietnamese to go to a conference now with a large and aggressive fifth column on their soil would amount to a surrender. A conference not preceded by a verifiable Communist decision to cease attacking and subverting South Vietnam would be nothing more than a capitulation.

3. There is clearly no agreement between us and the Communists on the simple proposition to let South Vietnam alone. A conference held in an atmosphere of bitter disagreement could only make matters more dangerous than they already are.

So-called neutrality is another outside pressure standing in the way of the successful prosecution of the war in South Vietnam. Neutralism that does not include some means of enforcement, that does not include North Vietnam, that means South Vietnam will be alone and disarmed, is nothing more than surrender. It should be opposed for Vietnam just as it is opposed for Berlin or for Germany. It takes strength to be neutral. South Vietnam is not strong enough today to be neutral.

In truth both Vietnams are "neutralized" now by article 10 of the Geneva accord of July 21, 1954, which said: "the two parties shall insure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy."

This provision was formally approved by article 5 of the final declaration of the Geneva Conference of 1954, which the U.S.S.R., Red China, France, the United Kingdom, the United States, Cambodia, Laos, North and South Vietnam attended.

We must therefore insist before there is any discussion of a conference or of neutralism, that the Communists stop their aggression and live up to the agreements which already exist. The minute the onslaught ceases, there can be peace. At present, the North Vietnamese seem only to understand force, and, of course, when they use force they must be met with force, as they were in the Gulf of Tonkin. They should also be met with the strong and united opposition of the free world.

It seems that conflicts in far-off places are precisely those which have often brought war and calamity to all of us. Manchuria seemed far away in 1931; the subversion of Czechoslovakia by Hitler seemed remote to the United States in 1938. Persistence, and unity in the face of Communist pressure have succeeded in Europe and in southeast Asia, and can succeed again.

Mao Tse-tung said: "Politics is war without bloodshed; war is politics with bloodshed."

The struggle in Vietnam is not a "war" in the sense that World War II—or Korea—was a "war," because total military success in Vietnam, unaccompanied by success in other fields, will not bring victory. A many-sided effort is needed; no single effort will solve the problem; the problem is thus the despair

of the headline writer and the political stump speaker employing black-and-white phraseology.

Therefore, those who say that there is a quick solution or a simple solution or an exclusively military solution are doing as much of a disservice as are those who say that there is no hope, that we must pull out and that another southeast Asian conference (added to the two which have been already held—and dishonored) will do other than turn South Vietnam over to the Communists.

They also do a disservice who deny that much has been achieved, that the military program, the economic program, the social program, the informational program, and the various technical programs have all accomplished much—have indeed built the springboard of victory—and that it is the political, countersubversive, counterterrorist program which still needs special attention.

It is accurate to say that a glass is half full of water and it is also accurate to say that the glass is half empty. To dwell on the fact that we have not achieved victory does not negate the other fact that we have prevented defeat—and that a stalemate is much better than a defeat.

It is not the American tradition to get panicky whenever there is a little rough weather. If we decide only to interest ourselves in the nice, quiet, neat countries (which do not need our help) and abandon all the rough, tough, difficult places to the Communists, we will soon find ourselves surrounded by a rough, tough world which is aimed straight at the destruction of the United States and which will make our present effort in Vietnam seem like the mildest of pink teas.

EXHIBIT 3

[From the New York (N.Y.) Times, Jan. 18, 1965]

FOUR STUDENTS SHOT IN VIETNAM AS RIOTING SWEEPS TWO CITIES—2,000 AT HUE DEMAND OUSTER OF HUONG AFTER OUTBREAK OF VIOLENCE IN DALAT—TROOPS EVADE VIETCONG TRAP

SAIGON, SOUTH VIETNAM, January 17.—Anti-Government demonstrations by student and Buddhist groups swept the central Vietnamese cities of Hue and Dalat today. Four students were shot and wounded.

The rioting occurred as the Government reported two new clashes with Communist guerrillas. In one battle, a Government unit outwitted the Vietcong and inflicted heavy casualties as they were preparing an ambush.

At Hue, the ancient imperial capital near the North Vietnamese border, 2,000 students, including some Buddhists, massed outside the radio studio and shouted demands for the dismissal of Premier Tran Van Huong.

They were angered by reports that the four students wounded in Dalat had died. Actually the students were being treated at a private clinic and the nature of their wounds was not disclosed.

In the Dalat demonstration, 500 students paraded through the streets, forcing shops to close. Policemen and troops set up barricades to keep order, but the preventive measures shortened tempers and rocks were thrown.

A U.S. Embassy source said there were reports that a Vietnamese national policeman in civilian clothes had fired the shots.

The demonstrators were reported to include students from two Government-run high schools—the Hung Dao School for boys and the Bui Thi Xuan School for girls—and from a Buddhist school.

In the fighting at Tayninh, near the Cambodian border, meanwhile, Government forces killed 25 Communist rebels after discovering a Communist ambush plot.

Instead of breaking through the rebels' roadblock, the Government troops halted and

called for reinforcements to steal behind the Vietcong troops lining the road.

Two Government soldiers were killed and one was wounded. A number of Vietcong weapons were seized, including 11 rifles, 2 pistols, 2 carbines, and a radio.

In other action, Government troops using 105-mm. artillery fire, supported by Vietnamese Air Force strikes, drove off two Vietcong companies 10 miles south of Binh Gia.

U.S. military spokesmen said two Government outposts had withstood the Vietcong assault despite casualties totaling 10 killed and 15 wounded. The artillery fire and the air strikes finally drove off the Communist forces, the spokesman said.

EXHIBIT 4

[From the New York (N.Y.) Times, Jan. 19, 1965]

THIRTY PERCENT OF VIETNAM DRAFTES DESERT WITHIN 6 WEEKS

(By Jack Langguth)

PHU BAI, SOUTH VIETNAM, January 18.—Tram Niem, a 28-year-old potato farmer, was recently drafted into the South Vietnamese Army, and he does not like it.

"There has not been enough food for the past 3 weeks," the new private said.

Although the winds were raw on the rifle range, he was firing in his bare feet. He had never worn shoes before his induction and the boots the army issued to him had left bleeding blisters on his heels and toes.

Thirty percent of the draftees inducted with Private Niem 6 weeks ago like the army even less than he. They have already deserted.

That percentage is standard for the Dong Da National Training Center at Phu Bai, near Hue in central Vietnam. Some recruits leave to attend to family problems, then return to camp. There is no organized attempt to pursue and punish the men who do not come back.

TRAINING IS VERY HARD

Another private, Hoang Ton, the father of two children, said he was looking forward to leaving the army as quickly as possible.

Private Niem's thin face was alert and mobile as he gave his reasons for wanting to return to his nearby village. Private Ton's expression was sullen. "All of the training," he said through an interpreter, "is very hard for me."

Unless he also deserts, Private Ton's return to civilian life is far off. Both volunteers and draftees are usually held in the regular army for the duration. In some instances, men have been released after 3 years of service, but a new soldier cannot count on it.

During his service a soldier's pay is adequate. A private receives 1,600 piasters, almost \$13 a month. Woodcutters in this province earn a quarter of that.

The training that perplexes Private Ton is based on U.S. Army manuals. It is divided into a 5-week basic course and a 4-week period of advanced combat training. An added 3 weeks of training, which had been trimmed to speed the output of recruits, will soon be restored.

The most time for any one aspect of military training, 50 hours, is given to teaching the new soldier to use a carbine. Eight hours is devoted to teaching him to use the heavier M-1 rifle.

Only 12 hours in the first 5 weeks are given over to political indoctrination.

Complaints about the food here go beyond the griping traditionally done by soldiers. The floods south of Hue have made transportation of supplies difficult and student protest demonstrations have kept many stores closed.

Lt. Col. Tran Heuu Tu, who commands the Dong Da center, is allotted 15 piasters a day, about 12 cents, to feed each trainee.

COOKING SOMETIMES EARLY

Rice and meat strips are cooked in outdoor vats. The food is then set out on plank tables hours ahead of time, sometimes with plastic sheets stretched across the plates to keep flies off. Soup is heated and served in scrub buckets.

Australian and American advisers at the camp do not interfere. "We're not here to lecture them on sanitation or anything else," one adviser said. "We save our nudging for those areas of tactics where we might be able to contribute something."

Dong Da is responsible for guarding Hue Airport ammunition dumps and a classified American radio-research unit in the area. Regular reconnaissance companies, back at the center for refresher training, handle most of the night patrols.

Although the hilly countryside is dotted with Communist-led Vietcong bands, the patrolling is generally uneventful. When the Communist guerrillas have ventured out in any numbers, Government troops, with an assist from the trainees, have driven them back and inflicted heavy casualties.

Despite these successes, the practice has been for Government patrols to huddle together at dusk and move only during daylight hours when Vietcong activity was limited.

After forceful objections by the Australian advisers, Colonel Tu this week changed the procedure. He ordered his men to travel at night in eight-man patrols.

The new method has not yet been perfected. On the first small patrol the Vietnamese troops set out with live geese and chicken slung over their shoulders.

While Western advisers deplore a prevailing lack of aggressiveness they have found that with proper leadership the Vietnamese make good soldiers.

"And when leadership fails," one Australian officer said, "You hear some lovely stories about our men picking up a few Vietnamese by the scruff of the neck and saying 'You're coming with me.'"

EXHIBIT 5

[From the Christian Science Monitor, Jan. 18, 1965]

DELAY OR DIPLOMACY IN VIETNAM?

Is U.S. military and diplomatic policy in South Vietnam the haphazard, improvisatory, Micawberish affair that it may seem when viewed from one angle? Is Washington—as well as Saigon—merely waiting for "something to turn up," which could point out a new path through the jungle of American troubles in southeast Asia?

Or are recent American actions—specifically the heavy bombing raid against the bridge at Ban Ban in Communist North Vietnam and the presence of atomic weapon-bearing Polaris submarines in Asian waters—part of a well-thought-out and complex diplomatic maneuver?

We get no hint of an answer from Washington. This silence would be expected if Washington is conducting a delicate diplomatic maneuver. It would also be expected if, unhappily, Washington did not know in which way to move or what policy to follow. Three choices seem to lie before Washington in South Vietnam today: (a) to keep on helping South Vietnam fight to the bitter end, with a constant stepping up of American military action, (b) a negotiated peace with the Communist north, and (c) to abandon the entire effort as quickly and as decisively as possible.

Each of these courses is difficult. The first is the one which has been tried, but which does not seem to be succeeding. The third would cause a disastrous decline in American prestige in the area, and would raise grave doubts all over the world as to Washington's

determination to live up to its many commitments.

The middle course is the one which appears to be receiving a wider and wider hearing in Washington. Yet, if the present American policy is veering toward negotiation, why the stepping up of the military effort? May it not be with the intention of sitting down at the conference table in as strong a position as an otherwise disastrous situation will permit?

If such is the case, it is understandable why Washington must refuse to answer the evermore insistent questions of those who demand to be told what the United States plans to do about southeast Asia. If the United States is seeking to build a strong bargaining position, through an increased demonstration of military might, it cannot be expected to weaken that position by talking about it.

Perhaps Washington is not following such a delicate diplomatic maneuver. Perhaps it is merely groping and hoping. Perhaps it is prepared to step up its military intervention to the point where it believes that North Vietnam can be made to reconsider the cost of its growing intervention in the Communist rebellion in the south. We do not know. But it is doubtful if, with the war going as badly as it has in recent months, the answer can be long delayed.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and after discussing the matter with the distinguished minority leader [Mr. DIRKSEN], I announce that there will be no business transacted on tomorrow, Inauguration Day. The Senate will move in a body, shortly after convening, to the Inauguration.

It is our intention after the prayer to suggest the absence of a quorum, and, at approximately 10:45, or thereabouts, adjournment will take place.

ORDER FOR ADJOURNMENT FROM WEDNESDAY TO FRIDAY

Mr. MANSFIELD. Mr. President, I move that when the Senate adjourns tomorrow, it stand in adjournment until 12 o'clock noon on Friday next.

The motion was agreed to.

THE VETERANS' ADMINISTRATION CLOSING OF LINCOLN HOSPITAL PROTESTED

Mr. HRUSKA. Mr. President, the Veterans' Administration has determined that several VA hospitals should be closed. The hospital at Lincoln, Nebr., is included among those to be eliminated.

Many of us in the Senate and in particular on the Appropriations Committee have a great appreciation for the importance of eliminating unnecessary spending. There are, however, other considerations in spending the taxpayer's

money. One of these is the defense of our country, past as well as future. We have a continuing obligation and duty to provide adequate and necessary care for our veterans. When any doubts arise concerning the economy of cutting back on those who have given of their health and their lives, these doubts must be resolved in favor of providing adequate medical care for our ex-service men.

This obligation is not met by shipping veterans off to our overcrowded and distant urban centers to spend their more difficult days. It is not met by removing them from their homes, the places they have chosen to return after defending their country. It is not met by sending them somewhere because others have chosen to go there or, in some cases, can afford to go there.

Our veterans are human beings, not units or numbers to fill beds. We must see that they are treated as human beings who have come to the defense of their country when it needed them the most. The national conscience can allow no less.

The distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], has pointed out the losses suffered by the State of Montana in defense installations and now in defense obligations. Lincoln, Nebr., has suffered a similar fate. It and Miles City, Mont., are the only cities to be hit by both the closing of a veterans hospital and an Air Force base, all within a few weeks. We hear much talk about the computers which make these decisions, but are computers really coordinating all the factors which must be considered? If so, their communications have broken down.

When the Lincoln Air Force Base was closed, an economic development expert was sent by the Department of Defense to help Lincoln overcome the impact of the cutback. While he was busily giving advice, the hospital closing was announced. I am told that he had to call back in disbelief to the Veterans' Administration to confirm the announcement. Just as the Administration neglected to inform Members of Congress, it apparently failed to inform the Department of Defense.

The president of the Lincoln Chamber of Commerce, Thomas Pansing, said that a team sent out by the Federal Government to soften the blow of the airbase closing told him:

The Federal Government would do everything possible to ease the impact of the closing. So far the only help we've received from the Federal Government is to close the veterans hospital.

Mr. Pansing summed up the feeling of many Nebraskans when he said:

We can't afford too much more help like this.

My fellow Nebraskans and I know that our economy can withstand these closings. It will set us back but we will survive. The Federal Government may well find another activity to conduct in Lincoln. But that is not the question. The question is: Will this provide the care needed by our veterans?

I am gratified that the Veterans' Affairs Subcommittee will study this

question. I ask unanimous consent that a letter sent to the chairman of that subcommittee, Senator YARBOROUGH, requesting that such a study be conducted be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HRUSKA. Mr. President, when the Veterans' Administration briefed members of the Nebraska delegation on this action, we were not satisfied that the closing of the Lincoln hospital was fully justified. Additional information has been requested from the VA on the future medical needs of veterans in the region served by the Lincoln facilities. It is my hope that the Veterans' Affairs Subcommittee will examine this factor in studying the decision.

Let it be clear that this decision to close these facilities is the decision of the Veterans' Administration, the Bureau of the Budget, and through the Bureau the ultimate decision rests with the Johnson administration. The sole elected official participating in this decision is the President.

As Members of the Senate, we did not receive notice that these closings were under consideration until the decision had been made. Within a few days after I was notified of the decision, an announcement was made that no more patients would be admitted to the Lincoln hospital. It is my hope, therefore, that the Veterans' Administration will take notice of the congressional hearings and reverse its policy of refusing admission to patients.

I am gratified at the announcement that hearings are scheduled on the subject of the closing of all Veterans' Administration hospitals, and I earnestly commend to the subcommittee the merits and facts which pertain to the proposed closing of the hospital in Lincoln, Nebr.

EXHIBIT 1

JANUARY 18, 1965.

Hon. RALPH YARBOROUGH,
Chairman, Veterans' Affairs Subcommittee,
Committee on Labor and Public Welfare,
U.S. Senate

DEAR MR. CHAIRMAN: Announced closing of the Lincoln veterans hospital was received with sharp sense of loss and disappointment in Nebraska, as undoubtedly was the case as to the other facilities similarly treated.

No one that we know of would be against cuts of clearly demonstrated unnecessary spending; but in every case, due regard should be accorded the objectives of the program at issue. This is especially true of the national commitment made to our veterans, and the firm obligations flowing therefrom. If any doubts appear in the balancing of these factors, they must be resolved in favor of the medical care which our servicemen have earned and to which they are entitled.

It is strongly felt, as I am certain the consensus shows, that the Veterans' Administration should be put on very strict proof as to the humane, moral, and overall wisdom of the course it proposes.

To that end, I join with those of our colleagues who have already called upon you as chairman of the Veterans' Affairs Subcommittee to make a thorough study and inquiry into all these closings, and that the situation in Lincoln and in Nebraska be given a searching scrutiny with them.

At once upon receipt of the Veterans' Administration announcement, my colleague

Senator CURRIS and I held a conference in my office with Dr. Linus Zink who was courteously requested to be present by Mr. Driver, Administrator of the Veterans' Administration. He furnished us some information on which the Veterans' Administration decision was based. Frankly, at the close of the meeting, neither my colleague nor I were satisfied that a case had been made out to justify the announced action.

Dr. Zink agreed to transmit to us additional information which will be sent to you for the subcommittee records and consideration upon its arrival. Communications and protests from Nebraskans—veterans, patients, employees, and others—have come to me. They are being sent to you for the record also.

It is hoped that arrangements for hearings will be made and announced soon, and vigorously pressed.

Sincerely yours,

ROMAN L. HRUSKA,
U.S. Senator, Nebraska.

"COMMUNITY SERVICE—WE BUILD," KIWANIS THEME FOR 1965

Mr. HRUSKA. Mr. President, Kiwanis International has adopted for its administrative theme for 1965, "Community Service—We Build."

An impressive presentation of the theme, the objectives and committee emphases for this year is being made this month at local Kiwanis clubs throughout the Nation.

Mr. Robert Hasebrook, member of Downtown Kiwanis Club of Omaha, Nebr., has sent me a copy of the presentation "as an outstanding example of what freemen, through voluntary action, can and will do without government assistance."

The Kiwanis program is characterized in this quotation from the presentation of its 1965 theme:

There can be no building by freemen unless men are free. If we are to assume the continuity of Kiwanis service, we must assume the continuity of a society in which men are free to work toward goals which they themselves have chosen. Service clubs have no reason for existence, even if permitted to exist, in a society where all services are provided by the state; service clubs would have no sustaining force in a society where the state denies the existence of a Supreme Being.

Mr. President, I ask unanimous consent to have the text of the theme presentation printed in the RECORD.

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

COMMUNITY SERVICE—WE BUILD

They dreamed a dream.

In an age obsessed with the material, they dreamed that man could give primacy to the spiritual. Though nation was rising against nation, they dreamed that man could do to others what he would want others to do to him. They dreamed that, in the heart of man, apathy could be supplanted by awareness—that indifference could be transformed into concern, and self-concern into self-giving.

Fifty years ago—they dreamed a dream.

The merchant, the teacher—the farmer, the banker—men of all callings—joined in that dream, having faith in the ideal that men working together in community service might change the world.

Through the golden anniversary of Kiwanis International, we acknowledge our debt to

those men of vision, and our awareness of the golden legacy which they created, nurtured, and now lay at our feet for us to protect, enrich, and bring to fruition. No other group of men has received a richer heritage than we.

But dreams can pass into nothingness, and fade away like morning dew. Each age must dream anew. "Each age is a dream that is dying or one that is coming to birth." With gratitude, we glance behind us; with a sense of destiny, we strive ahead, looking to the stars and hearing God's promise to Isaiah: "For behold, I create new heavens and a new earth."

Change and permanence are the only certainties in our future. Change will bring about its own enchanting miracles—new opportunities to serve, new resources to use, new dreams to dream. No seer can yet set down the course of man in the next century or the next decade. But as change is certain, so too is permanence. The star that led the camel caravan in the days of the Pharaoh guides the astronaut in his orbit. The principles which have endured through the past 50 years of Kiwanis history will endure permanently, guiding us as surely as the Pole Star in determining the course we shall pursue. Man can change and produce change, but man cannot alter the eternal.

Let us then resolve to focus our sights on the principles which have characterized our 50 years of service: faith in God, the dignity and freedom of the individual, citizenship responsibility, patriotism, and good will. Let us resolve that as community service has been the dominant philosophy under which Kiwanians have served for 50 years, community service will be the dominant philosophy of Kiwanis for the next 50 years. Whatever changes may occur in our manner of life or fortunes, whatever changes may occur in our organizational structure or our immediate objectives, community service can be the permanent characteristic of Kiwanis history.

The past, then, is our introduction to a continuing drama. As we enter this golden anniversary year, we draw the curtain for act 2, playing our roles according to the scenario provided by our forebears. Reflecting our rededication to the spirit of Kiwanis—past, the renewal of our vows to Kiwanis—present, and the affirmation of our faith in Kiwanis—future, our administrative theme for 1965 is "Community Service—We Build."

The golden anniversary year provides no occasion for marking time while we celebrate the past. The need and the opportunities for Kiwanis service were never greater. The 1965 theme of "Community Service—We Build" not only provides the continuity for the mainstream of Kiwanis history; it challenges us to complete the unfinished work at hand. Stated in another way, the theme says: "Through services to our communities, we will build a better world in 1965."

But where shall we build, and what shall we build? What are our objectives for 1965?

There can be no building by freemen unless men are free. If we are to assume the continuity of Kiwanis service, we must assume the continuity of a society in which men are free to work toward goals which they themselves have chosen. Service clubs have no reason for existence, even if permitted to exist, in a society where all services are provided by the state; service clubs would have no sustaining force in a society where the state denies the existence of a Supreme Being. If the time should ever come when we look upon man and see him as no more than a well-fed, well-housed organism in a godless world, a statistic without individual freedom or dignity, then we can be certain that the service club movement is ancient history. Our whole existence depends upon the freedom of the individual to act independently and to serve his Creator according to the tenets of his faith, whatever that faith

may be, so the first objective for 1965 is that we build, defend, and preserve our heritage of freedom, our belief in God, and the dignity of man in his human and spiritual relationships.

Two thousand years ago, it was recorded that a voice from Heaven spoke to shepherds tending their flocks and said: "Glory to God in the highest, and peace on earth to men of good will." Whatever our religious faith may be, none can deny that good will is essential for the maintenance of peace and the strengthening of bonds among the free nations of the world. Even among nations which would be friendly, the seeds of distrust, of envy, and of fear are always present; this is a fact of life. But distrust, envy, and fear can be germinated by ignorance and nurtured by misunderstanding. It is possible, as the people of Canada and the United States have so dramatically demonstrated, for men of different nations to do to others what they would want others to do to them, yet this would not be possible without understanding. We know too little about our brothers in the other nations of the free world; we must work purposefully in 1965 to bring about maximum contacts, maximum communication, and, in turn, maximum understanding. Our second objective for 1965 is that we build international understanding by demonstrating the basic principle of the Golden Rule, using as an example Canada—United States good will.

It is idle to speak of freedom without believing in economic freedom. Part of the heritage of freedom is that man has the right to own property, to operate a business, to pursue a profession of his choice, and to save, spend, or invest his earnings as he chooses. This economic system has brought us strength; it has brought us prosperity; it has made independence possible. It must be preserved from all substitutes and defended against all who would weaken it. We cannot well defend or preserve what we take for granted, what we do not understand. It is imperative that we ourselves and the youth of our nations understand the fundamental principles of a free economy. Therefore, our third objective for 1965 is that we build an understanding of and appreciation for the private ownership of property by educating ourselves and our youth in the principles of a free capitalistic system.

Government at any level takes on the character of those who govern. Where our leaders are weak, our government will be weak; where strong, our government will be strong. Patronage does not insure performance; integrity is not a necessary product of popularity. Character and competence are the hallmarks of responsible leaders. Kiwanis clubs should work aggressively to encourage the candidacy of able men and to provide a forum through which the public may become aware of the worthiness of candidates for office. Individual Kiwanians should offer themselves for offices for which they are qualified and speak out against all whom they believe to be incompetent and unworthy. Our fourth objective for 1965 is that we build responsible government by insisting upon worthy and competent men in all positions.

In a highly competitive society such as ours, there will always be individuals and groups who have no better guide than the end deserves the means. Kiwanis does not subscribe to such a guide. Since our founding, Kiwanis has stressed ethics in business and professional life. We have formulated for ourselves the Kiwanis code of ethics, and in 1965 we reaffirm our acceptance of this code in the conduct of our business and professional endeavors. Ethics cannot be regulated by law; ethics are moral principles which necessitate self-regulation. If a self-regulated code of ethics is a positive force in the lives of Kiwanians, it can also be a positive force in the lives of all men whose actions affect the public good. Therefore, our fifth objective for 1965 is that we build the

highest standards of morality and integrity by encouraging organizations, businesses, professions, labor, and news media to adhere to self-regulated codes of ethics.

The first service rendered in the name of Kiwanis was service to youth. In our early years, we gave prime attention to underprivileged youth. More recently, through the development of key clubs and circle K clubs and our support of other youth organizations, our emphasis has been on developing leadership in youth. In 1965, we reaffirm this emphasis, believing that the greatest legacy we can leave the world is a generation of youth whose leadership potential has been identified and developed, a generation of youth committed to achieving excellence and responsibly building a better society. Our sixth objective for 1965 calls for all Kiwanians to work shoulder to shoulder with the younger generation in order that we may build youth for leadership through circle K and key clubs and other worthy youth organizations, and create a desire to achieve excellence.

The free nations of the world have been blessed with abundant natural resources. As our population and our standards of living increase, our natural resources are being consumed at an alarming rate. Pollution, erosion, and waste take their daily tolls. The redistribution of existing resources and the discovery and development of new resources can be only a part of the answer. Man must regard himself as a faithful steward of God's gifts, and he must work to preserve resources through wise and conservative use. To that end, we direct the seventh objective for 1965: Build a more abundant existence by effective programs to preserve natural resources.

In 1963, in the United States alone, 101,000 persons died from accidents, and more than 10 million persons are estimated to have received disabling injuries. In Canada, the death rate based on population was higher than in the United States. Catastrophes are news and shock us into action, but lives lost from major disasters are relatively few when compared to the day-by-day life losses from ordinary accidents. The program of service of every Kiwanis club should include some project of accident prevention—driver training, water safety, fire prevention, school patrols, farm safety, vehicle inspection, or law enforcement. The accident rate is a blot on our civilization, and we call for the greatest possible effort to reduce it. Our eighth objective for 1965 is that we build safer communities and preserve life.

In addition to the waste of natural resources and the waste of human life through accidental death, one of the tragedies of modern times is the waste of the skills and abilities of our aging population. Early retirement and increased longevity are annually and rapidly increasing the number of retired persons in our society. Many of these are men and women eager to make continued use of their accumulated skills in employment, in counseling, and in community service. Some need retraining, but most need only opportunities to use present skills. Retirement itself is no barrier to active membership in Kiwanis, nor should it be a barrier to community service, to the counseling of youth, or to employment in occupations where specialized skills are needed. In 1965, Kiwanis directs attention to the senior citizen, and our ninth objective is that we build opportunities for retiring and retired persons by developing programs which will enable them to make use of their skills and abilities.

On January 21, 1915, the first Kiwanis Club was organized in Detroit, Mich. On January 21, 1965, we celebrate the golden anniversary of Kiwanis International. We have experienced dramatic growth in clubs and membership through the first 50 years, but the story of the golden anniversary is not a story of

numbers. We have carried Kiwanis from the great city to the crossroads village and across the seas, but the golden anniversary story is not the story of geography. We have been the voice of praise and the voice of protest, but the golden anniversary story is not the story of a voice. The pride of Kiwanis membership rests in the reputation of Kiwanis for community service, and this is the story we tell during our golden anniversary year. Community service is our cause for being; our record for community service can be a song of praise in which all mankind can join. In its 10th objective, Kiwanis calls upon every club to build pride of Kiwanis membership by dramatizing the golden anniversary and telling the Kiwanis story.

As we begin the golden anniversary year of Kiwanis International, we give thanks to God for those who dreamed and had faith in the capacity of freeman to place the spiritual above the material by doing to others as he would have others do to him. We take this moment to rededicate ourselves to the ideals of community service, renewing our vows to our communities that we will in all of our endeavors strive to fulfill the revered objects of Kiwanis. Join with me now in the act of rededication as we recite together our objects:

To give primacy to the human and spiritual, rather than to the material values of life.

To encourage the daily living of the Golden Rule in all human relationships.

To promote the adoption and the application of higher social, business, and professional standards.

To develop by precept and example, a more intelligent, aggressive, and serviceable citizenship.

To provide through Kiwanis clubs, a practical means to form enduring friendships, to render altruistic service, and to build better communities.

To cooperate in creating and maintaining that sound public opinion and high idealism which make possible the increase of righteousness, justice, patriotism, and good will.

May God give us the strength to serve our fellow man.

May He give us the courage of our convictions.

May we continue to build.

LIBERALISM AND DESPOTISM—A PROPHETIC VIEW

Mr. HRUSKA. Mr. President, 22 years ago, Mr. W. E. Christenson, then associate editor and now president and editor of the Omaha World-Herald, addressed the Nebraska Bar Association on the subject of liberalism in the United States.

Although Mr. Christenson makes no claim to prophetic powers, the article is well worth rereading today, in the light of developments in the 22 years since the speech was given.

For example, it is interesting to recall, in the light of the ambitious blueprint for a Great Society drawn in the President's state of the Union message, these words from Mr. Christenson's remarks:

We are not fighting a tangible program which can be faced and debated, but only an insidious trend. Trends are mighty tricky things to fight, as the people of Germany discovered in 1933.

Indeed, the trends which concerned Mr. Christenson in 1943 have become realities today, as the President's message clearly shows.

The Christenson speech recognized a handicap which still hampers those of us

today who speak out against Government excesses:

It is a little difficult to discuss such matters without seeming to defend some of the piratical practices which attached themselves to our economy during the earlier years of easy prosperity. The one who questions steps taken since 1933 is likely to be answered with, "Oh, so you prefer the Hoover depression." The one who questions the all-seeing, all-knowing wisdom of the bureaucracy is likely to be branded as a Tory and a latter-day edition of Mark Hanna. Yet those taunts will have to be braved if we are going to save the kind of personal liberty Americans love.

Mr. Christenson; early in his remarks, described what he called American liberalism of the post-Civil War period:

Most westerners were liberals in those days. We have the breath of freedom in our nostrils. We wanted to live in a republic in which there was real opportunity for all. The great American liberal movement was libertarian in its aims and constitutional in its methods. Nothing was farther from its purpose than a return to the days when bureaucrats swarmed over the land, eating the substance of the people.

But in the thirties, he pointed out, a profound change had overtaken the liberal movement:

Liberalism was in the saddle, but it was not the pure, historical American liberalism. The men and women who crowded into places of power were not in every case believers in the traditional American concept of liberty. There were experimenters in their ranks, and upholders and social workers and dreamy-eyed doers of good—and a few zealots who had borrowed their ideas from other climes.

Finally, Mr. Christenson prescribed the solution to the problems he posed:

The thing that is needed is to bring about a reawakening of embattled American liberalism, so that the people themselves will insist upon and get a restoration of the kind of liberty that made America great.

That call, Mr. President, for a return to American liberalism, is even more valid today than when it was sounded more than two decades ago.

I commend to my colleagues a thoughtful reading of this remarkable speech and for that purpose, I ask unanimous consent to have it printed in the RECORD.

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

LIBERALISM RISES TO NEW HEIGHTS OF DESPOTISM

(Address by W. E. Christenson to Nebraska Bar Association, February 28, 1943)

(By W. E. Christenson)

To some people liberalism means Eugene Debs, to some it means George Norris, to some it means Joe Stalin, and to some it means Franklin Roosevelt.

To me it doesn't mean any of those, but it means a lot of people who, through the ages, have been leading the fight for the liberty of human beings—and particularly those who have been fighting against enslavement of people by their government.

It's nothing new. Dionysius said, "A love of liberty is implanted by nature in the breasts of all men." Tacitus wrote, "Liberies and masters are not easily combined." Thirteen centuries later William Wallace said to the Scots, "I tell you true, liberty is the best of all things; never live beneath the noose of a servile halter."

But while this feeling for liberty appears to be almost universal, it flourishes more

luxuriantly on American soil than anywhere else on the globe. The reasons are not obscure. From the earliest settlements our country has been populated and repopulated by fugitives from tyranny. And when the time came for separation, it is noteworthy, I believe, that the colonists in their bill of complaints did not dwell on physical hardships. They did not say, "You have not protected us from the Indians," or "You have not taken care of our old people," or "You have not allowed us to have enough tea." The thing that caused them to rebel was that they were being treated as inferiors and dependents. They were revolting against the usurpations of the king and the violations of their liberties.

"He has refused his assent to laws the most wholesome and necessary. He has dissolved representative houses repeatedly. He has made judges dependent on his will alone. He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance. He has combined with others to subject us to a jurisdiction foreign to our constitution."

The colonists were fighting, not the particular brain trust which happened to be in power in London at that moment, but a totalitarian system.

NO END

The war against the mother country was won, but the battle for human liberty did not end. It continued until our own times.

But when the decades arrived which most of us look back upon as the days of our youth—the decades which marked the turn of the 20th century—the nature of the battle had changed. Political authoritarianism had been vanquished, we thought, for all time. But in its place there had come a sort of economic despotism which many free Americans found no less galling than earlier types of tyranny. The natural wealth of the land had been plundered to a considerable extent by the robber barons who flourished after the Civil War. Great wealth and great economic power became concentrated in a few hands. Workers in great industrial centers were ground down into a state of servility. The historical avenue of escape—flight to the West—narrowed and finally closed as the cheap land was occupied.

That was when modern liberalism was born.

Most westerners were liberals in those days. We were the sons of wild jackasses, we had the breath of freedom in our nostrils, and we didn't want to see ourselves or our children shackled into an industrial "class" system of society. We wanted to live in a republic in which there was real opportunity for all—economic opportunity as well as political opportunity. We wanted every child, even if born in the humblest home, to have a chance to become a Congressman or a president or a chairman of the board—according to the stuff there was in him.

SWINDLERS

Our thoughts in those days were largely concerned with what we called "the trusts" and the "malefactors of great wealth"; with swindlers who impudently sold worthless stocks; with manipulators who threw great railroad systems into bankruptcy so that they might plunder them; with sweatshops and company stores and kickbacks and blacklists and insolently juggled tariffs and adulterated food and short weight and all the other manifold evils that had attached themselves to the economic and political system.

But let this point be made—to borrow a phrase—"again and again." Most of us were not tired of individual liberty; we wanted more of it. We wanted the rules of living in a free land to be changed a little so that we, the people, would be more secure in our freedom and less endangered by the irresponsible authority of autocrats.

It is only fair to say that there were crackpots in the liberal movement—Socialists, anarchists, syndicalists and "ists" of many stripes who even then were thinking in terms of a dictatorship of the proletariat. But they were an insignificant minority. The great American liberal movement was libertarian in its aims and constitutional in its methods. Nothing was farther from its purpose than a return to the days when bureaucrats swarmed over the land, eating the substance of the people.

EXPERIMENTERS

Ten years ago American liberalism thought it had won its greatest political victory. But as time was to prove, that was in reality its hour of greatest danger.

For the men and women who crowded into places of power in the next decade were not in every case believers in the traditional American concept of liberty. They were not in every case well grounded in the practical mechanics of modern society. There were experimenters in their ranks and upholders and social workers and dreamy-eyed doers of good—and a few zealots who had borrowed their ideas from other climes and non-American cultures.

Liberalism, so-called, was in the saddle, but it was not the pure, historical American liberalism. In too many instances it had overtones of the other kinds of isms then being advocated in Europe.

HERESY

The strange thing about this new, left-wing, self-styled liberalism was that it proposed to set up bureaucratic government controls, backed by executive directives, to preserve the liberties of the people. The Founding Fathers would have turned in their sacred graves if they had heard such heresy.

Perhaps the harassed businessman when he accepted the temporary shelter of the NRA, the farmer when he took a Federal check for what he had raised or had not raised, the humble WPA worker when he thanked Washington for his pittance, did not have time to think about the fundamental conflict involved. But the conflict was there, as clearly etched as ever it had been in history: The taxpayer versus the bureaucrat; the citizen versus the executive decree.

This is not an indictment of an administration. It should be said in fairness that many items in the program of the New Deal were beneficial changes in the rules—changes designed to permit the average American a chance to lead a better and more useful and freer life.

USURPED

But the overall trend of the decade has been toward strengthening the arbitrary authority of the State. The power of the courts has been assailed and the power of the Congress has been usurped and bypassed. Today no prudent attorney would dare to advise a client on any matter relating to the economic life of the Nation merely on the basis of what he could find in the statutes or in his volumes of judicial opinions. More important by far than these are the decrees and directives which come from the bureaucracy, and the rulings thereon which have been handed down by various ones of 2,500,000 civil employees of the Central Government.

It is a little difficult to discuss such matters without seeming to defend some of the piratical practices which attached themselves to our economy during the earlier years of easy prosperity. The one who questions steps taken since 1933 is likely to be answered with, "Oh, so you prefer the Hoover depression." The one who questions the all-seeing, all-knowing wisdom of the bureaucracy is likely to be branded as a Tory and a latter-day edition of Mark Hanna. Yet those taunts will have to be braved if we are going to save the kind of personal liberty Americans love.

MIRACLE

Only the naive will expect that the law-making and directive-issuing bureaucracy will meekly disband after the war and that its many practitioners will return forthwith to their studies and their social service settlements. So far as I am aware no such miracle has ever transpired in the long record of the struggle between the people and government. Rousseau was speaking for history when he said: "Liberty is never recovered if it is once lost."

There are plentiful signs that those former liberals who now are directing the managed economy do not propose to go against the tide of history. They propose, when victory is won, that "planning"—that new word for despotism—shall be carried to new heights.

Only a few weeks ago Henry A. Wallace, that most amazing of all planners, gave a glimpse of what is running through his mind. In the postwar world he said, there will be a new type of government which might be called, "the democracy of the common man." And this new democracy, he said, will be made up of approximately equal parts of our traditional (it is his phrase) "Bill of Rights democracy" and the newer—again quoting Mr. Wallace—"economic democracy" as exemplified in the Government of Soviet Russia.

DIFFERENT

If "economic democracy" fits the needs of Russia—whose history and traditions are far different from our own—then certainly no one in America should utter one word of criticism. Americans have reason to be eternally grateful for the stout Red Army which that "economic democracy" has produced. But does that mean that we, also, should adopt the democracy of the commissars and the collective farms? That we should consider borrowing for our own use any part of a type of regime whose final authority is based upon the firing squad? Perhaps some Americans will not agree with their Vice President.

Another postwar dreamer, who is not an official but who sometimes speaks for the prevailing attitude in Washington, said only a few days ago: "Soviet Russia is now functioning as a complete democracy within an overall totalitarian scheme."

Possibly as you think it over you may conclude that is a fair statement of the program which some of these totalitarian-minded citizens may have in view.

SPECULATIVE

Any talk about what those now in authority propose in the way of a postwar program for our own country—I am not now speaking of any international organization—must necessarily be speculative. No one has stated it formally. We can only see what is happening, read what is being said—and then use our God-given intelligence.

Perhaps that points to one of the greatest dangers of the times. We are not fighting a tangible program which can be faced and debated, but only an insidious trend. Trends are mighty tricky things to fight, as the people of Germany discovered in 1933.

This would be a grand hour for the old-time, fighting American liberals—if they were still on the scene. But unfortunately the movement in which they once joined is bankrupt. Some of its leaders have been shanghaied and taken on a political cruise which was never charted. Others are tired and dejected. The political power which they built up has been dissipated or subverted to opposite uses. The great American liberal movement which once spread its beneficent influence over both great parties has disappeared.

DEMAND

True, there are political leaders in both parties who take a strong stand against what is being done. But if they should be put

in power, would they be strong enough, morally, to junk the enormously powerful and (to the driver) attractive governmental machine that has been created? Historically a mere policy of throwing the rascals out has never been entirely successful.

A demand from a few political leaders can be forgotten after the election; a demand from the American people can never be ignored. The thing that is needed is to bring about a re-awakening of embattled American liberalism, so that the people themselves will insist upon and get a restoration of the kind of liberty that made America great.

If we, the people, don't resist, day by day, the insinuating power of the government directive, the time may come in America when every lawyer will work for the bureaucracy and every newspaperman will get his copy from the ministry of propaganda, and every citizen will get his marching orders from Washington.

If that time should ever come it will not be because, to borrow another phrase, any one "planned it that way," but because we, the liberty-loving people, were too complacent—because we didn't start fighting in time.

SOVIET ANTI-SEMITISM

Mr. RIBICOFF. Mr. President, recent disclosures of continued persecution of persons of the Jewish faith in the Soviet Union, make it clear beyond question that such activities are conducted with premeditated design as part of Soviet policy to discount obvious failures in that nation's economy. Religious persecution anywhere is bad enough, but when a nation uses it as an instrument of national policy it becomes reprehensible and should be condemned as such. For that reason I intend to reintroduce, next week, the resolution approved by the Senate last year by a vote of 60 to 1 expressing the sense of the Congress that Soviet persecution of Jews and all other persons be condemned.

Last year the resolution was offered as an amendment to the then-pending foreign aid bill. Despite its almost unanimous approval on a rollcall vote, House and Senate foreign aid bill conferees struck the provision and replaced it with language generally condemning religious persecution of all peoples everywhere. While this action was commendable it cannot be taken as a substitute for the Senate-passed resolution condemning the Soviet Union, specifically, because of its policy of Jewish persecution.

This Soviet policy is not a mere historical throwback to the pogroms of the czars. It is even more insidious. It is designed, as the *Washington Post* pointed out yesterday, to protect the highest interests of the Soviet state—the need to deter economic crimes without shaking belief in the system itself.

The United States should take an official stand on the Soviet Government's systematic policy of attrition against the 3 million Jewish citizens of the U.S.S.R. The main components of that policy are: First, deprivation of cultural rights; second, deprivation of religious rights; third, the anti-Jewish propaganda campaign; fourth, the scapegoating of Jews; fifth, discrimination in education and employment; and, sixth, refusal of the right to emigrate.

It adds up to a policy of reducing the Jews to second-class citizenship in the U.S.S.R., of breaking their spirit and crushing their pride. It aims to shatter, pulverize, and gradually eliminate Jewish historical consciousness and Jewish identity. It goes beyond the usual form of religious persecution and becomes instead a spiritual strangulation—the deprivation of a people's natural right to know their past and to participate in their present. And without a past and a present, the future is precarious indeed.

I ask unanimous consent to insert in the RECORD at this point an editorial from yesterday's *Washington Post* entitled "Soviet Anti-Semitism."

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

SOVIET ANTI-SEMITISM

An article published last August in the Ukrainian language press in the Soviet Union and which has just become available in the United States reports a trial of 48 people linked with a textile factory in Kiev and convicted of illegally manufacturing and selling textile goods. Of the people mentioned, most have Jewish names, including the two sentenced to death. Both this and earlier accounts of the case, one of which was subtitled "The Ark of a Haberdashery Noah," concentrated almost exclusively on the Jewish members of the gang and contained several anti-Semitic innuendos.

This is not an isolated case. Since the campaign against economic crimes began in 1961, the Soviet press has persistently given disproportionate coverage to Jewish defendants, portrayed the Jews as crafty, cunning, avaricious, etc., and has projected a generally negative image of the Jew. The U.S.S.R. is one of the few countries that impose capital punishment for economic crimes, and the number of Jews sentenced to be shot for economic crimes is vastly disproportionate to their numbers in the general population.

The fact that the Jews are being used as scapegoats for economic crimes in Russia—a phenomenon that is endemic in the system—is now generally recognized. Last year, the International Commission of Jurists released a 45-page study of economic crimes in the Soviet Union in which it concluded that the Kremlin was using Soviet Jews as scapegoats to divert attention from the moral malaise in Russia. Economic crimes were being linked systematically to the image of the money-grabbing Jew of anti-Semitic fancy, said the Commission, because it would be dangerous to reveal the names and numbers of party officials and members who are caught in such crimes.

The Jews were thus the tragic victims of the highest interests of state—the need to deter economic crimes without shaking belief in the system itself. This is the only plausible explanation yet advanced for the semiofficial campaign of anti-Semitism in Russia.

Secretary of State Rusk said last April that the United States was considering what it might do to relieve the lot of Russian Jewry. Since then the situation seems to have worsened. The administration may be compelled to take notice of a growing crisis.

CLOSING OF VETERANS HOSPITALS

Mr. CURTIS. Mr. President, since the Veterans' Administration made its announcement of the rather widespread closing of veterans hospitals, the matter

has had my attention. My interest in this matter is twofold: First, adequate hospital and medical care for our worthy veterans; second, the wisest planning for such care, taking into account both short range and long range costs as well as economies.

Mr. President, in answer to an inquiry I made of the Veterans' Administration, I have been informed that the peak load for hospitals for World War II veterans will not be reached until 1980. In other words there is going to be an increasing load on these hospitals for the next 15 years. While this increase will be felt more acutely in populous centers, the increase will be nationwide. I believe that when the committee goes into this matter of closing of veterans hospitals they should explore these figures and take these factors into account.

The Veterans' Administration is building more hospitals. They are improving hospitals. They are enlarging hospitals. I believe the committee should study the VA's expansion program and see how much expansion will be necessary by reason of the closing of existing hospitals. They should study the overlap and ascertain the savings that might be had, if any, by a national policy of greater use of existing hospitals rather than a building program.

Mr. President, the Lincoln veterans hospital has done a good job. It has been well staffed. Local organizations both veteran and nonveteran have been most cooperative through the years. I believe that before it is closed the matter should be thoroughly studied to ascertain what is best for our veteran population.

There is wide interest, and a great degree of dismay, among Nebraskans about the closing of the facility at Lincoln, Mr. President. This interest and dismay is expressed by both veterans and nonveterans. My mail during the past week reflects this widespread concern.

I ask unanimous consent that a representative few of these letters may appear in the RECORD.

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

THE AMERICAN LEGION,
DEPARTMENT OF NEBRASKA,
Elk Creek, Nebr., January 14, 1965.
Hon. CARL T. CURTIS,
U.S. Senate, Washington, D.C.

DEAR SIR: I am writing you this little note of protest to let you know how I feel toward the closing of the veterans hospital at Lincoln, Nebr.

Mr. CURTIS, I have been around this hospital on several different occasions and have also been a patient there several different times. I know these veterans receive the best of care there, I know there are many who have limited income and to have to travel to some hospital more distant than Lincoln would be more of a drain on their funds. I hope you will see our side of the picture and also protest the closing of this unit.

I feel it is high time to economize but I don't believe we should do so at the expense of the veteran.

Sincerely yours,
WM. A. WERMAN,
Commander, District 13,
American Legion.

BEATRICE, NEBR.,
January 14, 1965.

HON. CARL T. CURTIS,
Senate Office Building,
Washington, D.C.

DEAR SIR: We wish to express our feeling with regard to the close of the Veterans' Administration hospital at Lincoln, Nebr.

We think that whatever will be saved in the close of the hospital will be added to the veteran's expenses and their families due to the extra cost in travel to and from the Veterans' Administration hospital. All of the veterans from this area needing hospitalization use the Lincoln, Nebr., Veterans' Administration hospital.

Any help you can be in preventing this action would be very much appreciated.

Please advise if there is any action on our part at this time that could be done to curb this.

Thanking you, we are,
Sincerely,

HERBERT UMPHENOUR,
Commander, Veterans of Foreign Wars,
Geddes-Thober Post 1077.
JOHN STYSKAL,
Quartermaster.

LINCOLN, NEBR.,
January 14, 1965.

HON. CARL CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: As commander of VFW Post 131 and as a member of the American Legion Post No. 3, both of Lincoln, Nebr., I wish to advise you that I strongly oppose the closing of our veterans hospital here in Lincoln.

In considering the future needs of the many veterans in Nebraska, parts of Iowa, and parts of Kansas, the area of which our hospital serves, it is felt that a great injustice will be done if this source of hospitalization is taken away from them.

It is my belief that the supposedly money saved by the closing of the hospital now is nothing but false economy when one considers the expenditures which will be required for future medical needs of our World War I, World War II, and Korean veterans.

Your support in preventing the closing of the hospital in Lincoln, Nebr., will be greatly appreciated.

Sincerely,
DIETRICK P. FRYE.

LINCOLN, NEBR.,
January 15, 1965.

SENATOR CARL CURTIS,
Washington, D.C.

DEAR SIR: In regard to the closing of the VA hospital here in Lincoln isn't there something that our Senator can do to stop it. We are in need of it very bad. I am a World War I veteran and am getting old and need to go there every once in a while, and besides I am not the only one it will hurt. Please help us.

Sincerely,
LESTER V. FAY.

LINCOLN, NEBR.,
January 14, 1965.

SENATOR CARL CURTIS,
Washington, D.C.

DEAR SIR: I am writing concerning the closing of Lincoln veterans hospital in Lincoln, Nebr.

It seems to me it is false economy to have funds for other projects to close a veteran's hospital.

My husband is World War II veteran—wheelchair since 1943—and we certainly need the hospital facilities close as he gets weekly treatment.

I am adjutant of the Disabled Americans Veterans Auxiliary and the chapter members of 250 here, need the services of this hospital,

not a hundred miles from here. The World War II fellas are just getting in the age bracket where they'll need hospitalization.

I hope you see fit to try to reinstate the VA hospital here in Lincoln, Nebr.

Yours truly,

MRS. JAMES L. FISHER.

PLYMOUTH, NEBR.,
January 15, 1965.

DEAR MR. CURTIS: I am writing you in regard to the closing of the veterans hospital at Lincoln, Nebr. I realize it is sound government to try and save the taxpayer's money, but I do not feel it is wise to save money by closing an institution which serves the men who risked their lives for this country. Another thing to consider is the fact that most of the veterans of World War II are reaching the age at which these services will be needed.

It is my sincere hope that you can see your way clear to do whatever is in your power to keep the veterans hospital at Lincoln, Nebr.

Yours truly,

HARLAN W. BURGER.

LINCOLN, NEBR.,
January 14, 1965.

SENATOR CARL CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: The proposed closing of the Lincoln veterans hospital is about as politically stupid as anything we have seen. The President proposes billions for antipoverty and then fosters economic policies that deal devastating financial blows to areas that have been no prior problem. The airbase closing we accepted with good grace and in the knowledge that it was an essential move in the defense of the Nation. The VA closing isn't essential and could not come at a worse time. How much will be spent in Appalachia and elsewhere to create the number of jobs, 353, that will be eliminated here with this closing.

Good heavens, we all know that the national interest and purpose is best served by discarding facilities which are not needed but how they can justify this move in view of the recent building program is a mystery. It's a good guess, Senator CURTIS, that Uncle Sam will spend billions more than it costs to keep Lincoln open. What is being spent here on the VA hospital is a mere pittance, a mere drop in the bucket compared to the billions that are poured into projects in New York, Texas, and California.

Just a quick review of the medical facilities and the number of consultants in the Lincoln area ought to have given priority to this hospital to have kept it open. The VA hospital had a most unique program being carried on the dialysis, in addition, it was one of the three institutions in the Nation now taking pictures inside the stomach of patients.

It seems that this part of the Nation is fast becoming on the short end of things when it comes to public spending at the national level. Let's hope, Senator CURTIS, that they will take a second look and keep the VA hospital open in Lincoln. One thing appears to be certain—keep it open, or should it close, the VA in Washington needs a good housecleaning.

Best of luck to you and during the session of Congress.

Cordially yours,

LARRY O'NELE.

LINCOLN, NEBR.,
January 14, 1965.

ADMINISTRATOR, VETERANS' ADMINISTRATION,
Hospital Division,
Washington, D.C.

GENTLEMEN: The VA's decision to apparently close the Lincoln VA hospital is certainly an example of gross mismanagement

and lack of competent planning by some individuals at the VA headquarters. Your announcement claims the hospital has been under consideration for closing for years. Someone certainly showed their lack of intelligent analysis and appraisal of the situation for allowing the surgical suite, laboratory and pharmacy to be constructed. Even now, remodeling projects were in progress. Now one of the finest units in the United States will set idle. Surely the next step is to go wild and start building additions at either Grand Island or Omaha or go to another State and start new to satisfy someone's empire.

One of the Washington VA representatives made the statement that the Lincoln hospital had to be closed because the interest of the veterans comes first. Be sure to give that man a bonus and a prize, then let's try and see if the VA can't practice the philosophy that they preach. Thanks to your unsound decision, thousands of veterans in this area have been swept under the rug for medical care.

It is hoped that someone there at the VA headquarters can in the future use their imagination and foresight and anticipate better planning and stop this ratrace. Nobody's judgment is perfect and everyone makes a bad decision but let's hope you take a second look, it always pays and let's keep the Lincoln veterans hospital open.

Cordially yours,

LARRY O'NELE.

AMERICAN LEGION AUXILIARY,
U.S. VETERANS HOSPITAL,
Lincoln, Nebr., January 14, 1965.

HON. CARL CURTIS,
Senate Chambers,
Washington, D.C.

DEAR SENATOR CURTIS: As the wife of a service-connected amputee and a paraplegic veteran who has been a patient in the veterans hospital at Lincoln, Nebr., 8 years and who can come home for a few hours on Sunday through the use of a lift attached to the car operated by hospital nursing assistants and who is too heavy for one person to assist in the home, I am pleading with you to assist in rescinding the order to close this hospital.

I do not speak from a purely selfish viewpoint in spite of the fact that it will utterly shatter my husband's ability to spend any time at home. My husband, the patient, until he became totally disabled, was national service officer for the Disabled American Veterans in this area, and formerly in Washington, D.C., area, and he is extremely interested in the welfare of the other patients.

We feel that this hospital should remain in operation because it is in a metropolitan area where the veteran population is heavy. Most of the patients are Lincoln or immediate area residents and we feel that if they must use Omaha, or Guard Island hospitals they are deprived of veterans hospital care to which they are entitled. If a Lincoln man becomes emergently ill, as many do before giving up, he will have to enter a private hospital and will not be moved 60 or 100 miles for recuperation. Therefore, he'll be on his own financially and hospital bills will be unduly burdensome. Lincoln is really the only metropolitan center in Nebraska besides Omaha and we feel that the veterans here will be sold short if this excellent hospital is closed. There are research and teaching programs, outstanding consultants available and modern attitudes and techniques apparent to even the casual visitor. The morale is very high among patients, personnel, and volunteers. This is a friendly hospital, where the patient feels at home and this factor is emphasized. I do wish you could experience the response to the announcement of closing. You'd understand the importance of attempting to rescind this order. Please

do this for the people in this area—they are high type people with a real need for this service to veterans and they are your people and you are the representative in this crisis. Thanks so much for anything you may do to help.

Sincerely,

HELEN R. WILLIAMS.

LINCOLN, NEBR.,
January 14, 1965.

SENATOR CARL T. CURTIS: I, as a resident of Lincoln, Nebr., and also a disabled veteran, am very concerned over the closing of the Lincoln veterans hospital. This hospital has always served this area well. I feel the closing of Lincoln veterans' hospital should be investigated and carefully studied.

I would like for you to give this matter your undivided attention.

Sincerely,

RUSSELL R. LOOS.

LINCOLN, NEBR.,
January 15, 1965.

The Honorable CARL CURTIS,
Senate Chamber,
Washington, D.C.

DEAR SENATOR CURTIS: I am deeply concerned over the news that the U.S. veterans' hospital might be moved from Lincoln. It is so near to all of our Nebraska veterans. Its equipment is the latest and finest. The workers are of the finest caliber. I know whereof I speak for my husband was a patient there several years ago. He had lung surgery. His treatment was of the latest type. There are other veterans' hospitals which are not as badly needed as this one is. There are many very able doctors available to the hospital in this city. Why change? The money would only be used for some less worthy cause.

Many of the fine workers would have to sacrifice their homes if their jobs were gone. Lincoln needs the hospital.

The airbase has been taken away and now you folks want to take away the U.S. veterans' hospital which would hurt the economy of this area.

Please fight to keep the hospital here.
Thank you.

Sincerely,

Mrs. MARTHA LEUCK.

LINCOLN, NEBR.,
January 14, 1965.

The Honorable CARL T. CURTIS,
U.S. Senate, Washington, D.C.

SIR: I suppose by this time you have received many, many letters of this nature about the deactivation of the U.S. veterans' hospital here in Lincoln. I'm sure that the people concerned with the closing were not fully aware of many things at the hospital. I have worked at the hospital for 15 years and most of that time in the operating room.

First, they stated low patient demand. During the war, the hospital was set up for about 250 beds. The capacity now is about 225. It has averaged just below 200 for some time. In going by the admission doctor's office, there is always a line of veterans waiting to see the doctor. The staff in the operating room are always busy operating. Of course, during the past holiday season the census has gone down. That's to be expected. I suppose we average between 200 and 250 operations a month. The operating room suite was completely new 3 years ago, costing \$750,000. Everything is new and the equipment is the latest. There was a new conductive tile floor put in about 2 months ago, costing \$7,000. There is no operating room any better in this part of the Nation.

About 3 years ago there was a complete set of three new boilers for heat and hot water, costing nearly \$50,000. Now contract electricians are completing an overall new wiring system throughout the hospital to meet increased electrical demands. That will cost

a large figure, too. To modernize the hospital further, they have contracted for four new elevators at \$160,000. These elevators are contracted so I suppose the VA is stuck for them now. The contracting company already has the cages made and ready to go into the shafts.

I hope you can vision by this letter that I'm trying to tell you we have a well improved hospital for the patients. So why close it up, there surely is a lot of money invested in improvements.

Enclosed is a clipping from the Lincoln Evening Journal which expresses our feeling very well:

"PUBLIC MIND: COLDBLOODED

"LINCOLN.—What are they going to use for veterans of World War II and Korea for the next 10 to 30 years, by closing this veterans' hospital for a few paltry millions? The Government (meaning us, the taxpayers) will have to spend many millions in the future for new and so-called improved hospitals.

"When a veteran is in need of help from the hospital, he does not see how good the TV sets are or if it has any air conditioning, etc. He looks for quality of the medical staff and their aides.

"We have the highest quality in their field, if not, why are the civilian hospitals here in Lincoln after our doctors to help them. Now's the time for them to help us if they want to prove they appreciate such help.

"As for lack of patients to fill this hospital, that is a very narrow and shortsighted way to look at it. There are patients waiting to get in here, at times more than there is room for.

"And whenever there is any cutting to do by either party which may be in power, why is it the veterans always get it in the back? Why cannot the foreign aid be cut or are they more important than the help and aid which rightfully should be expected by those who give parts of themselves?

"In short, it is nothing but coldblooded politics.

"H. H."

LINCOLN, NEBR.,
January 15, 1965.

DEAR SENATOR CURTIS: Am writing this letter to tell you how hard it is on the people of Lincoln and vicinity in closing the veterans hospital here.

I have a very dear friend, Mrs. William Burlington, whose husband has been in the veterans hospital for 3 years or more. She has a retarded boy in his forties and has to have care. She has been so faithful to both and never complains. Now to have to move her husband to a VA hospital in some other town or State would sure be a hardship on her. She is just worried and heartbroken and she is not the only one. But knowing her personally, I naturally think of her.

Is not there something that can be done to keep the hospital here, as it is so badly needed?

Wish you could do something to assist these poor people as they sure need your help.

Thanking you.

Mrs. JOHN FARRELL.

LINCOLN, NEBR.,
January 14, 1965.

HON. CARL T. CURTIS,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR CURTIS: It is our hope that you will do everything in your power to prevent the closing of the veterans hospital at Lincoln, Nebr.

From our observation there are many veterans who receive therapy at the veterans hospital, who are faced with the same problem we are. My husband is a totally disabled World War I veteran, who has disabilities which require physical therapy twice each week, and medical observation and care

at least once each month. It would be physically impossible for him to go to either Omaha or Grand Island for this care.

This hospital has given us excellent care over a period of years, and has given the same excellent care to many others with whom we have come in contact. It is easily accessible by train, bus, and good highways.

Needless to say, it would be physically impossible for the hospitals at Omaha and Grand Island to absorb the patient load in addition to the patient load they already have. Thus many needy veterans would be deprived of very necessary care and treatment which they are now receiving.

We would be most appreciative if you will do what you can to keep this very necessary help available to the considerable number of us who now receive the outstanding help of the most excellent staff at the veterans hospital at Lincoln.

Respectfully yours,

Mrs. WILLIAM L. FRAMPTON.

BARNESTON, NEBR.,
January 15, 1965.

HON. CARL T. CURTIS,
Senate Office Building,
Washington, D.C.

DEAR SIR: The closing of our veterans hospital in Lincoln is of great concern to us in the Barneston and surrounding area. We have had many veterans in this hospital the past year. In fact five at one time from just our own little Legion post. There will be an increased number as time goes on. These men were not able to travel a great distance at one time so could go in a car, otherwise it would mean an ambulance. This would result in increased transportation costs alone for many veterans and their families, many of whom are already hard pressed.

The stay in the hospital would have to be increased. Now they can come home for their families to care for them with a periodical checkup.

Won't you help us keep the hospital in Lincoln?

Sincerely yours,

Mrs. CLARA G. SCHULTZE.

Mr. CURTIS. Mr. President, also as a part of my remarks, I ask unanimous consent to include in the RECORD an editorial from the January 13, 1965, Lincoln, Nebr., State Journal which discusses the VA hospital closing.

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

TIME TO GO TO WORK

If Lincoln today feels a little like the fellow whose wife took the family savings and ran off with the hired man, it's not too surprising.

In just a little more than 2 months, the city has received "Dear John" notices from two of its most cherished institutions, the Lincoln Air Force Base and the Veterans' Administration hospital. With them will flee many millions of dollars in annual payrolls.

Lincoln generally has taken a philosophic attitude about the closing of the airbase, scheduled for June of 1966. Most leaders have assumed that in due time the loss can be turned into a gain by getting a more stable enterprise as a replacement.

This, of course, is true. The same could be true of the loss of the VA hospital, slated to shut down June 30 of this year. But the city might be excused if it displays a momentary tinge of bitterness.

As chamber of commerce President Tom Pansing remarked as he recalled the promise of Federal help in overcoming the loss of the airbase: "So far the only help we've received from the Federal Government is to close the veterans hospital. We can't afford too much more help like this."

Lincoln, after all, probably has been harder hit by recent Federal cutbacks than any city in the country. It is one of only two communities to lose both a military base and a Veterans' Administration installation.

Perhaps some justification can be found for closing the VA hospital in Lincoln. It is the oldest of the three such hospitals in Nebraska, and it has not been used to capacity in recent years. If the closing is truly to reflect a saving for American taxpayers, it cannot be faulted.

If, however, the closing of the Lincoln installation is to be followed by construction or expansion of VA hospitals in other parts of the country, the loss here will be doubly difficult to accept.

And if President Johnson's Great Society is to come at the expense of the Nation's heartland, including his proposed reductions in the support of agriculture, maybe this is not the kind of society Nebraskans will care to associate with.

Lincoln has taken the airbase closing with a minimum of grouching. It has not griped unduly over the loss of the Veterans hospital. For this the city should receive some credit and, let us hope, not another kick in the shins.

Apparently the hospital closing is irrevocable, though. So the only constructive action for Lincoln now will lie in added effort and determination to gain productive uses of the airbase facilities and the Veterans hospital.

Some moves in this direction had been initiated after the announcement of the airbase closing. But there still is no well-meshed coordinating program, no professional staff to devote its entire attention to the problem, no concrete plans of how to proceed.

If there had tended to be any lethargy or disagreement attached to the job of finding alternate uses for the airbase, this surely has been shaken off by the imminent departure of the hospital. Any roadblocks which might have been in the way of urgent and energetic action certainly will have to be cleared now.

One proposal made in the wake of the airbase announcement was to add an assistant to the mayor's staff to devote full time to finding new uses for the facilities. This proposal is still hanging fire. Maybe there is a better way to provide full-time direction to this task. But something of this nature is needed—and quickly.

In view of the potential State uses for both the airbase and the VA hospital, Governor Morrison might assign some official or designate a team of department heads to examine the opportunity present in both these facilities.

No question about it, Lincoln has taken its lumps, but good. Now it is time to do something about it.

Mr. CURTIS. Mr. President, on the following day, January 14, the Lincoln Nebr. Star also editorialized on the subject, and I quote from that editorial:

For one thing, President Lyndon B. Johnson is not as politically astute as he is given credit for. The timing on the VA closing here is about as politically stupid as anything we have seen. The President proposes billions for antipoverty and then fosters economic policies that deal devastating financial blows to areas that have been no prior problem. Sure, the Veterans' Administration institution here is one of the worst in the country from an efficiency point of view. But how much will be spent in Appalachia and elsewhere to create the number of jobs, 353, that will be eliminated here?

It is a good guess that a lot more will be spent than it is costing Uncle Sam for inefficiency in Lincoln. A little mixing of apples and oranges in the same equation? Perhaps

so, but it is good commonsense if not an intelligent political or economic analogy.

Some might look aghast at such a blatant political observation as this. But those who do need to learn a few of the facts of life. The facts are that this part of the Nation has for a long time now been on the short end of things when it comes to public spending at the national level. Compared to the big metropolitan centers of the East and West, the Midwest hardly exists, in the minds and eyes of the politicians in Washington. What is being spent here on the VA hospital is a mere pittance, a mere drop in the bucket compared to the billions that are poured into projects in New York and California. And a lot of that is the result of politics—where the votes are and where the money will get them.

SITUATION IN THE CONGO

Mr. LAUSCHE. Mr. President, trouble for the free West is growing through the building of military strength by the Communists on the borders of the Congo. The word is current that before the passing of another month, intensified action in the Congo will be started by the rebels.

It is reliably reported that military equipment adequate to supply 30 battalions has been assembled on the borders of the Congo. All of it is aimed at the destruction of Tshombe, the friend of the West and a reliable leader of the forces that are fighting to prevent the Communists from expanding their holds in this land of Africa.

Demands are now being made that the Congo Government be reconstituted by a broadened base, taking into it dissatisfied elements. The establishment of a so-called neutral government in truth means a Communist government.

It is the old technique of the Communists.

Is the State Department of the United States going to join in this plea?

Are we of the United States to make the same mistake in the Congo that we made in South Vietnam?

The forces that are seeking to overthrow the Tshombe government in the Congo are after total control; they are mainly in the Communist camp.

The demands for broader based governments are being made only as a tactical operation in a final purpose to take over. We are at the threshold of a critical period in the Congo. The rebel Communists are being organized; the equipment is being supplied by Moscow, Peiping, Algeria, United Arab Republic, and Ghana.

President Bela of Algeria recently made the statement:

It is not enough to demonstrate; what we are now doing is sending arms, rifles, and volunteers. We say that we are sending, and we will continue indefinitely to send arms and men.

The efforts of the Communists will be intensified enormously in the next few months to take control. What our State Department does will play an important role in determining whether that conversion to communism will or will not happen. Tshombe is the friend of the West in the Congo; he has the substantial respect of the people in general. In my judgment, he will bring order to the Congo, provided he is given the moral support of our Government and is not

denied the aid which in the normal course—I repeat, normal course—the United States would make available to the people of that country.

Mr. DODD. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. DODD. I wish to commend the Senator from Ohio for bringing up this subject today in his usual clear and logical manner. The Senator has well set out the situation.

I believe the President and the Secretary of State are deeply concerned about the situation in the Congo, and that they are aware of the possibility concerning which the Senator from Ohio has so well spoken.

I am also sure that the President and the Secretary of State will do all they can—and I am sure they can do a great deal—to make certain that the Congo does not fall prey to the Communists.

I compliment the Senator from Ohio on having raised this subject.

MEMORIAL TO JOHN F. KENNEDY

BY RABBI ABRAHAM J. FELDMAN, OF TEMPLE BETH ISRAEL, HARTFORD, CONN.

Mr. DODD. Mr. President, I recently received a copy of a very fine memorial given at the Temple Beth Israel in Hartford, Conn., by Rabbi Abraham J. Feldman in honor of John Fitzgerald Kennedy.

Rabbi Feldman sums up my feelings and those of most Americans, I believe when he says:

It is yet hard to adjust one's thinking to the acceptance of the fact that John Kennedy is no longer a living presence in our midst.

But the rabbi goes on to state that in the months that have passed since the assassination the American people, with an able leader in the White House, have carried on in an outstanding manner and face "the future with confidence reasured and with faith that is firm."

The American people and Government "renew their dedication by the glow of the flame on that hill in Arlington." I am sure that the spirit of John Fitzgerald Kennedy will always be with and inspire us as we go about our daily tasks.

I ask unanimous consent to have Rabbi Feldman's "In Memoriam—John Fitzgerald Kennedy" printed in the RECORD.

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

IN MEMORIAM—JOHN FITZGERALD KENNEDY
(By Rabbi Abraham J. Feldman, D.D., at Sabbath eve service, Temple Beth Israel, Hartford, Conn.)

A year has passed since the tragic death of President Kennedy and it is yet hard to adjust one's thinking to the acceptance of the fact that that radiant personality, that noble example of 20th century American manhood, that gracious and firm exponent of the American ideal and the American way of life, that inspiring patriot in war and in peace, that truly great American—is no longer a living presence in our midst.

Much has happened during the months since his assassination.

A skillful American had taken over the administration of the U.S. Government—and

succeeded greatly in guiding the ship of state with a majesty of dedication, of character, and of talents incomparable—for which all of us should thank God in profound reverence and joy.

Again, the Nation has come through a national election which could have been disastrous for our country. But—a vast majority of our citizenry appreciated the skill and devotion demonstrated during the interim period and, by an overwhelming vote, asked the incumbent President to carry on. For this, too, we should thank and praise the Lord.

The dust of battle, the hideous shrieks and threats of the contest are now dying down and the American people are facing the future with confidence reassured and with faith that is firm.

And so—as we pause in aching remembrance in this Yahrzeit period, America, its Government and people, renew their dedication by the glow of the flame on that hill in Arlington where rest the remains of our martyred leader. In his spirit and in determined translation of his charge to us, we shall go forth a people united, a people envisioned, "asking not—what our country can give to us but what we can give to our country."

In tribute to the memory of John Fitzgerald Kennedy, in token of our pledge of acceptance of his charge and challenge, I ask now that when I begin the reading of the Kaddish the whole congregation rise and read the Kaddish with me.

(The Kaddish was read in its Aramaic original with this additional paragraph inserted in English: "John Fitzgerald Kennedy, whom we now remember, has entered into the peace of life eternal. He still lives on earth in the acts of goodness he performed and in the hearts of those who cherish his memory. May the beauty of his life abide among us as a loving benediction.")

THE TRUTH ABOUT POLITICAL PRISONERS IN HUNGARY

Mr. DODD. Mr. President, I recently received from Dr. Bela Fabian, chairman of the Federation of Hungarian Former Political Prisoners, a memorandum dealing with the plight of political prisoners today and urging their early release.

Because political memories are short, we have for all practical purposes swept the Hungarian revolution under the rug. The historic United Nations report which found the Soviet Union guilty of flagrant military intervention in Hungary and which described the Kadar government as a quisling regime imposed by Soviet bayonets has been forgotten.

Also forgotten are the repeated resolutions of the General Assembly condemning Soviet intervention and calling for the withdrawal of Soviet troops.

The credentials of the Kadar delegates at the United Nations had been approved with our concurrence.

And the impression has been cultivated that all of these things have come to pass because the situation in Hungary has now returned to normal.

Among other things, the public has been led to believe that there has been a general amnesty for political opponents imprisoned after the suppression of the 1956 revolution. It is true that many of them have been released. But, as the memorandum I am inserting into the RECORD at the conclusion of my remarks demonstrates, there are still 463 political

prisoners in the central prison of Budapest alone. The many thousands of Hungarian freedom fighters who were deported to Siberia at the time have still not been permitted to return to their country.

I heartily endorse the recommendation of the memorandum that we forcefully raise the matter of the political deportees and the political prisoners with the Hungarian authorities.

I ask unanimous consent that Dr. Fabian's memorandum be placed in the RECORD at this point, so that my colleagues will have a chance to read it.

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

MEMORANDUM IN BEHALF OF THE RELEASE OF HUNGARIAN POLITICAL PRISONERS

The Federation of Hungarian Former Political Prisoners must state regretfully that, in spite of the promises made by the Kadar government to the representatives of the United States, there are still 463 prisoners in central prison of Budapest (Gyüjtőfogház), who have been arrested in connection with the 1956 revolution.

Among these are:

1. Eight of those young men whom the Kadar government would not execute due to their early age at the time of their sentencing. Originally the number of these was 150. These were kept in the so-called little prison inside the central prison. Of these 142 were eventually executed. The sentence of eight has been commuted to 10 to 12 to 15 years' imprisonment. The petition for the release of these eight minors has been recently refused for the third time by the Kadar government.

The mother of Béla Uvacsek, one of these minors, Mrs. Helen Dorosy, lives in California (4504 Castle Lane, La Canada, Calif.). She has petitioned Dean Rusk, the Secretary of State to intervene in behalf of her son that he be permitted to be represented by legal counsel. The intervention of Dean Rusk has been successful to the extent that a lawyer was finally procured for her son. However the petition for clemency introduced by this lawyer has been rejected.

2. Among the prisoners suffering in Central Prison in László Regéczy, who has been sentenced for 15 years. His crime was that he has smuggled Imre Nagy's book out of Hungary. Another is Gyula Obersovszky, who was editor of the daily paper, Igazság, published during the revolution. Most of the prisoners kept in Central Prison are young men, and they are not released because during the revolution they were apprehended with guns in their hands.

The Kadar government will not permit the representatives of Western countries, nor the newspapermen of Western publications to visit Central Prison. And when American newspapermen complained and said that in the United States one can always visit Sing-Sing, the answer was that the administration of justice is the internal affair of Hungary.

Six cement gallows have been removed from the yard of the little prison inside Central Prison. One hundred and forty-two minors were executed on these gallows, among others. The place of the gallows is covered with grass now, yet under the grass one can still see the cement bedding of the six gallows.

3. Ferenc Mateovics, former member of the Hungarian Parliament was sentenced recently to 10 years. Four of his comrades were sentenced to from 10 months to 5 years imprisonment. Their crime was that they conducted discussions on how to reorganize

the Democratic People's Party, and the Liberal Party, after the Soviet Army has left Hungary.

4. The crime of the priests who were arrested and sentenced in December 1964, was that they were teaching religion to the children illegally, without a permit. This happened after Hungary has signed a solemn agreement with the Vatican.

5. Seventy-five thousand freedom fighters were deported from Hungary to Siberia in 1956-57. Of these 12,000 have been released from the distribution camps in Uzhord and Darnitsa as unfit for work. These returned to Hungary in 1957. The rest of them were taken to Siberia, most of them to Kazakhstan. In Norilsk the deported Hungarians have a soccer team of their own. These Hungarians were made to sign a declaration 2 years ago that they were staying in the Soviet Union voluntarily in order to build socialism.

There were three interventions with the Soviet Government in behalf of the Hungarian deportees to Siberia, all the three have occurred at our request.

In 1958 during a dinner in Moscow, Dag Hammarskjold, the Secretary General of the United Nations, has asked Mr. Khrushchev to permit the Hungarian deportees in Siberia to go home. When Khrushchev heard Hammarskjold's request he angrily turned his back on him. This was Khrushchev's answer.

In 1959, when Mikoyan was visiting in Washington, we have asked Senator Hubert Humphrey, who was then invited to an intimate dinner at the Soviet Embassy in Washington, to ask Mikoyan to intervene in behalf of the Hungarian political prisoners deported to Siberia. Senator Humphrey told the chairman of the Federation, right after dinner with Mikoyan, that the answer was: There are no political prisoners in Siberia.

Also in 1959 Richard Nixon discussed with Nikita Khrushchev in Moscow—without results—the fate of the Hungarians languishing in Siberia.

Eight years have passed since the Hungarian revolution. The world pays eloquent tribute at every occasion to the heroes of this struggle. The American and other newspapermen who have visited Hungary are constantly writing about the fact, that even though the revolt was crushed, nevertheless the demands of the uprising have been attained, at least in part. How is it possible then that the surviving heroes of the revolution are still suffering imprisonment in the jails of Hungary and the camps of Siberia?

Now the Kadar government is facing bankruptcy, mainly because of the resistance of the population against the Communist system. The Kadar government wants to save itself from the consequences of this economic and political bankruptcy mainly with the help of the West, primarily with the help of the United States.

To halt the deterioration of the economic situation they need food, machinery, and industrial equipment.

Therefore may we respectfully petition the Government of the United States:

Before any help is rendered, or any increase in diplomatic rank is granted, please do demand that the deportees be permitted to return to their home country and that the political prisoners in Hungarian prisons, especially in the Central Prison in Budapest be released.

Furthermore that the Kadar government halt the economic and employment discrimination practiced toward the former political prisoners thus far released.

BÉLA FÁBIÁN,
Chairman, Federation of Hungarian
Former Political Prisoners.

TWENTY-FIFTH ANNIVERSARY OF THE CREATION OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, I think it will be of interest to my colleagues to know that 1965 is the 25th anniversary of the creation of the Senate Select Committee on Small Business.

This is the second year that I have introduced Senate Resolution 30 which would give the committee the full legislative authority that it has long deserved.

I ask unanimous consent to insert in the RECORD, at this point, a relevant letter which I received from George J. Burger, vice president of the National Federation of Independent Business, a long-time spokesman for the small businessman.

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

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
San Mateo, Calif., January 12, 1965.

Re Senate Resolution 30.
Hon. WINSTON PROUTY,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR PROUTY: In view of your splendid consistent action in reintroducing your resolution, Senate Resolution 30, which would provide legislative authority for the present Senate Small Business Committee, it might be well to bring to the attention of your colleagues for action on your resolution in the Rules Committee in view of the fact of the promise made by the chairman of the committee, the Honorable EVERETT JORDAN, that hearings would be held early on your resolution in the present Congress.

The reason I am bringing this to your attention at this time is because of the fact that it so happens that 1965 will be the 25th anniversary when the Senate Small Business Committee was created for the first time then under the able leadership of the late Senator James E. Murray, of Montana.

It also marks the 15th anniversary, due to the action of the late Senator Kenneth Wherry, of Nebraska, when he sponsored legislation to make the Senate Small Business Committee a continuing committee of the U.S. Senate for the first time in the history of the Senate.

As we seem to be living in a day of memorials being created to various statesmen for their contribution in Government service this would be a wonderful tribute and a memorial to these late Senators in giving the present committee legislative authority.

It might be appropriate when the resolution appears in the RECORD for you to find it convenient to insert this letter at that time. Just a thought—as I have lived with the action of the committee these past 25 years, and know its worth in part to the overall good of independent business of this Nation.

Sincerely,

GEORGE J. BURGER,
Vice President.

COMMENDATION OF LUTHER H. HODGES

Mr. BYRD of West Virginia. Mr. President, the Honorable Luther H. Hodges has just ended 4 years of very able service to the people of the United States. I wish to commend him highly and to wish him Godspeed in his well-earned retirement, and to express the appreciation of the people in my own State of West Virginia for the inspiring leadership he has given to the Depart-

ment of Commerce over that 4-year period.

People in my State recall with particular vividness the help they have received as a result of one of the programs of the Department of Commerce, that of the Area Redevelopment Administration.

I have been informed that, over the 3½ years of ARA's life, the agency has helped transfer close to 7,000 West Virginia workers from relief rolls to payrolls. It has done this through the launching of 31 separate financial assistance projects for a Federal investment of \$39.4 million, most of it in the form of loans which will be repaid to the Federal Treasury—with interest. Other ARA projects which have been of great assistance to the people of my State include a series of technical assistance projects to help locate new sources of employment, and the retraining of nearly 3,000 jobless West Virginia workers to equip them with new and marketable skills.

This is an enviable record, and from my personal experience I know of the wholehearted support Secretary Hodges has given to the ARA program to create jobs in areas of economic dislocation, such as we have in West Virginia.

Again, let me commend Secretary Hodges, and extend my deep appreciation to him for his help to the people of my State.

THE BALANCE-OF-PAYMENTS POSITION OF THE UNITED STATES

Mr. MORSE. Mr. President, a few days ago press reports indicated that the balance-of-payments position of the United States has taken a turn for the worse so serious that President Johnson is preparing a special message to Congress on the subject.

Last fall when it was reported that the World Bank would seek up to \$400 million in new funds, it was also reported that Treasury Secretary Dillon has pointed out the adverse effect of World Bank borrowings on the American balance of payments and had urged that the new borrowings be in Europe.

The Bank's articles of agreement give a virtual veto to the country where the funds are to be raised. I wrote Secretary Dillon on October 13 of last year asking him whether this veto would be exercised in order to protect the American balance-of-payments position.

I ask unanimous consent to have our exchange of correspondence printed in the CONGRESSIONAL RECORD at this point.

THE PRESIDING OFFICER (Mr. MORNENY in the chair). Is there objection?

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

THE SECRETARY OF THE TREASURY,
Washington, October 27, 1964.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR WAYNE: Thank you for your letter of October 13, 1964, regarding possible World Bank borrowing of \$300 to \$400 million of new capital in private markets this fiscal year.

In Tokyo, as you know, I did point out that the World Bank will soon have to re-enter the capital markets on a substantial scale. I emphasized that the Bank should intensify its efforts to develop more effec-

tive facilities for mobilizing private savings in the capital markets of industrial countries that are accumulating reserves. I feel that more adequate capital markets in such countries are very important and hope that our oft-repeated views on this subject will be helpful in speeding their development.

I did not mean to imply, however, that the United States should prohibit any and all attempts by the Bank to mobilize private funds for development through bond sales to U.S. residents. While significant progress has been made since my ABA speech in Rome in May of 1962, the development of more adequate European capital markets takes time. There will be circumstances in the meantime where some accommodation to the needs of the World Bank will be in our interest. An absolute prohibition at this time of Bank access to our market might well cripple this uniquely valuable institution's operations on behalf of the international development effort.

Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon.

I can assure you that the World Bank management is fully aware of the necessity for utilizing European capital markets to the maximum extent funds are available on reasonable terms. I do not expect any relaxation in our pursuit of developing the capital markets of the other industrial countries.

With best wishes.
Sincerely,

DOUGLAS DILLON.

OCTOBER 13, 1964.

Hon. C. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: I enclose a photostat of an article appearing in the September 14, 1964, issue of the Wall Street Journal which suggests that the World Bank will probably seek to raise \$300 to \$400 million of new capital in the next fiscal year. I have noted that you have urged that the bulk of these funds be raised in the European markets.

Inasmuch as article IV, section 1, of the articles of agreement seems to give a veto to the member "in whose markets funds are to be raised," I would be interested to know whether you will propose that this veto be exercised to protect our balance of payments.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, I particularly call attention to Mr. Dillon's words:

Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon.

Yet at the end of December the World Bank announced that it will float a \$200 million bond issue in the United States beginning on January 18, an announcement that coincided with the news that the U.S. balance-of-payment deficit had reached record proportions and required a special message from the President to the Congress regarding steps to curb it.

I trust that this special message will report the reasons for permitting this World Bank bond issue to proceed at the very time when it would have the worst possible impact upon our balance of payments.

Finally, I ask unanimous consent to have printed at this point a letter I have

addressed to the Secretary on January 8 concerning this matter.

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

JANUARY 8, 1965.

Hon. C. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: I wish to recall my letter to you of October 13, 1964, in which I expressed concern over the prospect that the World Bank would seek to raise new capital in the U.S. market. In your response of October 27 you stated that the United States should not at present prohibit "any and all attempts by the Bank to mobilize private funds for development through bond sales to U.S. residents." There nevertheless was at least an implication that the bulk of the \$300 to \$400 million of new capital required by the World Bank might be raised outside this country. According to the New York Times of December 29, however, the World Bank has now announced it will float a \$200 million bond issue in the United States beginning on January 18.

It seems to me that the key sentence in your October 27 letter was the following: "Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon." Frankly, I am not aware of any measurable improvement in our balance-of-payments situation during the past 2 months; indeed, I would assume the contrary from the New York Times story of December 30, 1964, by Richard E. Mooney—a copy of which is attached. The article reports that the OECD annual review of the U.S. economy contains the advice "that more curbs on outflowing capital may be needed to put the country's international payments in better balance." Yet the proposed World Bank bond issue appears a dramatic move in the opposite direction.

In these circumstances, I would like very much to know just what sort of review of the Bank application took place within the U.S. Government. Specifically, was approval of the application given by the National Advisory Council on International Monetary and Financial Problems, and was the decision taken unanimously? How do you assess the impact on our balance of payments in concrete terms?

In short, I would appreciate learning the full story of this transaction and its implications; you need not be concerned about sparing me any details.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, I express my appreciation to the Senator from Missouri [Mr. SYMINGTON], who has performed yeoman service for the Senate in his constantly challenging the administration's policies in regard to the balance-of-payments problem.

Most respectfully I say to my President, "You had better take a long, hard look at the record of your Treasury Department in this field before you send up any special message on the subject, because you are going to be confronted with a long series of questions here in the Senate in regard to the policies that have been followed by the Secretary of the Treasury, which, in my judgment, are unfortunate policies, to say the least."

U.S. ACTION IN LAOS

Mr. MORSE. Mr. President, I see no other Senator who wishes to speak dur-

ing the morning hour. I ask unanimous consent that I may proceed for an additional 3 minutes on another subject.

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

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD a UPI article appearing in this morning's New York Times entitled "U.S. Terms Raids in Laos Justified by Red Violations."

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

U.S. TERMS RAIDS IN LAOS JUSTIFIED BY RED VIOLATIONS—SAYS COMMUNISTS DISREGARD GENEVA ACCORDS—STRIKES TO CONTINUE IF NEEDED

WASHINGTON, January 18.—The Johnson administration contended today that U.S. military actions in Laos, such as the air strike last Wednesday against a bridge, were justified by Communist violations of the 1962 Geneva accords establishing Laotian independence and neutrality.

It also made clear that it intended to continue using U.S. military force, if necessary, to maintain Laos against Communist incursions.

The administration's position was made known in two forms—a Presidential defense message to Congress and a statement issued by the State Department.

ASIAN PROGRAM UNCHANGED

In his defense message, the President reaffirmed that "our program remains unchanged" in southeast Asia. He said the United States would continue to give military and economic assistance to nations such as Laos and South Vietnam, which are "struggling against covert aggression in the form of externally directed, undeclared guerrilla warfare."

In Laos, he went on, the United States has demonstrated since 1950 its commitment to freedom, independence, and neutrality by "strengthening the economic and military security of that nation."

"We shall continue to support the legitimate Government of that country," he declared.

The President stressed that "the problem of Laos is the refusal of the Communist forces to honor the Geneva accords in which they entered in 1962."

The State Department also said that the American military actions in Laos were "entirely justified" by the repeated Communist violations of the 1962 accords.

POSITION QUESTIONED

Whether the United States still felt bound by the 1962 accords was questioned after it was disclosed that Americans had conducted bombing missions against key points in the supply routes used by the Communists from North Vietnam into Laos. Reconnaissance missions were acknowledged earlier.

Senator WAYNE MORSE, Democrat, of Oregon, charged last weekend that such attack and reconnaissance missions represented a U.S. violation of a provision of the 1962 accords. This prohibits the introduction of foreign military troops in Laos.

When the question was raised last Friday, it was met by silence at the State Department.

Today, however, the Department was prepared with a statement providing a justification for the air missions. At the same time it still refused to confirm that the United States had been conducting bombing missions against Communist targets in Laos.

The statement, given by the Department Press Officer, Robert J. McCloskey, said:

"We continue to support the Geneva agreements and the independence and neutrality of Laos which they are intended to achieve."

Mr. McCloskey declined to say whether U.S. assistance included the air strike Wednesday by a squadron of U.S. fighter-bombers against a strategic bridge near Ban Ban in central Laos.

Mr. McCloskey did say that any "assistance" had been given at the request of Prince Souvannah Phouma, the Laotian Premier.

The Prince is understood to have demanded that there be no announcement about the missions.

Mr. MORSE. Mr. President, I wish to quote a paragraph or two of that article:

The Johnson administration contended today that U.S. military actions in Laos, such as the air strike last Wednesday against a bridge, were justified by Communist violations of the 1962 Geneva accords establishing Laotian independence and neutrality.

It also made clear that it intends to continue using U.S. military force, if necessary, to maintain Laos against Communist incursions.

That statement is shocking. Mr. President, I say there is no question about the fact that the U.S. military has conducted these raids. There is no justification on the part of my party's administration for concealing from the American people this fact and no justification for not issuing a formal official statement that the United States is making war in Laos and killing American boys in that war.

Mr. President, I am shocked that such a policy is being followed by the State Department and the Pentagon, and that we let the American people learn of our warmaking activities in southeast Asia through war correspondents. Then our State Department and our Pentagon attack those war correspondents. I happen to be one who defends these war correspondents, because time and time again they have demonstrated that they will not follow the propaganda line of the State Department and the Pentagon, for if they followed that line, they would be nought but kept journalists on the war front.

Mr. President, we are greatly indebted to the fact that at least our war correspondents abroad insist upon putting into practice the precious constitutional meaning of freedom of the press. But the article to which I have referred is very interesting. It states further:

Whether the United States still felt bound by 1962 accords was questioned after it was disclosed that Americans had conducted bombing missions against key points in the supply routes used by the Communists from North Vietnam into Laos.

Mr. President, Britain, France, Russia, and China are some of the other countries that signed the treaty along with the United States.

The treaty set up an International Control Commission composed of India, Poland, and Canada, to investigate any violations of the treaty and of the ceasefire between the rival Laotian factions.

The London Observer reports that in the British view of the treaty, it is up to this Commission to investigate whether there has been any breach of the treaty. It is true that the American bombing raid took place in territory controlled by the Pathet Lao. Whether the Pathet Lao would permit the Commission to investigate U.S. complaints of violations

is doubted by American authorities, hence the resort to force of arms.

Mr. President, my opposition to war-making policies of the United States in Laos is the same as my opposition to the unjustifiable killing of American boys in South Vietnam in a warmaking policy of our Government there.

What we ought to do is live up to our obligations and call upon our allies to live up to their obligations under the United Nations treaty. Great Britain, Canada, France, and the other signatories to the United Nations Charter, including the United States, ought to be calling upon the United Nations to make a report to the world in regard to the violations of the Laotian treaty by North Vietnam, Red China, and possibly others. But, in my judgment, there is no hope of avoiding a massive war in Asia in the very near future if the United States continues to take this present attitude—an attitude which was expressed by the American Ambassador in the United Nations not so many weeks ago in that unfortunate speech he delivered before the Security Council, in which he said, in effect, that the United States intends to do what it thinks needs to be done in southeast Asia, and the rest of the world can take it and like it.

The PRESIDING OFFICER (Mr. MONROE in the chair). The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. Mr. President, I wish to say to our Ambassador to the United Nations and to the President of the United States that they are skating on thin ice. The danger is that we are going to see an outbreak of a massive war in Asia because of the unilateral action of the United States in making war in South Vietnam, in clear violation of the United Nations Charter, in violation of the Geneva accords of 1954, and in violation of our long standing, professed ideals that we are a nation that believes in substituting the rule of law for the jungle law of military might.

We are now practicing an application of the jungle law of military might as a substitute for our ideals. So long as there is any hope of avoiding that war and helping to bring my country back inside the framework of international law and laying this whole threat to the peace of the world before the United Nations, the voice of the senior Senator from Oregon will be raised in that cause.

I believe the time is long overdue when the President of the United States should proceed to make clear to the world that the United States stands ready for a review by the United Nations of the whole threat to the peace of the world. The issue of the Congo will be coming up. I hope that the United Nations will go back into the Congo. Yet there are forces in the United States that would have the United States go into the Congo on a unilateral basis and allow the killing of American boys there in carrying out a

unilateral American military policy. I pray that before it is too late, we will try to put on the spot, so to speak, our alleged allies in the United Nations—Great Britain, France, Canada, Italy, and all the rest—who claim that they believe in the substitution of peaceful procedures for military force. Let us ask them: "Are you willing to stand with us in trying to work out an honorable peace that will not result in carrying out all the fears that are being expressed by increasing hundreds of thousands of sincere, patriotic Americans, who are raising the question: 'How much longer are we going to carry out a unilateral course of action and killing American boys in South Vietnam, when we have not yet exhausted peaceful procedures for the settlement of the dispute through the United Nations?'"

I ask unanimous consent to have printed at the close of these remarks an editorial from the *Wall Street Journal* of today entitled "If Vietnam Falls."

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

IF VIETNAM FALLS

If the United States is forced out of Vietnam one way or another, what does it then do about the rest of southeast Asia?

The question may never have to be answered, and the U.S. Government undoubtedly hopes it won't have to be. Conceivably, in some fashion totally unclear at present, the Communist Vietcong attacks can be halted and stability at last restored in Saigon.

But since no one is putting many odds on that possibility, it is essential to consider the implications of failure and withdrawal. Though the United States has no known intention of suddenly up and leaving—its public statements emphasize just the opposite—it could be compelled to abandon the effort for at least a couple of imaginable reasons.

One might be a military determination that the war is unwinable even in the limited sense of getting the Reds out of South Vietnam; certainly there is nothing to indicate we are making headway after these lengthening years of costly struggle. Another reason might be that the Vietnamese would in effect ask the United States to leave, either through their leaders of the moment or through an evident unwillingness of the people to go on fighting.

The South Vietnamese in general haven't shown notable zeal for the fight anyway, and their attitude is understandable enough. Not only does the conceptual distinction between communism and freedom hold comparatively little meaning for most of them; they have also been in this war, with the support first of France and then the United States, practically since World War II.

As for the Saigon governments, if that is what they should be called, they have been unable to win the support of the people or exercise stable rule; the United States, with all its aid and influence, has been unable to promote or maintain such a government since the overthrow and killing of Diem in late 1963. While the Diem regime was obviously no model of abstract democracy, very few governments are that, in Asia or anywhere else, it did manage a degree of stability.

The United States which condoned the removal of Diem, is perhaps too preoccupied with governmental modes and deportment. If we have an important stake in southeast Asia, our policymakers need not to be so insistent that the government in Saigon be civilian and virtuously democratic; what should matter, from the point of view of our interests, is that it be an effective govern-

ment able to invest citizens and soldiers with a will to rout the Communists.

If those objectives prove unattainable and the whole thing blows up in America's face, it is needless to say America's interests will have suffered severe damage. For our part, however, we are not convinced that it has to be catastrophic damage.

The basic U.S. interest in southeast Asia is not, or should not be, solely the preservation of a non-Communist South Vietnam as though it were in a vacuum; rather, the American concern is to keep Red China from expanding—insofar as the United States is reasonably capable of doing so. If that cannot be done with regard to South Vietnam, we still must consider the area as a whole.

In that broader context, failure in Vietnam, if it happens, does not automatically doom all southeast Asia. There are other, and maybe more defendable, areas of resistance to communism and to Red China in particular. Thailand is a large one. Malaysia, currently more directly menaced by Indonesia's pro-Communist Sukarno than by Peiping, appears to be a firm one.

The United States does, we believe, have to stand firm against Red Chinese imperialism. But whether the major stand is taken at Thailand, Malaysia, or indeed the Philippines or Australia should be determined by the cold considerations of a given nation's will to fight, terrain, logistics, and all the normal military bases for judgment. If we look only at South Vietnam as the be-all and end-all of our southeast Asia policy, we risk not only profound disappointment but also perhaps inadequate thinking and preparation for the larger problem.

To say we might lose in South Vietnam is not defeatism but military realism, no matter how much it may be hoped that the country can somehow be kept out of Communist hands. What must be hoped most of all, in our view, is that the officials in Washington are paying full attention to Asian strategy in the event they cannot hold Vietnam.

MONTANA'S "WAGONMASTER"

Mr. MANSFIELD. Mr. President, as my colleagues in the Senate are well aware, Montana has produced a number of distinguished sons and daughters who have achieved fame and success outside its borders. I am reminded of an important addition to this list by an article in the *Western News of Libby*. It concerns Mr. John McIntire, who portrays the wagonmaster in the popular television series, "Wagon Train."

Mr. McIntire spent his youth in Kalispell, Mont., before moving on to Los Angeles and a career first in radio, then in the movies, and television. His father was Kalispell's first lawyer. Despite his status as a Hollywood celebrity, John McIntire remains a Montanan. He owns a ranch in the Yaak Valley in the northwestern part of the State, and he tries to spend his spare moments there with his family.

He is married to actress Jeanette Nolan, whose career also spans many years of radio, movie, and television work. Although a native of California, Mrs. McIntire shares his enthusiasm for the rugged grandeur and beauty of Montana. The McIntires have two children.

Mr. President, Montana is proud of John McIntire, a native son who has brought credit to our State over many years as a competent professional actor. I ask unanimous consent that the article from the *Western News of Libby* be incorporated at this point in the RECORD.

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

A VISIT WITH THE WAGONMASTER

A haven of Montana hospitality in bustling Los Angeles is the home of Mr. and Mrs. John McIntire, television stars whose hearts remain in the Yaak Valley while their profession keeps them in southern California.

Atop the Hollywood hills overlooking glamourous Sunset Strip, a winding street climbs through a steep canyon bordered by handsome houses to terminate at the McIntire home. An iron gate guards the entrance—not because of any desire for seclusion but because California law requires that the swimming pool be fenced off.

Best known as Wagonmaster Chris Hale of the "Wagon Train" series, John McIntire is a Montanan whose successful career in radio, movies and television has spanned 3 decades. Mrs. McIntire is known professionally as Jeannette Nolan, and her reputation as one of Hollywood's most talented actresses is firmly based on feature roles in "Hotel de Paree," the "Richard Boone Show" and the "Alfred Hitchcock Show." Her starring roles have included many guest appearances on other television shows.

Jeannette was the guest star on "Wagon Train" last Sunday night.

They spend most of the year in Hollywood, but John and Jeanette regard Lincoln County as home. During occasional interruptions of their professional careers, they have resided for varying periods in Eureka and at their ranch in the Yaak.

SON AND DAUGHTER

Daughter Holly and son Tim, who are regarded as two of Hollywood's most promising young talents, complete the family's artistic roster.

Tim recently completed a role in "Shenandoah," a feature movie starring James Stewart and was a guest start on a "Mr. Novak" show a few weeks ago. Tim celebrated his 20th birthday last year by flying to England to see Sir Laurence Olivier perform Shakespeare. He was denied this treat, however, when his vacation was cut short by an urgent request from the producer to hasten back to begin movie production.

Holly is married to Michael Butler, a young TV writer who is considered to have a bright future. Butler's mother and Jeanette Nolan worked together several decades ago in a radio series.

Holly was seen on network TV a few weeks ago as a guest star in "Rawhide."

Both Holly and Tim attended Eureka schools for several years.

SUGGESTS MONTANA LOCATIONS

Jeannette rhapsodized about the glories of Montana and told of her repeated attempts to persuade movie and television producers to shoot outdoor scenes in Montana, even suggesting the McIntire Ranch in the Yaak as a probable location. Most producers—hardheaded businessmen—rule out Montana as a location site because of the remoteness from Hollywood with the attendant large travel expenses.

John said the outdoor scenes for "Wagon Train" are shot at Palmdale, Calif., only 1½-hour drive from the McIntire home. Production of "Wagon Train" was in temporary recess during the holiday season. Twenty-six of the required 32 shows for the current season had been completed, and the wagonmaster was waiting call for filming of the remaining six.

The McIntires spoke enthusiastically of a new project in which they are involved with Spring Byington and Andrew Prine. This is production of a pilot for a half-hour comedy series in which the four would be featured.

A pilot is a sample show produced to outline the suggested story line and characterization of a proposed series. The McIntires

are now seeking a sponsor to foot the bill to bring their pilot, as yet unnamed, to life as a TV series.

STAR-STUDDED NEIGHBORHOOD

The McIntires live comfortably in a beautiful but unpretentious home in a neighborhood populated by celebrities. Just a few doors away, McIntire pointed out the residence of Sammy Davis, Jr.

The McIntire home overlooks the city of Los Angeles, and at night the myriad lights of the sprawling city suggest the Milky Way spread out as a carpet at the feet of the many celebrities who inhabit the wooded hills.

On a clear day, the blue Pacific is visible from the McIntire home, and John and Jeanette say one of the day's thrills is to breakfast with an ocean vista.

The McIntires' love of the sea is exemplified in their 42-foot Norwegian-built boat—their major recreation when away from the Yaak ranch. The boat is berthed at San Pedro, and during the holidays John spent most of his vacation from the camera making repairs to the boat, an oceangoing craft in which the McIntires and Mr. and Mrs. Elmer Phillips, old friends from the Yaak who now live in Sequim, Wash., cruised the Straits of Juan de Fuca in 1963.

KALISPELL BOYHOOD

John McIntire missed being a native Montanan only because his mother decided to go to Spokane for his birth. John's father was the first lawyer in Kalispell. He moved there from Demarsville when the Flathead County seat was founded.

John lived at Kalispell until he moved to Los Angeles at the age of 15. Entering college, he intended to follow his father's footsteps and pursue the law as a livelihood. Enrollment in the school of speech, however, led to a career in radio during the thirties in which he first gained nationwide recognition on "The March of Time."

Jeanette Nolan is a native San Franciscan who grew up at Los Angeles and who also worked on "The March of Time." Other radio roles for which she is remembered includes one of the female personalities of "One Man's Family."

The McIntires were married in 1935, and several times since they have attempted to leave the performing arts to become permanent residents of the Yaak Valley. Each time, however, the demand for their talents in radio, television, or movies has taken them back to Hollywood.

John has a brother, Byron, who is well remembered in Libby. He is a chiropractor, practicing in the San Francisco area.

PROBLEMS OF PUBLIC HEALTH— ADDRESS BY BERNARD M. BARUCH

Mr. ANDERSON. Mr. President, Bernard M. Baruch has been a successful businessman, and he served his Nation in positions of high public responsibility during two World Wars.

Mr. Baruch is now spending the winter in South Carolina; but he has forwarded to me a copy of a speech he made on November 19, 1947, to the Medical Society of the State of New York, the Coordinating Council of the Five County Medical Societies of Greater New York, and the Greater New York Hospital Association. This speech of some 17 years ago is worth calling to mind now, because Mr. Baruch set forth some of the most urgent problems facing the medical community in regard to public health.

He pointed out that the Nation was in need of improvement in health services,

and he cautioned his audience of physicians "against fighting a rearguard action against public programs to improve public health." One of the necessities he highlighted that evening was the need for "some form of insurance, partly financed by the Government," for those who could not afford voluntary insurance. This now has a familiar ring, as we debate the best way to provide the aged with adequate insurance protection.

Mr. Baruch stated:

A form of compulsory health insurance for those who cannot pay for voluntary insurance can be devised, adequately safeguarded, without involving what has been termed "socialized medicine." The needs can be met—as in other fields—without the Government's taking over medicine, or socializing it, something I would fiercely oppose.

I agree with his observations; and that is why so many of us favor the King-Anderson bill—because it provides specific safeguard against Federal control of medicine.

I ask unanimous consent that Mr. Baruch's speech be printed at this point in the RECORD.

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

SPEECH BY BERNARD M. BARUCH AT A DINNER SPONSORED BY MEDICAL SOCIETY OF THE STATE OF NEW YORK, COORDINATING COUNCIL OF THE FIVE COUNTY MEDICAL SOCIETIES OF GREATER NEW YORK, GREATER NEW YORK HOSPITAL ASSOCIATION TO REPORT ON PROGRESS OF PREPAID MEDICAL AND HOSPITAL CARE IN NEW YORK CITY, AT THE BILTMORE HOTEL, NEW YORK CITY, NOVEMBER 19, 1947

You do me honor to ask me to talk to you about health. I almost became a doctor myself.

When I was a boy, my mother took me to a phrenologist. His office was across the street from where Wanamakers now is. He felt the bumps on my head and asked my mother what she expected to do with me.

She replied, "I am thinking of making him a doctor."

"He will be a good doctor," said this phrenologist, "but my advice to you is to take him where they are doing things in finance and politics—he might even make good there, too."

It has been a long detour for the prodigal. He has returned.

In many ways I am sorry I did not become a member of this noblest of professions, for I believe we approach a great adventure in health. That is our goal. I think it attainable. It would be gratifying to take a more active part in it.

All my thoughts on medicine are colored by memories of my father, Dr. Simon Baruch. He was the wisest man I ever knew. He pioneered in surgery, physical medicine and "incurable diseases." Often, I heard him tell prospective medical students:

"Do not enter the medical profession to make money. Study medicine only with the idea that your greatest compensation will be knowing that you help your fellow man. Do not expect gratitude, and you will never be disappointed."

As Chairman of the War Industries Board in the First World War, I realized how important to defense was the health of our citizens. That awareness was reinforced manyfold during the past war.

In preparing a report for the late President Roosevelt on manpower, I was shocked to learn that at least 4 million men had been rejected as 4F's—unfit to defend their country. Some, not all, of these defects were preventable.

How much more shocking would have been the record if everyone had received the same examination?

Since then, I have given the problems of medical care much thought. It deeply concerned me that we not fail the returning veteran; so I studied their medical needs. From that, it was only a step to related problems of general medical care for all.

Soon I was up to my neck in reports, statistics, speeches, and congressional hearings. I conferred with many persons—doctors and nondoctors, experts and amateurs.

May I tell you some of my conclusions. They may not be particularly new to you, pioneering this field. They may be helpful, coming from a nonprofessional mind.

But before I list them, I should like to point out that the medical science and art have conferred a new and great benefit upon society in the last generation. The years of our lives have been heavily increased. This helps not merely the individual, who wants to go on living—and living in dignity and self-respect—but all the people to live more comfortably and freer from fear.

And now to go on with my exposition:

There is no question—the need for more medical care exists.

Also, there is no question this need will have to be met.

The problem is how?

All over the world, the masses are stirring for higher living standards. Improved medical care is a foundation of that better standard. Without good health, of what advantage are higher wages, or shorter work hours, better education, or greater leisure?

The families whose earnings disappear with serious illness—the many who suffer disease which your skillful diagnosis and treatment could have prevented or halted—or whose limited means bar them from the medical attention available to you and me—these people will not remain content.

This striving of the masses for better living is felt everywhere. In health, your profession must steer that surging tide into channels of improvement. Then, the surge does not overspill into the revolutionary flood, which washes away more than it brings.

One of the last things Woodrow Wilson wrote—called "The Road Away From Revolution"—was this:

"In these doubtful and anxious days when * * * the road ahead seems darkened by shadows which portend dangers of many kinds, it is only common prudence that we should look about us and attempt to assess the causes of distress and the most likely means of removing them."

That was Wilson's method—to assess portending dangers, and anticipate them by timely action. So, he proposed the realistic League of Nations, which men rejected as a dream—and got a nightmare. Wilson knew social change was inevitable. He worked to steer that change into orderly channels.

You should take that as your guiding star.

Society usually divides into three broad groups.

At one end—the left end—are those who burn with a passion to change everything as quickly as they can—if not quicker.

At the other—right end—are those who want things just as they are.

In the middle are people, like Woodrow Wilson, to whose school I belong, who believe in intelligent progress and seek to guide it.

What differentiates these three groups is their attitude toward that vital element of life—time.

The leftenders feel time panting hot on their necks.

The rightenders use time to fight rear-guard actions, all the way.

The middlers—sometimes both left and right call us "muddlers"—seek to come to terms with time, preserving the best of the past, discarding the outworn, and moving on to a better future.

In the matter of adequate medical care, too many doctors have been fighting a rear-guard action for too long. I feel I must warn those doctors—time is running against them. The medical profession has justly earned great influence in the community. It can keep that hold only as it moves forward. It will lose that hold if it has nothing but objections to offer, if it has eyes only for what not to do.

We must look for what can be done—and do it.

The great question is how? I do not want to seem to say I know the answers. We do know the public is demanding better and more medical service through some action—political or otherwise.

What is this adventure in health I see dawning, and toward which you all have been keeping the doctor's vigil through the night? This adventure, which you will have to lead—or it will fail—has many elements:

(1) More and better doctors—in more places.

(2) An immediate, complete, survey to modernize medical education, with greater emphasis on chronic and degenerative diseases, mental hygiene, and preventive medicine.

(3) More hospitals more evenly spread through the country.

(4) Less specialists, more general practitioners.

(5) Reorganize medical practice, stressing group medicine where needed and voluntary health insurance.

(6) For those who cannot afford voluntary insurance, some form of insurance, partly financed by the Government covering people in by law. I would call this compulsory health insurance, if that term's proper meaning had not been lost.

(7) Increased medical research.

(8) Greatly expanded physical and mental rehabilitation.

(9) Education to make health a national habit.

(10) A vigorous, preventive medical program, reaching everyone, children, above all.

(11) A new Cabinet post for health, education, social security.

(12) Creation of a nonpolitical, watchdog committee to safeguard progress in medical care for veterans.

(13) Increased numbers of well-trained nurses and technicians.

(14) Adequate dental care.

(15) A stabilizing economy— inflation will make worthless any health program or anything else.

Each of these would take a speech by itself. I can but sketch some of them.

Even the least ambitious schemes for improving the Nation's health require more doctors, all competently trained. Why aren't more doctors being educated? In studying that question, I was struck by how expensive training a doctor has become—in dollars and in time. In its fine report on "Medicine in the Changing Order," the New York Academy of Medicine states:

"There seems no alternative other than Government aid if educational standards are to be raised or even maintained. If medical schools are to continue as centers of research * * * here also Government aid may be necessary."

If science and medicine ask the Government for aid—which even the conservative deems necessary—they must expect he who pays the fiddler will call the tune. This means the Government will rightly insist upon no discrimination in medical care because of race, color, or creed. It will rightly insist upon opportunity for all to enter the profession and advance on the sole basis of ability and character—without restrictions of race, color, creed—or sex. And, I hope, without fear of, or favor from, the State.

Minimum standards should be set for institutions getting financial aid.

How much more the Government is likely to insist upon will depend upon the more progressive leaders in your profession.

According to the Academy's report—I quote: "there has been no fundamental reorganization of American medical education since about 1910." That finding certainly calls for your profession undertaking—now—a most thorough, down-to-earth survey to modernize medical education, making recommendations so boldly inspiring the people will gratefully back them. No one can draw up a better program than doctors.

Chronic illness and preventive medicine deserve greater attention. In all fields—I hope in war as well—there is a new accent on prevention. From answering fire alarms, our thinking is progressing to fireproofing.

Preventive medical care should commence as close to the beginning as society can reach. I favor a major, sickness-prevention drive at the public school level. This should include compulsory examination of all children at regular intervals. Means should be made available for correcting defects disclosed.

How wonderful, if children were taught how to properly eat, sleep, sit, stand, play, and take care of themselves, developing both the knack for getting along together, and self-discipline—physical and mental.

Even when medical care is available, many adults neglect or refuse to use it—often because of social taboos, as in venereal diseases, or psychological dreads, as in cancer and tuberculosis. These attitudes reflect our not having outgrown the awkward age in thinking about disease and health. We do not really have a grownup, national health habit—although we are getting there.

People need to be educated on the virtue of medical care; how to use it; how to prevent disease. The greatest asset of any nation is a healthy, educated citizenry.

And now to what is perhaps, the toughest problem—how can better medical care be extended to those who cannot afford it?

Your organizations have been particularly active in pressing voluntary health insurance. You and others have proven group insurance to be a sound, practical way. That is a great achievement. You can be mighty proud of it.

But I would not be frank—nor friendly—if I did not add what you know. It is not good enough.

Rome was not doctored in 1 day. It may be, as some have told me, that the needs of the bulk of our people can be met, given time, through voluntary insurance. What troubles me most are the needs of that sizable segment of society, which does not earn enough to pay for voluntary insurance.

The American Medical Association—its bureau of medical economics—estimated in 1939 that families earning \$3,000 or less—two-thirds of the population—cannot afford the cost of serious illness. Some of these can afford voluntary insurance, although inflation has reduced their number. But what of the little fellows who cannot?

I have asked that of nearly everyone with whom I have discussed medical care. Nothing has been suggested so far, which promises success, other than some form of insurance covering these people in by law and financed by the Government, at least in part—what some would call "compulsory health insurance."

Since doctors, nurses, technicians and hospitals already are strained, such insurance probably would have to move in stages. That requires careful study. Any program should utilize existing medical facilities to the maximum—it must to get started—and be organized to the local level.

Nationally, the program might well be administered by a body of doctors and nondoctors to keep medical care as free from politics as possible.

As to financing, my own preference runs toward the Government meeting only part of the cost, with part coming from payroll deductions from employers and workers. In time, these deductions will become absorbed in general costs of production. I have the utmost confidence in the efficiency of American industry—both labor and management—and which good health will stimulate. We can absorb these medical costs better than other countries which must also meet these needs.

The detailed problems raised by so-called compulsory health insurance are too numerous to be discussed tonight. I have weighed them most carefully. Many doctors and many lay people have sought to paint this issue as a choice—all black or all white. I have found every aspect of medical care to be gray—the happy color sensible compromise wears. All law imposes compulsion. A form of compulsory health insurance for those who cannot pay for voluntary insurance can be devised, adequately safeguarded, without involving what has been termed socialized medicine. The needs can be met—as in other fields—without the Government taking over medicine, or socializing it; something I would fiercely oppose.

Law protects society. It is the absence of law which destroys it.

I do not fear Government taking its legitimate part in medicine any more than I fear it in education or housing. I do oppose socialization here. It leads ultimately to the police state, degradation of the individual and lessened well-being. There should be just one Federal agency, with Cabinet rank, for all health and human welfare problems. I do not like Government agencies to be like Mahomet's coffin, suspended between heaven and earth.

Some say many people do not know how to pick their doctors. So, with any human activity. The best insurance against poor choice is improving the general quality of all doctors. But good or poor, it must be the patient's choice. No one else's.

May I interject this about inflation. Should health schemes fail, be sure to ask—were they killed by the plan itself—by incompetent administration—or by inflation which ruined the plan's financing.

In connection with this doctor-Government relationship, it is a pleasure to point to the excellent medical progress in the Veterans' Administration—thanks primarily to Gen. Omar Bradley and Gen. Paul Hawley. They would never have accomplished their good work, had they not refused to allow the politicos to move in on them.

I would like to see the President name a small committee of top-grade citizens—some doctors, some lay people—to act as a vigilant watchdog over the veterans' medical program, so the ground so arduously gained may not be lost when someone replaces General Bradley. He should be supported by the entire Nation—particularly by doctors. His is the kind of courage and vigilance which will assure good administration of any health program.

More doctors must be distributed to more places in the country, which requires, among other things, less stress on training specialists, more on general practitioners. A number of counties do not even have a doctor. This reflects, in part, a lack of facilities in which doctors can work. Happily, some of this will be corrected under the Hill-Burton Act for hospital construction, with Federal and State governments cooperating.

Orderly change is the American way of life. Remember the spirit of your Oath of Hippocrates. Use your own good judgment to move along with humanity's legitimate aspirations in its trek toward better living.

I would hate to see any medical care program under guidance of others than those who have the know-how. So would the American people. That is why I urge the

doctors to get in and pitch—not stand by on the sidelines. You need fear politicians or bureaucrats only to the degree you fall yourselves. You must take the leadership—yours is now the leadership. Keep it.

This meeting is an outstanding example of your deep concern to meet the need for action.

I have met people in all fields of human endeavor. I respect no group more—for your unselfish zeal and devotion to the sick, for the jealousy with which you guard your professional virtue—placing beyond the pale the rare violator of your oath.

I envy you the thrill which comes from relieving a patient from pain, and, often, snatching one from death.

I still am sorry that phrenologist didn't let me become a doctor.

Your situation reminds me of something my father said back in 1873, while president of the South Carolina Medical Society:

"Let us not be silent, but offer our facts, and defend them while we may. As an Arabian sage has said, 'What good comes from Ali's sword, if it be sheathed? What good from Sadi's tongue, if it be silent?'"

**"KRUSHCHEV'S PAPER BEAR"—
ARTICLE BY CHARLES J. V.
MURPHY**

Mr. THURMOND. Mr. President, the December 1964 issue of Fortune magazine contains a very interesting article written by Mr. Charles J. V. Murphy, entitled "Khrushchev's Paper Bear." I ask unanimous consent that the article be printed in the body of the RECORD at the conclusion of these remarks.

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

KRUSHCHEV'S PAPER BEAR

(By Charles J. V. Murphy)

It seems only yesterday that Nikita Khrushchev was threatening to blow up the West, or at least to bury it, and it was certainly his boast, in the event these more sanguinary solutions did not become necessary to him, that the American economy would soon be playing a miserable second fiddle to the Soviet system. Now this most gregarious of commissars has been done in by his party brethren, and the truth is beginning to emerge, for those who will see it, that Khrushchev was not only a reckless gambler but a bluffer besides. In his last years in power he was operating on a relative shoestring—relative, that is, to the overpowering assets arrayed against his own.

He was beyond doubt the most audacious political faker and charlatan that the 20th century has so far produced. As such, the peasant Khrushchev may well have drawn his model from a famous aristocratic Russian example, Prince Gregory Potemkin, who in the late 18th century was charged by Catherine the Great with colonizing the immense steppes of southwestern Russia. He made a hash of the job, and to hide the disaster he caused to be built through the countryside, along the roads opened for the Empress' inspection, any number of false-front villages—the "Potemkin villages" that today supply our language with a universal synonym for fakery.

Khrushchev, nearly two centuries later, had in his turn a truly colossal failure to hide, and not just from the Russian people but from the rest of the world as well, from his allies no less than from his enemies. Commencing in the mid-1950's, as the levers of power in the Soviet dictatorship came ever more readily to his hand, his stupefying activity stimulated a tremendous, if somewhat mystifying, upsurge of invention and

productivity in the previously sullen, seemingly half-frozen empire of communism. By 1956 the annual average increase in the Soviet industrial growth rate seemed to have passed that of the United States. Soviet industry, at this stage, appeared to be growing nearly three times as fast as U.S. industry. Soviet harvests turned bountiful as Khrushchev opened the virgin lands to the east and north, and Soviet technology stunned and awed the world in 1957, as it cast forth the first space machines and the first intercontinental-range nuclear rockets. Soviet technicians were in Red China to encourage what was to have been the great leap forward, on the Nile to build the Aswan Dam, and in Africa, India, and southeast Asia to show nations new in independence how to industrialize overnight. It was at this very juncture, however, that Khrushchev's stupendous energy and vaulting ambition took leave of his practical competence, let alone the available Soviet supply of capital.

His enormous capital investment in long-range nuclear rocketry, far from making the Soviet Union the strongest military power on earth, as he had reasoned it would, had instead weakened the underpinnings of the entire national and international structure of communism. As early as 5 years ago, Khrushchev and his senior technicians came to realize that they had saddled themselves with costly, cumbersome, and, for the most part, obsolete weapons that already were far inferior to the American rockets in numbers and effectiveness. On the economic side, these ill-timed, lopsided investments in military technologies had critically starved the industrial sector, especially the light consumer industries.

At this point a chain reaction set in. The Soviet industrial growth rate began to slacken; agriculture failed catastrophically; and the long-overdue improvements in the Soviet standard of living could not be made. To cover the overdrafts being presented at home and from the close-in Eastern European satellites, Khrushchev was obliged to start trimming his capital commitments elsewhere, and most drastically in Red China. Then his wrangling on his commitments to Mao Tse-tung further embittered the quarrel over cold-war tactics. This led to a widening of the doctrinal quarrel between the two, which exposed Khrushchev's inability to control the international apparatus any longer, and which in turn meant that his policies were sliding toward bankruptcy.

Very likely, being a shrewd man, Khrushchev himself realized that he was on the skids, and that only a colossal bluff could save him, or at least gain him breathing space for yet another try at recouping his losses. Quite deliberately, it now appears in hindsight, he set about the business of trying to scare the wits out of a still inexperienced President, John F. Kennedy. In the aftermath of the Bay of Pigs disaster, there occurred that chilling encounter of the two men at Vienna in June 1961. Then a glowering, seemingly immovable Khrushchev confronted Kennedy with the prospect of war over Berlin that winter, unless the Americans gave him what he wanted there.

Whether Kennedy ever fully accepted the positive fact of the U.S. military superiority, and the bona fides of the remarkable intelligence systems at his command, is a judgment over which his advisers are divided. He was obviously put to some strain to reverse his election-campaign assumptions that the U.S.S.R. was rapidly overtaking the United States. Even when Khrushchev tried and failed to pull off his final and most desperate gamble—the smuggling of the strategic rockets into Cuba—Kennedy was loath to exploit his known advantage.

THE BLUFF THAT WENT ON TOO LONG

That Khrushchev should have fooled his own people and the Communist brethren so

long is not surprising. He presided, after all, over a closed, secretive system where only the party's word counted. What is disheartening is that Khrushchev not only bamboozled his own people but also bamboozled the United States. For beginning in the mid-1950's the United States began to invent means and techniques of intelligence gathering, both human and mechanical, for penetrating into the truth about whatever of consequence was going on inside the Soviet system and for refuting the fiction that Russia was still a riddle wrapped in a mystery inside an enigma.

So well has this job been done that a number of highly placed officials connected with national-security decisions have concluded, after profound soul searching, that some of the more hair-raising emergencies that Khrushchev contrived for us never really had to be tolerated at all. The intelligence collected by our Government from its myriad sources has now established, among other things, that the Soviet long-range rocket strength was vastly overrated. It has further been established to the satisfaction of thoughtful and cold-blooded intelligence analysts of the most senior rank that in 1961-62 Red China was truly a paper tiger; that the Russian bear was not at all composed only of sharp claws and coiled muscle; and that resolute action by us in support of President Chiang Kai-shek's fine forces would probably have brought down the regime of Mao Tse-tung, and without involving the United States in a war with Russia. This is at least an arguable thesis and the grounds for it will be discussed later.

Nevertheless, in the early Khrushchev years it did seem to most of us that if we escaped at all, it would be by the skin of our teeth. At the time of Stalin's death 11 years ago we had become aware of certain experiments underway in the Soviet Union that were calculated at their culmination to swing the world military balance of power decisively in the Russian favor, perhaps before 1960. One was aimed at beating the Americans to the invention of the thermonuclear warhead. The other was concerned with developing military rockets powerful enough to lift such warheads across the polar reaches into the American hinterland. The 6 years from 1953 through 1958—the years when Khrushchev came to power—were beyond doubt the most dangerous years the United States has ever negotiated.

This was the prolonged and nerve-racking interval when both sides struggled to master the thermonuclear solution and the long-range rocket techniques simultaneously. Fortunately, the United States was never completely in the dark about the scope and pace of Soviet nuclear testing. Friendly countries around the world permitted our intelligence services to set up systems of recording devices that, in combination with air sampling, made possible the immediate identification of any Soviet explosion of consequence. This apparatus functioning from afar in its unobtrusive way quickly pinpointed the main Soviet nuclear testing ground at a place called Semipalatinsk, in the center of the U.S.S.R. By the spring of 1953, moreover, it discovered that the Russians had, astonishingly, achieved a thermonuclear reaction there. This event came only a few months after U.S. physicists had made a primitive breakthrough in the course of a tremendous test in the Pacific. Disturbingly, chemical analysis of the Soviet debris suggested that the Russians were already headed toward much the same solution that our experimenters were groping for.

LIFTING THE VEIL OVER KAPUSTIN YAR

These preliminary warnings in the nuclear field aroused the intelligence experts who were charged with keeping track of Soviet rocketry. It had been known for some time in a general way that the Russians were

making a big effort to increase the range of the German V-2 rocket that had been used against Britain in the closing months of World War II. Early in their occupation of Germany, they had rounded up all the scientists they could lay their hands on, particularly those who had worked with rockets at Peenemuende and elsewhere. In due course, after their heads had been emptied of secrets, the Germans were sent home, to be questioned all over again by Western intelligence. By the early 1950's it was known from this source that the Russians were experimenting with rockets of unprecedented size at a place called Kapustin Yar, on the east bank of the Volga, not far from Volgograd. The further discovery in 1953 that the Russians were simultaneously thrusting for the thermonuclear solution suddenly charged the accounts supplied by the repatriated Germans with the most serious kind of meaning.

One reason for the excitement was that the United States had itself decided in 1954 to commit billions of dollars in an attempt to develop on the highest of national priorities a 5,500-mile ballistic missile, an ICBM, equipped with a thermonuclear warhead. It now became of the utmost importance for U.S. military scientists to determine exactly what was going on at Kapustin Yar. Fortunately, a novel means for penetrating the Iron Curtain had come to hand. In the winter of 1954-55, at a village called Dilyarbakin, situated in the mountains of Turkey that stare across the Black Sea, a full 660 nautical miles from Kapustin Yar, a small body of U.S. technicians began the construction in secrecy of the most powerful fixed-beam radar to be built until that time. The Turks, who can always be counted upon to forward any project calculated to undo the Russians, smoothed the way for its arrival. The antenna was half as long as a football field, and a considerable airlift was required to transport the structure, together with the necessary power units and other equipment, across the ocean. By the early summer of 1955 the installation was in operation, watching whatever arose above Kapustin Yar.

The first intelligence that was deducted from the electronic signals was fairly meager. The rockets entered the radar's field of vision, so to speak, only after they had risen above the horizon, and they could be tracked only for several seconds before their trajectory carried them out of view. Nevertheless, the data that was thus collected on magnetic tape and flown back to the United States furnished us with vital information. By the end of 1955 it was clear that the Russian testing program was a large one; that rockets potentially of ICBM range were being launched; that the firings were proceeding with a high degree of success; and that our own program was far behind.

FEINT WITH THE BOMBERS

As matters then stood, the rockets constituted but one side of the strategic threat being raised against us. The Russians were also making a show of producing strategic jet bombers much faster than we were. Two new Soviet classes of bombers had been verified—one corresponding to the B-52, which Western intelligence identified as the Bison, and the other corresponding to the B-47, which was called the Badger. At the May Day demonstration in Red Square in 1955, Western air attachés were startled to see nine Bison bombers in close formation swing low over the Kremlin. If, as seemed logical, the bombers in the air represented only a fraction of those coming off the production lines, then it looked as if the Russians were also building up their strategic bomber force with the same prodigies of energy that they were investing in rockets. According to U.S. Air Force projections that nervously materialized in the aftermath of the Moscow show, the Russians seemed to be aiming for a force of at least 500 heavy

bombers by mid-1960. These estimates gave rise to the outcry in Congress and the press over what was called "the bomber gap," deriving from a supposed already dangerous and growing deficiency in our supply of B-52's compared to their supply of Bisons.

It is now the judgment of some analysts that the Russians set out deliberately to trick us into intensified production of the B-52 jet bomber while they leaped craftily into the whole new technology represented by the ICBM's. Proof was forthcoming some years later, for example, that the nine Bisons which paraded over Moscow that day in May were the only machines of the class which were in a condition to fly that day. It is also possible that, having started down both paths, as we did, and having decided at a much earlier date than we did that the ICBM was the more promising weapon system, the Russians may have tried to hoodwink us into believing that they still were pushing ahead with a massive manned bomber program. The great Soviet bomber force, in fact, never materialized. But the threat intensified the conflict within the Eisenhower administration over how much to press the costly ICBM program at the expense of SAC's bomber inventory. The immense costs and fantastic risks inherent in the alternatives compelled the Government to reach out for surer, still better means of keeping track of what the Russians were up to. The rising danger also argued the necessity of devising a timely warning of a possible surprise attack.

WHAT THE U-2 SAW

A machine that would brilliantly supply these needs was, in fact, already on the drawing boards. It was a single-engine, high-altitude jet reconnaissance for overflying the Soviet Union and Red China, the design for which the Lockheed Airplane Co. had already submitted to the Air Force. The Director of the Central Intelligence Agency, Allen W. Dulles, undertook to lay out a program for a systematic penetration of the Soviet air, and to organize the necessary force of airplanes. Eisenhower did not relish the idea of spying on Russia in this way. "Go ahead," he said to the CIA chief. "You order the plane. We'll decide later when and how to use it, and if at all."

The famous Clarence L. (Kelly) Johnson, the Lockheed vice president who designed the plane, promised to have the first machine ready for testing in 9 months. One of Dulles' CIA lieutenants, Richard M. Bissell, Jr., a former economist, was put in charge of the project. The agency undertook to pay all the costs connected with building the plane, except for the engines, which the Air Force supplied. In the end, the CIA ordered and operated about a score of the U-2's, and the Air Force bought a number for its own reconnaissance missions. From beginning to end, the operation was run with about 500 people, of whom about 30 were crack pilots, nearly all of them volunteers from the Air Force. In the interest of secrecy, the plane was built in sections at the Lockheed plant at Burbank, Calif., whence the sections were trucked to an assembly shed built on the premises of the Atomic Energy Commission's testing grounds in Nevada. There, in air closed to snoops, it could be test flown with little risk of being identified for what it really was.

The first U-2 flew early in August 1955, and the following May the first detachment formed up on a SAC base in England. Having first welcomed the clandestine visitors, the British Government suddenly became apprehensive about providing sanctuary for spy planes, knowing that the Russians would find out in all good time where the U-2's were based. To avoid a possible argument in the future, Bissell quietly transferred the detachment to another U.S. airfield near Wiesbaden, in Western Germany,

where Chancellor Adenauer hospitably welcomed it. Finally, one day in the middle of June 1956, Eisenhower authorized Dulles to overfly the Soviet Union for a period of 10 days.

In these 10 days the detachment based in Germany made five separate, long penetrations of the Soviet Union at an altitude of about 14 miles. One crossed Moscow searching for Bisons on their airfields. Another peered down on the region near Leningrad, picking out submarine facilities to photograph. Another crossed into central Russia, to look down on the rocket installations at Kapustin Yar. The photographs taken with cameras having a focal length of 36 inches were dumbfounding good. As Bissell recalls, "the detail was so sharp that one could almost read the tail markings on the bombers." The Russians awakened to the intrusion into their air with alarm and fury. Their radar picked up and tracked each one of the U-2's as they crossed the Soviet frontier. But their interceptors could not close with a machine that cruised 3 miles or so above them. Angry but private protests were addressed to the U.S. Ambassador in Moscow. Later, the Soviet press carried reports that U.S. warplanes had violated the Russian air space. It was some time, though, before the Russians identified the U-2 as an unarmed camera-carrying craft, and their reconstruction of the courses it flew were often confused.

A CAUTIOUS, SMALL OPERATION

For all the daring and imagination that went into the U-2 scheme, the operation itself was run with caution and restraint. From the opening sequence of flights in June 1956, until the shutdown of the operation nearly 4 years later with the shooting down of Francis Gary Powers near Sverdlovsk, in May 1960, only about 30 extended penetrations of the Soviet air space were made. Every flight was cleared in advance with the White House; the targets to be photographed were chosen only after the CIA had weighed the choices with the military services, the Atomic Energy Commission, and the State Department. Before long, the detachment charged with photographing European and central Russia moved its base to Adana, in Turkey, where the weather was better and the inquisitive people in the neighborhood could be more readily shooed away. It had been determined, too, that the weakest link in the early-warning radar system strung along the Soviet border was the stretch in front of western Pakistan; it was a fairly simple business for a U-2 to stage into Peshawar from Adana, presumably to allow the pilot to rest there and fuel up after a high-altitude air-sampling mission. A CIA transport, carrying a special crew of technicians, would have preceded it there. In a day or two, depending upon how soon the weather forecast for the intended zone of operations in the U.S.S.R. turned favorable, the two planes would leave—the U-2 to make its foray above the Iron Curtain, and the transport to return decorously to Adana. Soviet military installations in Siberia were photographed from the staging base in Pakistan, as well as from Japan. And there was, starting in 1957, a methodical high-altitude surveillance by camera of the more interesting areas in Red China, some of the later flights being made by U-2's that were sold to Chiang Kai-shek's air force.

The CIA's analysts were some time deciding the values and implications of the inventions and facilities that showed up in the photographs brought back by the U-2's. None of the evidence the intelligence networks of the Western Powers had collected in the usual way prepared them for the revelation of the stupendous air-defense complexes—interceptors, ground-to-air rockets, and electronic warning and control systems—that the Rus-

sians had constructed around their principal cities. From U-2 photographs came proof that the Russians were constructing a large force of nuclear and missile-armed submarines. But in due course, as the flight tracks widened, U-2 photographs proved that the alleged bomber gap was a fiction. The factories building the heavy bombers were located, the bombers at the factory door and on the airfields were counted, and the output was found to be modest—well below our own B-52 rate, in fact. So U.S. production was slowed down.

Forming an assessment of the Soviet rocket effort took longer, however, and at least over the first several years all judgments were admittedly speculative. It was quickly established that the Kapustin Yar complex was a test center for rockets of both intermediate and medium range. These weapons (with ranges extending from 500 to 2,500 nautical miles) were being developed primarily for use against Western Europe. The mystery was, where was the Soviet range for the ICBM's? In the early summer of 1957, shortly after the U-2's began to operate out of Pakistan, the place was found. It was situated on the Trans-Siberian Railway, at a place called Tyura Tam, near the Aral Sea, about 680 miles east of Kapustin Yar. Here was a huge establishment, comparable to the missile and space testing center that the United States was constructing at Cape Canaveral. From here the Soviet technicians were making ready to lob their big rockets toward Kamchatka Peninsula, some 3,000 miles to the east, and later into the Pacific Ocean. The discovery of Tyura Tam preceded by some weeks the first successful Soviet firing of an ICBM which occurred and was announced to the world in August 1957. The U-2 camera actually looked down on the first Soviet ICBM on its launcher. It also perceived on the same premises the elaborate preparations afoot for the sputnik space-craft that were launched a few months later, the first in October, the second in November.

KHRUSHCHEV AT THE CREST

At this juncture, 1957-58, all the evidence seemed to point to the fact that Khrushchev, who meanwhile had taken full command of the state apparatus, was gathering up vast military power. The military worth of the Soviet ICBM was not in doubt. Liquid-fueled, as were our pioneer Atlas and Titan rockets, it was far bigger than either of these, with engines generating two to three times as much thrust as ours. The Russians had already deployed their first operational squadrons, and in this respect they had a big jump on us. Their grasp of nuclear techniques also was impressive. In 1958 in a well-intentioned, if ineffective, effort to slow down the race for nuclear advantage, Eisenhower had ordered the AEC to desist from further testing. By then, however, the Russians for 3 years had been successfully testing thermonuclear warheads of a highly efficient character over the island of Novaya Zemlya, in the Arctic Ocean. The Russian bear then looked to be all claw and sinew as regards the material substance of power. In 1957, moreover, Khrushchev had entered exuberantly into the historic compact with Red China, under which Russia agreed to underwrite and oversee the industrialization of its Communist partner. Soviet military and economic aid was being proffered on a lavish scale to underdeveloped societies across the world. The entire Soviet system seemed to be flourishing, with industrial investment growing at an annual rate of increase of about 12 percent, and tourists beginning to remark on the variety of consumer goods starting to appear in the shops of Moscow.

All the reliable indicators argued that Khrushchev was in the process of committing his big rockets to quantity production. There is good evidence that he did so, up to a point. Soviet military spending had

dropped somewhat in the mid-1950's as the conventional forces were cut back, following the U.S. example. In 1958, however, Russian military spending started up again. The rocket programs were then moving from the research and development phase into production and deployment phases. At about this time the CIA came up with a judgment that the Russians, if they decided then and there to make an all-out production effort, could probably deploy a force of some 500 ICBM's by mid-1960. In the nomenclature of the hour this was reckoned a "serious strategic capability," a force potentially powerful enough, that is, to destroy in a surprise blow the SAC bomber force on its bases and whatever token force of ICBM's the United States might then have operational. Actually, this was the "middle" or conservative judgment of the intelligence community taken as a whole. Part of the Air Force, for example, supported by many scientists who had no genuine service allegiances, was, in fact, arguing a much larger ICBM force was being built by the Russians. The public apprehensiveness caused by the Soviet feats with the Sputniks was intensified in July 1959, when the then Secretary of Defense, Neil McElroy, admitted before a congressional committee that a "missile gap" did exist, as Eisenhower's critics were vociferously claiming, and that it might be some years before the American deficiency could be corrected.

Meanwhile, there had emerged, too, ominous indications that the Russians had begun to test an anti-missile-missile system, a concept that our scientists then held and still hold to be wholly impracticable. Indeed, the R. & D. center of this enterprise was finally located by a U-2 early in 1960 in central Siberia, at Sary Shagan, a large community on Lake Balkash, about 400 miles east of the ICBM test establishment at Tyura Tam. It was established that the interception of rockets by other rockets had actually been attempted, with some success, and thereafter in U.S. intelligence calculations account had to be taken of the chance, however improbable, that Soviet technicians might be close to a defense against the ICBM's.

CORRECTING THE SIGHTS

Yet on looking back now, the near hysteria that swept the United States in the late 1950's and early 1960's, that Senator John F. Kennedy would exploit as a presidential candidate, appears all but incredible. The "missile gap" rested on assumptions of Soviet industrial capability that were highly speculative to begin with, and that, so far as the West's intelligence services could determine, had by no means been fully committed. Moreover, for all the evidence of a continuing move forward in Soviet ICBM technologies, there was a peculiar absence of evidence of a corresponding capital investment in production. And presently Central Intelligence got on to this highly significant fact. As the U-2 photographs accumulated, two conclusions started tentatively to crystallize, during the winter of 1959-60. First, the ICBM's were being deployed among the field forces at a rate that was puzzlingly slow compared to the delivery capability with which Soviet industry had been credited. Next, nearly all the operational ICBM units were situated along the Trans-Siberian Railroad, over a geographical arc that roughly followed the 55th parallel (north).

The explanation for these singularities was soon forthcoming. In deploying their huge ICBM's, the Russians were severely handicapped by the relative immobility of their rocket systems in the aggregate. Their rocket squadrons were sited in along the railroad because the missiles themselves, their fuel, and all the supporting equipment could be moved and serviced only by rail. That accounted for their being strung out across the Soviet hinterland all in a line more or

less. The explanation for the fewness in numbers was of a piece with this. The ICBM was too large because a serious mistake had been made in the design. When the decision was taken, probably about 1953-54, to fix on the design of the rocket and particularly the engine thrust requirements, there was in all probability a gross underestimation of the saving in warhead weight that an efficient thermonuclear solution would later make possible. In consequence, the earliest Soviet ICBM's, although they were the first ever to be deployed, proved much too heavy to be dispersed at will about the countryside or to be put underground in concrete silos. They were further vulnerable for the reason that the cryogenic fuels they used were extremely unstable. It was impossible, therefore, to maintain them in a permanent, more or less automatic state of readiness.

In the face of these drawbacks, Khrushchev seems to have called, perhaps as early as 1958-59, for a stop to further quantity production of the military version. Was the mistake so clear to him then? If he had been following only the political debate in the United States over the supposed chaos of Eisenhower's military and space programs, he should have been encouraged, one might suppose, to plunge headlong with his own huge vehicles; their shortcomings, after all, were not being trumpeted to the world.

But there are excellent reasons for believing that he was anything but insensible of the fact that American technology, despite its overpublicized initial failures, was even then in the process of overtaking and passing his own. While Soviet policy had been staking everything on one big ICBM system, American technology was methodically covering all logical options as it pressed along. Two quite different kinds of liquid-fuel ICBM's, the Atlas and the Titan, were developed in parallel, and these first-generation vehicles were in turn being improved by continuing fundamental inventions, including the synthesis of more stable fuels, which would make it possible for the second-generation weapons to be maintained in a high degree of readiness in underground concrete chambers. More important even than these gains, as regards the long-term power balance, the U.S. investment in solid fuel as a rocket propellant was about to pay off brilliantly. The Minuteman and Polaris systems, ordered into production while Eisenhower was still in the White House and before the dependability of the pioneering systems had been verified, would arm the United States in the early 1960's with a more or less invulnerable force of strategic weapons, far cheaper to build and maintain than the liquid-fuel weapons, and much simpler to deploy, being smaller, less fragile, and with fewer delicate parts.

The American technical recovery must have been staggering for Khrushchev and the Soviet military scientists to contemplate. In the aftermath of the Korean war, at the expense of a rational growth in the Soviet civilian economy, they had strained, in the term associated with grand naval actions of the prenuclear era, to cross the American technological T, and thereby bring off a tremendous strategical maneuver, one that would usher in the twilight of American power. Instead, a massive surge of American invention and power had had the practical effect of turning the attempted trap around. It was the Soviet technology that was about to have its T crossed, and Khrushchev must have realized, perhaps some time in 1959, certainly not later than the spring of 1960, that the Soviet power base would fail his audacious schemes. It was too small. He had built too soon.

THE YEAR OF THE ROOSTING CHICKENS

It is altogether possible, too, that by early May 1960, Khrushchev also had to face up to the probability that the Americans knew that he, not they, was on the short side of

the missile gap. The camera had been in operation before Powers' U-2 fell out of control. There were reports from Communist sources that the Russians, on developing the film recovered from the cameras, were stunned by the detail of their rocket installations registered thereon. This report may well have been exaggerated. Even if the film escaped serious damage, the Russians would have had difficulty in developing it properly. Nevertheless, the excellence of the U.S. equipment must have been plain to them; from their radar tracking of the U-2 flights, they must also have deduced long before that we were methodically inspecting their ICBM ranges, the nuclear testing grounds, and the airfields; and Khrushchev may well have concluded, with Powers' film before him, that the Americans were in a position to run an accurate count of his strategic weapons, right down to the last Bison on the runway and the last ICBM on its launcher. This could have brought on the display of fury that broke up the summit meeting in Paris.

It was the bluster, we see now, of a bully whose skin depended on his staving off a real showdown. The year 1960 was for Khrushchev the year his chickens came home to roost. The fraternal association with Red China had turned into a nightmare, for the dispute over doctrine covered a more serious separation. Having brutally stopped the flow of economic aid to Peiping, Khrushchev in the months of July and August called home the entire mission of Soviet technicians, totaling about 3,000 men, who had been loaned to Red China to hasten that country's industrialization. It had become plain to him that year, as the "great leap forward" lost its impetus, that the U.S.S.R. from its own poorhouse could not begin to subsidize Mao Tse-tung's vaster poorhouse on anything like the scale that the Chinese expected. And in the Soviet Union itself the command economy was no longer responding dutifully to the Kremlin command. The 1959 crop was a failure; the 1960 promised to be disappointing (and was). The rate of industrial investment was falling, with crippling effects especially in the chemical industry, as the investment in rockets, nuclear warheads, and associated electronic technologies kept increasing until it would absorb two-thirds of all military procurement. In an effort to check the rise in military costs and release manpower for the economy, Khrushchev in January disclosed that he was drastically reducing the number of men in the armed forces, but over the short swing he proved unable to make efficient use of the manpower in the factories or on the land. In short, by 1960 Stalin's successor was all but bankrupt.

THE TESTING OF KENNEDY

Now came the most ironical part of all. Khrushchev nervously decided to bluff the world—the Red Chinese along with the Americans—while he scratched and scraped for the miracle that would somehow restore his fortunes. After Eisenhower ordered the U-2 operation to stand down, he could count for a while on an end to the close surveillance to which his inferior strategic assets had been exposed. It would take some time before orbital satellites provided a full substitute for the U-2.

In any case Khrushchev decided to bluff Kennedy when he and the new President met in Vienna in June 1961. He had some grounds, plausible to himself, for supposing that he would gain the upper hand in the course of the encounter. In conversations earlier with Soviet colleagues, Khrushchev had noted Kennedy's anxiety to negotiate a way out of a difficult position in Laos, his eagerness for a nuclear test ban treaty, and his continued toleration of a Communist regime in Cuba after the Bay of Pigs affair as signs of an apparent infirmity of purpose.

The Kennedy desire for an accommodation was manifest, too, in his ardent avowal, both public and private, that the most urgent business in United States-Soviet relationships was for the countries to end, or at least slow down, their competition in nuclear weaponry, the race, ironically enough, that Khrushchev had already lost to Eisenhower.

Khrushchev needed a political victory when he set off for Vienna. He sought it on the issue of Berlin, and he counted on Kennedy's buckling if presented with a situation carrying with it the risk of war. Khrushchev's private little game was to combine a hint of force with an intimation of Russian determination to sign an independent treaty of peace with the East German regime. This, he reasoned (the United States was advised by reliable sources), would scare Kennedy and his NATO partners into the start of a retreat from West Berlin; and the city would fall to him without the firing of a shot. That Khrushchev misjudged both Kennedy and the American character is now obvious. All the same, he ran the risks up higher than he should ever have been allowed to do. In the end, however, the cool, firm dispositions made by the Supreme Allied Commander in Europe, Gen. Lauris Norstad, with Kennedy's support, persuaded Khrushchev that he couldn't get away with the bluff in Europe.

Yet Khrushchev could not resist the temptation to try again. The poet Robert Frost, the President's friend, brought back from a conversation with Khrushchev in Russia the half taunt that Kennedy was "too much of a liberal to fight." Inasmuch as Khrushchev must have known about the overpowering American strategic advantage, it is impossible to explain his decision to smuggle the rockets into Cuba in the fall of 1962 except in light of a delusion on his part that the U.S. Government would in fearfulness try to close its eyes to the danger being advanced to its shore.

By then, however, time had run out on Khrushchev. Although U.S. intelligence was tardy in finding the rockets in Cuba, it did locate them in plenty of time for Kennedy to destroy or neutralize them decisively. Not only was the CIA, with its collaborators in military intelligence services, able to pinpoint and count the rockets in Cuba and to measure their degree of readiness; it was also able to tell the President almost exactly how the Soviet strategic order of battle across the world—bombers and rockets and long-range submarines—compared to our own. Probably never before in history has a head of state entered a war situation so well informed of the adversary's strengths and weaknesses as was Kennedy in October 1962, or, for that matter, with so absolute a knowledge of the overwhelming advantages that lay with him across the board.

Nearly 2 years after the October affair, the President's closest adviser on national security affairs, McGeorge Bundy, was to supply a strange epilogue in an article published in the April issue of *Foreign Affairs*. "The October crisis," Bundy concludes, "came out better than President Kennedy or any of his associates had expected." Considering that he had been caught redhanded and that the power factors were hopelessly stacked against him, Khrushchev would seem to have had the better reason, as he closed the books on the Cuba incident, to think that matters had turned out better for him than he had a right to expect. For one thing, he was permitted to bring the rockets home under a safe-conduct pass, without the on-the-spot inspection that the Americans had first demanded. For another, he and Castro believed that they had an American promise not to invade Cuba so long as the rockets didn't return. And, finally, the U.S. middle-range rockets based in Turkey and Italy, in the NATO interest, were dismantled and taken away, as Khrushchev long had demanded.

A FLEETING OPPORTUNITY

As matters turned out, Cuba was the last of Khrushchev's shoestring operations against the United States. Meanwhile, it appeared that the United States passed up what some observers think was a truly extraordinary opportunity in the western Pacific. By early 1962, U.S. intelligence was in possession of information that much of Red China was in ferment. Tens of thousands of refugees were pressing against the gates of Macao and Hong Kong; harvests had failed; there were public demonstrations, even rioting, by the hungry; in some communities the militia had refused to act against the people and certain detachments had in fact mutinied. At this point President Chiang Kai-shek pressed Washington for permission to attempt to establish a beachhead on the mainland with his own forces. The American decision was to leave matters as they were in China. Not only was the weight of American influence thrown on the side of restraining Chiang, the State Department was also assuring Peiping, through third parties, that if Chiang did start off, he would be on his own. It is now recognized in knowledgeable circles in Washington, however, that a demonstration by Chiang, with U.S. power, on the flanks and rear, would have subjected the Peiping regime to a test it was ill equipped to meet. Firmness on the U.S. part in the interest of an ally would have brought about at least an ebbing, perhaps even an end, to Mao's menace in Asia.

By the beginning of the 1960's the executive branch of the Government had both the information and the power to call Khrushchev's bluff and to finish off Castro. That we did not do so was due in part to a want of resolution, which one may hope will now be surmounted. For today the United States clearly stands at the pinnacle of power. The Communist system stands second, a very weak second—weak militarily, weak economically and industrially, weak in its international political connections.

EDUCATION AND TAX SOURCES—NEWSLETTER BY SENATOR THURMOND

Mr. THURMOND. Mr. President, on January 15, 1965, I introduced a number of legislative proposals for consideration by the Senate. Among these was Senate bill 542, which would eliminate the Federal excise tax on alcohol and tobacco products. The purpose of this proposed legislation is set forth in my weekly newsletter dated January 18, 1965, and entitled "Education and Tax Sources."

Therefore, I ask unanimous consent, Mr. President, that this newsletter be printed at this point in the RECORD, so that the purpose of this proposed legislation can be studied and considered by all who are concerned with the problem of providing additional funds for education without further intrusion of the Federal Government into this area of activity, which under the Constitution has been reserved for State and local governments.

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

EDUCATION AND TAX SOURCES

(By STROM THURMOND, U.S. Senator from South Carolina)

The 89th Congress has been asked by President Johnson to approve a massive program of general Federal aid to education.

There is little question about the importance of education. It is vital to our people

for many reasons, foremost among these being the paramount responsibility of self-government. Great strides have been made in the individual States to increase the quality of public education. In fact, public education spending by the States has tripled in the past 12 years.

Long ago our Founding Fathers determined that the task of public education must be a responsibility of local government. They realized that education controlled by a central government could be used, as could a centralized police power, to destroy local self-government and individual liberty in the interest of establishing a monarchy or dictatorship.

Also, the Founding Fathers recognized that more and better education could be obtained for the dollar if administered by a local school board. Thus, the field of education was never delegated to the Federal Government under the Constitution, but rather was reserved to the States. In fact, the word "education" is not to be found in the Constitution. Because of this clear lack of constitutional authority, supporters of general Federal aid to education have in the past proposed only indirect or limited programs for the purpose of getting the "camel's nose under the tent." Even the national defense clause in the Constitution has been used in an effort to pervert the intent of the Constitution rather than seeking to amend the Constitution.

For the fiscal year beginning July 1, 1965, the President has requested authority to spend approximately one-third as much as is now being spent for education by all the States. This money will go to public, private, and church-supported schools at all levels, beginning with kindergarten and extending through college postgraduate work. Each year the Federal spending will go higher until total control and responsibility rests in Washington with Federal bureaucrats spelling out the contents of textbooks and curriculums and controlling teacher pay and standards.

The recent orders enforcing the fund withholding provisions of title VI of the Civil Rights Act of 1964 provide all the proof necessary on the element of control which lurks behind all Federal aid dollars.

There is a good alternative for all Federal aid to public education, and I have introduced legislation to make this alternative possible. The President is suggesting the elimination of some Federal excise taxes. I have thus proposed that the Federal Government withdraw its excise taxes on alcoholic beverages and tobacco products so the States can have the full benefit of these tax sources. In 1963, the Federal Government collected approximately \$6 billion in taxes on alcohol and tobacco. All States now tax alcohol and tobacco, but they are limited in their revenues here as elsewhere by the intrusion of the Federal Government.

In fact, preemption of tax sources by the Federal Government is one of the primary reasons for the gradual erosion of State and local powers of government and the shift of more and more authority to Washington.

If the President truly is concerned about promoting more progress in education and States responsibilities—as well as preserving States rights and our Federal system of divided powers—then he should support this proposal to keep tax dollars at home so progress for the people can be promoted at the appropriate level of government. He could also back a proposal I am cosponsoring to provide a tax credit for taxpayers who spend money to pay education expenses of students.

The only feature lacking in these two proposals is the element of control—which, in his education message, the President professes not to desire.

Sincerely,

STROM THURMOND.

THE STRUGGLE IN VIETNAM

Mr. COOPER. Mr. President, last Saturday, January 16, 1965, Henry Cabot Lodge, our eminent and distinguished former colleague, addressed the 49th annual convention of the National Association of Secondary School Principals in Miami on the struggle being waged in Vietnam. The address is timely, and his views deserve careful attention as we consider South Vietnam and the programs of U.S. assistance there, as well as possible alternatives in policy. I ask unanimous consent that this address, containing important observations obtained by Ambassador Lodge in his experience in Vietnam, be inserted in the RECORD.

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

SPEECH BY THE HONORABLE HENRY CABOT LODGE, JANUARY 16, 1965, FOUNTAINBLEAU HOTEL, MIAMI BEACH, AT THE 49TH ANNUAL CONVENTION OF NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS

Mr. Chairman, ladies and gentlemen, you represent such a tremendous influence on America's youth and, therefore, such a decisive factor in America's destiny that it is indeed a privilege for me to have you give me a hearing tonight.

I submit some thoughts, born of personal experience, about Vietnam and what I say will be in two parts: First, on why Vietnam is important; and second, on what is the nature of the problem.

1. IMPORTANCE OF THE PROBLEM

Geographically, Vietnam stands at the hub of a vast area of the world—southeast Asia—an area with a population of 240 million people extending 2,300 miles from north to south, and 3,000 miles from east to west. The Mekong River, one of the 10 largest rivers in the world, reaches the sea in South Vietnam. He who holds or has influence in Vietnam can affect the future of the Philippines and Formosa to the east, Thailand and Burma with their huge rice surpluses to the west, and Malaysia and Indonesia with their rubber, oil and tin to the south. Japan is deeply concerned. All this affects Australia and New Zealand. Vietnam thus does not exist in a geographical vacuum—from it large storehouses of wealth and population can be influenced and undermined.

Historically, Vietnam has long played a part in the political development of the Far East. For many centuries it was under the occupation or influence of the Chinese and was used by the Chinese as a means of enforcing their hegemony over the whole of southeast Asia. The Vietnamese did not enjoy this experience and have traditionally done what they could to throw off Chinese overlordship.

But today Vietnam should be seen as one more instance in a long series of events which began in Iran, Turkey, and Greece after World War II: which includes the seizure of Czechoslovakia; which led to the Marshall plan in Europe; which caused the Korean war, the Malayan emergency, the Huks rebellion in the Philippines, and the Berlin crisis. In all these widely separated places the Communist bloc has tried to subvert and to undermine the free world in order to spread their monolithic control and their suppression of freedom.

In opposing this Communist onslaught, the free world has stood together for nearly two decades. One manifestation of our common determination to frustrate the Communist design to conquer Europe was the creation of NATO. Elsewhere in the world we have formed other alliances. The United

States alone has suffered 160,000 casualties since the end of World War II in this effort to contain the spread of communism.

This worldwide effort by nations of the free world has not been undertaken out of a simple quixotic delight to engage in battles in distant places. Nor does it signify a desire to establish a new colonialism or any kind of special position. The war in Vietnam is not only the struggle of a small nation to exist, but it is also an open encounter between the doctrine that "wars of revolution," as the Communists call them, are the wave of the future, and our belief that in the future nations should be allowed to develop their own destinies free from outside interference.

Although the North Vietnamese have their own motives for their aggression in South Vietnam and have played the leading role, they have always been backed by the Chinese Communists. Should their aggression be successful, the Chinese Communists will have seen positive proof that their approach to international relations is correct.

Such an outcome might well lead the Soviets, in their desire to retain the leadership of the Communist bloc, to adopt a more belligerent stance in their relations with the outside world. This would surely affect the West.

It would also be regarded everywhere as a reflection of the inability or lack of will of the free world to prevent aggression. What, for example, would be the reaction in Europe if the United States were to withdraw from southeast Asia in the face of its commitment to assist?

The state of public opinion in the United States itself would also be affected. Should Vietnam be lost, many voices would be heard urging us in effect to "resign from the world" to fall back onto our "fortress America," and to gird up our loans for a contest with guided missiles. This too would be something with grave consequences for Europe and the rest of the free world.

Because of all these considerations, the United States has undertaken to support the Vietnamese both politically and militarily in an effort which has cost us lives and treasure.

The effort has not been in vain. Although we are not yet victorious, much has been accomplished. We have learned by experience. There is more night-fighting by small units, there are able province chiefs, there are men of impressive ability in the national government, there are realistic plans for conducting the pacification program, and there is vivid recognition that the war is above all a political matter, in which the adherence of the people to the Government is the crucial factor.

To assist this effort the United States has built up an able organization in Vietnam to assist the Vietnamese. Ambassador Taylor, Ambassador Johnson, and General Westmoreland head an American organization which has trained and helped to build the Vietnamese Army. On the economic and social front the United States has contributed to the building of schools, clinics, and better farms, all of which are essential to gaining and holding the political support that must be had to win the war. And we try to help in every way in training civil administrators and in creating political energy in the country.

Some have said that despite this effort the war in Vietnam cannot be won. Yet recent history shows that we have been fighting wars of this sort for the past 20 years and that the record is creditable. We of the free world won in Greece, we thwarted the Communist aggression in Korea, we won in Malaya, we won in the Philippines, and we can win in Vietnam. We must persist and we must not play into the enemy's hands by counting on a quick, sensational, and easy way out.

Persistent execution of the political and military plans which have been agreed to will bring victory—provided outside pressures do not become too great. These outside pressures occur in many forms such as the problem of sanctuaries from which Vietnam can be attacked and the Vietcong helped with impunity. Infiltration from such sanctuaries cannot be allowed to defeat the efforts the Vietnamese are making. We will not shrink from taking such measures as seem necessary to cope with it.

Another form of outside pressure is the desire in some quarters for an international conference here and now. We naturally do not oppose the idea of holding international conferences as an abstract proposition—if they are held at the proper time and under the proper circumstances, but we think that to hold a conference now would serve no good purpose and would seriously undermine morale in South Vietnam. Consider the reasons:

1. There have already been two conferences on southeast Asia, the terms of which were satisfactory but which the Communists violated before the ink was dry. Before holding another conference there must be some sign that the Communists of Hanoi and Piping are prepared to leave their southern neighbors alone.

2. For the South Vietnamese to go to a conference now with a large and aggressive fifth column on their soil would amount to a surrender. A conference not preceded by a verifiable Communist decision to cease attacking and subverting South Vietnam would be nothing more than a capitulation.

3. There is clearly no agreement between us and the Communists even on the simple proposition to leave South Vietnam alone. A conference held in an atmosphere of bitter disagreement could only make matters more dangerous than they already are.

So-called neutrality is another outside pressure standing in the way of the successful prosecution of the war in South Vietnam. Neutralism that does not include some means of enforcement, that does not include North Vietnam, that means that South Vietnam will be alone and disarmed, is nothing more than surrender. It should be opposed for Vietnam just as it is opposed for Berlin or for Germany.

In truth both Vietnams are "neutralized" now by article 10 of the Geneva accord of July 21, 1954, which said: "The two parties shall insure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy."

This provision has been formally approved by article 5 of the final declaration of the Geneva Conference of 1954 in which the U.S.S.R., Red China, France, the United Kingdom, the United States, Cambodia, Laos, North and South Vietnam participated.

We must therefore insist before there is any discussion of a conference or of neutralism, that the Communists stop their aggression and live up to the agreements which already exist. The minute the onslaught ceases, there can be peace. At present the North Vietnamese seem only to understand force, and, of course, when they use force they must be met with force as they were in the Gulf of Tonkin. They should also be met with the strong and united opposition of the free world.

It seems that conflicts in far-off places are precisely those which have often brought war and calamity to all of us. Manchuria seemed far away in 1931; the subversion of Czechoslovakia by Hitler seemed remote to the United States in 1938. Yet the result was an untold outpouring of blood and treasure. Persistence and unity in the face of Communist pressure have succeeded in Europe and in southeast Asia, and can succeed again.

2. NATURE OF THE PROBLEM

What you have in Vietnam is a new kind of fighting man. He is as distinct as the infantryman or the aviator. He is the terrorist. He's not only different from the infantryman and the aviator—he's different from a guerrilla fighter. He dresses like everybody else—and in those hot countries, a man wears a pair of pants and a top, and that's what the terrorist wears. But he is part of a very elaborate organization. He is carefully controlled, protected, and guided.

He'll be told, for example, to go in and terrorize some village where the Vietcong want to take over. So, Monday morning there will be 12 bodies on the street—old men, women, children. Nobody's done anything—nobody's guilty—they're just picked indiscriminately. The idea is to create terror. Then they'll kidnap the village chief, cut off his head, put it on a pole, and walk it around. Well, by 3 o'clock in the afternoon you don't have too much trouble getting 17- or 18-year-old boys to join the Vietcong. It's just as simple as that.

Now, you don't get rid of this man by putting in an infantry battalion. The infantry battalion comes in and it stays around for however long it wants to. The terrorists disappear into the houses—the grass and palm leaf houses of the inhabitants. Then the battalion moves on; it can't stay there forever. And the terrorists come out again. Nothing has been accomplished. In fact in many ways the situation is worse because a number of innocent people have been killed. You don't get rid of the terrorist by bombing, because if you drop a bomb and you kill 20 people, 19 of them are women and children, who have got nothing to do with the terrorists at all, and there's only one terrorist. So, that isn't any good—because the terrorist is in among the people.

Well, therefore, is it hopeless? No, it isn't hopeless. But you've got to organize the totality of the population—all of the people—to protect the local village officials, and that means you get a good man in each precinct—the smallest unit of government—to be chairman, and a good committee of young men who have a stake in the community, who have a family, who own a farm, or who own a home, or who want to get ahead in business or something—and you form a counterterrorist precinct committee.

And then, with the help of the police—and where there isn't any police (and there isn't any in most places in Vietnam), you have the army and the local militia backing you. You then conduct a census, issue identification cards, have a curfew, and everybody who is out after 8 o'clock has to explain why, or, if he doesn't, they give him the business. And thus you go through each precinct with a fine-tooth comb.

Now, that's how you get rid of terrorism. And it isn't very fast, but it can be very sure. It has worked in many places where it has been tried—in Kuala Lumpur; in Algiers; in the Philippines; and in the city of Saigon.

And then everybody gives the village chief and the chief of police where there is one some confidence that he may be going to live, and then he in turn can interest himself in the security of the people, and you begin to get an upward spiral. And then you can bring in your doctors, and your schoolteachers, and your welders, and the animal husbandry people—and all the other people that make life worth while. So, that's one part of the problem.

One of the best things that any American has ever said about Indochina that I've read was said by the late Gen. Bedell Smith, who was the U.S. representative at Geneva in 1954, after the French had been defeated at Dienbienphu. Georges Bidault, who was then the Prime Minister of France, told Bedell Smith that he was thinking of relieving General Navarre because of the defeat

at Dienbienphu. And General Bedell Smith said, "Any second-rate general could win in Indochina if there were a proper political atmosphere." A profound remark.

Because, you see, in this struggle there's no front, there's no rear, there are no flanks—and when the fighter wants to hide, he goes into the average Vietnamese man's home. When he wants to rest, he goes into the average Vietnamese man's home. When he wants something to eat, he goes into the average Vietnamese man's home. If he's wounded and he wants to get taken care of, he goes into the average Vietnamese man's home. If he wants information as to what the army is doing, and as to what the Americans are doing, he goes into the Vietnamese home—and the old lady, the old grandmother who is 85 years old, she can sit there and see what goes on, and she can tell him all about what she sees on the road—if she wants to.

Well, now, the minute the everyday citizen, living in his home in Vietnam, says to the Vietcong, "You can't come in here to hide, you can't come in here to sleep and rest, you can't come in here to get food, you can't come here to have your wounds bound up—we aren't going to give you any information"—the war's over.

I was asked this question recently: "I suppose when we get rid of this instability, then we can go ahead and win the war." I said: "When you get rid of the instability, there isn't any war. The instability is the problem."

This is an oriental country, a tropical country. Now think of what that means. In the tropics, nature is rich—much, much, richer than it is in the north. So, a poor man, living in the Mekong Delta looks at the water of the rice paddy where the rice grows and sees fresh water fish swimming around. There are also ducks swimming on the surface, that eat the fish. Then no place in Vietnam is far from the ocean. So this poor man can eat rice, fresh water fish, duck, and some of the most marvelous salt water fish in the world out of the South China Sea. There are also coconuts and pineapples and all manner of vegetables. Living right there, he can, for next to nothing, have a perfectly marvelous diet without traveling more than a few hundred yards.

So this oriental and tropical Vietnamese has everything he needs close to home. But, in addition to being oriental and tropical, he is also often a Confucianist. This means reverence for one's ancestors; it means great loyalty to family and to the small local group consisting largely of relations and near-relations. This is the loyalty which counts for him above all others—for which he is willing to die.

How natural for some of these oriental, tropical, and Confucianist Vietnamese to say to themselves: "Why should I extend my frontiers 500 miles and pay taxes, and have an army, and a navy, and a diplomatic corps, and all the trappings of a Western nation-state, when I don't need it? It's all right for these people in the north—they have to, but I don't need to." And, this would be an unanswerable argument—if it were not for Communist China. It is the nearness of Communist China which means that they must become a modern nation-state in order to survive. In 1964 more Vietnamese realized this than in 1954. But it still goes against their traditions.

Thus the concept of national government does not mean there what it meant in the West. And a loyalty to such groups as Hoa Hao and Cao Dai have a vitality for which there is no counterpart in the West.

So, what you see there—and I think I may have invented a word for it—is a strong sense of peoplehood—and of group and family loyalty—but not the same sense of nationhood that we have. These people think of themselves as Vietnamese, as being of a

distinct race, which they are—you don't have to be there 5 minutes before you see that. They think of themselves as having their own language, which they have—their own literature, their own art, their own history. They go way back—it's a very old civilization. They do not want to be overwhelmed and absorbed by the Chinese. But their peoplehood often doesn't involve the same attitude toward the flag, and the republic, and the nation, and all those things that in the West we go out and die for.

These people are brave. I must have talked with 50 of our young West Point captains, and, believe me, there are some young men that we can all be proud of. They're with the Vietnamese army battalions. They are enthusiastic about the bravery of the Vietnamese soldier—his courage, his toughness, the long-suffering quality that he has. But his loyalty has a Vietnamese quality to it. He is loyal to his group, he is loyal to his region, he is loyal to his unit. In our own Western European history many years ago—there was, for example, the Duke of Burgundy, and the Duke of Normandy, and the Duke of Picardy, and finally it was put together and became France. Well, this country is evolving from this medieval lack of national organization into the 20th century. It's making progress. But it isn't—and it never was the same kind of country that we have in the West, and it shouldn't be judged that way.

In the case of Malaya, it took 12½ years to win the struggle against the Vietcong of Malaya. And the thing that turned the balance against the Vietcong, was when a political arrangement was reached between the Malay community and the Chinese community. When that was reached, then they were on their way. And I believe that, when a settlement is reached between the principal communities within Vietnam, then that will be the beginning of a new day for that country.

In conclusion: The struggle in Vietnam is an example of Mao Tse-tung's statement that "politics is war without bloodshed and war is politics with bloodshed." Thus, politics and war are opposite sides of a coin—or, as has been said, "the two wheels, or wings, of statecraft." Armed combat is thus only one—and not necessarily the most important—segment of war.

The struggle in Vietnam is thus not a war in the sense that World War II—or Korea—was a war, because total military success in Vietnam unaccompanied by success in other fields, will not bring victory. A many-sided effort is needed; no single effort will solve the problem; the problem is thus the despair of the headline writer and of the political stump speaker or of any kind of black and white phraseology.

Therefore, those who try to make you think that there is a quick solution or a simple solution or an exclusively military solution are doing you as much of a disservice as are those who tell you that there is no hope, that we must pull out and that another southeast Asian conference (added to the two which have been already held—and discredited) will do other than turn South Vietnam over to the Communists.

They also do you a disservice who deny that much has been achieved, that the military program, the economic program, the social program, the informational program and the various technical programs have all accomplished much—have indeed built the springboard of victory—and that it is the political, counter-subversive, counter-terrorist program which still needs special attention.

It is accurate to say that a glass is half full of water and it is equally accurate also to say that a glass is half empty. To dwell on the fact that we have not achieved victory does not negate the other fact that we

have prevented defeat—and that a stalemate is much better than a defeat.

It is not the American tradition to get panicky whenever there is rough weather—and to get desperate whenever it becomes clear—as it does every day—that a quick purely military victory is impossible. If we decide only to interest ourselves in the nice, quiet, neat countries (which do not need our help) and abandon all the rough, tough, difficult places to the Communists, we will soon find ourselves surrounded by a rough, tough world which is aimed straight at the destruction of the United States and which will make our present effort in Vietnam seem mild indeed. Win or lose, the stakes in Vietnam are enormous. And we need not lose.

THE NEED FOR CONGRESSIONAL REFORM CONTINUES

Mr. CASE. Mr. President, a recent editorial in the *Washington Post*, commenting on a study by the National Committee for an Effective Congress, reminds us that the need for congressional reform continues.

The recent changes in the rules of the other body are a recognition of this fact; and I am hopeful that, before long, both bodies will join in enacting legislation to set up a Joint Committee on the Modernization of Congress.

I ask unanimous consent that the editorial from the *Washington Post* be printed in the RECORD.

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

[From the *Washington (D.C.) Post*, Dec. 28, 1964]

CONSENSUS ON CONGRESS

Among the most serious problems that the new Congress will have to face will be its own deficiencies. For many years it has limped along under the burden it has inherited from custom and tradition.

The will of the majority is often frustrated by minority obstruction, filibusters, committee oligarchies, the dead hand of seniority and the encrustation of privilege. Most Congressmen realize that their institution is out of joint with the times. Many fears are expressed that it has slid from first to last place among the three branches of Government. Yet the rescue of Congress from its worsening obsolescence has been repeatedly postponed.

The only consoling aspect of this situation is the fact that pressures are building up. Inside and outside of Congress there is now a healthy demand for rather sweeping reforms. Today the National Committee for an Effective Congress, in a searching study of contemporary problems, points to "explosions of population, of technology, of urban life, of knowledge and of human expectations" to bolster its belief that "we are now crossing the historical equivalent of a sound barrier unaware, and we are entering a new mode of life unprepared."

A large part of this unpreparedness lies on Capitol Hill. The House needs to strengthen the hands of its majority leadership so that it can steer a straight course instead of wobbling under the buffeting of contending factions. Several steps seem imperative.

1. The Speaker should be given a strong steering (or policy) committee to help shape the legislative agenda and carry it through.

2. The Speaker should have authority to take a bill to the floor for a vote if it should be held in the Rules Committee for 21 days or more.

3. The Speaker should be able to send to conference bills passed by both Houses without waiting on a balky Rules Committee.

4. The Speaker, with the approval of the Steering Committee, should exercise the authority now lodged in the Rules Committee to rescue any administration bill bottled up by a legislative committee after it has had a reasonable period in which to act.

5. Finally, both Houses should act to set up a Joint Committee on the Modernization of Congress for the consideration of numerous other proposed reforms.

These aims for the redeployment of power within Congress are stated in somewhat different form by different groups. But behind them there is a very substantial consensus. They are designed to make Congress responsive to the national will.

OPPORTUNITIES TO PRESERVE THE NATION'S SCENIC BEAUTY

Mr. NELSON. Mr. President, the struggle to protect some of our natural heritage in the outdoors, for the enjoyment of future generations, is a continuing one which must be waged anew every day of our lives.

The Milwaukee Journal has called attention to a number of new opportunities which face us in our continuing effort to set aside some of the scenic beauty of our Nation for long-range public enjoyment.

The editorial discusses the efforts to preserve Assateague Island; to protect the beauty of the Hudson River highlands from industrial encroachment; to save the splendor of a portion of Grand Canyon National Monument; to preserve the irreplaceable Indiana dunes as a public park in an area of great population and industrial growth; and the controversy over the best development of the Potomac River basin.

The Journal is to be congratulated for this continuing discussion of our priceless natural resources; and I hope our citizens will pay attention to the timely warning the Journal offers.

I ask unanimous consent to have the editorial from the Milwaukee Journal printed in the RECORD.

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

[From the Milwaukee (Wis.) Journal, Dec. 27, 1964]

BEAUTY VERSUS THE BUCK

You cannot put a price tag on scenic beauty, buy it, wrap it up, and carry it home. Being intangible, it cannot be weighed or measured. For this reason, much of our beauty is being eroded, a victim of more practical uses to which people can pin a value in dollars. Examples lie at every point of the compass.

Assateague Island is a narrow spit of unspoiled Atlantic seashore on the Maryland coast, the last major undeveloped stretch from Cape Cod to Cape Hatteras. Maryland, which hopes to see it set aside as a national park, recently had to get a court order to keep local developers from chewing up the island with bulldozers. The battle is far from over.

In New York State, a power company wants to build a mighty hydroelectric plant in the heart of the handsome Hudson River highlands at Storm King Mountain. Conservationists say it will deface the mountain and string powerlines through miles of beauty. Local people favor the plant; it will put new dollars in circulation, they say, and you can't feast on scenery.

The Federal Reclamation Bureau wants to dam up a new stretch of the Colorado River, creating a lake 80 miles long, inundating much of the magnificence of the canyon in Grand Canyon National Monument. Trapped water will help make the desert bloom, the Bureau argues; it's good for business.

For years there have been proposals in Congress to make a national park of the superb Indiana dunes at the south end of Lake Michigan. While Congress dallied, steel finishing mills have been built in the heart of the area and an industrial port is proposed. The park would "undermine the economic potential of the area," says Representative HALECK, Republican, of Indiana.

The Army Corps of Engineers has plans to dam and flood out a great section of the Potomac River basin at Seneca, Md., including 40 miles of wooded beauty along the old C. & O. Canal. The Maryland Department of Economic Development has figures which purport to prove that the new lake would get 40 times the use of the canal footpaths and offer fine tourism-recreation potentials.

During hearings on the proposed Hudson River powerplant, one speaker offered the stark prospect of a future world stripped of natural beauty. "Do we want the entire country to turn into one enormous Disneyland," he asked, "with little bits and pieces of the past preserved so when we fatigue of living in the make piece, papier mache world we go to a little amusement park for a little bit of normal land or real-life-o-rama?"

Potential economic benefits cannot be ignored in planning man's massive projects; neither can our heritage of esthetics. In the continuing contest between beauty and the buck, beauty too often is the loser.

TRIBUTE TO JOHN DOAR OF WISCONSIN

Mr. NELSON. Mr. President, the President of the United States has nominated John Doar, of Wisconsin, to be an Assistant Attorney General, succeeding Burke Marshall as the Director of the Civil Rights Division in the U.S. Department of Justice.

Last summer, the President also presented Mr. Doar with the Distinguished Federal Civilian Award for his outstanding service as first assistant to the Director of the Civil Rights Division throughout the long and difficult rights controversies of the past few years.

I express the great pride of the State of Wisconsin in the accomplishments of this young man, and point out how thoroughly his spirit of public service is representative of the Wisconsin tradition.

John Doar is a native of Minneapolis; but he grew up in New Richmond, Wis. He practiced law in New Richmond, after being admitted to practice before the Wisconsin bar in 1950.

It is interesting to note that Mr. Doar's interest and activities in the field of civil rights do not arise from any partisan attitudes; and that is true also of the State of Wisconsin. Our State has a great tradition of belief in human rights which transcends political partisanship. Both the Republican and the Democratic Parties in Wisconsin have a deep commitment to civil rights legislation.

Our State passed its first civil rights bill way back in 1895, and it embodied most of the features of the public accommodations section of the historic Civil Rights Act of 1964. Wisconsin has had

an excellent fair employment practices law since 1945, supported by both parties.

John Doar represents the same Wisconsin tradition. In New Richmond, Wis., he worked for the law firm of Doar & Knowles. Mr. Knowles is now the Republican Governor of Wisconsin. Here in Washington, he has distinguished himself in the administrations of President Kennedy and President Johnson.

Wisconsin is justifiably proud of John Doar; and we wish him well in the new work, which is of vital importance to the whole Nation.

I ask unanimous consent to have printed in the RECORD an article on John Doar which was published in the New York Times of September 2, 1963.

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

[From the New York (N.Y.) Times, Sept. 2, 1963]

UBIQUITOUS RIGHTS AID: JOHN MICHAEL DOAR

The white man was surrounded by Negroes bent on avenging the murder of Medgar W. Evers. Sidestepping bottles and rocks, he moved along Farish Street, in Jackson, Miss., urging the mob to lay down its weapons.

At the street's end, a double line of police stood ready to move in with clubs and guns. "My name is John Doar, D-o-a-r," he shouted above the curses and jeers. "I'm from the Justice Department, and anybody around here knows I stand for what is right."

The scene, the man, the dialog, could have come from the imagination of a scriptwriter. But friends of John Michael Doar insist there's nothing theatrical about the performance of the Assistant Attorney General in the Civil Rights Division of the Justice Department.

Observers sometimes liken his manner to that of Gary Cooper, or his voice to that of James Stewart. They then add immediately that his total lack of self-consciousness and his aversion to publicity make comparisons with any actor misleading.

Yet his daily routine often sounds like a tour by a summer stock company.

"John Doar's in Birmingham," one reporter told another at dinner recently.

"No, he's in New Orleans," another said.

"No, I saw him here in Jackson," a third spoke up.

"You're all right," said a fourth. "He was in Birmingham this morning, argued a case in New Orleans this afternoon and arrived in Jackson tonight."

ACTIVE IN MEREDITH CASE

Yesterday he was in Tuskegee, Ala., where Gov. George C. Wallace delayed the opening of the public schools.

Last fall he was at the side of James H. Meredith when the Negro was turned away at the University of Mississippi by Gov. Ross R. Barnett. When Mr. Meredith finally entered "Ole Miss" on September 30, 1962, Mr. Doar again was there, sharing his dormitory room while a riot raged all night.

Top Negro leaders praise Mr. Doar for his honesty and his conviction. "He hears the dialog, and he understands it," one Negro leader, who has been critical of other Government officials, said.

However, Mr. Doar has detractors. Immigrant young Negroes in Jackson, for example, thought his intervention with the mob was unwarranted. "What did he really accomplish?" one asked. "He got the police off the hook, that's all."

Segregationists in northern Mississippi took some pleasure in the early difficulties Mr. Doar had as he argued the Government's case in voter registration suits.

Reprimanded by one judge for failing to produce sufficient evidence, Mr. Doar has since showed up in court with stacks of affidavits and exhaustive records. "He goes in with evidence by the bale now," a court reporter said. "I'll bet that judge is sorry he opened his mouth."

Mr. Doar was born on December 3, 1921, in Minneapolis. He grew up in New Richmond, Wis., was graduated from Princeton University and served as a second lieutenant in the Army Air Corps in World War II.

After discharge from the service, he went West, graduating from the University of California's Law School at Berkeley in 1950.

Explaining his choice of school, he says, "California was the best place to make a fortune."

RETURN TO WISCONSIN

When his father, also an attorney, became ill, Mr. Doar returned to New Richmond to assist him in his practice. He stayed 10 years.

In the spring of 1960, Harold Tyler, chief civil rights attorney in the Eisenhower administration, called a friend of Mr. Doar's and offered him the division's No. 2 spot.

Since the administration was in its final months, the other man declined but suggested Mr. Doar.

"I liked trial work, and I knew this would be tough trial work," Mr. Doar said later. "Also, I had some clear ideas about civil rights in this country. It just appealed to me."

When Robert F. Kennedy became Attorney General, he appointed Burke Marshall to replace Mr. Tyler. Mr. Doar calls Mr. Marshall "the greatest 40-year-old lawyer in the country." Although he is a Republican, Mr. Doar stayed on his job when the Democrats came to Washington.

In the last 3 years, he handled dozens of tasks: Negro voting suits, freedom riders, and the case of the Mississippi Negro leader who had his home burned to the ground and then was charged with arson.

Mr. Doar's wife, Anne, and their four children wait for his return at their Chevy Chase home in Washington. The children are Gael, 11 years old; Michael, 7; Robert, 2; and a 3 1/2-month-old son, John Burke.

When Mr. Doar quelled the bottle-throwing in Jackson, the baby, a month old, had no name. "We haven't had much chance to pick one," Mr. Doar explained then.

But he remembered when the child had been born.

"It was May 12," he said, "at the time of the Birmingham riot."

ORDER OF BUSINESS

Mr. GRUENING. Mr. President, is there further morning business?

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

ADJOURNMENT TO 10:30 A.M. TOMORROW

Mr. GRUENING. Mr. President, if there is no further business to come before the Senate, pursuant to the order previously entered, I move that the Senate adjourn stand in adjournment until 10:30 tomorrow morning.

The motion was agreed to; and (at 1 o'clock and 16 minutes p.m.), under the order previously entered, the Senate adjourned until tomorrow, Wednesday, January 20, 1965, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 19, 1965:

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major, USAF (Medical)

Robert M. Dean, AO2089204.

To be captains, USAF (Medical)

Ramon Casanova-Roig, AO3112804.

Frank L. Jones, AO3141117.

John R. Morris, AO3111579.

Ross G. Olson, AO3123100.

To be first lieutenants, USAF (Medical)

Norman E. Beisaw, AO3142037.

Bradford L. Davis, AO3141994.

To be captains, USAF (Dental)

Herbert Abrams, AO3089005.

Jim R. Gerron, AO3043709.

Donald J. Mauthe, AO3113907.

Terrence J. Moriarty, AO3111009.

Michael J. Todaro.

To be first lieutenants, USAF (Dental)

Dwaine K. Cruser, AO3140472.

Ronald J. Lieb, AO3124891.

Richard H. Shanaman, AO3125099.

Bruce E. Shaver, AO3125498.

Raymond W. Taylor, AO3126038.

Maurice J. Tepper, AO3140616.

Robert J. Usseglio, AO3140482.

To be majors, USAF (Judge Advocate)

Campbell, Jim W., Sr., AO2249559.

Greene, James E., AO2251216.

Nelson, Deane D., AO2251305.

Shokes, Claude D., AO2238118.

To be captains, USAF (Judge Advocate)

Acker, William L., Jr., AO3073515.

Babcock, Dale L., Jr., AO0784275.

Babcock, Robert A., AO3071760.

Bruton, Thomas B., AO2205687.

Ellison, David R., AO3115910.

Gordon, Richard F., AO3059840.

Handley, Thomas A., AO2235488.

Johnson, James A., AO3051200.

Joyce, William J., AO3059980.

Lane, Frank W., Jr., AO2220220.

Langdell, Samuel F., Jr., AO3102252.

Mahoney, Shannon D., AO3102666.

Marcollo, William T., AO0679913.

Markham, Jerrold E., AO3014038.

Michalski, Jan K., AO3104152.

Monachino, Joseph V., AO3104472.

Mortell, James R., AO3102745.

Nelson, Kiethe E., AO3086913.

Ryan, John C., AO0711487.

Sansing, William A., AO3104349.

See, Marion J., Jr., AO3103390.

Shull, Charles J., AO3027984.

Thomas, Robert W., AO1863776.

To be first lieutenants, USAF (Judge Advocate)

Band, David S., AO3094539.

Barnes, Ned M., AO3121066.

Barrett, David P., AO3096197.

Bennett, Thomas F., AO3093915.

Bergman, Robert E., AO3118103.

Beske, Richard S., AO3121974.

Bies, Richard M., AO3093691.

Bolton, Robert S., AO3121894.

Busch, William S., AO3093919.

Campbell, John S., Jr., AO3121064.

Campisi, Peter I., AO3012239.

Ciucci, John A., AO3086714.

Coomes, Charles A., AO3121352.

Copperman, Seymour, AO3102819.

Crampton, Charles A., AO3121975.

Crowley, James E., AO3121076.

Dieterich, John L., AO3086374.

Dillman, Dewey G., AO3121976.

Douglass, Robert G., AO3121860.

Duenow, James M., AO3121864.

Esch, Lee E., AO3121870.

Eskridge, John S., AO3116137.

Feehey, Robert H., AO3121764.

Forman, William H., Jr., AO3120957.

Gallo, Simeo J., AO3121874.

Galloway, Bruce C., AO3121783.

Gaston, David E., AO3121787.

Gibbons, Boyd H., III, AO3095487.

Heerin, James E., Jr., AO3121862.

Hubert, Douglass E., AO3085616.

Ingram, John F., AO3099739.

Ingrao, Anthony P., AO3012264.

Jones, Roger A., AO3100375.

Kastl, Joseph W., AO3121965.

Keating, John A., AO3086004.

Kenyon, Karl L., AO3121755.

Kehane, Brian W., AO3121971.

Kolb, John G., AO3104532.

Koteles, John T., AO3121888.

Kroetz, Thomas W., AO3121876.

Logsdon, William H., AO3096288.

Lomax, John D., AO3105883.

Mandel, Jack K., AO3093252.

McCarthy, Michael W., AO3121961.

McElvenny, John F., AO3121949.

Mennell, John C., AO5505845.

Miller, James E., AO3121877.

Morgan, Jack W., AO3099745.

Mowery, Charles F., Jr., AO3121774.

Murphy, Edward W., AO3121972.

Negrón, Victor H., AO3121788.

Nester, Charles A., AO3121776.

Olson, Theodore H., AO3121963.

O'Neill, Daniel J., AO3096810.

Orr, Orville O., Jr., AO3095597.

O'Shaughnessy, William J., AO3099320.

Persy, Arnold I., AO3055931.

Pitus, Thomas G., AO3060476.

Porter, James P., AO3116349.

Priest, Whayne C., Jr., AO3100791.

Proost, Robert L., AO3097203.

Ramirez, Joe, AO3119007.

Reed, Gayle R., AO3121872.

Rice, Norman J., AO3120968.

Roberts, Major C., Jr., AO2211817.

Roule, Arthur L., Jr., AO3121964.

Ruddock, Donn M., AO3121995.

Salve, Patrick J., AO3086956.

Shula, Robert J., AO3093885.

Sloan, Ralph S., Jr., AO3121770.

Stevens, George R., AO3115909.

Terrill, Lowell J., AO3094542.

Ulrich, Joseph E., AO3121865.

Whitaker, Benjamin P., Jr., AO3121968.

Wilson, Frank W., AO3074482.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be major

Coonan, John F., AO432132.

To be captains

Acres, Robert D., AO3056173.

Agnello, Anthony M., AO3035832.

Alexander, Jimmie M., AO3066095.

Anderson, John J., AO3111722.

Anell, Robert L., AO3067568.

Ashworth, William D., AO1910132.

Aunapu, Donald S., AO3065575.

Barott, Philip J., AO3064941.

Bartels, Allan E., Jr., AO3065125.

Baumann, Walter G., AO3087494.

Beckstrom, Arthur W., AO3065869.

Berrier, John D., AO3035859.

Biehn, Roland E., Jr., AO3065711.

Billings, Wilbur D., AO3004882.

Billingsley, Vincent H., AO2215648.

Black, Robert E., Jr., AO3056485.

Blood, Robert E., AO3066035.

Bolstad, Richard E., AO3065592.

Bolte, Wayne L., AO3065091.
 Bond, Doyle H., Jr., AO3065792.
 Bond, Parker L., AO3126606.
 Boone, James L., AO3056589.
 Boone, Samuel H., AO3056486.
 Boswell, Stanley L., Jr., AO3055499.
 Braden, Courtland R., AO3087529.
 Braukman, William E., AO3087530.
 Brenner, Clarence L., AO3066349.
 Brent, Frank N., Jr., AO3080113.
 Brumley, Wendell E., AO3066559.
 Buehler, Daniel W., AO3065469.
 Bunn, Lionel D., Jr., AO3056363.
 Burdick, Jerry H., AO3087532.
 Canon, Truman L., AO2222999.
 Carner, Paul R., AO3056377.
 Carter, Robert D., AO3087536.
 Cataldi, Robert R., AO3087537.
 Chambliss, Loyd E., AO3056491.
 Chin, James E., AO3065926.
 Christianson, Perry A., AO1910493.
 Clark, Arthur C., AO3065435.
 Cody, Leonard S., AO3065982.
 Cole, Ronald, AO3056493.
 Colonero, Alfred G., AO3053183.
 Compton, Jack B., AO3065837.
 Confer, Marion E., AO2224633.
 Connelly, Gerald H., AO3065018.
 Corey, Charles J., AO3065231.
 Cornett, James E., AO3056381.
 Courtright, Morris, Jr., AO3056382.
 Coy, Clair B., AO3029458.
 Cranwell, John A., Jr., AO3066365.
 Crawford, John R., AO3056601.
 Cunningham, Thomas L., AO3056494.
 Currie, William R., AO3056603.
 Dalton, Windal K., AO3065572.
 Daniel, Joel N., AO3066343.
 Decordova, Kenneth E., AO3065109.
 Degraaf, John D., AO3056604.
 Dickinson, Art L., Jr., AO3066366.
 Dishong, Clyde E., AO3065338.
 Doub, Logan J., AO3065983.
 Driscoll, Bruce H., AO3066398.
 Erickson, Donald E., AO3066116.
 Fine, Frederick R., AO3065540.
 Fisher, Robert M., AO3056388.
 Ford, Clifford G., AO3056391.
 Frazier, Lester G., AO3066399.
 Friesel, Clarence E., AO3066332.
 Gaffner, Gary L., AO3065295.
 Gage, Howard D., AO3065909.
 Gaillardetz, Roger P., AO3065022.
 Gerrish, Joseph R., AO3080097.
 Giardino, John R., AO3056610.
 Gibbons, Gerald G., AO3066427.
 Glass, George J., AO3066370.
 Gossett, Robert W., Jr., AO3056397.
 Graves, William E., Jr., AO3080024.
 Graybill, Paul V., Jr., AO3065151.
 Grelein, George M., AO3066019.
 Griffith, John E., AO3087562.
 Grillo, Thomas, Jr., AO3036568.
 Gross, William J., AO3056507.
 Guidi, Adolph M., Jr., AO3066119.
 Hackley, William M., Jr., AO3080099.
 Haeusler, Dean R., AO3065737.
 Hafner, Patrick H., AO3066394.
 Hansen, Russell K., AO3065176.
 Harenski, Walter J., Jr., AO3056617.
 Harris, Roland L., AO3087566.
 Harrison, Tommy G., AO3080026.
 Haynes, Zack T., AO3080182.
 Heinisch, Richard B., AO3065543.
 Helton, Dale D., AO3065130.
 Henderson, William F., AO3056620.
 Hendren, William L., AO3087568.
 Herrman, Leroy, AO3066334.
 Hickey, Zachariah J., AO3056403.
 Hicks, Jerry N., AO3066312.
 Hoffman, Donald W., AO3066313.
 Holcombe, Kenneth E., AO3057433.
 Holmes, Donald M., AO3056625.
 Hopkins, Donald J., AO3036804.
 Hunt, David R., AO3065744.
 Hunter, Richard L., AO3065132.
 Hurt, Thurston L., AO3065591.
 Jackson, George D., AO3066041.
 Jenrich, Edwin, AO3087639.

Jensen, Arnold A., AO3066062.
 Jensen, Earl E., AO3056407.
 Johns, Arthur L., AO3056518.
 Johnson, Neal G., AO3080104.
 Johnson, Thomas N., AO3069854.
 Jones, Buddy F., AO3065987.
 Joyce, James J., AO3065030.
 Kadera, Ronald R., AO3065822.
 Karaba, Vincent S., AO3080148.
 Keene, Marcus B., Jr., AO3080032.
 Keith, Chandler, AO3056631.
 Keith, Robert C., AO3087577.
 Keith, Robert M., AO3056632.
 Keller, Bruce G., AO3066335.
 Kinder, Richard J., AO3065991.
 Kleopfer, Duane L., AO3066254.
 Klick, Richard F., AO3066043.
 Klinestiver, Lawrence R., AO2237572.
 Kobelas, Stephen G., AO3056526.
 Krumbach, Randall L., AO3065811.
 Lakey, Harvey L., AO3056411.
 Lammerding, John J., AO3056528.
 Landry, Hayes J., AO3056413.
 Lankford, Ralph P., AO3065033.
 Larabee, Frederick S., AO3066286.
 Lashar, William L., Jr., AO3065405.
 Lauruhn, Delbert W., AO3066316.
 Leavitt, Robert E., AO3087583.
 Light, Jack S., AO3056416.
 Lilling, Paul, AO3028946.
 Lindsay, Horace V., Jr., AO3064495.
 Logan, Robert, AO3065035.
 Lucas, Joseph R., Jr., AO3054296.
 Luce, James R., AO3066078.
 Luttrell, Willis W., Jr., AO3065080.
 Martin, Paul W., AO1855183.
 Martinez, Ruben H., AO3056422.
 Mathews, Royce L., AO3067757.
 McDowell, Raymond C., AO3066661.
 McCain, James M., AO3065444.
 McGill, Bernard G., AO3080111.
 McNew, Edward E., AO3066617.
 McPherson, Ray C., Jr., AO3080170.
 Meeter, Dudley F., AO306527.
 Mercer, Pollard H., Jr., AO2205670.
 Merrill, Bennie L., AO3056429.
 Mesenbourg, John L., AO3066618.
 Miles, John D., AO3068239.
 Miller, Robert C., AO3056549.
 Miller, Walter D., AO3065280.
 Miller, William B., Jr., AO3065249.
 Moehling, Wayne A., AO3065113.
 Monk, Ronald E., AO3065312.
 Morgan, Charles R., AO3065064.
 Morris, Bascome F., AO3065554.
 Morrison, Jack H., AO3056541.
 Morton, Raymond C., AO3056542.
 Muscatello, William R., AO3056436.
 Northgraves, John M., Jr., AO3087595.
 Okimoto, Frederick S., AO3039156.
 O'Leary, Brian J., AO3066595.
 O'Leary, Francis S., AO3087472.
 Pace, Addison N., AO3087476.
 Pace, Edward L., AO3087596.
 Patterson, Robert E., AO3048450.
 Paxson, William C., AO3066551.
 Peko, Paul E., AO3065555.
 Pickett, John R., AO3040875.
 Pilkinton, Bobby R., AO3065081.
 Prather, Gerald L., AO3065357.
 Proul, Blanche L., AO3059876.
 Provencio, Arthur T., AO3027255.
 Ramsey, Donald W., AO3065597.
 Ray, Kenneth L., AO3056556.
 Reed, Clyde, AO3065358.
 Reynolds, Richard C., Jr., AO3054516.
 Rodke, Phillip M., AO3066264.
 Rohde, Roy F., AO3066445.
 Roland, Ronald J., AO3066603.
 Rynes, Donald E., AO3065558.
 Sachse, Billy E., AO3065630.
 Schwinghammer, Gregor J., AO3066621.
 Sci, Frank M., Jr., AO3066086.
 Scoltock, Richard G., AO3056563.
 Sellers, Jerry A., AO3065119.
 Shaw, Robert D., AO3067018.
 Shelley, Kennedy K., Jr., AO3066605.
 Shoemaker, Clyde L., AO3066448.

Shore, Willis L., AO3087490.
 Simanek, Ferdinand A., AO3066239.
 Simmons, John F., AO3087491.
 Sims, Hiram L., AO3071102.
 Sinclair, Waymon L., AO3087614.
 Sjolund, David C., AO3066606.
 Smith, Lawrence E., AO3056570.
 Smith, Scott W., III, AO3055230.
 Sommers, Glenn M., AO3056571.
 Sorensen, Franklin W., AO3066397.
 South, William R., AO3087498.
 Spires, George E., II, AO3056572.
 Steinkamp, Henry W., Jr., AO3066574.
 Stollenwerck, Robert C., AO3087502.
 Stone, Edgar C., AO3066005.
 Stone, Ralph E., AO3066358.
 Strand, George E., AO3065564.
 Strand, Stanley G., Jr., AO3066269.
 Strebel, Clarence E., AO3065818.
 Struthers, Loretta J., AL3056461.
 Sullivan, Reuben A., AO1911830.
 Sullivan, William J., Jr., AO3066396.
 Taylor, Edwin S., AO3036255.
 Tebbs, Max O., AO3056575.
 Terry, Bradlee, AO3065895.
 Thomas, Donald B., AO3087509.
 Thompson, Rector A., AO3056464.
 Trevena, Charles D., AO3065608.
 Truax, Edwin L., AO3065260.
 Underwood, Rufus D., Jr., AO3080122.
 Vaught, Wilma L., AL3059917.
 Verner, Clara W., AL3056579.
 Vinson, Billy J., AO3066113.
 Vogelgesang, Clarence E., AO2254928.
 Vowell, Jack R., AO3087628.
 Walker, Guary O., AO3080086.
 Walker, Robert H., AO3039733.
 Walker, Vernon E., AO3065508.
 Walker, William O., AO3066547.
 Weeks, Richard V., AO3067847.
 Weinberg, Richard M., AO3024128.
 West, Dennis G., AO3065803.
 Whitaker, Joseph T., AO3066296.
 Whitaker, William A., AO3054398.
 Whittaker, Loyal M., AO1853099.
 Wilks, Carlton O., AO3066610.
 Wilson, Donald, AO3087521.
 Wilson, Samuel W., AO3056581.
 Wolf, Plus J., AO3056473.
 Wolfe, James L., AO3054636.
 Woody, Charles D., AO3066413.
 Wranosky, Robert W., AO3080160.
 Wyant, Dalbert B., AO3065866.
 Yarns, Lisle B., AO3066629.
 Zarnowiec, Felix L., AO3056584.

The following distinguished military graduate of Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties of a medical service officer, and with date of rank to be determined by the Secretary of the Air Force:

Zabezensky, M., AO3163590.

The following distinguished military graduates of Air Force precommission schools for appointment in the Regular Air Force in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenant

De Carlo, Louis N., AO3104826.

To be second lieutenants

Addison, Jon R., AO3154965.

Adkins, Ben F., AO3162495.

Alderman, James H., AO3161861.

Alexander, Ronald R., AO3134077.

Anderson, Fred R., AO3148596.

Andres, Hoyt C., AO3161340.

Angelos, Nicholas L., AO3148755.

Austin, James A., AO3159614.

Ayres, John D., AO3162563.

Ballard, John L., AO3146886.
 Barg, William M., AO3148946.
 Baskin, Michael S., AO3156932.
 Bates, Charles V., AO3157224.
 Becker, Leo E., AO3150492.
 Bennett, John D., AO3148991.
 Bennett, Richard B., AO3133480.
 Benson, Ronald W., AO3149055.
 Bingham, Wendell R., AO3148878.
 Boldman, Michael L., AO3162398.
 Bollenback, George W., AO3163632.
 Bonar, Richard J., AO3162506.
 Brackbill, Jeremiah U., AO3148556.
 Branzell, Marshall E., Jr., AO3162498.
 Brecheisen, Dee D., AO3157175.
 Brewer, Edward Y., AO3149013.
 Bronowski, James P., AO3155133.
 Buchen, Jean R., AO3163200.
 Burdge, Robert E., AO3160106.
 Burford, Edward G., AO3146447.
 Buttell, Duane A., Jr., AO3133960.
 Casstevens, Jerry D., AO3162570.
 Chasen, Marvin H., AO3148646.
 Cheshire, Jimmie D., AO3146406.
 Chierici, Louis R., AO3148686.
 Christen, Jerold W., AO3162508.
 Christensen, Roger E., AO3160069.
 Clanton, Richard L., AO3148614.
 Clark, Richard C., AO3162510.
 Comly, David, AO3148990.
 Cook, Robert D., AO3149047.
 Crockett, John T., Jr., AO3162193.
 Cwalina, Bruce A., AO3148602.
 Dechance, Richard P., AO3148622.
 Dejan, Charles R., AO3147499.
 Dice, Ronald A., AO3162513.
 Dirmeyer, John C., AO3161055.
 Dorris, Ralph S., AO3148935.
 Drace, Donal T., AO3162514.
 Dunigan, John M., AO3162515.
 Dunlap, Nathaniel W., Jr., AO3156390.
 Dyal, Thomas B., AO3148779.
 Edwards, James A., II, AO3162033.
 Eichor, Perry R., AO3148304.
 Elder, James R., AO3161287.
 Ener, Ernest L., Jr., AO3156572.
 Flanigan, Ronald E., AO3162518.
 Foster, David, AO3162520.
 Fox, Charles E., AO3162521.
 Freedman, Harry S., AO3156885.
 Garrett, Lawrence N., Jr., AO3162254.
 Genet, Russell M., AO3162523.
 Ghiglieri, James C., AO3161366.
 Gooden, Hiram R., AO3133615.
 Grant, Jerry A., AO3157250.
 Graves, Rodney B., AO3150462.
 Greene, Lawrence W., Jr., AO3160197.
 Greger, George D., Jr., AO3162528.
 Hanchett, Byron L., AO3162530.
 Hancox, Charles T., AO3162539.
 Hanly, Frank J., AO3162538.
 Hansen, Earl B., AO3147441.
 Harbolt, John A., AO3162536.
 Haugen, Richard N., AO3157021.
 Hedges, James M., III, AO3162535.
 Heinze, Larry H., AO3157835.
 Heivillen, Thomas S., AO3148554.
 Henderson, Earl J., AO3156582.
 Hiu, Hen M., AO3162534.
 Hocker, Richard L., AO3156126.
 Holley, Johnnie L., Jr., AO3156583.
 Honeycutt, Larry L., AO3158616.
 Hotinski, Richard M., AO3146686.
 Hranicka, Thomas L., AO3159415.
 Hughen, Willard M., AO3162531.
 Ireland, Charles E., AO3148923.
 Jackson, John R., AO3162540.
 Janney, Richard N., AO3148683.
 Johnson, Aaron J., AO3157441.
 Johnson, Theodore A., AO3148333.
 Karton, Simon M., AO3133730.
 Kaufman, Harold R., AO3149078.
 Kersten, John H., AO3149052.
 Kleine, Walter J., AO3162991.
 Knopf, Lee R., AO3149018.
 Kochevar, James M., AO3148806.
 Kroenlein, James H., AO3159059.
 Kulp, Richard W., AO3157220.
 Kupec, Joseph B., Jr., AO3149064.
 La Salle, Charles C., AO3162544.
 Lacey, Phillip M., AO3162543.
 Laffey, James T., AO3149077.

Lang, Gary D., AO3161379.
 Larkin, John C., AO3148634.
 Lawlor, Michael C., AO3149062.
 Layton, John F., Jr., AO3149001.
 Lee, Robert M., AO3148605.
 Lieberman, Max L., AO3149094.
 Lindquist, Erik J., AO3162545.
 Long, William J., AO3148604.
 Maderia, Patrick F., Jr., AO3162547.
 Marcusen, Douglas L., AO3160678.
 Matus, Jerome F., AO3147039.
 McCarthy, John, AO3148561.
 McGrath, Michael F., AO3157984.
 McMahon, William E., AO3156866.
 McWhiney, Edgar E., AO3162550.
 McWilliams, William D., AO3162551.
 Merchant, John E., AO3163557.
 Miller, Roger H., AO3148954.
 Mitchell, Charles L., AO3148799.
 Morilak, John H., AO3148672.
 Mount, Michael H., AO3145979.
 Murphy, Michael B., AO3148930.
 Murphy, Michael J., AO3148947.
 Myers, Glenn L., III, AO3163560.
 Newton, David G., AO3163561.
 Nickerson, David E., Jr., AO3162554.
 Noy, Thomas W., AO3148560.
 Oates, Fred D., AO3157446.
 Olson, Merrill H., AO3148768.
 Ott, Gunter E., AO3148880.
 Palamaro, John M., III, AO3147007.
 Pearson, Jack T., AO3163566.
 Peters, Martin H., AO3163564.
 Peterson, John E., AO3155119.
 Pippin, Ernest H., Jr., AO3148774.
 Pitt, Ronald E., AO3149093.
 Plummer, James M., AO3162952.
 Porter, William J., AO3158096.
 Powell, Donald L., AO3161450.
 Powers, Duane P., AO3163567.
 Prater, Gladstone J., Jr., AO3133742.
 Prust, Allan E., AO3163575.
 Rainwater, Elbert L., AO3147072.
 Rasinski, John E., AO3148583.
 Ray, James E., AO3156615.
 Revell, William R., AO3163571.
 Rich, Lloyd L., AO3146680.
 Rively, Joseph C., AO3161820.
 Robertson, Michael G., AO3163569.
 Robishaw, Howard C., AO3148684.
 Romines, Jackie A., AO3148773.
 Rook, Robert D., AO3149092.
 Routt, William S., AO3159169.
 Rubenstein, Larry J., AO3133887.
 Saffel, John C., AO3163577.
 Sanders, Emmett W., Jr., AO3150540.
 Schell, Daniel P., AO3148562.
 Schneider, Bernard G., Jr., AO3149022.
 Schneider, John A., AO3150541.
 Schneider, Roger W., AO3163246.
 Schumack, Thomas A., AO3147362.
 Schwinkendorf, William E., AO3163580.
 Scott, Roger E., AO3162729.
 Seeger, John R., AO3150481.
 Shippey, Frederick L., AO3148678.
 Sinclair, Albert R., AO3133158.
 Skey, Anthony F. M., AO3148767.
 Skinner, Toby L., AO3155981.
 Smith, Michael H., AO3148582.
 Steyer, Harold C., Jr., AO3155145.
 Stierman, Tyrone M., AO3163583.
 Stine, Terrence P., AO3130440.
 Strickland, Charles L., AO3156360.
 Struve, Roger L., AO3149067.
 Sylvester, Delano J., AO3163587.
 Taylor, Michael A., AO3149108.
 Thompson, Robert A., AO3148631.
 Tomlinson, Kenneth J., AO3163585.
 Tourino, Ralph G., AO3148595.
 Trammell, James A., AO3148866.
 Tucker, George L., AO3150486.
 Tudor, Ray G., AO3147823.
 Vargas, Santiago, Jr., AO3148613.
 Vergho, Gary L., AO3133753.
 Vickerman, Bruce E., AO3158471.
 Wall, Stephen H., AO3149063.
 Wallace, Arthur M., AO3148525.
 Wallace, Gary H., AO3149109.
 Walters, Charles M., AO3163589.
 Wankerl, Max W., AO3162503.
 Ward, Alan A., Jr., AO3148783.

White, Kenneth N., AO3149028.
 Whitfield, Glenn T., Jr., AO3163592.
 Whitney, Raymond J., Jr., AO3157214.
 Wiener, Dale O., AO3163591.
 Wilcox, Joel G., AO3163593.
 Williams, Theadora J., AL3148816.
 Winegar, Rodger A., AO3148552.
 Wold, Hal W., AO3163209.
 Wollstadt, David C., AO3149019.
 Worley, Gary G., AO3161572.
 York, Ernest D., AO3148740.
 Zeigler, Gary S., AO3163078.

Subject to medical qualifications and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Michael A. Ballard	Thomas S. Lanier
William M. Banks, Jr.	George E. Leftwich
Louis R. Barnett, Jr.	III
Robert W. Baucom III	Jasper L. Mathis
Dennis H. Berry	Steve M. Mhalchick
Kirk R. Brimmer	John B. Moellmann
Richard D. Clark	Robert A. Moore
James R. Cross	Roland J. Moraine
Louis G. DeLaVergne, Jr.	Thomas E. Mueggenborg
David A. Garbrick	Don J. Newell, Jr.
William H. Gilmore	Charles M. Niggemeyer
Buster C. Glosson	Joseph L. Oberle
Thomas C. Green	Daniel C. Parcell
Joseph L. Hodges III	Albert A. Pool
Warren S. Hubbard	Theodore L. Ramirez
John D. Hughes	Larry P. Rogers
James M. Huntsman III	MacDonald Rogers
Barry B. Hutsell	Robert C. Salisbury
Raymond K. Itagaki	Terrance E. Severson
Gordon L. Jenkins	David H. Shaffer
Louis I. Johansen	Homer C. Smith
Richard H. Johnson	Howard K. Sonoda
James T. Jones, Jr.	George A. Souza
Larry M. Kanda	Victor D. Stevens
Hugh B. Kaufman	Paul L. Tiley
	Dennis C. Torrez

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary promotion to the grade of major, subject to qualification therefor as provided by law:

*Goar, John W.	*Lippold, Orville V., Jr.
*Baker, William H.	*Litzenberger, Earle D.
*Gamble, Ross M.	*Glidden, Thomas T.
*Hawkins, David H.	*Hamilton, John A.
*Cable, Wiley R.	*Manhard, Albert H., Jr.
*Joy, Lester H.	*Kraynak, John P.
*Fojtlin, Louis	*Cahill, John J.
*Fauver, Ronald E.	*Hower, Raymond R.
*Bradberry, Joe E.	*Alves, Edward R., Jr.
*Palmer, Charles B.	*Dumont, Thomas J.
*Friberg, James W.	*Walker, James H.
*Conrado, James S., Jr.	*Sullivan, Thomas L.
*Kent, Brian B.	*Goodin, James C.
*Ferrington, George B., Jr.	*Stoffelen, Peter L.
*Jenks, Harry E., II	*Paro, Eugene E., Jr.
*Slack, Thomas W.	*Yeley, Don L.
*Cook, Walter T.	*O'Neill, John E.
*Teague, Charles E.	*Stiffler, Charles R.
*Strain, Donald H.	*Malovich, Arthur D., S., Jr.
*Malovich, Arthur D., S., Jr.	*Breckenridge, Floyd
*Newman, Buel B., Jr.	*Leisy, Robert R.
*Bird, Neale E.	*Martin, Richard L.
*McDermott, Arthur T.	*Orr, Arnold, J.
*Walcott, Frank B., III	*Sears, Walter E., Jr.
*Rojo, Manuel, Jr.	*Goodall, Robert L.
*Morris, Clark S.	*Eversole, Carl J.
*Binney, Douglas C.	*Lunsford, William T.
*Duphiney, Randall W.	*Palmer, Richard L.
*Alm, Richard A.	*Palmer, Robert P.
*Emmons, Charles D.	*Eddy, James R.
*Wood, Charles D., Jr.	*Williams, Frank P., Jr.
*Chace, Frank C., Jr.	*D'Arco, Anthony J.

*Mitchell, Frank H., Jr. Dangelo, Samuel E., III
 *Beauchamp, Glen T. Leipold, Robert D.
 *Limbach, Walter R. Lovell, Earl F.
 *West, Frank K., Jr. Ross, William H., Jr.
 *O'Connell, Patrick J. Brown, Rangeley A.
 *Egger, Charles H. F. Keck, Louis K.
 *Vidano, Albert J. Herber, John A.
 *Brooks, Thomas D. Patterson, Frederick D., Jr.
 *Mayer, Donald F. Black, Charles H.
 *Sheahan, Robert R. Edwards, Raymond W.
 *Viers, Willard G., Jr. Marosek, Joseph R.
 *Sherlock, John, Jr. Collier, James G.
 *Jarman, Lewis W. Ladd, Bobby T.
 *Connolly, James J. Bell, Roy L.
 *Dunn, Hollis T. Coombe, Donald E.
 *Shauer, Walter H., Jr. Murray, Michael P.
 *Rogers, Lane Miller, Clarence B., Jr.
 *Chaney, Earl D., Jr. Hubbard, William D.
 *Zimmerman, Eugene H. Gipson, Thomas J., Jr.
 *Merrill, Will A. Williams, Donald G.
 *House, William E., Jr. Knowles, Charles H.
 *Snead, Douglas L. Timmons, Dwight R., Jr.
 *Alber, John W. Jr.
 *McMonagle, James J. Carson, William G., Jr.
 *Carpenter, Donald R. Reese, Clifford E.
 *Kittler, Simon J. Dereng, Chester P.
 *Lono, Luther A. Snyder, Robert L.
 *Ogden, Bruce F. Ledet, Rodney H.
 *Donovan, Orval E. Reisinger, Frederick J.
 *Vandersluis, Jan P. Giubilato, John J.
 *Walker, John B., Jr. Wojcik, Donald A.
 *Bright, Ray E. Lang, Richard H.
 *Skipper, Kenneth J. Schaefer, Donald A.
 *Thatcher, John L. Larson, Eddie R.
 *Gallagher, Edward W. Daniels, Claude M.
 *Brower, Joseph P. Wilcox, Kenneth H.
 *Standish, Cameron Warner, James W.
 *Hunter, Earl R. Moore, Thomas R.
 *Herron, David G. McCarthy, John J.
 *Salter, Martin E., Jr. Creighton, Robert W.
 *Waters, George J. Farley, Bob W.
 *Elam, David L. Rose, William W.
 *Wood, Donald E. Young, Fred F., Jr.
 *Sieger, Joseph, Jr. Madore, Norman C.
 Terrell, Daniel E., Jr. Morris, Frank B.
 Fischer, Robert W. Cumiskey, Francis P.
 Tyson, Charles J., III Campbell, Henry C.
 Cooper, Robert M. Wilkinson, Henry E.
 Colbert, Arthur B. Schwab, Charles F.
 Stice, Ray B. Lark, Scott E.
 Fry, Robert L. Bourbeau, Richard T.
 Fortie, Ralph Spangler, Donald E.
 Brause, Bernard B., Jr. Jenkins, Clarence E.
 Chaney, Guy R. Hallet, James G., Jr.
 Foster, Roger D. Hattaway, Earle
 Wheelock, Richard J. Harris, Jerry W.
 Cretney, Warren C. Corriveau, Orval J.
 Jackson, Harold L., Jr. McLaughlin, Melvin W.
 Kutchmarek, Jene R. Nix, Casey R.
 Lee, Richard P. McCue, Merrill W.
 Mead, John E. Gandy, Austin O.
 Blakeman, Wyman U. Wright, Ira L., Jr.
 Stewart, Ray N. Wilson, Warren L.
 Brandon, Virgil B. Wyatt, John B.
 Hubner, John Cline, Frank E.
 Warn, Lloyd K. Cushman, James R.
 Lavelle, John B. Demmond, Jack W.
 Micheels, Herman M. Sophos, Michael
 Wright, Frank H. Davis, Kenneth L.
 Shea, Speed F. Morrissey, Robert B.
 Kron, Ronald W. Lane, Keary L.
 Overturf, Charles D. Hershey, Rodger E.
 Svboda, Theodore D. Buckley, John D., Jr.
 McDonald, Oliver G. Conroy, Eugene L.
 Johnson, Victor J., Jr. Seaman, George W.
 Prather, James E., Jr. Block, Robert E.
 Teichmann, David A. McMillan, William W., Jr.
 Latall, Raymond F. Peck, Matthew B., Jr.
 Moriarty, James M. Bierhalder, Dirk C.
 Sherman, James R. Jordan, Thomas E.
 Redman, Carroll G. Dyson, Frederick W.
 Gebens, Clarence U. Bressler, Alexander L., Jr.
 McCaughey, Douglas A., Jr. Voss, Bethel A.
 Gascoigne, Donald G.
 The following-named officers of the Marine Corps for temporary promotion to the grade of captain, subject to qualification therefor as provided by law:
 *Byrne, William A. *Bertrand, Horace A., Jr.
 *Shannahan, John K. *Volz, Carl W.
 *Swigart, Robert W. *Komar, John T.
 *Rivera, Jules C., Jr. *Breckenridge, Alexander D. N.
 *Barbes, Alden H., Jr. *Worley, Jerry W.
 *Sherwin, Robert S. *Itchkawich, Harold E.
 *Hearn, George C., Jr. *Kilday, John J.
 *Collins, Thomas M. *Bean, Gary W.
 *Waller, William W. *Mallard, Robert A.
 *Hannan, Arthur G., Jr.
 *Calhoun, David H. *Stanton, James E.
 *Weidner, Richard J. *Hannan, Arthur G., III
 *La Van, Ray E., Jr. *Hartley, Harry G.
 *Archambault, Arthur E., Jr.
 *Seeburger, John E., Jr.
 *Snedeker, Munson R. *Pless, Stephen W.
 *Brown, Herman C. *Richey, Franklin D.
 *Heffley, Henry S., Jr. *Olson, William A.
 *Lousma, Jack R. *Field, Steven E.
 *Workmon, David G. *Shelor, Darrell S.
 *Ranta, Roger J. *Demke, Leonard R.
 *Riggs, James L., Jr. *Summe, Robert C.
 *Hendricks, Dick D. *Kogerman, William G.
 *Pool, Lloyd G. *Rauscher, Thomas J.
 *Craig, Herbert E. *Cooper, John R.
 *Calvert, John D. *Davidson, Jerry
 *Reiman, Lawrence P. *Barsky, Connie A., Jr.
 *White, Joseph H. *Everett, William E.
 *Dixon, Edward E. *Kilianski, Joseph R.
 *Jackson, Clifford A. *Lary, James E.
 *Kaster, Stephen H. *Warren, Robert F.
 *Anderson, Jesse E., Jr. *Dyer, Wallace N., Jr.
 *Fisher, Roy E., Jr. *Steele, David L.
 *Boston, John C., Jr. *Dameron, John R.
 *Rader, Russell W. *Loveless, Graden II
 *Adams, Billy W. *Klingele, Terence G.
 *Lyman, Donald O. *Shaw, H. W.
 *Thomas, Richard E. *Stoner, Donald L.
 *Dominguez, Michael E. P.
 *Bourbeau, Richard T. *Scarborough, Paul,
 *Diffee, Gerald L. III
 *Hollingshead, Marshall L.
 *Pegler, Richard N. *Gallery, Vincent R.
 *Kelleyn, Reginald C., Jr.
 *Koppang, James D. *Gentry, Harry R.
 *Butcher, Bobby G. *Carlson, Paul L.
 *Capen, Robert D. *Huckaby, Richard H.
 *Land, Edward J., Jr. *Wright, William E.
 *Hazlewood, Charles E. *Sewell, Welton C.
 *Whitmer, Glen M. *Hughes, James L.
 *Greisen, Clifford H., Jr. *Mayers, Joseph C.
 *Wilson, Warren L. *Capozza, Anthony M.
 *Wyatt, John B. *Margolis, Myron B.
 *Cline, Frank E. *Grega, Ronald R.
 *Cushman, James R. *Whittingham, David
 *Demmond, Jack W. *Bub, Ronald L.
 *Sophos, Michael *Greisen, Clifford H., Jr.
 *Davis, Kenneth L. *Kellenbarger, Charles F.
 *Bartel, Hubert M., Jr. *McIver, Werner W.
 *Hove, David T. *Snyder, Robert E.
 *Schwarz, Manfred E. *Cooper, Gary J.
 *Miro, Richard A. *Rhodes, William M.
 *Jolley, Hugh S. *Joganic, Donald F.
 *Baler, James F. *Marshall, John C.
 *Cooper, Melvin D. *Nixon, Robert K.
 *Bogard, Bobby D. *Marino, Gaetano
 *Mickey, Robert B. *Cotterman, Eugene P.
 *Boggs, Paschal G. *Brown, Mark T.
 *Bailey, Edward R. *Clark, Read M.
 *Mounes, Sylvan E., Jr. *Tully, James M.
 *Durand, Edward R., Jr.
 *Neff, Robert L. *Rivers, Ernest G.
 *Buske, Kenneth R. *Rollins, Gerald J.
 *Allerton, George N. *Driver, Robert J., Jr.
 *Todd, Harry G. *Cadiz, David G.
 *Pieri, Francis L., Jr. *Bennett, Raymond H.
 *Hastings, Barclay *Fanning, David E.
 *Arroyo, Alfred A. U. *Glaize, Samuel S.
 *Curry, John E. *Scarborough, Harold D.
 *Boone, Frederick E.

The following-named officers of the Marine Corps for temporary promotion to the

*Cole, Bobby F. *Dowling, Richard D.
 *Myers, Roger E. *Gallegos, David M.
 *Horton, Ansley S. *Schlagel, Gordon R.
 *Williams, Charles A. *Wood, Charles H.
 *Anderson, Edward J. *Kish, Julius P., III
 *Griffith, Frederick T. *Ciccone, Ronald G.
 *Heath, Richard A. *Black, David R.
 *Rowley, William B. *Mathews, Robert A., Jr.
 *Turner, George E., Jr. *McMullin, Charles T.
 *King, Paul F. *Hines, Oscar J.
 *Sweeney, Thomas E. *Coady, Eric J.
 *Weigand, Philip S. *Hays, Robert H.
 *Jessen, Thomas F. *Shaver, William C.
 *Driskell, James M. *Gruning, Charles R.
 *Slusher, Leonard K. *Knepp, Donald R.
 *Ridgeway, William T. *Burton, Lou L., Jr.
 *Connelly, Edmund J., Jr. *Greene, Bruce A.
 *Abele, William R., Jr. *Hitchcock, Gene R.
 *Payne, Robert M. *Reed, Robert M.
 *Andrews, Donald W. *Grubbs, William A., III
 *Loveless, Mark E. *Baldwin, Larry L.
 *Mullins, Robert R. *Sirois, Benoit J. L.
 *Kirkpatrick, Robert E. *Cooke, John P.
 *Waters, Williams L. *Smith, James M.
 *Huffines, Hollis E. *Conner, Billy F.
 *Fricker, Jerrell T. *Bergman, Donald D.
 *Bragan, David F. *Klingler, Donald P.
 *Norman, Kay A. *May, James S.
 *Hammond, Jack B. *Sturkey, Charles E.
 *Sims, Gerald W. *Connor, Brian K., Jr.
 *Bohlscheid, Curtis R. *Bilyeu, Byron L.
 *Barker, Joseph L. *Pearson, Jeremiah W., III
 *Bomis, Matiss M. *Leikier, Robert
 *Ely, John C. *Tilley, William A., Jr.
 *Chamblee, Bobby D. *Burke, Francis M.
 *Holt, John M. *Morley, Guy H.
 *Flaherty, Joseph E. *Matson, Claude A.
 *McBride, Ernest J., III *Stiegman, Donald L.
 *Dauksz, Edward D. *Newton, David B.
 *Stewart, Stanley R. *Gibbs, Joseph W., III
 *Channell, Wiley B. *Jones, Kenneth N.
 *Deckel, Albert W. *Fitzgerald, Ernest T.
 *Beall, Ernest B., Jr. *Grimm, Edward A.
 *Miller, Thomas P. Steele, James L.
 *Pfriemer, Ronald E. *McElroy, James R., Jr.
 *Sales, Joseph R. Difflin, Ray I.
 *DeFries, Christian F., Jr. Brown, Donald H., Jr.
 *Braswell, Buford W., Jr. Sawyer, John F.
 *Vacca, Donald V. Silva, Lionel M.
 *Albright, Jacob K., Jr. Myers, Oran L.
 *Chapple, Bennett III Richardson, Jimmy D.
 *Shoaff, John W. Lohmeier, Donald L.
 *Lumsden, James L. Jackson, Richard D.
 *Fallon, Timothy J. Currell, John R.
 *Thomson, Richard Howe, Otis D., III
 T., Jr. Barnhill, Dwight D.
 *Peterson, Bruce R. Lawson, John H.
 *Smelich, Walter R. Pease, Donald C.
 *Munson, Rolfe L. Somerville, Gary J.
 *VanEs, John M. Rasmussen, Robert J.
 *Tristany, John P. Garrott, John W.
 *Wardlaw, Robert W. Johnson, Robert L.
 Jr. Ammons, Kenneth L.
 *Sites, David T. Pridgen, Norman E., Jr.
 *Durham, Thomas R. Anderson, William M.
 *Hovey, Julian R., Jr. Crowley, John F.
 *Cooper, William J. O'Laughlin, Larry L.
 *Everill, Peter D. Handrahan, Robert G.
 *Craig, Frederick B. Ward, Richard T.
 *Clark, John L., Jr. Ash, David I.
 *Meredith, Martin W. Larsen, Robert A.
 *Edwards, Charles J., Jr. Winston, Herbert T.
 Jr. Beaudoin, Leonard J., Jr.
 *Ransom, Albert J. McNeel, Ted C.
 *Jacobs, Richard E. Karlen, Larry R.
 *Harvill, William B. V. Magyar, John A.
 *Bremner, Michael Jr. Bartnick, Stanley J.
 *Quadrini, Frank J., Jr. Verbeck, Achille J., Jr.
 *Lewis, Thomas E. Steger, George S.
 *Kinser, George A. Bane, Ronald E.
 *Telles, John, Jr.

Martikke, Erwin J., Jr.	Masters, Charles F.	Marshall, Robert D.	Gibson, Albert F.	Courtemanche, Robert
Ruffini, James R.	Nolan, Vincent P.	Todd, Gary E.	Martin, William R.	Pool, Corbett G.
Nichols, John E.	Austenfeld, Robert B., Jr.	Landes, Burrell H., Jr.	Sale, Charles L.	A.
Oliver, Troy R., Jr.	Holman, Robert S.	May, Joel A., Jr.	Tenney, Joseph R.	Lutton, John M., Jr.
Fullem, Donald	Loveland, Gary N.	Seaman, Lawrence E., Jr.	Betz, Thomas R.	Coughlan, James R.
Kelly, John F., Jr.	Badolato, Edward V.	Weren, Arthur D.	Mathiesen, Robert A.	Sypult, Robert P.
Mushallo, John M., Jr.	Entwistle, Charles C., Jr.	Richardson, Tom V.	Peterson, Lawrence E.	DeLano, Claff E.
Young, Gordon K.	Giff, Urban L.	Bikakis, Charles N.	Eirich, Donald G.	Pycior, John L.
Dopko, Theodore G.	Opean, Michael I.	Hofmann, David H.	Kinder, Joseph D.	Quill, James E.
York, Wayne H.	Flaharty, John P., Jr.	Vallesse, Abromo L.	Whitfield, Howard M.	Gnibus, Thomas E.
Lindgren, Gerland E.	O'Byrne, Elton C.	Dusse, Ronald J.	Carlson, Robert A.	Shelton, Jerry L.
Bastian, Dean L.	Peterson, Wayne A.	Wickens, Justin H.	Bower, James W.	Shea, Ronald M.
Cervantes, Moses	Pennell, Robert M.	Osgood, William H.	Derbes, David G.	Lynch, Eugene A.
Larson, Donald H.	Watson, Robert C.	Wood, Herbert H.	Bivens, Alfred H.	Valluzzi, Rocco F.
Shaver, Wayne E.	Huey, Frank A.	Stacy, Richard M.	Markell, Elliott R., Jr.	Pierce, Raymond E.
Eisenhamer, John C.	Strand, Robert H.	Hopkins, Harvard V., Jr.	Oxenreider, Lynn F.	Miner, Larry J.
Zike, Kenneth N.	Mayers, David Jr.	McDonough, Joseph F., Jr.	Buesing, Elton N., Jr.	Gibson, Thomas M.
McIntee, Robert C.	Uzzelle, George H., III	Besch, Edwin W.	O'Neill, Raymond A.	Salem, Donald L.
Zumbado, Robert F.	Clawson, Roger L.	Kistner, Douglas H.	Moore, David E.	Sousa, Richard G.
Loyd, Charles R.	Whitaker, Allen P.	Scharf, Peter G.	Gaumont, George E., Jr.	Griffin, James R.
Lent, James W., Jr.	Hannah, Herman G.	Kreider, James W.	Gaynor, Paul B.	Holland, Kenneth D.
Hudson, Robert E.	Brunelli, Austin R., Jr.	Wallace, Richard F.	Keys, William M.	Baranowski, Joseph T.
Kowalski, Thomas J.	McLaughlin, Paul A.	Prestera, Richard A.	Collins, William	Banks, Andrew B., Jr.
Hendrix, Phillip N.	Metzler, Harry R.	Caughron, Howard L.	Wilhelm, Frank J.	Sandvoss, Bert E. G.
Witucki, Richard	Daubenspeck, Lynn A.	Lynch, Charles L.	Sweetser, Warren E., III	Nicholson, Robert G.
Johnson, Richard A.	Broadwell, Donald N.	Adkins, Sidney C.	Johnson, Gerald M.	Morris, John D.
Ponsford, Reginald G., III	Walker, Forest E.	Gardner, Donald R.	Rippelmeyer, Karl	DeJong, Gerald
Dietrich, Robert H.	Hackett, Paul E.	Meeks, Clarence I., III	Tull, Martin N.	Newsom, Bobby J.
Sutton, Edward N.	Meeks, Clarence I., III	Huggin, Gerald C.	Kolbe, Frank P., Jr.	Rea, John M.
Trimble, Henry L., III	Swedenborg, Thomas P.	Swedenborg, Thomas	Hutzler, Karl H.	Rummel, William H.
Fox, Raymond F.	Robinson, George K., Jr.	Robinson, George K., Jr.	Ferlich, Barry W.	Guy, John W.
Turner, George P., Jr.	Ungar, Thomas D.	Balash, Steve R., Jr.	Barker, Michael D.	Yatsko, Anthony A.
Werner, Evan C.	Bronson, James V.	Anderson, Clifford H.	Sampson, Charles W.	Reichert, Donald P.
Baig, Mirza M.	Massey, Tom E.	Harbison, Charles E.	Ennis, Berlis F.	Thompson, Albert K.
Mehl, Spencer P.	Coulter, Robert S.	Darrow, Donnie L.	Ross, George C.	Asanovich, Ellie M.
Oots, Samuel E.	Sehulster, James T.	Bowers, Wilburn R.	Dubak, John D.	Bennett, Jesse D., Jr.
Gatz, Frederic L.	Barra, Paul V.	McClanahan, Garrett W.	Baker, Richard W.	Bowden, Howard J.
Elpers, David J.	Gress, James A.	Burgess, Richard S.	Wiegand, Robert W.	Hendricks, Nelson P.
Stewart, James J.	Smith, Gid B.	Thomas, James N.	Hallett, David	McLaughlin, John L.
Bierman, Edward O.	Coomes, Wayne A.	Glover, Douglas	Pyle, Harold F., Jr.	Seely, Rae C.
Cox, Donald C.	Meck, Robert S.	Kinney, Willard E., Jr.	Esser, Walter M.	Salmon, Lawrence R.
McIntyre, William A., III	Schwab, William F.	McLaurin, Robert L., Jr.	Jenkins, Harry W., Jr.	Andrews, Louis P.
Roth, Ronald K.	Hathaway, John A.	Bland, Richard P. L.	Moran, Lawrence R.	Bergstrom, Alfred R., Jr.
Smith, Vincent M.	Pruie, David B.	Brandtner, Martin L.	Bertram, Barry J.	Jr.
Baxter, Thomas W.	Crachot, Eugene E.	Mills, James D.	Childress, Clyde O., Jr.	Sweeney, William T.
Harlan, Robert R.	Studds, John A.	Flynn, Robert G.	Akin, Robert M.	Pinson, Joseph W.
Solak, Thomas J.	Bailey, Alfred D.	Fulmer, Mark T.	Stockburger, Arthur L.	Webster, Ralph D.
Ingebretsen, Carl R.	Murphy, Robert E.	Orr, Alan L.	Brenan, Michael H.	Despotakis, John A.
Morgan, Robert F.	McDonald, John C.	Lefeve, David A.	Hull, Longstreet M.	Bertram, Barry J.
Boomer, Walter E.	Daniel, Jack N.	Sammis, Norman W.	Underhill, Lonnie S.	Childress, Clyde O., Jr.
Slone, Hardy A.	Gillespie, Gary L.	Terpk, John B., Jr.	DeCastro, Howard L.	Akin, Robert M.
Bowers, Gene W.	Noggle, Philip L.	Shea, James R.	Ripley, Michael J.	Stockburger, Arthur L.
Griffin, Wayne G.	Schamber, Joseph G.	Hoffman, Robert I.	Pinson, Raymond G.	Brenan, Michael H.
O'Connell, Maurice C.	Dokos, Chris G., Jr.	Wallace, Arthur L., Jr.	Martin, John S.	Hull, Longstreet M.
Foster, Karl A.	Cassingham, John D.	Sullivan, Earl V., Jr.	Brown, George W.	Underhill, Lonnie S.
Bell, Charles M.	Byers, Larry E.	Creadick, Lyle P.	Duncan, Hubert G.	DeCastro, Howard L.
Krimminger, Thomas W.	McAfee, Michael H.	Shaw, Walter C.	O'Brien, Robert J.	Ripley, Michael J.
Mize, Alfred L.	Cazares, Alfred F., Jr.	Birt, Wesley H.	Stull, Jay W.	Pinson, Raymond G.
Loving, Francis L.	Pate, Hugh P.	Gruenberg, Ronald J.	Hatchett, James A.	Martin, John S.
Lokken, Wesley A.	Gann, Robert B.	Miller, Allen H.	Kaye, Richard S.	Brown, George W.
Beck, Duane C.	Morrison, Lenus C.	Carroll, James J.	Reilly, John P.	Duncan, Hubert G.
MacDonald, Gerald E.	Tener, Frederick S., Jr.	Quinlan, David A.	Zensen, Roger	O'Brien, Robert J.
Rogers, Torrence W.	Roche, William A.	Thompson, Richard K.	Corbett, David C.	Stull, Jay W.
Hayes, Frank S.	Carroll, James J.	Sabater, Jaime, Jr.	Forbes, Philip A.	Hatchett, James A.
Dabney, William H.	Quinlan, David A.	Mitchell, Larry G.	Gore, George W.	Kaye, Richard S.
Hanson, Chester E.	Thompson, Richard K.	Friedl, Richard C.	Giordani, Floyd S.	Reilly, John P.
Fordham, Ellis F.	Sabater, Jaime, Jr.	Williams, Paul R.	Meyer, Robert O.	Zensen, Roger
Carroll, Thomas J.	Mitchell, Larry G.	Johnson, Anthon C.	Denton, David V.	Corbett, David C.
Bowman, James H.	Friedl, Richard C.	Baker, Robert L.	Korman, Robert C.	Forbes, Philip A.
McKee, Samuel K., III	McCluskey, William C.	Seats, Lavell P.	Pearce, William M.	Gore, George W.
Keefe, Edmund M., Jr.	Williams, Paul R.	Peavey, Bernard J.	Walters, Francis M., Jr.	Giordani, Floyd S.
Williamson, John B.	Johnson, Anthon C.	Olson, Joseph C., III	Frisenda, Alexander A., Jr.	Meyer, Robert O.
Hale, Lynn A.	Baker, Robert L.	Weed, Leslie J.	Graham, Gordon L.	Denton, David V.
Stensland, William C.	Seats, Lavell P.	Gale, Robert T.	Chambless, Edward L.	Korman, Robert C.
Bagwell, Charles H.	Peavey, Bernard J.	Spence, Wesley F.	May, James E., Jr.	Pearce, William M.
Johnson, Donald W.	Olson, Joseph C., III	Puaa, En Sue Pung	Marshall, James H.	Walters, Francis M., Jr.
Taylor, Lawrence A.	Weed, Leslie J.	Moore, Robert C.	Babich, Ronald G.	Jr.
Gardner, Phillip E.	Gale, Robert T.	Luther, Lawrence A.	Simpson, Jerry I.	Burgess, Alan E.
Cathell, Peter H.	Spence, Wesley F.	Lutheran, Joseph A.	Burkley, George W.	King, Charles F., II
Alexander, Joseph H.	Puaa, En Sue Pung	Holdaway, Karl S.	Connolly, James F.	Batcheller, Gordon D.
Stefansson, David R.	Moore, Robert C.	Reardon, John M.	Dickerson, Michael G.	Vertuno, Anthony A.
Lowe, James W., Jr.	Luther, Lawrence A.	Cutcomb, David H.	Waters, Michael F.	Walters, Hugh L.
Aleksic, Walter P.	Lutheran, Joseph A.	Kirkpatrick, Joe J.	Reardon, John M.	Joselane, Howard L.
Bahnmaier, William W.	Holdaway, Karl S.	Ross, Robert A.	Cutcomb, David H.	Dickins, John E.
Baker, Clarence L.	Ross, Robert A.	Crawford, Ronald W.	Kirkpatrick, Joe J.	Walters, Hugh L.
	Crawford, Ronald W.	Van Fleet, James E.	Young, Harry C., Jr.	Joselane, Howard L.

The following-named officers of the Marine Corps for permanent appointment to the

grade of captain, subject to qualification therefor as provided by law:

*Cox, Frank J., Jr. Knight, Charles T.
 *Abner, Edward L. Turbeville, Bobby G.
 *White, Richard Nolen, Thomas A.
 *Barber, John M. Moore, Lawrence R.
 *Young, Lauritz W. Raper, Donald L.
 Greene, Robert W. Snodgrass, Clyde R.
 Jackson, Bobby N. Lamb, Donald L.
 Gleim, Earl C. Sanchez, Kelly J.
 Georgia, Daniel C. Bacon, James N.
 Koyiades, John Langford, Kenneth W.
 Kropinack, Robert C. Driscoll, Bruce W.
 Mullen, Frank C., Jr. Fountain, Marcus T.
 Busch, Peter M.
 Johnson, Robert C.

The following-named woman officer of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

*Wallis, Jane L.

The following-named women officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Paul, Winnifred B. Davey, Judith A.
 Wheeler, Karen G. Mackie, Nancy J.
 Filkins, Eleanor E. Roy, Barbara J.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

*Lucht, Robert W. Davi, Charles V.
 *Navolanic, Joseph G. Gibson, Herbert S.
 *Finkbohner, Edward C. Holl, Fredrick L.
 Darr, Charles H. Rook, James A.
 Thomas, Robert L. Watson, Robert T., Jr.
 Brown, Robert M. Rafi, Paul H.
 Ronsvale, John Young, Leonard R.
 Meek, Donald L. Strahan, John
 Kerr, John D. Addington, William P.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Seymour, Edgar F. Scroggs, Frank W., Jr.
 Hoffmann, Leo O. Crawford, Roy H.
 Witkoski, John A. Russell, Robert H.
 McLellan, Robert Newtown, Glenford A.
 Crocker, Ernest, Jr. Kennedy, Jo E.
 Williams, James T. Corbett, William C.
 Gilbert, Clifford R. O'Connor, Donald J.
 Dyson, Frederick W. Robertson, Margaret
 Redmond, James E. Spikes, Aaron W.
 Stuckey, A. W. Christ, Arthur J.
 Sheridan, Lawrence V. Conner, Gerald H.
 Brewer, Patrick R. Patterson, Merlin M.
 Brearey, Leonard J. Williamson, Robert V.
 Duncan, Orville H. Palmer, Robert M.
 Clemons, William D., Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-2, subject to qualification therefor as provided by law:

White, Thomas A. Bartell, Harold E.
 Foster, Ronald L. Larvie, Roger E.
 Yon, Vee S. Barber, Donald N.
 Poe, William A., Jr. Hayes, William R., Jr.
 Mason, Robert B. Morgan, Bobby W.
 Scherer, Edward D., Jr. Powell, William H.
 Fain, Carroll G. Legge, Glenn F.
 Gauthier, James R. Frazier, Harold W., Jr.
 Hamilton, Carl D. Gage, Cecil O.
 Taylor, Kenneth E. Holmberg, Eugene S.
 Greenleese, William E. Gordon, William H.
 Clark, Roy L. Steinken, William T., Jr.
 Sexton, William G. Burns, James M.
 Turner, Thomas W. Lentz, Harold Jr.
 Woodroof, William B. Bailey, Willard E.
 Golab, Alfred J. Harmon, Tommy A.
 Brassington, Richard C. Robinson, Clarence A., Jr.
 Weaver, John F., III Waters, Calvin R.
 Garcia, Clarence D. Hughes, Douglas W.

Burgett, E. A. Cowart, Jerry J.
 Cantrell, Bryan K. Cook, Darrell H.
 Carr, William D., Jr. Lake, James E.
 Lathrop, David W., Jr. Dexter, Harold E.
 Davis, Donald E. Colbert, Jarrett, Jr.
 Clark, Jessie R. Spiker, Robert E.
 Waters, Francis A. Abrams, David P.
 Earley, Gordon E. Phillips, Richard E.
 Smith, Frank E. Wolfe, Howard C.
 Dullaghan, John F. Bean, Donald R.
 Wright, James E. McIlroy, Bernard L.
 Stavros, Peter N. Manion, Robert G.
 Walker, Norman J. Usher, Lloyd J.
 Bonifay, Robert L. Ladner, Claudie J.
 Adams, Robert L. Douglas, Kenneth M.
 Kenniston, George P. Rose, Robert L.
 Lee, Earl C. Theriot, Jimmy R.
 Carter, Jackie M. Watts, John C.
 Macy, Ronald T. Steger, Robert A. J.
 Kisielicka, Stephen F. Moody, Johnney W.
 DeHaven, Leslie B. Lindsey, Joel F.
 Dean, Paul A. Darroch, Robert G.
 Skultety, Edward S. Gardner, Kenneth M.
 Gipson, Carroll S. Blake, James T.
 Loftus, Edward P. Storch, Richard F.
 Blount, Earl C., Jr. Davis, James S.
 Ballenger, Glen A. Hankinson, Robert C.
 Smith, Ronald R. Cipperly, William J.
 Lesh, Thomas J. Forehand, Gerald T.
 Compton, Dale L. Ross, Richard H.
 Hall, Morton L. Hoffmann, Ronald G.
 Kondo, Herbert S. Oehlers, Roy M.
 Anti, Raymond L. McNulty, Jerry W.
 Taylor, Arthur J. Albert, Bruce M.
 Wilsmann, William K. Penman, David T.
 Gregorius, Eugene W. Stewart, William M.
 Siemion, Daniel L. Buelow, Frederick A.
 Catanzaro, Leonard J. Mitchell, Mack E.
 Osterberg, Richard R. Norton, Robert L.
 French, Alvin E. England, Phillip L.
 Little, Roy F. Manning, Paul M.
 Johnston, Erich J. Davies, Ralph D.
 MacKenzie, Robert B. Fain, Robert L.
 Bochenksi, Leon J., Jr. Greenlaw, Donald B.
 Sligar, Howard B., Jr. Layton, Billie R., Sr.
 Tobin, Harry J. Catron, Le Roy E.
 Eicher, Charles D. Keil, Richard L.
 Small, Vernard J. Tomlin, Zac C.
 Wenglare, William R. Hamm, Raymond L.
 Carlisle, Rayon H., Jr. Crook, Arthur B.
 Davis, Carroll C. Thomas, Edgar D.
 Rhodes, John L. Griffin, Joseph A.
 Scott, Norvel M. Barber, William W.
 Warren, Robert T. Moreland, Edward H.
 Masker, William A. Cavett, Wallace E.
 Kirkland, Golden C. Mills, Carl
 Jr. Blackwood, Donald C.
 Miller, Ralph C., Jr. Cartmill, Lloyd J.
 Herd, Douglas R. Bell, Eugene O.
 Ross, Leonard Atwood, Robert E., Sr.
 Bradley, Robert G. Corathers, John K.
 Mix, Tom A. Knox, Richard D.
 Emeny, John B. Lambert, Earle L.
 Bovee, William C. Wallace, Richard H.
 Houck, Harvey D., Jr. Dodd, Robert D.
 Daubenspeck, Frederick E. Holman, Ralph L.
 Mueller, Dewey E. Wright, Clyde V.
 Jones, Edward T., Jr. Puricelli, Russell A.
 Taylor, Charles L. Rike, Joe A.
 Funk, Howard E., Jr. Frickie, Frank J., III
 George, Marvin J. Carlson, Robert F.
 Mellon, Bruce House, Donald C.
 Frawley, Joseph R. Bushnell, Louis G.
 Jennings, Earl M. Brandl, Donald R.
 O'Byrne, Joseph W., Jr. Soltes, Anthony J.
 Sanders, Richard K. Hagen, Anton O.
 Kling, Harry A. Pippin, James R.
 White, Vance E. Fitzgerald, Stuart W.
 Skalski, Stanley A. Doorack, Robert J.
 Whisnant, Donald L. Flom, William F.
 Turcott, Richard L. Mallard, Ira T.
 Estes, Phillip M. Mulford, Randolph M.
 Cummings, John D. Ludwig, Robert M.
 Watson, Eric P., Jr. Wallace, Virgil E.
 Liebert, Karl F. Ingram, Walter E.
 Keller, Kenneth K. Snow, Richard W.
 Moyer, Samuel L. Coleman, Paul F.
 Robinson, Clarence A., Jr. Caulfield, Thomas J., Jr.
 Armstrong, Clifford H. Fogg, Donald L.
 Fogg, Donald L. Brennan, Charles J.
 Griswold, Robert N.

Rotchford, Edward P. Barauskas, Alphonas A.
 Peterson, Henry A. Gentemann, James L., Jr.
 Devereux, Aiden J. Ray, Thomas W.
 Mac Geary, Fred E. Bridges, Ernest V.
 Henry, Carl J., Jr. Henry, Carl J., Jr.
 Kinnear, John H. Kinnear, John H.
 Flood, Henry D. Brown, Ferris D.
 Brown, Ferris D. Watkins, Price I.
 Hancock, Troy W. Curtis, Harry F.
 Curtis, Harry F. Zettler, George A.
 Dembrosky, Thomas E. Brown, Donald E.
 Szabo, Thomas M. Johnson, Carl O.
 Johnson, Carl O. Gamache, Henry J.
 Kendall, James E. Richardson, Donald F.
 Barton, Charles R. Schiraldi, Anthony P.
 Boggs, Okey L. Pedersen, Charles L.
 Norton, Fredrick D. LaMontagne, Robert N.
 Wheeler, Charles D. Nicholas, Billy D.
 Nicholas, Billy D. Beiling, Francis J., Jr.
 Morrow, Joseph M. Wallance, Robert H.
 Savage, Charles W. Beier, John C.
 Hendrickson, Kenneth Flynn, George R.
 J. Brown, James E. Llewellyn, William D.
 Miller, Robert S. Hickey, William C.
 Rodick, Roger J. Schmid, Adolph
 Richards, Millard L. Petty, Robert H.
 Cooke, Curtis V. Burns, Raymond F.
 Sparks, Alan J. Fuller, David D.
 Ritter, Harold L. Heebner, Harry L.
 Cole, Benny B. Cole, Benny B.
 Reeder, Edmond W. Bolen, Glenn E.
 Bolen, Glenn E. Giusto, Donald S.
 Milliron, Robert E. Milliron, Robert E.
 Carrington, John H. Carrington, John H.
 Mayes, Ronald J. Mayes, Ronald J.
 Morrill, Alan L. Morrill, Alan L.
 Schuon, William W. Sarver, Edmond S.
 Sarver, Edmond S. Toti, Francis A.
 Golowski, Stanley A. Nicklin, Richard F.
 Lea, Franklin S. Conrad, William C.
 Gilbert, William E. Davidson, William L.
 Albright, Walter L. Early, Archie L.
 Griffin, Kevin J. Crum, Ralph W.
 Frazier, Jack E. Simolin, Roy E.
 Thacker, John L. Veater, Jimmie
 Riley, William E. Lawrence, Charles A. L.
 Solomon, Arlon Rafferty, Cleon H.
 Shore, Richard G. Louis, James
 Reyer, Alfred J., Jr. Norwood, Richard H.
 Ramsey, Emma G. Riley, Martin J., Jr.
 Gates, Phillip E. Bagley, David L.
 Brown, Vance E. Tinney, John G.
 Petty, John R., Jr. Alexander, Bruce D.
 Granata, Peter J.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

*Kozak, Gerald W. Joyce, Robert W.
 Noe, Robert E. Land, Carlton E.
 Ashe, Thomas D. Anthes, Fred W.
 Bartlett, Robert O. Carter, Kenneth L.
 Beaver, Dale S. Manci, Edward J.
 Bowden, Holland C. Roberts, Morris R.
 Chavez, Lonnie S. Duncan, Dorris A.
 Church, Jorel B. McCurry, Kenneth D.
 Curran, James E., Jr. Mitchell, Robert L.
 Demeo, Angelo C. Mockenhaupt, Robert J.
 Faught, Robert J. Olson, Robert V.
 Franz, Howard A. Perry, Leon E.
 Girvin, Bobby G. Pitts, Thomas E.
 Golden, John J. Rickmon, James E.
 Gray, Edwin T. Robinson, Jean O.
 Holbrook, Vernon J. Incocia, Raymond F. Scapplehorn, William E., Jr.
 Jones, Robert E.

Scott, Gerald E. Wieden, Clifford, Jr.
 Simmons, Clyde M. Yaeger, Richard A.
 Smith, Clarence D. Bode, Wichard H., Jr.
 Starzynski, Paul M. Clark, James A.
 Tanksley, Lawrence E. Merry, Bion E.
 Van Grol, Daniel P., Rodgers, John H.
 III Huey, Benjamin M.

(Note: Asterisk (*) indicates ad interim appointment issued.)

CONFIRMATIONS

Executive nominations confirmed by the Senate January 19, 1965:

DEPARTMENT OF THE TREASURY

Sheldon S. Cohen, of Maryland, to be Commissioner of Internal Revenue.

Mitchell Rogovin, of Virginia, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 19, 1965

The House met at 12 o'clock noon.

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

Use the verse of Scripture, Ephesians 3: 20: *Now unto Him who is able to do exceeding abundantly above all that we ask or think, according to the power that worketh in us.*

Almighty God, we earnestly beseech Thee to bestow Thy gracious favor and benediction upon our President, our Vice President, our Speaker, and the Members of the Congress.

Grant that they may know how to guide the Ship of State and embody and express that noble kind of patriotism which seeks in personal character and public service to protect and perpetuate the good name of our beloved country.

May we all aspire to emulate the faithful in doing high and helpful things for our Republic and share in the blessed ministry of healing the hurts and heartaches of bruised and broken humanity.

Now may Thy grace, mercy, and peace descend upon us, through Jesus Christ, our Lord, in whose name we pray. Amen.

THE JOURNAL

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

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the Honorable EMANUEL CELLER, of New York, to act as Speaker pro tempore tomorrow, January 20, 1965.

THE LATE HONORABLE CHARLES A. PLUMLEY

Mr. STAFFORD. 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 Vermont?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I rise today to pay tribute to a former distinguished Member of the U.S. House of Representatives—an outstanding native citizen of the State of Vermont—a friend of many of you who are still here—the late Charles A. Plumley, U.S. Representative from Vermont from January 16, 1934, to January 3, 1951.

Mr. Plumley died in the town where he was born, educated, and retired, Northfield, Vt., on October 31, 1964, following the adjournment of the 88th Congress. He was buried the day before Election Day, but as was true of him in life, so death did not cheat him from full participation in the politics of that day. For he had cast an absentee ballot for President and other offices just prior to his death.

Charlie Plumley served a long and notable career in this great body, as did his father, the late Frank Plumley, Representative from Vermont from 1909 to 1915. But it would be difficult to have categorized the life of Charles Plumley.

In the field of education, he was a principal and superintendent in the public school system of his hometown and in later years served as president of Norwich University, one of this country's outstanding military schools, from 1920 to 1934.

Mr. Plumley was commissioner of taxes for the State of Vermont for 7 years, after having served in administrative positions in both our State senate and house of representatives. As a member of the State house of representatives, he served that body as speaker.

After 17 years in this body, Charlie Plumley retired on his own, expressing the view in his own words:

I thought, and still think, that some younger man should bear the burden of the responsibility for carrying out the ideas and the ideologies for which I have stood over the years.

Those of you who worked here in the Congress with Charlie Plumley knew him for his honesty and friendliness, and for the many years of valuable service he performed as a member of the important Appropriations Committee.

But of those who knew him best, I believe the words expressed following his death by a lifelong friend and classmate, Mr. William D. Hassett, of Northfield, come the closest to describing this memorable man. Mr. Hassett, former secretary to Presidents Roosevelt and Truman, wrote of his friend:

In the quiet of an October morning the long life of Charles Plumley ebbed to a peaceful close.

Few lives have touched the life of our Northfield community at so many angles as his. Born in the family home on Pleasant Street, as a boy he attended the graded school and prepared for Norwich University at Northfield High School. He was the only son of Frank Plumley, one of the foremost trial lawyers in New England and of Lavinia Fletcher Plumley. His mother was once preceptress of the local high school, of which her son was afterward principal. The Plumley household was a home of plain living and high thinking.

In all the great relations of life Charles Plumley never was found wanting nor inadequate. He had a genius for friendship and in his daily walks around Depot Square,

as long as he was able, he had a cheerful greeting for all and was loved alike by men, women, and children. As raconteur he had few equals as his long-to-be-remembered stories of old Northfield and its people bear witness in the memories of those whose world is a desolate place now that he has left it.

A lover of beauty wherever he found it, his garden on Prospect Street brought joy to all, especially when his peonies and an occasional "piney" were at their height. If all, into whose lives he brought laughter and sunshine, could place one blossom on his grave he would sleep tonight in Mount Hope in a wilderness of flowers. He met life on its own terms always with an equable temper, cheerful courage, and steady faith.

"Take him for all in all, we shall not look upon his like again."

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. STAFFORD. I would be delighted to yield to the distinguished gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, as one who served here with Charlie Plumley, of Vermont, and as one who admired him, respected him, and loved him, I would just like to say that the gentleman from Vermont's appraisal of Charlie Plumley's record here, his character and his service, is entirely correct. Charlie Plumley was one of the finest gentlemen that I have ever known. His friendship meant a lot to me. I am sorry indeed that he has gone to his reward, but I am sure that all those who knew him would agree with me that he served here with distinction, that he contributed in full measure to the benefit of his Nation and his State.

Again I thank the gentleman for yielding to me that I might add my sincere words of tribute to a great friend of mine, Charlie Plumley.

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

Mr. STAFFORD. I will be glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague from Vermont and the distinguished gentleman from Indiana [Mr. HALLECK] in this word of tribute to a former Member who performed outstanding service in this body and who had earned and received the highest respect of his colleagues. He loved the House and was loved by it.

I was shocked at the news of his death, and I extend my deepest sympathies to his friends and relatives.

Mr. STAFFORD. I appreciate the words of the majority leader.

Mr. O'HARA of Illinois. Mr. Speaker, even before I came to the Congress I had heard of the good heart and the good works of the Honorable Charles Albert Plumley. The late Congressman Ralph Church had referred to him a matter in which I was interested, because the young man concerned, who formerly had been a constituent of Congressman Church, was then a resident of Vermont.

It was one of those personal matters, not of earthshaking importance, but of real concern to at least one young man and the members of his immediate family. I appreciated greatly the response of Vermont's veteran Congressman in the case of a young man, a stranger to

him, only recently come to his State of Vermont and, moreover, a member of a Democratic family.

When I came to the 81st Congress I sought him out personally to tell him my appreciation. The friendship that followed was rich and rewarding. I am grieved to learn of his passing. In April next he would have reached the ripe age of 90. His indeed was a long and useful life and at every stage of a career that included the presidency of Norwich University, speaker of the Vermont House of Representatives, soldier, lawyer, banker, statesman. He made a friend of everyone with whom he worked.

Our late beloved friend and colleague was the son of another Congressman Plumley from Vermont, the Honorable Frank Plumley, who served in the 61st, 62d, and 63d Congresses.

GENERAL LEAVE TO EXTEND

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that all Members may have 2 legislative days in which to extend their remarks at this point in the RECORD.

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

There was no objection.

TO IMPROVE THE HIGHER EDUCATION SYSTEM IN OUR NATION

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I am pleased today to introduce the administration's recommendations to improve the higher education system of our Nation.

A week ago, President Lyndon Johnson sent to the Congress an education message which, in my view, was the finest ever submitted to the National Legislature. In the course of the 13-page message, President Johnson made many eloquent statements on behalf of education. One such passage stands out in my mind.

It came when the President quoted Mirabeau B. Lamar, second President of the Republic of Texas and the father of Texas education:

The cultivated mind is the guardian genius of democracy. It is the only dictator that free man acknowledges. It is the only security that free man desires.

Surely there are none among us today who cannot subscribe to President Johnson's invitation to us to join with him in declaring a national goal of full educational opportunity. Surely we can embark with the President on another venture to put the American dream to work in meeting the new demands of a new day. He continues:

Once again we must start where men who would improve their society have always known they must begin—with an educa-

tional system restudied, reinforced, and revitalized.

The administration measure, Mr. Speaker, which developed out of mutual consultations among the executive branch and the legislative branch and the educational constituencies, is a commendable one. The most significant proposal, in my judgment, is the President's recommendation for university extension and continuing education. This I would like to call—as has a Portland university president—the "City Grant College Act." The Landmark Morrill Act of more than one century ago brought into being the land grant college system to serve a primarily rural oriented Nation. Today, the situation has completely switched about and more than 70 percent of Americans live in urban areas. The City Grant College Act can do for our cities, beleaguered by bad housing, overcrowding, and a host of social problems, what the Land-Grant College Act did for the agricultural segments of our Nation. This recommendation by the Johnson administration may be the most significant of any recommendation of this generation. Today we cannot even envisage the results of this forward-looking program.

Among its many other fine features is the long-overdue proposal of a program of student assistance in the form of scholarships for 140,000 needy and qualified high school graduates. Surely, any qualified young man or woman who really wants a college education should have that opportunity.

Still another, is a faculty exchange program to strengthen less developed colleges. Many smaller colleges, apart from the mainstream of academic life for many reasons beyond their immediate control, face major financial problems, loss of accreditation, or difficulties in attracting top personnel. This proposal, which I introduced last year for purposes of discussion and study, would encourage our most advanced universities to enter into cooperative relationships with less developed colleges. I was most pleased that this administration has included this plan in the overall recommendations.

And finally, not without note, is the proposal to enable purchase of books and library materials to strengthen college teaching and research.

And so in the words of Lyndon Johnson on a far more somber day about 1 year ago, "Let us continue." Let us continue to expand and improve the partnership between the public and private colleges and the Federal Government that our children may be better equipped and better educated to face the challenges of tomorrow.

GEMINI SPACECRAFT SUCCESS

Mr. MILLER. 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 California?

There was no objection.

Mr. MILLER. Mr. Speaker, I have received word from the Administrator,

James E. Webb, of the National Aeronautics and Space Administration, that the second unmanned Gemini spacecraft has been recovered by our naval forces 2,150 miles down range in the mid-Atlantic.

This spacecraft was launched at 9:03 this morning from Cape Kennedy on a 16,600-mile-an-hour course. If post-flight tests indicate satisfactory performance during the flight, we have today passed a significant milestone in our space program. Early indications are that the mission met all requirements.

Today's launch was the second in the Gemini-Titan series. It was designed to complete the qualification of the launch vehicle and spacecraft for the program's two-man flights.

The first of these will carry NASA Astronauts Virgil Grissom and John Young into a three-orbital mission this spring. Later flights will be used to perfect space rendezvous and docking techniques, to study the performance of astronauts during periods of up to 2 weeks in space, and to test other operations that are basic to the lunar-landing Apollo program which will follow Gemini.

Gemini is the second major phase of our manned space-flight activities. We moved boldly into this two-man flight program after the brilliant success of the six manned flights of Project Mercury. We have confidence that Gemini and Apollo will prove equally successful and that this Nation will continue to move resourcefully with the help of its industries, its universities, its government, and the aspirations of all its citizens toward that day when the United States will stand preeminent in space as it is already preeminent on earth.

AKIO NAGAMINE, SPEAKER OF THE UNICAMERAL LEGISLATURE OF OKINAWA

Mr. MATSUNAGA. 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 Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it is my distinct honor and pleasure to announce that among many distinguished visitors to our Capital City during these busy days of inaugural festivities is a great friend of the United States, Mr. Akio Nagamine, speaker of the unicameral Legislature of Okinawa.

Mr. Nagamine, now 56, is a leader of the Okinawa Democratic Party. He has devoted all of his adult life to public service, having been a schoolteacher, vice principal, and principal. In 1946 he was appointed a school inspector by the Okinawa Civil Administration. He has also served as mayor of Orokuro-son, and commissioner of the land acquisition examining committee of the Ryukyu Government. In 1956 he was elected to the Okinawan Legislature and reelected for an additional five terms. He was chosen speaker of the unicameral legislature in 1960 and has held that position ever since.

Mr. Speaker, I am sure I speak for the entire membership of this House when I say that we are greatly honored by the visit of the Honorable Akio Nagamine, speaker of the Legislature of Okinawa.

**LEAD-ZINC ACT OF 1965
INTRODUCED**

Mr. ASPINALL. 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 Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I know that Members of the House are familiar in general with the various problems that have beset the lead and zinc industry in the last decade. I have been bringing these facts to the attention of this body because of the importance of the lead and zinc industry to the economy of many regions throughout the country and therefore to the overall economy.

In my district—the Fourth Congressional District of Colorado—lead and zinc mining is not only important but has added to the folklore of our Nation through the exploits of brave and adventurous prospectors in many districts. There is still a lot of ore in the ground at Leadville; but, there is little activity because the depressed conditions of recent years forced the mines to close. Other areas are likewise inactive although the minerals are there.

Since the 86th Congress it has been my responsibility, as chairman of the House Committee on Interior and Insular Affairs, to consider measures that would help all domestic mining industries including lead and zinc. So, I have been actively seeking solutions to these problems. I have long felt that the key to the development and maintenance of domestic mining sources that can be relied upon to expand our domestic economy and to be available if we ever need them for a national emergency, is to make sure that we balance imports to the end that the domestic mining industry will be assured of a fair share of the domestic market and therefore will be encouraged to make investments for long-range development.

Those of us who have been laboring for the salvation of the lead-zinc industry are of the opinion, Mr. Speaker, that this year we have the combination, that we have found a formula that, when enacted into law, will be fair to this Nation, its producers and consumers, and will, at the same time, be fair to our friends in the community of nations whose economy to some extent is dependent upon exporting lead and zinc to the United States.

In this connection, let me emphasize for the record that the national policy as set forth in the Trade Expansion Act is recognized by many of the supporters of lead-zinc import legislation as being advantageous to the growth of the American economy generally, that many segments of the industry supporting this legislation have significant international trade, and that in my considered opinion there is no basic inconsistency between

the type of legislation that we are offering today and an expansion of our international trade.

Let me also state for the record that there has been an improvement in the domestic lead and zinc mining industry in the last year and that prices of lead and zinc are at a level that will make it possible for the industry to operate economically if these prices are maintained. But let us not forget that this improvement, that these profits accrue to the benefit of those who have weathered the storm and remained in operation through the lean years when lead and zinc could not be mined profitably. This does not help those who were forced to go out of business; they cannot be helped unless and until they have some assurance that the industry will be stabilized during a long enough period of time to warrant the investment necessary to reopen old mines and open new ones.

We are at a stage of our economic development today where we need increased amounts of lead and zinc for domestic consumption. Some manufacturing and processing industries have told us that they are facing disastrous shortages of lead and zinc in the immediate future. The domestic lead and zinc mining industry cannot meet this short-range demand and the legislation has been introduced by Members of this body to provide for the release of additional supplies of lead and zinc from the national stockpile. Some further stockpile release appears justified, but I reserve for another day my judgment on the question of the quantity and the procedures of sale. However, I do make the firm observations that the stockpile was not created for the purpose of feeding supplies into the normal domestic markets and that stockpiled materials should not be utilized to influence the market.

The time to take the necessary steps to assure a continuing supply of lead and zinc for domestic use is now. We cannot accomplish this purpose by relying on either the stockpile or on foreign production and imports. And let me emphasize that it is not only in time of emergency that we cannot rely on foreign sources; we cannot rely on these sources at any time and particularly not at this stage of emerging and developing nations that have created new markets for these commodities at the very time that the highly industrialized nations, including ours, have created increased demands through expansion of their economies. Nonetheless, should there be a reduction in the rate of economic expansion, it would be at that very time that foreign producers would rush to take advantage of the U.S. market and once again possibly create the unfavorable conditions that caused the domestic lead-zinc mining industry to suffer the hardships it did during the last decade.

The time to assure a continuing flow of necessary lead and zinc is now; and the way to do it is by arrangement for a flexible import quota that will remove the threat of economic disaster for domestic mines while at the same time assuring foreign producers that they can continue shipping to this country at least

as much lead and zinc as they are able to at the present time under the existing quotas, which were imposed by the President of the United States on October 1, 1958. Those quotas are rigid, absolute quotas which, in my opinion, were very liberal and to the advantage of foreign producers when they were imposed.

By utilizing the existing quotas as a base, our flexible quota plan assures friendly foreign governments that these quantities will remain the minimum eligible for import and that, whenever the U.S. market conditions require it, the import restrictions will be relaxed and additional quantities of lead and zinc could be imported. Likewise, of course, the flexible quota system would provide for decreasing the quotas when metals stock levels indicate that U.S. market conditions are such that lesser imports are required.

The bill that we are offering today has the support of all segments of the domestic lead and zinc industry—miners and smelters alike. This bill is a refinement of legislation that many of us sponsored in the last Congress. One of the features of the legislation which we think is an improvement over the terms of the earlier bills places in global quotas percentages of import allowances that are not being utilized under existing quota. In addition we think that we will provide greater assurance of stability for the domestic miner and consumer while at the same time assuring the importer of a share of the market.

By permitting a continuation of the allocation of existing quotas to those countries that now have such quotas and have substantially fulfilled them under the present plan, and can be expected to utilize them in the immediate future, we permit those countries to sustain their own present level of production. Stated another way: The flexible quota procedure will permit an increase in base quota levels in direct relation to any sustained growth of our economy resulting in increased consumption of lead and zinc and thereby permit foreign producers to share proportionately in our growth.

Finally, we have provided that whenever a country fills less than 90 percent of its assigned quota during a calendar year the deficiencies would be allocated to a global quota, available to any country, thereby providing supplies necessary to supplement domestic production and also automatically adjust imports to the fluctuations of mine and metal production available for export to the United States by other countries.

Those of us introducing this legislation today urge all Members to study it and we will welcome expressions of support in the form of additional cosponsors who would also introduce this legislation.

It is my hope, Mr. Speaker, that the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas, the Honorable WILBUR D. MILLS, will obtain early reports on this legislation from the interested executive departments and agencies and thereafter schedule hearings on this measure. This is a bipartisan national

project in which we have representation from the North, East, and South, as well as the West. I readily admit, however, that my interest is heightened by the fact that Colorado has consistently been one of the five principal States producing lead and zinc from among the 20 States that have produced lead and zinc in substantial quantities. New sources of lead and zinc are being tapped. We reasonably anticipate new significant production from Kentucky and Maine to maintain the pace and accelerate production to keep in step with the growing economy.

We must take the necessary legislative action at this time to forestall a recurrence of the broad differential that has occurred on other occasions resulting in uncertainty and economic disaster.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ULLMAN. Mr. Speaker, I am pleased to rise at this time to associate myself with the concept outlined by my colleague, the gentleman from Colorado, the Honorable WAYNE N. ASPINALL, who has been doing such an outstanding job as chairman of the House Committee on Interior and Insular Affairs and particularly in discharging the responsibilities of that committee with regard to domestic mining and mineral industries.

For this reason, I am happy to join as a cosponsor of the Lead and Zinc Act of 1965. I, too, subscribe to the thought advanced by my colleague from Colorado to the effect that the flexible quota formula proposed in this import legislation is not inconsistent with our basic policy underlying the Trade Expansion Act. The fact is that we must assure ourselves of continuing adequate supplies of lead and zinc, and this can only be accomplished if we encourage the discovery and development of additional domestic sources.

It is a source of satisfaction and encouragement that those of us cosponsoring this legislation have been able to agree on a formula which starts from a base in which the present quotas are the minimum and that, therefore, when domestic consumption of lead or zinc increases, we will have a liberalization of the import controls permitting additional foreign material to enter the country.

The bills that we have introduced today are fair to all—domestic producer as well as foreign producer, the consuming industries as well as the consuming public.

I urge enactment of this legislation as an important part of our economic progress.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. ICHORD] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ICHORD. Mr. Speaker, I have again this year joined the gentleman from Colorado, Chairman ASPINALL, of the House Interior and Insular Affairs Committee, in the introduction of legislation designed to impose a flexible quota system on imports of lead and zinc to protect the domestic lead and zinc industry from devastating price levels that have resulted in the past.

For more than a decade this industry, so necessary and vital to our Nation's national defense, has experienced the throes of a holocaust of cancerous genus, which has slowly and constantly been destroying the lifeblood of the lead-zinc industry, and in its wake, closing our own mines and causing great portions of unemployment. In view of the ills suffered by the industry, I think it is time for Congress to take positive action to stabilize and maintain a healthy lead-zinc mining industry.

The lead-zinc industry has had a series of ups and downs in the past decade. The price of lead per pound decreased progressively from \$0.179 in 1948 to \$0.092 in 1962. In 1963 the price rose to \$0.11 and approximately \$0.14 in 1964, in keeping with the trend of the general level of our economy, but how long can this industry endure on the premise of survival by chance? The price is still too low for satisfactory conditions in the industry. Of course, the improvement is gratifying, but we must look toward a long-term stabilization by improving trade policies and statutes.

The flexible import quota system proposed by this legislation is the only immediate answer to the serious problem. It is designed as a twofold purpose, to help our own domestic producers and to still maintain necessary trade on the world market.

How can we continue to justify the inaction of Congress to the U.S. mines and producers? In my own State of Missouri, where more than 40 percent of the Nation's supply of lead is produced, there are only 6 mines in operation today, as compared to 90 in 1948, 68 in 1950, 18 in 1955, and 5 in 1960. As the mines have closed the unemployment rolls have increased, until today there are hundreds of men out of work and as many families with little means of support, causing incalculable damage to the local economy and adding to the injuries of the industry.

Something has to be done and now, not next year, is the time.

It is my opinion, after much basic research into this matter, that the flexible, adjustable plan proposed by this legislation will provide the necessary control to stabilize the industry and solve the problems. Through the provisions of the bill it will be possible to assure a fair share of the domestic lead-zinc market to the domestic industry without disturbing international relations by the flexible, adjustable quotas.

There are only 20 States where lead and zinc mining is in operation today, but the problems I have briefly delineated are important enough to warrant the serious attention of every Member of the House of Representatives. I cannot exaggerate or overemphasize the necessity

of immediate action by Congress to enact import controls in the interest of providing long-term stabilization of the lead-zinc industry at economic levels favorable to domestic producers by the flexible import quota plan presented by the gentleman from Colorado, Chairman ASPINALL.

I strongly urge passage of this legislation.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am joining today in introduction of the Lead and Zinc Act of 1965, providing for a flexible import quota system for these two metals.

Conditions in the domestic lead and zinc markets have improved during the past year, because of a good rate of consumption, that has paced the generally satisfactory level of our economy. The domestic mining industry is finally approaching the point of recovery after a very long spell of reduced and unprofitable operation. Now is the time to consider and enact proper import controls to assure long-term stabilization of the industry at operating and economic levels favorable to domestic producers with assurance of adequate metal supplies for United States consumers.

For more than a decade the lead-zinc mining industry in the United States has been beset with serious problems and uncertainty arising from imports of these metals and ores. During this period the industry has appeared before the U.S. Tariff Commission on many occasions, each time with findings of import injury, but there still is no intelligent solution to its problems, although these problems have repeatedly been demonstrated and recognized.

A system of absolute quotas was imposed on October 1, 1958, but these quotas are not an effective instrument to meet the problems of the mining and smelting industries or of the consumers of lead and zinc in the United States. They were set too high to effectively and expeditiously correct the situation that called for their imposition in 1958, at a time when metal stocks were at extraordinarily high levels and metal prices were too low for profitable mine operation. Being of fixed quantity, they guaranteed to foreign producers a fixed quantitative participation in the U.S. market, regardless of the level of consumption, thus putting the entire burden of adjustment during low cycles of domestic consumption on the U.S. mines. Further, being of fixed quantity, they have no flexibility to meet changing levels of consumption, and under some conditions such as those prevailing today they approach the point of being too low.

The underlying conditions that caused the 1956-57 debacle have not changed and in the absence of adequate and effective import controls will continue as a threat to the stability of the U.S. mining industry. In fact, the strong trend to

treatment of ores in countries of origin, with a view to selling the metal products in the United States, has widened the threat to stability of the lead-zinc smelting industry in the United States, and even to the continued existence of some segments of it.

Being aware of the deficiencies of the present quotas and the need for achieving and maintaining reasonable stability in the domestic lead-zinc industry, I have joined with Members of the Congress in seeking a means of curing these deficiencies and meeting this need. During the 88th Congress we introduced legislation for flexible quotas on lead and zinc, based on past experience with the existing quota plan.

Import quotas would be determined by the relative level of producers' metal stocks and would consider the interests of the miner, smelter, consumer, and importer.

The domestic lead-zinc industry has been held in uncertainty too long. Maintenance and development of the industry cannot proceed with confidence unless the industry can look to the future with assurance that it will not again be the victim of unwarranted invasion of the U.S. market.

Prompt adoption of flexible quota legislation in substantially the form proposed by Members of the Congress would provide this assurance and put to rest without further unwarranted delay a problem that has too long awaited solution.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I represent a congressional district that has been noted for its production of zinc and lead—so important to the growing economy of our country. Unfortunately this production has dwindled since the mid-fifties to a small proportion of previous annual totals as many mines were forced to close, with U.S. metal prices driven to unprofitably low levels.

These price reductions were caused by an influx of foreign imports, particularly during 1956 and 1957 that greatly exceeded our needs and our ability to assimilate in the American economy.

As a result an absolute quota plan was invoked in late 1958 but the damage had been done. Large metal stocks overhung our markets and kept U.S. prices at the unprofitable low levels, previously referred to, resulting in closure of domestic mines, not only in my district but in practically all the districts of our 20 States providing these metals.

Employment in U.S. mines was cut by 60 percent and the value of the products mined was cut in half compared to the early 1950's.

With the current change and improvement in consumption of zinc and lead, there is now a tight supply of both metals. The mines, lacking any incentive during the past 10 years to explore, develop, and mine new ore reserves, can-

not cope with the rapid fluctuations in U.S. and world price changes experienced during the past decade. This reemphasizes the oft-repeated statement that "a mine is not a spigot—production cannot be turned on and off at will"—the natural factors of geologic occurrence and expensive maintenance and replacement of machinery as well as training of manpower must be considered.

At the present time the absolute quotas of 1958 appear too restrictive, but removal of these quotas would have little effect, as world market prices are higher than ours and some supplies formerly sent here by our foreign friends are going to greener pastures.

Mr. Speaker, the economics of zinc and lead mining do look better at the present time, but we know that other nations are already greatly expanding their capacity to mine zinc and lead ores and to increase smelting capacity to refine these two metals. This exceeds the reliable estimates of an increase in world consumption.

It is inevitable that a worldwide surplus of metal will again occur and this can happen within a short period of 1 to 3 years.

The flexible quota plan that I am introducing today, in a bill identical with the one introduced by the gentleman from Colorado, Chairman ASPINALL, will control imports of zinc and lead to necessary levels. This plan has been studied and approved by practically all segments of the U.S. mining and smelting industry. Their endorsement is made not on self-interest alone but with the overriding consideration that the consumer must have adequate metal supplies on a long-term basis and prices must be fair and equitable for all concerned with a minimum of fluctuation to enable long-term planning by both the producer and consumer. The flexible quota plan also provides for a fair sharing of our markets with the foreign nations producing zinc and lead and on an orderly basis. Stated another way, imports will be authorized as needed to supplement our own ability to produce; but, in addition, the plan guarantees the importer of zinc and lead a minimum quota at the level of the present allocation. As consumption increases, imports may increase.

The legislation also continues provisions to gradually change allocations from those who do not wish to participate in our markets to those countries desiring a greater share of our consumption.

In summary this is a plan that considers the needs of the miner, the smelter, and the consumer and the desires of the importer.

The present absolute quota system should be replaced by the flexible quota system for the good of our industry and our country. I urge speedy consideration and enactment of this important measure by the 89th Congress.

PREMIER SATO'S VISIT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is now 2 years since I stated on this floor that the Communist threat in Africa came not from Russia but from Red China. Recent events have shown the growing seriousness of this threat, and upon that I shall speak at some length on a later occasion.

Today I have asked for this time to comment on this passage from a news story in the New York Times of January 14, 1965, on Premier Sato's conversations with President Johnson:

The communique said President Johnson "emphasized the U.S. policy of firm support for the Republic of China (on Taiwan) and his grave concern that Communist China's militant policies and expansionist pressures against its neighbors endanger the peace of Asia."

Mr. Speaker, the column of William White is widely read by discriminating persons in the field of world affairs. I am certain he has spoken truly the mood of the administration and the thinking of the American people. Our interest and the interest of all the free world, including Japan, is in free China. Certainly trade with Red China, intended to bolster the economy of those intent on our destruction, is not what we would hope from a trusted ally.

It is my hope that the visit of the Japanese Prime Minister, which was so delightfully staged and so promising for the future of our two countries, will clear up any misunderstanding on the matter of trade with Red China. True allies, as true friends, must stand together. The strength of the free world in large measure is in the acceptance by all of concerted policies.

I commend President Johnson for making it clear, according to the New York Times, that our full support is with the Republic of China. Trade by our allies with Communist China could scarcely be called compatible. That, I trust, will be the message carried home to Japan by the Premier who so charmed us during his all too brief visit.

EQUITABLE AND REASONABLE DIVISION OF DEBATE ON CONFERENCE REPORTS

Mr. GOODELL. 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. GOODELL. Mr. Speaker, I am today introducing a House resolution calling for amendment of rule XXVIII of the rules of the House to provide for an equitable and reasonable division of debate time on conference reports.

This House has indicated its concern for fair treatment of minorities and it can do no less than to establish fair ground rules for the conduct of its own affairs.

The proposed new paragraph to be inserted in the rule would read as follows:

3. When a motion to disagree to a conference report in its entirety has been made, it shall be in order, before a final vote is taken thereon, to debate the proposition to be voted upon for one-half hour to be given to debate in favor of, and one-half hour to debate in opposition to, such a proposition.

The ultimate object of the resolution, of course, is to assure the minority of an opportunity to state its case on these reports. There can be no question, moreover, that it guarantees to the majority the immense advantage of an effective opposition.

Under the rules as they now stand, conference reports are considered in the House under the 1-hour rule. The individual Member handling the report can move the previous question without yielding to the opposition, effectively gagging the minority and cutting off the possibility of constructive and effective criticism. There is no way that any minority views can be incorporated into the conference report.

I urge the adoption of the resolution, Mr. Speaker, as a matter of equity and commonsense.

THE PEOPLE ARE ENTITLED TO THE TRUTH

Mr. MARTIN of Alabama. 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 Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, whether we are in favor of foreign aid or opposed to it, I am sure we are all agreed on one basic fact: Congress and the people are entitled to the truth as to the amount being spent and how it is distributed.

Following the President's message on foreign aid, great publicity was given by the White House and the news media leading us to believe that we would spend less on foreign aid this year than last. In fact, the President was quoted as saying his foreign aid request "is the smallest in the history of the foreign program since it was started in 1948."

What are the real facts, Mr. Speaker?

Fact No. 1 is that the President's request for foreign aid funds for fiscal 1966 is \$130 million more than last year's appropriation and \$380 million more than the appropriation for 1964.

Fact No. 2: He inserted in his message a separate request for an additional \$750 million for aid to Latin America.

Fact No. 3: He said the amount asked for the Vietnam operation may not be enough, and he is requesting standby authorization to appropriate additional money if necessary.

Fact No. 4: There is already on hand \$6.5 billion in unexpended funds, money previously appropriated by Congress, but not yet spent.

Mr. Speaker, it is not fair to the people of the United States to present budget requests in terms of juggled figures and statements which make us believe we are

spending less money when the fact is we are spending more. Let the administration present to Congress legitimate budget requests, stated in plain language so we, and the people we represent, may have the opportunity to judge all proposed programs on their merits and in their true light.

ANNOUNCEMENT BY THE MAJORITY LEADER

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have requested this time for the purpose of making a statement to my colleagues.

Mr. Speaker, I desire to alert my colleagues that when we adjourn today, we will meet tomorrow at 10:30 o'clock. I urge all the Members to be here promptly because the procession for Members of the House will leave in a body promptly at 10:35 a.m., so that the inaugural exercises on the platform at the east front might start precisely at 11 o'clock. There will be no opportunity for Members to join the procession after it leaves the House Chamber.

Members must display their official tickets in order to get a seat on the platform. There are no seats available for former Members on the platform. Therefore, former Members may not join the procession.

The seats to be occupied by Members of the Senate and House of Representatives have no cover. Members are urged to wear overcoats and take hats to protect themselves from the cold.

No children will be allowed upon the platform, and there will be no seats except for Members actually holding tickets for their own seats.

So, if you expect to be in the procession and get a seat on the platform, you must be in the Chamber at 10:30 a.m. tomorrow.

The procession will be headed by the Speaker pro tempore, then the chairmen of committees, and then the other Members in order of seniority.

Following the inaugural ceremonies on the east front, shuttle buses will be available at First and Independence Avenue, between 12:30 and 1:30 to take Members and their wives to the parade reviewing stands at the White House. The buses will also be available to bring Members back to the Capitol after the parade.

DISMISSAL OF CONTEST OF ELECTION OF RICHARD L. OTTINGER

Mr. ALBERT. Mr. Speaker, I call up a privileged resolution which is at the Clerk's desk.

The Clerk read as follows:

H. RES. 126

Whereas James R. Frankenberry, a resident of the city of Bronxville, New York, in the Twenty-Fifth Congressional District thereof, has served notice of contest upon RICHARD L.

OTTINGER, the returned Member of the House from said district, of his purpose to contest the election of said RICHARD L. OTTINGER; and

Whereas it does not appear that said James R. Frankenberry was a candidate for election to the House of Representatives from the Twenty-Fifth Congressional District of the State of New York, at the election held November 3, 1964: Therefore be it

Resolved, That the House of Representatives does not regard the said James R. Frankenberry as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, RICHARD L. OTTINGER, is hereby dismissed.

Mr. ALBERT. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the purpose of this resolution is to dismiss a contest brought against the gentleman from New York [Mr. OTTINGER]. The notice of contest was given by letter dated December 19, 1964, by Mr. James R. Frankenberry, of 40 Woodland Avenue, Bronxville, N.Y. Mr. Frankenberry attempts to initiate this contest under the provisions of Revised Statutes 105 to 130, as amended, 2 United States Code 201-226 inclusive.

Mr. Speaker, the House is the exclusive judge of the election, returns, and qualifications of its Members under article 1, section 5, of the Constitution of the United States.

The application of the statutes in question is justifiable by the House and by the House alone—*In re Voorhis*, 296 Federal Report 673.

Mr. Speaker, under the law and under the precedents, Mr. Frankenberry is not a proper party to contest the election of the gentleman from New York [Mr. OTTINGER]. He is not a proper contestants within the applicable statutes, because he would not be able, if he were successful, to establish his right to a seat in the House. The contest involving Locke Miller and the gentleman from Ohio, Mr. MICHAEL KIRWAN, in 1941, is directly in point, as reported in the CONGRESSIONAL RECORD, volume 87, part 1, page 101.

The proceedings in the House at that time read as follows:

H. RES. 54

Whereas Locke Miller, a resident of the city of Youngstown, Ohio, in the Nineteenth Congressional District thereof, has served notice of contest upon MICHAEL J. KIRWAN, the returned Member of the House from said district, of his purpose to contest the election of said MICHAEL J. KIRWAN; and

Whereas it does not appear that said Locke Miller was a candidate for election to the House of Representatives from the Nineteenth Congressional District of the State of Ohio, at the election of November 5, 1940, but was a candidate for the Democratic nomination from said district at the primary election held in said district at which MICHAEL J. KIRWAN was chosen as the Democratic nominee: Therefore be it

Resolved, That the House of Representatives does not regard the said Locke Miller as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, MICHAEL J. KIRWAN, is hereby dismissed; and no petition or other paper relating to the subject matter contained in this resolution shall be received by the House, or entertained in any way whatever."

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Speaker, the issue in the case brought by Locke Miller and the notice filed by Mr. Frankenberry are identical except that in the former case Locke Miller had been a candidate for the disputed office in the primary. The statutes under which this proceeding is initiated do not provide, and there is no case on record that we have been able to find to the contrary, that a person not a party to an election contest is eligible to challenge an election under these statutes.

Clearly under the precedent to which I have made reference, Mr. Frankenberry is not a contestant for a seat in the House, and his contest should be dismissed.

Therefore, Mr. Speaker, I urge adoption of the resolution.

Mr. Speaker, at this time I yield 2 minutes to the gentleman from New York [Mr. GOODELL].

CALL OF THE HOUSE

Mr. ARENDs. 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. 5]

Anderson, Tenn.	Grabowski	O'Hara, Mich.
Ayres	Gray	O'Neal, Ga.
Baring	Grover	Pirnie
Battin	Harsha	Poff
Belcher	Harvey, Ind.	Powell
Blatnik	Hebert	Randall
Bolling	Holland	Reid, N.Y.
Bolton	Hosmer	Reifel
Bow	Hull	Reuss
Burton, Utah	Ichord	Roncalio
Cahill	Jarman	Roosevelt
Callaway	Jones, Ala.	Saylor
Casey	Kelly	Shipley
Chamberlain	King, N.Y.	Sickles
Clancy	Kirwan	Staggers
Clausen, Don H.	Landrum	Staibaum
Collier	Leggett	Steed
Corbett	Lindsay	Stephens
Craley	Long, La.	Teague, Calif.
Curtis	Long, Md.	Thompson, La.
Davis, Ga.	McDowell	Thompson, Tex.
Devine	Macdonald	Toll
Diggs	Mackay	Tuck
Dwyer	Maillard	Tupper
Edwards, Calif.	Martin, Mass.	Van Deerlin
Ellsworth	Mathias	Watkins
Erlenborn	May	Watson
Everett	Michel	Weltner
Farbstein	Mills	White, Idaho
Fino	Minshall	Willis
Fisher	Morrison	Wilson, Bob
Fraser	Morton	Wright
	Nelsen	Wyaler

The SPEAKER. On this rollcall 334 Members have answered to their names, a quorum.

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

The SPEAKER. The gentleman from New York [Mr. GOODELL] is recognized for 2 minutes.

DISMISSAL OF CONTEST OF ELECTION OF RICHARD L. OTTINGER

Mr. GOODELL. Mr. Speaker, the privileged resolution before the House

will in effect declare that only a candidate for the office of U.S. Representative may contest the election of a Congressman.

The gentleman from New Hampshire [Mr. CLEVELAND] will follow me with a long series of precedents to the contrary.

This is the case where it has been alleged, and apparently reports have been made, that something close to \$200,000 was spent in the campaign, a very large part of that sum by members of the family of the candidate.

I do not dispute the majority leader's statement that the House of Representatives is the exclusive judge of the qualifications of its Members, but the Corrupt Practices Act provides specifically for the taking of depositions and testimony which can be submitted to the House Committee on Administration. That procedure was being followed this morning in the New York State Supreme Court where one of our Members was subpoenaed to appear and testify to these facts. But he did not appear. This resolution would in effect cover up this whole situation, and it would wipe this out before the House.

Mr. Speaker, it is clear that the election laws of this country are fast becoming a national disgrace. Certainly the House today should handle this kind of a matter in a dignified, thorough, and eminently fair manner. I would hope, therefore, that the House will defeat this resolution and that the matter will then go to the House Administration Committee for proper and deliberate action where the facts may be presented and where we may consider whether the Member should actually in this case be seated permanently.

There are many precedents with reference to the campaign contributions and excessive expenditures where the House has denied a Member a seat. Certainly, whatever our party, we must recognize in this kind of a situation that the reputation and dignity of the U.S. House of Representatives is involved. We should see to it that a full and complete hearing is held.

I ask that the Members give particular attention to the remarks of my colleague from New Hampshire [Mr. CLEVELAND], who will go into the details of this situation.

Mr. ALBERT. Mr. Speaker, I yield 10 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. 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 New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the manner in which I became interested and concerned regarding this case is set forth in some detail in the House Record at page 39. I will not restate the details of how I became interested in this matter at the present time, but I do wish to say that I have nothing personal against the gentleman from the 25th District of New York. It is simply a matter of the issues involved.

Indeed I read with interest his remarks appearing in the RECORD of yesterday, page 797. I am sure he is a fine person, but the issues involved in considering this resolution transcend such consideration.

The case for the resolution which has been offered by the distinguished majority leader is set forth in detail at page 795 of yesterday's RECORD. I do not know the gentleman who wrote this letter, Mr. H. Newlin Megill, but I respectfully submit that when he states the precedents are all his way I believe him to be incorrect.

I turn, first, to the RECORD for the first day of our session, page 17, and I wish to quote the distinguished majority leader who was then speaking in reference to seating the Mississippi delegation.

He said:

Any question involving the validity of the regularity of the election of the Members in question is one which should be dealt with under the laws governing contested elections.

I agree with the majority leader, and I believe his statement at page 17 of the RECORD above quoted properly sets forth the law pertinent to this matter.

Let us turn to the law itself, the law that is given out to the general public, the law which was read by distinguished counsel from New York, and the law which was acted on in good faith in this present case. Here it is expressed in plain and precise language that all can understand—2 U.S.C. 201:

Whenever any person intends to contest an election of any Member of the House of Representatives of the United States he shall—

And so forth. "Any person." It does not say a candidate only.

Let us look at the policy established by the House Committee on Administration and the special committee that handles these matters, and I quote from the Union Calendar No. 839, House Report No. 1946. This is the language of the committee of the House at page XVI:

In order to avoid the useless expenditures of funds and the loss of time by the committee and the staff, it has been decided by the committee to conduct investigations of particular campaigns only upon receipt of a complaint in writing and under oath by any person, candidate, or political committee, containing sufficient and definite allegations of fact to establish a *prima facie* case requiring investigation by the committee.

Here it is specifically spelled out that it can be any person, candidate, or political committee.

I might add in connection with this same thought that this matter was referred to that committee last December, but that committee did not have time to act on this matter. In Mr. Davis of Tennessee's last report he transmitted the matter of the Ottinger contest to the Clerk of this House and respectfully asked to put before the Committee on House Administration the protests of James R. Frankenberry—see page VI.

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

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

Mr. GOODELL. Is it not a fact that the gentleman has briefs from the Congressional Library which cite a series of precedents in which noncandidates have contested House seats, in which full investigations have been had by the House Committee on Administration, and that perhaps the most prominent one that comes to the mind of all of us is the case of our former colleague Brooks Hays, in which his opponent did not contest it but an individual was contesting it, and a full investigation was made by the House Committee on Administration.

Mr. CLEVELAND. The answer is yes. I have two briefs prepared by the Library of Congress. Both of these briefs will be inserted in the RECORD under my general right to include extraneous matter. I will discuss briefly these two briefs.

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

Mr. CLEVELAND. I yield to the gentleman from New York for a question.

Mr. KEOGH. The gentleman mentioned the contest with regard to Brooks Hays. Was not that an investigation that was under a special resolution of the House Committee on Administration and not under the general law regarding the matter of elections? The answer is yes or no. Was not the Brooks Hays contest a special resolution adopted by the House, and it was not under the general laws regarding contested elections?

Mr. CLEVELAND. I will answer the gentleman's language and not yield further.

The contested election was not brought by Brooks Hays. It was brought by a gentleman from Arkansas by the name of Mr. John F. Wells. I will not yield further.

These two briefs from the Congressional Library, which will appear hereafter in the RECORD, both state that not only a defeated candidate but any person may institute such a contest under the contested-elections law.

The two briefs are as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., December 23, 1964.

[Provided at the request of Mr. CLEVELAND]

From: American Law Division.

Subject: House of Representatives Election Contest: Must a noncandidate proceed under 2 U.S.C. 201?

Section 201 of title 2 of the United States Code provides that whenever any person intends to contest an election he must give notice in writing of his intention to contest to the Member whose seat he intends to contest. The notice must specify the grounds on which he intends to rely and must be given within thirty days of the date on which the result of the election is determined. Subsequent sections require the Member to answer the notice within thirty days of service, set forth the procedures for taking testimony, and require that all testimony be taken within ninety days from the day on which the answer is served on the contestant.

Perhaps the first observation to make about these provisions of the Code is that they in no way limit the authority of the House under its constitutional power to be the judge of the elections, returns and qualifications of its own Members. The House can and frequently does ignore these statutory requirements.

Perhaps the second observation to make is that some authorities consider these statutory provisions inapplicable to challenges

made against the election of a Member by anyone other than a candidate. Thus in Paine on "Elections" we read:

"A case adjudicated in the house on the protest of an elector, or other person, or on the motion of a representative. Is not an action *inter partes*. It is a proceeding under the constitution, and not under the statute. In that proceeding there is no contestant to serve the notice of contest prescribed by the statute; there are no parties to serve notices to take depositions, or to examine or cross-examine witnesses; no parties who have it in their power, by their acts, omissions, stipulations, admissions, waivers, or laches, to dispose of the questions and interests involved; no parties into whose hands the law intrusts the fate of the controversy. In that proceeding there is no contest, or deposition *inter partes*, or stipulation *inter partes*, in the sense of the provisions of the revised statutes. To that proceeding the provisions of the revised statutes have no applicability. Those provisions are framed clearly and distinctly for actions *inter partes*." (Halbert E. Paine. "A Treatise on the Law of Elections," pp. 837-838, Washington, D.C., 1888.)

Despite the logic in the observations of Paine, the language of section 201 is broad enough to embrace challenges made by any person as well as by a candidate who seeks a seat and there are precedents which indicate that the statute was intended to be interpreted broadly.

An interesting discussion on the intent of the statute took place on the floor of the House in connection with a Maryland election. Within 30 days, as required by the statute, a defeated candidate served notice on a sitting Member. Before any evidence was taken, however, the defeated candidate also petitioned the House to investigate the election on the ground that it had been carried out by fraud and violence. In his petition, he emphasized that he was not claiming the seat for himself but sought rather to have the House investigate his allegations of fraud and violence and conclude that no valid election had taken place. His petition was endorsed by several reputable citizens of the district. The petition was considered by the Committee on Elections and the majority of the committee found no reason for extraordinary action by the House and, while conceding that the House had the power to take such action despite the statute, recommended that the petitioner be required to proceed with the taking of testimony under the procedure set forth in the statute. They agreed that this was not a personal contest of an election but rather a popular remonstrance of its validity.

The minority considered that the statute was intended to apply only to a personal contest initiated by one claiming a seat and that the appropriate remedy was to give the Committee on Elections the power to send for persons and papers, etc., in order to investigate the election.

One of the most telling arguments against the minority contention that the statute was intended to apply only to one claiming a seat was made by Mr. Washburn, of Maine, immediately before he moved the previous question:

"If it [the minority contention] be right, then an individual who contests a seat has only to get some friend to send in a memorial making a contest for him, and the House must order the testimony to be taken at the expense of the Union, and to be brought here outside the law of 1851" (which is now embodied in 2 U.S.C. 201-226).

The proposition of the minority was disagreed to and the House adopted the resolution of the majority "that it is inexpedient to grant the prayer of the memorialist for the appointment of a committee to take testimony." (Debate reported in the Congressional Globe, 35th Con., 1st sess. at pp. 725-735, 745-746, Feb. 16-17, 1858.)

Since that time the House has on occasion authorized the investigation of an election by a House committee on petition of a non-candidate, most recently in connection with the election of Dale Alford to a seat from Arkansas in 1958. (See committee print, "Investigation of the Question of the Final Right of Dale Alford to a Seat in the 86th Congress Pursuant to House Resolution 1, July 28, 1959.") There are at least two additional precedents, however, which indicate that it would be unsafe for the noncandidate to rely solely on a petition to the House and suggest that he should also proceed under the provisions of the statute.

Five months after an election in South Carolina in which none of five candidates instituted a contest, the mayor of Charleston who was not a candidate filed charges with the House alleging violations of the Federal and State corrupt practices acts, in promising Federal offices and in the receipt and expenditure of large sums of money for which no accounting was made, and prayed that the charges be investigated and if substantiated that the House expel the successful candidate. The report of the committee to which the petition was referred held that the mayor had been guilty of laches in not instituting a proceeding to contest the seat. The mayor "could, and we think should, have filed a protest in the nature of a contest and within the time prescribed by the statute. Had he filed his contest within the time prescribed by the statute, a method of taking testimony would have been provided for and the sitting Member would have been given an opportunity to have known the nature and cause of the accusations, the right to answer thereto, and to examine and cross-examine the witnesses" (cited in 6 Cannon, sec. 78). The House adopted the committee's recommendation that the charges filed be dismissed.

In another case there was some question about whether a notice of contest had been served within the 30 days required by the statute. The committee held, however, that the notice had been filed in time but that it was defective because it failed to allege that the claimant was a candidate for Congress, or a voter in the district, or that he had any interest in the result of the election (6 Cannon, sec. 97).

The precedents would seem to indicate not only that a noncandidate may but will sometimes be required to follow the procedures set forth in the statute.

VINCENT A. DOYLE,
Legislative Attorney.

THE LIBRARY OF CONGRESS,
Washington, D.C., December 8, 1964.

[Provided at the request of Mr. CLEVELAND]

From: American Law Division.

Subject: Challenges to seating Members of the House of Representatives.

Reference is made to your request for material on challenging a Member-elect's right to his seat in the House. Enclosed is a copy of a memorandum of September 17, 1964, on the subject.

Additional information as requested, is as follows:

1. Copy of, "Recent Cases in Which a Member-elect of the House of Representatives Was Asked To Stand Aside Until His Contested Election Has Been Investigated," Mollie Z. Margolin, American Law Division, December 30, 1958.

2. Copy of Record of House Contested-Election Cases, 73d Congress (Mar. 9, 1933) through 85th Congress (Aug. 30, 1957).

3. Copy of Record of House Contested-Election Cases, 1951-60.

4. Copy of pages 9364-9365 of No. 81 CONGRESSIONAL RECORD, August 19, 1937, listing House contested-election cases from 1907 to 1937.

5. Copy of "Cases of Congressmen Who Were Admitted to Membership While Not

Possessing Constitutional Qualifications," Legislative Reference Service, 1942.

6. Copy of Résumé of House Contested Election Cases, 40th Congress (1867) to 51st Congress (1891), Legislative Reference Service, 1941.

In addition to the foregoing, further information includes—

(A) Instances of initiation of contested-election cases in the House by others than the contestant:

1. While there is no explicit statutory authority or rule of the House relating to the initiation of contested election cases by others than a defeated candidate, the House has long recognized this practice. In the South Carolina case of Richard S. Whaley, in the 63d Congress (1913), the House Committee on Elections, No. 1, described, in its report, the four instances in which the House could consider contested-election cases. The committee stated (Cannon's Precedents of the House of Representatives, vol. VI, sec. 78, p. 111):

"(a) The House may adjudicate the question of the right to seat in either of the four following cases:

"(1) In the case of a contest between the contestee and the returned Member of the House instituted in accordance with the provisions of law.

"(2) In the case of a protest or memorial filed by an elector of the district concerned.

"(3) In the case of the protest or memorial filed by any other person.

"(4) On motion of a Member of the House."

In this particular case, the protest was initiated by the mayor of Charleston, who filed charges of the violation of the Federal and State corrupt practices acts, some 5 months after the election. The committee held that since the protest had not been filed within 30 days after the determination of the result of the election as required by law (2 U.S.C. 201) the matter was not one of an election contest but of the expulsion of a Member for ineligibility.

The case was dismissed for lack of proof of the charges.

2. Nineteenth Congress, Pennsylvania case of John Sergeant, 1828 (Hinds' "Precedents of the House of Representatives," vol. I, sec. 555). A tie having resulted at the general election, a second election was held in which Sergeant was the winner. Citizens presented memorials purporting to show that Sergeant's opponent had won the first election, but the memorials were dismissed on the theory that whatever rights the parties had acquired as a result of the first election had been voluntarily relinquished. Sergeant was admitted to his seat.

3. Fourth Congress, Massachusetts case of Joseph Bradley Varnum, 1796 (Hinds', supra, vol. I, sec. 763). In February 1796, memorials were presented from sundry citizens and electors of the Second District of Massachusetts complaining of the "undue election and return" of Joseph B. Varnum and saying that the seat be declared vacant. The House, accepting a report that charges of illegal voting were unfounded, seated Varnum.

4. Twenty-sixth Congress, Pennsylvania case of *Ingersoll v. Naylor*, 1839 (Hinds', supra, vol. I, sec. 803). In December 1839 the House decided that as between two claimants to a seat from Pennsylvania, that Naylor should be seated. In late January 1840 a petition of citizens and electors from the Pennsylvania district was presented complaining of fraud and illegality in the election of Naylor. The House, after an investigation, accepted the report of the committee seating Naylor.

5. Twenty-eighth Congress, Massachusetts case of Osmyn Baker, 1840 (Hinds', supra, vol. I, sec. 808). In February 1840 a memorial was presented from citizens and electors of the Sixth District of Massachusetts alleging that

Baker had not received a majority of the votes. The committee dismissed the case for lack of evidence.

6. First Congress, case of New Jersey Members, 1789 (Clarke and Hall, "Cases of Contested Elections," U.S. House of Representatives, 1789, 1834, p. 38). Petitions from sundry citizens of New Jersey complaining of illegality in the election of the New Jersey Members to Congress were received, as well as petitions favoring the validity of the election. It was determined that all Members were entitled to their seats.

7. Fourth Congress, Pennsylvania case of John Swanwick, 1795 (Clarke and Hall, supra, p. 112). Petitions of citizens and electors of Philadelphia were received complaining of the election of John Swanwick. The House seated Swanwick upon a failure to support the allegations contained in the petition.

8. Eighty-sixth Congress, Arkansas case of Dale Alford, 1959 (committee print, Subcommittee on Elections, Committee on House Administration, July 28, 1959, p. 3, letter of John F. Wells, of Little Rock, Ark., Dec. 3, 1958, complaining of irregularities in writing in votes and use of stickers in the election of Dale Alford). The House seated Mr. Alford on September 8, 1959 (H. Rept. 1172).

Also to be noted, in the statement by the House Committee on Elections, in the case of *Reeder v. Whitfield*, 34th Congress, March 5, 1856 (D. W. Bartlett, "Cases of Contested Elections in Congress," 1834-65, pp. 189-190) in which the committee referred to the power of the House to initiate election investigations on its own; "this House needs no parties in court, or names in the record, to guard its own rights and privileges; nor any extrinsic action to quicken it in the exercise of the exclusive power to judge of the election, returns, and qualifications of those who claim seats on this floor; and they may institute, and often have instituted, investigations of the rights of Members to seats, without any contestant at all. It is not only their right, but their duty, to see that no one shall occupy a seat on this floor whose title is imperfect, and to investigate of their own notion, whenever there is reasonable doubt cast upon the case."

(B) Right of Member-elect to vote prior to procedure for administering the oath.

Since the status of all Members-elect is similar at the start of a Congress, all may participate in the vote for the Speaker and before the oath is administered generally by the Speaker (see instance reported in the 16th Cong., Hinds', supra, vol. I, secs. 2 and 4, 1820).

In one instance, those who had not been sworn in with the other Members-elect, but had been asked to stand aside, were permitted to vote on the previous question in respect to a motion to refer their credentials to the Committee on Elections (Hinds', supra, vol. I, sec. 142, 41st Cong., 1869).

However, the names of Members-elect who have not been sworn in are not entered on the roll from which the yeas and nays are called for entry on the Journal (see, Hinds', supra, vol. V, sec. 6048, 59th Cong., 1906). In this situation, the Speaker distinguished between the organization of the House from the Clerk's roll, by statute (2 U.S.C. 26) wherein all Members-elect who are listed on the Clerk's roll may participate, and the state of events after organization and administration of the oath whereby the yeas and nays are called pursuant to the Constitution. In the latter case, when the House has been organized, the roll contains only the names of those who have taken the oath. Since such Members-elect are not entered on the rolls, they are not counted in the determination of a quorum (see Cannon's "Precedents of the House of Representatives," vol. VIII, sec. 3122, 63d Cong., 1913).

(C) Other rights of Members-elect before taking the oath: The House has permitted

Members-elect to be appointed to committees before taking the oath (see, Hinds', supra, vol. IV, sec. 4477; sec. 4479, 59th Cong., 1905; 4489, 59th Cong., 1905; 4481, 57th Cong., 1902; 4482, 57th Cong., 1903), and they may even be appointed to chairmanships (Representative Melville Bull, of Rhode Island, as chairman of the Committee of Accounts, 57th Cong., 1902, IV Hinds', sec. 4481), but they cannot vote until sworn in (Hinds', supra, vol. IV, sec. 4477).

(D) Exclusion of Member-elect before he is given the oath: The House has determined that it can vote, by majority vote, to exclude a Member-elect, before he has taken the oath where he might have been guilty of the violation of a criminal statute, or of disloyalty, even though he might possess the constitutional qualifications (see case of Brigham H. Roberts, 56th Cong., 1899, charged with polygamy, Hinds', supra, vol. I, secs. 474-480); see also the case of B. F. Whittemore, of South Carolina, who on being reelected to the same House from which he had resigned to escape expulsion for bribery, was excluded from taking the oath and his seat (Hinds', supra, vol. I, sec. 464, 41st Cong., 1870; see also, ch. XV of Hinds', vol. I).

(E) Instances involving questioning of prima facie credentials: Although the House generally does not refrain from ordering the oath to be administered, where credentials indicate a prima facie election of a Member-elect (see attached memorandum), it has declined to admit on prima facie showing where elections and credentials appeared defective.

In the 38th Congress, in 1863, the administering of the oath was postponed in the case of three Members-elect from Louisiana (A. P. Field, Thomas Cottman, and Joshua Baker) on the ground that their credentials had been signed by a possibly specious Governor and that no pretense of an election had ever been held (Hinds', supra, vol. I, sec. 589).

In another instance, where the credentials of a Member-elect indicated that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced (Hinds', supra, vol. I, sec. 596, Representative Conner, of Iowa, 56th Cong., 1900).

The House, at times, has denied the oath to two persons who appeared with conflicting credentials which cast doubt on the right of either to the seat (see, Hinds', supra, vol. I, sec. 459, Georgia case of Wimpy and Christy, 40th Cong., 1868). But, where two claimants have credentials in apparently due form, the House has directed the administration of the oath to the one whom the Clerk had enrolled (Hinds', supra, vol. I, sec. 613, Oregon case of *Shiel v. Thayer*, 37th Cong., 1861).

ROBERT L. TIENKEN,
Legislative Attorney.

Mr. Speaker, the briefs make it clear that not only can a noncandidate contest under the contested elections law but, if he fails to do so, he does so at his peril.

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

Mr. CLEVELAND. I yield to the gentleman.

Mr. GOODELL. I wonder if the gentleman from New York would, in the light of his comments, agree with them to support a resolution to have such an investigation in this case.

Mr. KEOGH. That point obviously is not relevant here.

Mr. GOODELL. It seems to me it is awfully relevant. We want to have the facts brought out.

Mr. KEOGH. The issue here is simply that the House will abide by the very clear precedents governing this kind of situation.

Mr. CLEVELAND. Mr. Speaker, I have not yielded to the gentleman from New York.

Mr. KEOGH. The gentleman from New York asked me a question and yielded to me.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman.

Mr. GERALD R. FORD. First let me say I am very grateful for the time put in on this matter by the gentleman from New York [Mr. GOODELL] and the gentleman from New Hampshire [Mr. CLEVELAND]. I think they have gone into the matter sufficiently to indicate very clearly that our election laws on the Federal level need a thorough analysis. Much time has passed since the enactment of existing legislation and it seems to me that it is very pertinent for us to update these laws to take into consideration conditions that have developed over the years in cases coming before the House such as those that have been discussed here today. I would strongly urge such action be taken by the House and by the other body during this session of the Congress.

Mr. CLEVELAND. I wish the Members to know before they vote on this resolution that the second of the aforesaid briefs provided me by the Library of Congress not only states that it is clear that the House has long recognized the practice of permitting a noncandidate to bring one of these actions under the contested elections law, but it then cites eight specific cases—eight specific cases where this was permitted.

Time will not permit me to read you all the cases cited but I will tell you this, and it is very important: One of these cases came up in a situation where a non-contestant had not proceeded under the contested elections law and he was thrown out of court, so to speak, because he had failed to proceed under this law. In other words, if you do not proceed under this law, you may be thrown out. Here was the reason behind that, and I think this will interest the Members.

I quote from my first brief on page 4:

One of the most telling arguments against the minority contention that the statute was intended to apply only to one claiming a seat was made by Mr. Washburn of Maine immediately before he moved the previous question. I quote Mr. Washburn of Maine, "If it (that is the minority contention) be right then an individual who contests a seat has only to get some friend to send in a memorial making a contest for him and the House must order testimony to be taken at the expense of the Union, and to be brought here outside the law of 1851 (which is now embraced in 2 U.S.C. 201-226).

The rationale behind this was that under the contested election law the contestant bears the expense of the whole matter of taking depositions and gathering testimony. That is the reasoning behind it. That reasoning clearly specifies the fact that this law not only can be used by a noncontestant but it indeed must be used.

So what we are doing if we adopt this resolution is slamming the door shut for all time on this particular case. Whether this House wishes to do that is up to the House. Certainly I will respect the will of the majority but I am sure that every Member, including the Member from the 25th District, must feel that this matter should be at least be considered by a committee and that there should be full and free discussion of it. The committee might well come back with a finding that completely exonerates the gentleman in question. If, indeed, the committee should so find that is fine, but I do not think we ought to slam the door shut at this time before a committee has even had an opportunity to consider it, the parties heard and the evidence presented.

The SPEAKER. The time of the gentleman has expired.

Mr. ALBERT. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the most important issue here is to understand just what procedures may be used and under what circumstances and by whom.

In this case, if we followed the recommendations of the gentleman from New Hampshire, we would be opening up to anybody or to any number of individuals, for valid or for spurious reasons, the right to proceed under these statutes, to contest the election of any Member of the House. These statutes place burdensome obligations on any contestee and should not be construed to open up the opportunity for just anyone to harass a Member of Congress or to impede the operations of the House.

Other remedies are available to the public generally and to Members of the House. Any individual or any group of individuals has a right to petition the Congress of the United States. Any Member of the House has a right to introduce a resolution at any time, calling for the investigation of any election. In the ordinary course of events, such a resolution would be referred to the Committee on House Administration, and thereafter to the Subcommittee on Elections, for proper investigation or hearings, as that committee or as the House might deem necessary under the circumstances.

What this statute provides—and I say it refers to the defeated candidate—is that prior to going to the House any defeated candidate may go before any court, mayor, or other official mentioned in the statute, obtain evidence, have subpoenas issued, call in witnesses, and obtain documents; all this ultimately to be referred to the Clerk of the House for disposition by the House.

Further than that, to construe this statute as the gentleman from New York would have us construe it would enable a Member to be challenged by any number of individuals, one challenging on one ground and another on another, one on the ground of citizenship or residence, another on the ground of excessive campaign expenditures, and so on ad infinitum.

If the contention of the gentleman is correct, there is no limit to the number of individuals who could contest any seat

in this House, if the contest were brought in due time.

I wish to quote from the statute. I have already quoted from the precedent of the Kirwan case. I say to the gentleman that it was intended that this case be limited to those who participated in the election, to one of the candidates in the election.

I will read the last section, section 226 of title 2 of the United States Code, relating to the matter of getting financial help.

This is what the section says:

No contestee or contestant for a seat in the House of Representatives—

What does that mean—"contestant for a seat in the House of Representatives"? shall be paid exceeding \$2,000 for expenses in election contests.

I say that the Congress never intended to give unqualified authority, pell-mell, under this statute, to individuals, to good people or to bad people, to contest any Member's seat, for good reason or otherwise.

I say that this statute, which places a burden on the contested Member, is one which should be narrowly construed and which was narrowly construed in the Kirwan case.

I read from a letter of December 21, written by Mr. Frankenberry to the distinguished chairman of the Committee on House Administration:

This is to advise that I will proceed under certain sections of the statute. Service subpoenas will demand the production of all records of expenditures, checks, drafts, pledges, and so forth, insofar as gifts are concerned, as well as the nature, manner, and purpose of all expenditures relating to the Ottinger campaign.

Mr. Speaker, any Member can be required by anybody anywhere in the country, if the position of the gentleman from New Hampshire and the gentleman from New York is followed in the use of this statute, to be placed under such a burden. This statute should, I repeat, be narrowly construed, as it was narrowly construed, and as the language which I have read indicates it is to be construed. Otherwise, I repeat, any individual or group of individuals, for good reason or bad, could tie up every Member in the House of Representatives by requiring every Member to answer to subpoenas, to submit evidence, to call witnesses, to examine witnesses, and whatnot. If this were allowed it would impede the legislative process and interfere with this House in the performance of its duties.

This was never intended by this statute. There is nothing within the action which we are taking today which prevents any Member, as was done in the Hays case, from filing a resolution and having it submitted to the Committee on House Administration for investigation or for hearings. There is nothing in the resolution which I have offered today which will prevent any Member of this House from doing that or which will prevent any number of electors from the 25th U.S. Congressional District or any citizens therein from petitioning the Congress to proceed with an investigation. The question here is should we

give the powers conferred by this statute, to any one but a candidate for a seat in the House? Surely, we would not do that when there are other methods of proceeding under election practices, laws, and customs, such as by memorial petition, or resolution. Certainly Mr. Frankenberry has neither under the law nor the precedents the right without previous action by this House to proceed under the statute to which the gentleman makes reference.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield me 5 minutes to answer his remarks?

Mr. ALBERT. I will yield the gentleman 2 minutes, because I want to yield to other Members.

Mr. CLEVELAND. Mr. Speaker, the remarks of the distinguished majority leader are, of course, persuasive, but the fact remains that the precedents that were cited in my brief are clearly against him. I think the membership should realize this. If a distinguished New York lawyer such as Mr. Kiendl, who advised Mr. Frankenberry on this matter, read this law as he did, and proceeded as he did, and if the Library of Congress tells me, as they have done, that to proceed under this law is to proceed as Mr. Frankenberry did, then I say to the distinguished majority leader where is this swarm of "crackpots" that he talks about plaguing us with all of these nuisance suits? Of course, the answer to that is this: He can cite none because there have been none. The purpose of this law is to safeguard the people of the United States against a situation where the defeated candidate might not either have the heart or the will or the desire to contest an election which clearly should be contested for the common good and for the cause of good government. I never would subscribe to an interpretation of this law that takes away the right of a freeborn American in a congressional district to come to Congress and proceed under our laws to question our elections, and I question whether the majority wishes to do that.

Mr. ALBERT. If the gentleman will yield to me, I am just as interested in honest elections and in proper procedures and in preserving the dignity of the House as anyone. The only question is whether citizen X should be entitled to use a statute which on its face says—and if the gentleman will read it, I think he can read it for himself.

Mr. CLEVELAND. I have read it and reread it and the statute says, "any person."

Mr. ALBERT. If the gentleman will listen to this, it says: "no contestee"—

Mr. CLEVELAND. That is the last section of the law.

Mr. ALBERT. Section 226: "or contestant for a seat in the House of Representatives shall be paid exceeding \$2,000."

Mr. CLEVELAND. That is precisely correct, and the intent of that is clearly that any reimbursement will be confined either to a seated or to a defeated Member. It simply limits the amount of reimbursement of expenses to those two classes. It does not govern the first

section that specifically says any person can contest an election. Actually my position is as I have said earlier the same as expressed in connection with the Mississippi case by the distinguished majority leader.

The SPEAKER. The time of the gentleman from New Hampshire has expired.

Mr. ALBERT. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, the distinguished majority leader has clearly, and I think beyond reasonable doubt, stated the precedents and statutes correctly and as they have been applied historically by this House of Representatives. Now, even though we talk about the construction of the statutes in their narrow sense and the precedents which are involved, there are other fundamentals involved. Incidentally, I believe the precedents, if the gentleman from New Hampshire will observe, hold in some, if not all, cases, in which the contest was brought by a third party, that the contestant be seated instead of a Member who by this House had been permitted to take a seat temporarily.

These precedents are a little like apples and bananas. They just do not mix so you cannot tell them apart. Even though the precedents are clear and the statutes are very explicit, there is such a thing as equity. Every lawyer in this Chamber knows the old English adage that, if I may paraphrase, says that he who seeks equity must do so with clean hands. This is a unilateral action. How could this House in its collective judgment determine whether or not equity is being done when the other party to the election is not a party to this attempt at contest?

So, Mr. Speaker, as the majority leader has so ably and aptly said, anyone could bring these proceedings under prejudice, under bias, under some scheme surreptitiously—however it may be—to cause embarrassment on a duly certified Member of this body without his having opportunity of challenging actions on the other side. This is not to say that two wrongs make a right but it does say that he who demands equity must also show equity on his part.

More importantly, Mr. Speaker, should the people of the 25th District of the State of New York be denied proper representation in the Congress on this sort of allegation? It becomes a serious matter should that happen.

So I join the distinguished majority leader in this effort to clarify this matter and once and for all, so far as the House of Representatives is concerned, put it behind us.

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

Mr. BURLESON. Certainly.

Mr. ALBERT. Reference has been made to the Hays-Alford matter. I call attention to the fact that in the CONGRESSIONAL RECORD, volume 105, part 1, page 14, a resolution was adopted by the House which provided that the question of the final right of Dale Alford to his seat in the 80th Congress be referred to the Committee on House Administration, et cetera. The House can move on a res-

olution at any time; nobody questions that.

The gentleman undertakes to separate the section dealing with limitations of expenses of contests from other sections in the law. If I understand him correctly he thinks a contestant under that section must have been a candidate whereas in other sections he need not have been. I do not follow this argument. For instance, under title II, United States Code, section 206, we find this language:

When any contestant or returned Member is desirous of obtaining testimony respecting a contested election—

Certainly the plain inference here, it seems to me, is that the contestant is someone who is trying to get a seat which he lost or which purportedly he lost in an election.

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

Mr. ALBERT. I yield.

Mr. GOODELL. Mr. Speaker, it seems to me that what the gentleman is saying is that the brief from the Law Reference Service is completely wrong in saying that there are all these precedents for a noncandidate to contest an election. One of the most eminent counsels in New York City, and in the country, the gentleman inferentially says, was wrong in his interpretation of this law.

Mr. ALBERT. Mr. Speaker, may I ask whether this distinguished counsel and I am sure he is a distinguished lawyer was employed by the contestant in this case? Lawyers express opinions on both sides of legal issues. This House, not the Law Reference Service of the Library of Congress nor any individual lawyer anywhere in the country, has the responsibility of determining the qualifications of its Members and the interpretation of statutes dealing with election contests involving its Members.

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

Mr. ALBERT. I yield further to the gentleman from New York.

Mr. GOODELL. I do know that this counsel is distinguished. I do not know the terms of his employment but he was apparently employed by Mr. Frankenberry who is the contestant or the alleged contestant here.

There has apparently been \$167,000 or more spent by the members of a congressional candidate's family in behalf of his candidacy. It seems to me that what the gentleman from Oklahoma is saying is that the only circumstance under which this can be investigated is by an affirmative vote by the majority of this House. There is a law with reference to contested elections designed to see to it that the American public is protected. Certainly enforcement of that law should not depend on a majority vote in the House. The law is so written to see to it that there is complete honesty and integrity in these elections.

Mr. ALBERT. The House of Representatives cannot escape the final responsibility in this matter. Under no circumstances can the House of Representatives escape its responsibility. It is our job and our duty to make the determination here.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Oklahoma moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 245, nays 102, answered "present" 3, not voting 84, as follows:

[Roll No. 6]

YEAS—245

Abbitt	Gibbons	Olson, Minn.
Abernethy	Gilbert	O'Neill, Mass.
Adams	Gilligan	Passman
Addabbo	Gonzalez	Patman
Albert	Grabowski	Patten
Anderson, Tenn.	Green, Oreg.	Pepper
Andrews, George W.	Green, Pa.	Perkins
Annunzio	Grider	Pickle
Ashbrook	Hagan, Ga.	Pike
Ashley	Hagen, Calif.	Poage
Ashmore	Haley	Pool
Aspinwall	Hall	Price
Bandstra	Halpern	Pucinski
Beckworth	Hamilton	Purcell
Bennett	Hanley	Race
Bingham	Hanna	Redlin
Boggs	Hansen, Iowa	Resnick
Boland	Hardy	Reuss
Bonner	Harris	Rhodes, Pa.
Brademas	Hathaway	Rivers, S.C.
Brooks	Hays	Rivers, Alaska
Brown, Calif.	Hebert	Roberts
Burke	Hechler	Rodino
Burleson	Helstoski	Rogers, Colo.
Burton, Calif.	Henderson	Rogers, Fla.
Byrne, Pa.	Herlong	Rogers, Tex.
Cabell	Hicks	Ronan
Callan	Holifield	Rooney, N.Y.
Cameron	Howard	Rooney, Pa.
Carey	Hull	Rosenthal
Celler	Hungate	Roush
Cheif	Huot	Royal
Clark	Irwin	Satterfield
Clevenger	Jacobs	St Germain
Cohean	Jennings	St. Onge
Colmer	Johnson, Calif.	Scheuer
Conyers	Johnson, Okla.	Schmidhauser
Cooley	Jones, Mo.	Scott
Corman	Karsten	Secrest
Culver	Karth	Selden
Daddario	Kastenmeler	Senner
Daniels	Kee	Sickles
Dawson	Keogh	Sikes
de la Garza	King, Calif.	Sisk
Delaney	King, Utah	Slack
Dent	Kluczynski	Smith, Iowa
Denton	Kornegay	Smith, Va.
Diggs	Krebs	Stalbaum
Dingell	Lennon	Steed
Donohue	Love	Stratton
Dorn	McCarthy	Stubblefield
Dow	McFall	Sullivan
Dowdy	McGrath	Sweeney
Downing	McVicker	Taylor
Dulski	Machen	Tenzer
Dyal	Mackie	Thomas
Edmondson	Madden	Thompson, La.
Edwards, Calif.	Mahon	Todd
Evans, Colo.	Marsh	Trimble
Evins, Tenn.	Matsunaga	Tunney
Fallion	Matthews	Tuton
Farnsley	Meeds	Udall
Farnum	Miller	Ullman
Fascell	Minish	Vanik
Feighan	Mink	Vigorito
Fino	Moeller	Vivian
Fisher	Monagan	Waggoner
Flood	Moorhead	Walker, Miss.
Flynt	Morgan	Walker, N. Mex.
Fogarty	Morris	Watts
Foley	Morrison	White, Tex.
Ford,	Moss	Whitener
William D. Fountain	Multer	Whitten
Friedel	Murphy, Ill.	Williams
Fulton, Tenn.	Murphy, N.Y.	Willis
Fuqua	Murray	Wilson, Charles H.
Gallagher	Natcher	Wolff
Gathings	Nedzi	Yates
Gettys	O'Brien	Young
Gialmo	O'Hara, Ill.	Zablocki

NAYS—102

Adair	Dickinson	Moore
Anderson, Ill.	Dole	Morse
Andrews,	Duncan, Tenn.	Mosher
Glenn	Edwards, Ala.	Nix
Andrews, N. Dak.	Ellsworth	O'Konski
Arends	Eriksen	Pelly
Baldwin	Findley	Quie
Bates	Ford, Gerald R.	Quillen
Belcher	Frelinghuysen	Reid, Ill.
Bell	Fulton, Pa.	Reid, N.Y.
Berry	Goodell	Reinecke
Betts	Grover	Rhodes, Ariz.
Bray	Gubser	Roudebush
Brock	Gurney	Rumsfeld
Broomfield	Halleck	Ryan
Brown, Ohio	Hansen, Idaho	Schneebell
Broyhill, N.C.	Harvey, Mich.	Schweikert
Broyhill, Va.	Horton	Shriver
Buchanan	Hutchinson	Skubitz
Burton, Utah	Johnson, Pa.	Smith, Calif.
Byrnes, Wis.	Keith	Smith, N.Y.
Carter	Kunkel	Springer
Cederberg	Clawson, Del.	Laird
Conable	Cleveland	Langen
Conte	Conable	Latta
Cramer	Cunningham	Lipscomb
Cunningham	Curtin	McClory
Curtis	Dague	McCulloch
Dague	Davis, Wis.	McDade
Davis, Wis.	Derwinski	McEwen
Derwinski	Mize	MacGregor

ANSWERED "PRESENT"—3

Duncan, Oreg. Gross

NOT VOTING—84

Ayres	Harvey, Ind.	O'Hara, Mich.
Baring	Hawkins	O'Neal, Ga.
Barrett	Holland	Pirnie
Barrett	Hosmer	Poff
Battin	Blatnik	Ichord
Battin	Bolling	Jarman
Bolton	Bolton	Jonas
Bow	Bow	Jones, Ala.
Cahill	Cahill	Kelly
Callaway	Callaway	King, N.Y.
Casey	Casey	Kirwan
Chamberlain	Chamberlain	Landrum
Clancy	Clancy	Leggett
Clausen,	Don H.	Lindsay
Collier	Collier	Long, La.
Corbett	Corbett	Long, Md.
Craley	Craley	McDowell
Davis, Ga.	Davis, Ga.	McMillan
Devine	Devine	Mackay
Dwyer	Dwyer	Martin, Mass.
Everett	Everett	Martin, Nebr.
Farbstein	Farbstein	Mathias
Fraser	Fraser	May
Garmatz	Garmatz	Michel
Gray	Gray	Mills
Griffiths	Griffiths	Minshall
Hansen, Wash.	Hansen, Wash.	Morton
Harsha	Harsha	Neisen

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Holland for, with Mr. Chamberlain against.

Mr. Toll for, with Mr. Harvey of Indiana against.

Mr. Roosevelt for, with Mr. Collier against.

Mr. Garmatz for, with Mr. Martin of Nebraska against.

Mr. Thompson of New Jersey for, with Mr. Battin against.

Mr. Kirwan for, with Mr. Neisen against.

Until further notice:

Mr. Mills with Mr. Jonas.

Mr. Barrett with Mr. Corbett.

Mr. Shipley with Mr. Ayres.

Mr. Farbstein with Mr. Cahill.

Mr. Staggers with Mrs. Bolton.

Mr. Macdonald with Mr. Saylor.

Mrs. Kelly with Mrs. Dwyer.

Mr. Powell with Mr. Lindsay.

Mr. Rostenkowski with Mrs. May.

Mr. Blatnik with Mr. Mathias.

Mr. Weltner with Mr. King of New Jersey.

Mr. White of Idaho with Mr. Bow.

Mrs. Hansen of Washington with Mr. Wydler.

Mr. Davis of Georgia with Mr. Minshall.

Mr. Jones of Alabama with Mr. Michel.

Mr. Leggett with Mr. Harsha.

Mr. Landrum with Mr. Poff.

Mrs. Griffiths with Mr. Pirnie.

Mr. Randall with Mr. Hosmer.

Mr. Teague of Texas with Mr. Don Clausen.

Mr. Stephens with Mr. Devine.

Mr. Ichord with Mr. Martin of Massachusetts.

Mr. Gray with Mr. Tupper.

Mr. Everett with Mr. Reifel.

Mr. McDowell with Mr. Morton.

Mr. O'Hara of Michigan with Mr. Clancy.

Mr. Wright with Mr. Watkins.

Mr. Van Deerlin with Mr. Callaway.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADDITIONAL COMPENSATION FOR AN ADMINISTRATIVE ASSISTANT TO MAJORITY LEADER AND MINORITY LEADER

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 127) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 127

Resolved, That effective January 3, 1965, there shall be payable from the contingent fund of the House, until otherwise provided by law, for any Member of the House who has served as majority leader and as minority leader of the House, an additional \$8,880 basic per annum for an administrative assistant.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLOSING OF PUBLIC HEALTH SERVICE HOSPITAL AT NORFOLK

Mr. HARDY. 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 Virginia?

There was no objection.

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

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

Mr. DOWNING. Mr. Speaker, I completely and wholeheartedly concur with the remarks of my colleague the gentleman from Virginia [Mr. HARDY].

No one can fairly object to the closing of a Federal facility for reasons of economy, if in fact, an economy is affected and if the services of the facility can be reasonably performed elsewhere.

If the Government closes the Public Health Service Hospital in Norfolk, Va., it means that the caseload presently being served by that facility will have to be transferred to other public and private hospitals in the surrounding area.

The only nearby Government facility is the Veterans' Administration at Kecoughtan which has a historic waiting list for admission of patients. Local hospitals are nearly filled to capacity. Any

addition to the present caseload of these hospitals will severely tax the efficiency of these institutions and perhaps will require the construction of more private facilities.

Along this line, I think that we should also concern ourselves with the future. It is a reasonable certainty that some form of medicare will be passed during this session of the Congress. According to my information, the initial result of such legislation will amount to a more expanded and prolonged use of existing hospital facilities. This will mean that our local hospitals will have to accommodate an even larger number of patients. To close any existing hospital under these circumstances would further complicate an already complex situation.

I urge the Secretary of Health, Education, and Welfare to reevaluate his proposal with these thoughts in mind.

MR. HARDY. Mr. Speaker, my friend from the adjoining district of Virginia has a lot of confidence. I want to express my gratitude to him for expressing that confidence.

Mr. Speaker, early this morning I received a telephone call from one of the newspapers in my district asking me for information about the closing of the Public Health Service hospital in my district in Norfolk. It was a complete surprise to me, as I had not heard anything about it at all. So, I was trying to find out something about this proposal and about 10 minutes before noon a gentleman from the Department of Health, Education, and Welfare came to my office and presented me with these documents which I hold in my hand.

The opening sentence in this letter of transmittal reads as follows:

Confirming the conversation between my representative and your office today, I am writing to inform you that we plan to close the U.S. Public Health Service hospital in Norfolk.

I suggested to the gentleman that maybe he would like to explain that and I asked him what conversation he referred to. And he said the conversation you and I are going to have now. Mr. Speaker, this is a new wrinkle. I am sure that we are now getting some really efficient people in some of our agencies, but I did not know that they had reached the point where they could anticipate the holding of a conversation with me and refer to it by letter as though it actually had taken place.

Mr. Speaker, I am very much disturbed about this. I am also disturbed about another thing that appeared in this letter of transmittal. A typical technique, which to me seems questionable, is exemplified in this sentence which reads:

The plan is designed to improve services by providing more comprehensive care to Public Health Service beneficiaries.

Mr. Speaker, this I really cannot comprehend. I would like to know how you are going to improve the service to beneficiaries by closing the hospitals that serve them. And, Mr. Speaker, there is another sentence in this letter that is very interesting to me. It says:

The conclusion to close the hospital was reached after a series of careful studies of

the Public Health Service general hospital system.

It does not say by whom, but since the document refers to the VA, and to the Defense Department facilities, I had assumed they would know something about it. Up to this moment I have not been able to find anybody that knew anything about it. Perhaps this sentence in the letter gives us a clue. It says:

It is part of the overall plan for the hospitals which is reflected in the President's budget for fiscal year 1966.

Clearly, this is an action of the Bureau of the Budget. And, Mr. Speaker, there is a provision in here which says:

An average daily patient load of 26 active-duty uniformed service personnel would be cared for at the Portsmouth Naval Hospital.

I have talked to the commanding officer of that hospital and he said, of course, that he can absorb 26 uniformed personnel, which would be Coast Guard or Coast and Geodetic Survey personnel. But you and I know that every one he takes in will reduce the capacity for emergency treatment. Every one he takes in will reduce our mobilization reserve capacity. Then there is another statement—

An average daily load of 56 American seamen and 1 veteran originating in the Norfolk area would be cared for at a nearby VA hospital.

The only VA hospital we have is in the district of the gentleman from Newport News [Mr. DOWNING]. I have checked with the manager of that hospital this morning, and that hospital already has 25 more patients than their capacity.

Mr. Speaker, in addition to merchant seamen and Coast Guard personnel, the Public Health Service hospital serves a number of other categories. I am especially concerned about another group—retired uniformed personnel and their dependents. Last year a subcommittee of the Committee on Armed Services made an extensive study with respect to policy regarding construction of hospital facilities by the Department of Defense and the obligation to retired uniformed personnel and to the dependents of such retired personnel. There is much that needs to be done in this area. A paragraph in the general release of HEW has this to say:

All beneficiaries now receiving care in Public Health Service hospitals will continue to receive treatment under the new plan with one exception, retired uniformed personnel and their dependents. This group is now eligible for care financed by Federal funds only if beds are available and are not needed for other patients. Under longstanding policies, plans for expansion of facilities make no specific provision for this group and these plans may act to limit the availability of care for them. However, to the extent that beds may be available either in PHS hospitals or those of other uniformed services, they will continue to receive care.

Mr. Speaker, this flies in the face of the report issued by the Armed Services Committee last year, and the announcement, in effect, says that future retirees and their dependents will very likely have to provide needed hospital care themselves through the civilian community.

I call particular attention to the statement "under longstanding policies, plans for expansion of facilities make no specific provision for this group." It may be that we shall have to revise this policy somewhat if, in fact, it is one of long standing. However, it was the subcommittee's finding that these policies were instituted as a result of a Bureau of the Budget inspired study in 1962 which recommended a policy of not including any beds for retirees and their dependents in new hospital construction.

Mr. Speaker, I cannot help but feel that this announcement of closing of Public Health facilities was made without adequate study of the needs of the persons who are now served by these hospitals.

In testimony before the subcommittee of the Armed Services Committee last year, the Chief of Medical Services of the Public Health Service stated:

Since the Medicare Act became effective in 1966, the division of hospitals has served in all its inpatient and outpatient facilities, active duty, dependents, and retired personnel of the military services on a cross-servicing basis. It also has responsibility for medicare activities for uniformed service personnel of the Public Health Service, Coast Guard, and Coast and Geodetic Survey.

Cross-servicing in the division of hospitals since medicare has been valuable both to the Public Health Service and to its beneficiaries. It has provided comprehensive inpatient and outpatient medical care to beneficiaries at locations convenient to them. The presence of pediatric and female patients in this group has changed the division of hospitals' clientele from a predominantly middle-aged male population to one which includes both sexes and all ages. This has been of particular benefit to our training programs for interns, residents, and other health personnel.

In terms of cross-servicing workload, in fiscal year 1963 approximately 9,600 or 18.3 percent of the admissions to all hospitals of the division of hospitals were beneficiaries of the military services; that is, active duty, dependents, and retirees. This same group constituted an average daily patient load (ADPL) of 322 or 6.9 percent of our total ADPL.

Of course, I am concerned with achieving governmental efficiency and I believe my record of performance in the Congress attests to my efforts in this direction. I do not, however, believe in false economy and I think this entire decision should be reviewed very carefully before these hospitals are permitted to be closed.

APPORTIONMENT OF STATE LEGISLATIVE DISTRICTS

MR. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include the text of an article.

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

There was no objection.

MR. FINDLEY. Mr. Speaker, the U.S. Supreme Court has wrongfully usurped the right to decide how State legislative districts are to be apportioned.

Yesterday, I introduced a resolution calling for a constitutional amendment to

reassert and reestablish this vital and fundamental principle of States rights.

The ruling of the Supreme Court last June requiring that both houses of State legislatures be apportioned solely on the basis of population wrongfully usurped a right from the people.

The Illinois Legislature has this month begun a remap of State senate districts not because the people of Illinois think it should be done, but because the U.S. Supreme Court has so ruled.

Clearly this development will shift still more power over Illinois State government to Chicago machine politics and therefore harm downstate Illinois interests.

The hour is late. Remap of legislatures is underway in many States. I have introduced a new resolution, and several other Congressmen have joined me in it. We hope the force of numbers will result in new hearings, and hopefully affirmative action. If the Congress should adopt my resolution, or one similar to it, I am confident it would be quickly approved by the necessary three-fourths of State legislatures.

The people are the sovereign power in our form of government. My resolution would establish and clarify the right of the people to decide whether they wish to follow the system always used by the Federal Government, in having one house of the legislature of their State apportioned on the basis of factors other than population.

I present here the text of a valuable study of the reapportionment battle prepared by Mr. Claude W. Gifford, associate editor of Farm Journal magazine:

THE STORY BEHIND THE REAPPORTIONMENT BATTLE

(By Claude W. Gifford)

There are a number of interesting, urgent matters that you and I could talk about on this occasion. Matters of extreme consequence and importance to us as farmers, as rural people, and as citizens.

We could talk about the need for us, as rural people, to recognize that we are a minority now in this maturing Nation *** about the necessity for a program to keep rural residents from being oppressed by an uninformed majority *** about things that we could, and should, do about that.

We could talk about the increasing tendency for the powers of government to become centralized and concentrated in the Federal complex in Washington, D.C.

We could talk about the failure of State governments to live up to the challenge of the day—with the unfortunate result that they are becoming weaker in spirit, in accomplishment, in purpose, and in reputation.

We could talk about the decline in the power of the Congress of the United States, partly because it is surrendering to the executive and judiciary branches, and partly because we are not always electing the kind of men to Congress who will see that the legislative branch is kept strong.

We could talk about the increased meddling of the Office of the Secretary of Agriculture in the affairs of farmers—particularly in the citizenship area of making farm policies.

We could talk about how radio and television—and the national political parties—have made the office of the President of the United States a far more powerful position than the framers of the Constitution ever intended.

We could talk about the fact that the Federal Government has usurped much of the

tax revenue of the Nation, and has so taxed the people that local sources are hard put to find the money to carry out their all-important local governmental functions, with the result that the Nation sits with open palms directed toward Washington, D.C., which controls more and more government functions because it has reached over the heads of State and local governments and tapped the well which is the source of funds for governmental activity.

We could talk about the organized, full-scale efforts of some groups to make the Federal Government into a cradle-to-the-grave welfare agency whose purpose is not so much to govern lightly and well, but to give, and give heavily.

We could talk about the conscious effort to harness farmers perpetually with direct payments, controls, and dependence on political processes for markets—out of which it is hoped to crush farmers' historic independence and make them hopelessly reliant on political majorities.

Instead of these, however, let us talk about something that is far more serious, with consequences much more drastic, direct, and imminent, and something which worsens each of the problems we have mentioned. It is the 6-to-3 decision of the Supreme Court on June 15, 1964, which directed more than 40 States to overhaul their State legislatures, and tear up their State constitutions so that districts in both the upper and lower houses of their State legislatures will have substantially the same number of voters.

The six majority members of the Court held that the Constitution demands that population alone be considered in making up State senatorial districts and that each State senator must represent as close to the same number of people as practical.

We know it as the reapportionment problem—something which has caused its share of consternation in the State of Iowa.

The crux of the matter is that States have apportioned their upper houses since 1776—11 years before the National Constitution was written—on factors supplementing population alone; such as along county or other geographical, historical or political lines. The Colonies were doing it from 1700—87 years before we had a National Constitution.

Many of the Nation's citizens do not begin to appreciate fully the sweeping consequences of this June 15, 6-to-3 Supreme Court decision. This is so often true of any situation of great historical importance.

Let's tell a historical story, which will get us to where we now are in our reapportionment problem.

The story really starts on May 24, 1607, when three small ships bobbed up the river at Jamestown, Va., and planted 105 men and women on land. Thirteen years later in 1620 slightly more than 100 men and women landed in New England at Plymouth Rock after 64 cramped days on the *Mayflower*. Thus was the beginning of our Government—both in form and in philosophy.

The Virginia Colony was a trading company of 105 adventurers looking for fortune and new opportunities.

The Pilgrims of the Massachusetts Colony were a religious minority of 100 who had been persecuted in England because they didn't worship the way the majority thought they should. They had been so put upon for their beliefs that they left England to escape the oppression and had gone to Holland where a trading company raised money to send them to the new land in America. The investors put up money, the Pilgrims put up themselves, and after 7 years in America the backers and the Pilgrims were to divide the capital and profits equally.

The Pilgrims, before sailing, tried to get a charter from King James of England, giving their expedition official approval. He refused, but he was glad to get rid of these restless political agitators, and said that he wouldn't

bother them if they behaved themselves. So they got a settling permit from the Virginia company and set out, only to land far north of their mark in New England. Being under no auspices there, they got together in the cabin of the *Mayflower* and formed a local government called the *Mayflower Compact*. Forty-one men signed the self-governing pact and elected John Carver their first Governor.

Massachusetts set up an almost independent State and got a taste of freedom and self-government. It wasn't until much later that they had to submit to the Crown.

In Virginia, the members of the trading company, operating with a charter, also formed a set of rules—a government. They made the laws to govern themselves in this New World.

Following this, all kinds of men and women came to America. Adventurers seeking new opportunities. Minorities seeking freedom from government oppression. Peace-loving men fleeing military conscription. Rebels fleeing their enemies. Debtors. Farmers. Religious enthusiasts.

You didn't leave everything behind and cross raging seas in a teacup of a ship without courage, daring, a burning desire to be free, and deep belief in Providence, and without being driven by an inner, compelling force. Many who came, came with a belly full of despotism and oppression. They were willing to sell their services for years to pay passage in order to find freedom.

A spirit of freedom and self-reliance grew as men fought the frontier together in a life-and-death struggle far from national governments. Your religion was your own business. What you had been didn't count—only how good a pioneer you were. And these men got practice in running their own affairs. They got used to being free. Men had value.

The genius of the developing American Government was that it started from small trading corporations which established the separate colonies. These people started out—not to make a new nation from political theories, but to make commercial ventures work in a completely new and difficult environment. These men came to America free of laws, but the first thing they did was make their own to govern a small group and improvise and test new governmental forms as the group grew larger.

The first instruments of government were charters from the mother country; much as the Rhode Island patent which said, in effect, to the trading company: You who are members make whatever rules the majority can abide by. First, the members of the trading companies met regularly and made the laws. Then as more people came, it was often inconvenient and awkward for all to meet—so, as in Massachusetts, they provided that when they couldn't all get together they could elect delegates to make the laws. They were to be guided by these laws made from time to time, they said, and when there were no laws they were to be guided by the word of God.

The Maryland Charter for the first time, in 1632, gave the lawmaking power directly to the people of the colony by electing delegates, if they chose.

From Massachusetts people migrated to an area around Hartford, Conn. There these people fashioned the first constitution made solely on American soil without any outside interference—without even a charter. It provided for a regular assembly of delegates to represent the people. The assembly counseled with the Governor and his council. The Governor's council, here and elsewhere, was the forerunner of the upper house, or senate. This became the basic form of government all through the colonial period.

What had started out as charters for members of trading companies became constitutions for the people.

In 1669 the Carolina constitution provided for two houses—an upper and lower house.

The Concessions of West Jersey followed in 1677, providing for trial by jury; the New Hampshire Royal Commission followed in 1680.

Two years later, in 1682, William Penn set up his Pennsylvania government, with a constitution, the second made in America with no outside influence. It said that governments were of divine origin. Governments, said Penn, depend on men rather than men on governments. The great end, he said, is to "secure the people from the abuse of power" * * * any government is free to the people under it where the laws rule and the people are a party to those laws, and more than this is tyranny, oligarchy and confusion." And this was 94 years before the Declaration of Independence, and 105 years before our National Constitution was written.

Already established at this time were the Colonies of Virginia (1607), New York (1614), Massachusetts (1620), New Hampshire (1623), Maryland (1634), Rhode Island (1636), Delaware (1638), North Carolina (1650), New Jersey (1664), South Carolina (1670). The only 1 of the 13 Colonies not yet established was Georgia (1733).

But it was only 2 years before Charles II became convinced that the colonies had become so independent that they required overhauling; Massachusetts, most of all. So he annulled the Massachusetts Charter on June 18, 1684, and for 7 years Massachusetts chaffed under direct royal rule. Then Mary and William granted Massachusetts a charter again in 1691, providing a Governor appointed by the Crown, but the people could elect a general assembly which was to select 28 members of a second house to represent the 28 different provinces of Massachusetts. And the selection of this second house became the direct forerunner of the practice of selecting State senators to represent geographical areas. This was almost 100 years before we adopted our National Constitution.

By 1700 the American people had generally made the colonial senate an upper house with its members representing districts. And this was 87 years before the National Constitution was formed.

The period of 1700 to 1775 was one of colonial legislative experience and abuses. Governors were appointed by the Crown, and the Governors could dissolve the legislature at will, keeping them from meeting until ready to agree to their demands. You could be jailed for treason for speaking against the government. Your house could be searched without a warrant; you could be seized without protection of law, and not always with advantage of a trial by jury. Your property could be confiscated. You could be taxed without representation.

People learned that strong central governments, and majorities, could be most oppressive—in America, as they had been in Europe.

The Colonies, it was thought in Europe, existed for the benefit of the mother country. And the British Parliament, seeing the rising economic possibilities in the Colonies, began to make laws for a country they had ceased to understand—and for a people who had grown more and more to depend on themselves and their own local government. To the people on the frontier, the English King was far away. What could the King do for them in their struggle with the wilderness?

The Colonies saw the Stamp Act of 1765 as the final straw, tyranny from the outside. If England could do this without their consent, she could, and would, do more. The Colonies yelled so loudly that the Stamp Act was repealed. But in the protesting, they yelled about such things as liberty, as one Patrick Henry did in Virginia when he shouted the bold words "give me liberty or give me death," which rang in the hearts and minds of freedom-seeking men the length and breadth of the Colonies.

This wasn't theory of government. The pioneers had liberty, had tasted it, had lived it, and they intended to keep it.

Lord North, English Prime Minister, pompously announced that "America must fear you before she can love you." Let's show the Colonies that we can tax them by putting a tax on tea. It won't be much, but it will be something, and it will establish the principle that we can tax them.

So the two principles met head on. The English principle that she'd show the Colonies that they could be taxed, even without the representation they shouted about. The colonists' principle that if we let them do even this, we can expect more, so let's not pay the tax, even on tea. America had broken away from England, both politically and spiritually.

The tea came, with the tax. And a band of men from Boston met it in the harbor on December 16, 1773, and dumped it overboard. Little did they suspect the historical importance of what they were doing.

The English felt that they couldn't back down; the colonists knew they wouldn't. The English closed the port of Boston, and once again annulled the charter of those independent, rabble rousers from Massachusetts.

The colonists responded by calling a Continental Congress in Philadelphia the following September 1774. And on the next April 19, 1775, in Lexington, Mass., a small farm town, British regulars from Boston came to confiscate the munitions of farmer Minute Men.

"Disperse, you rebels," shouted the British captain.

The American captain responded to his men: "Don't fire unless fired upon—but if they want a war, let it begin here." Shots rang out. The Revolution began.

It was a war over what kind of government the Colonies were to have; over what kind of freedom men should have.

The call went out for the 13 Colonies to form State constitutions in keeping with the move for freedom and independent government. They did. The first was New Hampshire's on January 5, 1776. It provided for two houses in the State legislature—the upper house to consist of 1 person from each of 12 counties. It was a senate based on area apportionment. One house was to be a check on the other.

Next was the South Carolina constitution on March 26, 1776—two houses in its State legislature. The chief executive was called "President and Commander in Chief"—the first that this had appeared.

On June 7, Richard Henry Lee, of Virginia, rose in the Continental Congress and moved that "these United Colonies are and of right ought to be free and independent States."

Meantime, on June 29, 1776, Virginia completed her constitution. Two houses; one a senate which represented districts larger than counties. (This was the first time the word "Senate" was actually used to describe the upper house—but 11 years later at the time of the Constitutional Convention all but New Jersey and Delaware called it the senate.) Laws must pass both houses. The Virginia bill of rights was to make up the opening paragraph of the Declaration of Independence 5 days later. And the Virginia constitution made it clear that legislative, executive, and judiciary should be separate and no person should ever exercise two of the functions. They had seen the European despotism where one man was legislator, executive, and the judiciary all in one. And they had seen the oppression in the Colonies when these three functions of government were not clearly separated, one from another.

New York was next with a constitution on July 3, 1776—two houses; the lower house to originate all money bills, a principle which was to be copied 11 years later by the National Constitution.

On July 4th the Declaration of Independence was signed, announcing to the world the birth of a new nation. It set down the principle that governments derive their powers from the consent of the governed. "Governments are instituted among men," it said, "deriving their just powers from the consent of the governed" * * * Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes."

The Delaware constitution came then on September 21, providing for the first method of amending a State constitution, to be done by the assembly.

Pennsylvania came next on September 28, providing for amendments to the constitution to be made by a vote of the people. Constitutions, the foundations of free governments, were to be made and changed by the people.

Pennsylvania provided for only one house in the State legislature, but it soon had more than enough of the recklessness of one body, unchecked, and set up two houses, one to be a check on the other.

Maryland was next on November 11, 1776. Her constitution carried an advanced bill of rights, copied later, and in many instances word for word, by the Bill of Rights of the National Constitution: Freedom of speech, trial by jury, right to petition, right of search, quartering troops. And senators were to be chosen by counties.

Then came the constitutions of North Carolina and Georgia; then New York on April 20, 1777, providing for a Governor's veto over legislative acts, but which could be overruled by two-thirds of the house and senate. The branches of government not only would be divided, one would be a check on the other. This is to be copied by the National Constitution 10 years later. They were well aware of the King's vetoes, where he had as many as 5 years to negate legislative acts, and then could do it absolutely.

Next came the constitutions of Vermont, South Carolina, Massachusetts, New Hampshire with a second constitution in 1784, Vermont with a second in 1786.

These constitutions were not copied from a foreign source; they were not the result of theories of government; they were the products of legislative practice, following nearly 200 years of colonial experience.

In the early colonial governments, the legislature checked on the Governor; but in 1776 the legislative lawmaking power became the foundation of representative government.

And fundamental was an upper house, a senate, representing geographic districts within the States—two houses to provide a check against each other.

(Anyone can check the development of the senate body. It started in Virginia in 1611, followed through the Massachusetts charter in 1629; the Fundamental Orders of Connecticut in 1638; in the Connecticut charter of 1662; in the Rhode Island charter of 1663; in the Concessions of East Jersey in 1665; in Locke's Carolina constitution of 1669; in the 1674 amendments to the Concessions of East Jersey; in the commission for New Hampshire in 1680; in the Pennsylvania Frame of 1686; in the Pennsylvania charter of 1701; in the Georgia charter of 1732; in the New Hampshire constitution of 1776; in the South Carolina constitution of 1776; Virginia constitution of 1776; New Jersey constitution of 1776; Delaware constitution of 1776; Maryland constitution, 1776; North Carolina constitution, 1776; Georgia constitution, 1777; New York constitution, 1777; Massachusetts constitution, 1778; South Carolina constitution, 1778; New Hampshire constitution, 1778; Massachusetts constitution of 1784; Randolph's plan for a national constitution in 1787; Pinckney's plan of 1787; and the National Constitution, 1787.)

While the State constitution making was going on, a revolution was raging. It was 7 years from the shots at Lexington until Cornwallis surrendered at Yorktown, Va., on October 19, 1781.

The new Nation staggered under debt. Its credit nil; its money not worth a continental.

There followed 6 years of Confederation of the 13 States: Loose government, bickering, State rivalries, import duties against each other, reprisals and retaliation, jealousies, riots in Pennsylvania and in New Hampshire. The Government grew weaker and by 1784 four States were absent from the Continental Congress; three withdrew in disgust; and the rest went home.

Then Noah Webster suggested that the Government act directly on the people instead of primarily on the States, and that the Government be modeled after the States.

The need for action was brought to a head with Shay's Rebellion in western Massachusetts in January, 1787. A call went out for a national Constitutional Convention to try to regulate commerce between the States and iron out the governmental problems of the new Nation. They came thinking that Noah Webster's idea had much merit, though he was never to get real credit for it.

Fifty-five came to the Constitutional Convention in the Nation's largest city of 30,000 inhabitants, Philadelphia, on May 25, 1787. They included Washington, Franklin, Madison, Hamilton, Randolph, Mason, and Dickinson.

The average age was 42. They were men tried by war and revolution. More than half, 29, were college graduates; 10 from Princeton. Fifteen owned slaves; 4 were under 30; Franklin, 81, the 10th son of a Boston soapmaker and who had left school at 10, but perhaps the most learned of the group, was so feeble that he asked others to read his notes to the Convention. George Washington had to borrow \$500 to make the trip.

Jefferson was in France on a diplomatic mission; fiery Patriot Patrick Henry "smelled a rat" and refused to come.

For 4 hot months and 1,840 speeches the Convention made its history.

Through the Convention ran the conviction that the executive, legislative, and judiciary should by all means be independent. And there was a strong feeling against giving the Executive too much power.

Franklin reminded them that in a republic the people are the rulers, the officers are the servants.

The Convention sat continuously from May 25 to July 27 without a recess. The proceedings were secret, lest the people become alarmed about the many propositions they considered. But fortunately, a few of the delegates kept excellent notes, Madison most of all. The official transcript of the secretary was much less complete and revealing.

The delegates worked hard; debated; heard and voted down countless proposals; gave tentative approval to several.

One of the arguments was over representation in the upper House, or Senate. It was Franklin, from one of the largest States, with 400,000 population—10 times that of Delaware—who proposed on the convention floor "that the legislators of the several States shall choose and send an equal number of delegates who are to compose the second branch of the General Legislature."

On July 27 the Convention adjourned for 10 days while a committee of five could work out compromises and clear up wording. While Rutledge, of South Carolina, Gorham, of Massachusetts, Ellsworth, of Connecticut, Wilson, of Pennsylvania, and Randolph, of Virginia, labored over the 22 resolutions passed up to that time, Washington journeyed out 25 miles to Valley Forge to fish for trout. In his diary he scarcely mentioned how Valley Forge looked, 10 days after

his encampment there, but he wrote at length about talking with some farmers along the way about methods of raising buckwheat.

In those 10 days the committee of detail made a basic constitution out of the summer's work which was completed and polished by a committee on style, and passed and signed on September 17, 1787. But was it that—only a summer's work by an inspired group of men? Gladstone wrote: "The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man." But it was more. It was the product of an evolutionary process that stretched across nearly 200 years of living experience on American soil. Very few things—and those minor—appeared in this Constitution that hadn't already appeared in 1 or more of the 13 State constitutions.

It wasn't a government of theory. It wasn't exactly what Franklin wanted; nor Hamilton; nor Randolph; nor Jefferson; nor Gouverneur Morris, who spoke more often than any other of the 55 men; nor a constitution of George Washington, the Convention chairman, who made only one speech from the Convention floor. But it was the best of these men and their experiences.

It was a government of practice. We had actually had more experience at the time in constitution making than any other people in the world. We had had as many years experience in making governments on American soil prior to 1787 as we have had since.

The Constitution arose from the evolving practice in 29 colonial charters and constitutions, 17 revolutionary constitutions, and 23 plans of union—in all, 69 different forms of government in actual or contemplated operation.

That is why the framers of the Constitution constructed a form of government unequalled in its genius, before or since.

They made a government with a division of powers. The legislative, executive, and judiciary were to be distinctly separate from each other. They were to be a check on each other to prevent a concentration of power.

Congress would make all the laws. All money bills were to originate in the lower House, whose delegates were to represent equal numbers of people. The Senate would "advise and consent" with the Executive on a variety of things; its Members to represent the historical, social, economic, and geographical entities—the States, two Senators to each one. Both Houses must pass on all laws—one being a check upon the other.

The Executive would carry out and apply all laws. He must sign all congressionally approved bills within 10 days or they would become law anyway; but he could veto legislative acts. A check on the legislature. But the Congress could pass laws over his veto by a two-thirds majority vote. A check on the Executive.

However, the Supreme Court was to serve as a brake on hasty legislation. If the Court declared a law unconstitutional, only the people could do anything about that. The people could, however, start a slow process of constitutional amendment to override Court decisions. The Convention delegates were well aware that courts needed a check—that King Charles I, of England, had gotten the judiciary to support the divine right of kings, just as Louis XVI did a century and a half later in France.

Basic then, was that all power was to flow from the people. The people were to make the Constitution, elect the Executive and the Legislature. Laws were to conform to the Constitution. And only the people could change the Constitution.

The power that the people were to give to the Federal Government was to be explicit, spelled out. Anything not spelled out for the Federal Government was to remain with the States. A check of the States on the Federal Government. The Bill of Rights

ends with the statement: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

It was a government of checks and balances; a government with an intentional, built-in slowness to change; the people to have all power, spelling out what they would permit the Federal Government to do, reserving the rest of their governmental functions and expressions to their own States and local governments.

And to prevent unnatural forms of governments from arising through the States to devour the Union, article IV declares that "The United States shall guarantee to every State in this Union a Republican form of Government."

It was a government that echoed the years: "Governments are of divine origin." "The great end is to secure people from the abuse of power." "Governments depend on men rather than men on governments." "The people are the rulers, the officers are the servants." "Governments derive their just powers from the consent of the governed." "Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes."

And it is with this background that we address ourselves to the June 15, 1964, 6-to-3 decision of the Supreme Court on apportionment of State senators.

Briefly, the six majority members of the Supreme Court said last June 15:

1. That seats in both houses of State legislatures must be apportioned solely on a population basis, and that the population in each district of the upper house, as well as in the lower house, must be as nearly equal as possible.

2. That political equality can mean only one thing: "One person, one vote." And that one political district being larger than another political district is "counter to our fundamental ideas of democratic government." And "legislators represent people, not trees or acres * * * people, not land or trees or pastures, vote * * * citizens, not history or economic interests, cast votes."

3. That the vote of a citizen in a district with larger population is debased inasmuch as his vote counts for less; that he is, therefore, less of a citizen; and, as such, he is denied equal protection of the law under the 14th amendment. The first section of the 14th amendment declares that no State shall "deny to any person within its jurisdiction the equal protection of the laws."

4. That the Federal system of apportioning Senators by geographical area (two to a State) is not a sound example for State legislatures to copy because the Federal system grew out of unique historical circumstances and was conceived out of compromise between 13 large and small, independent, sovereign States. They said: "The Founding Fathers clearly had no intention of establishing a pattern or model for the apportionment of seats in State legislatures when the system of representation in the Federal Congress was adopted." They quote Thomas Jefferson as writing in 1816 that "a government is republican in proportion as every member composing it has equal voice in the direction of its concerns * * * by representatives chosen by himself." And in 1819: "Equal representation is so fundamental a principle in a true republic that no prejudice can justify its violation because the prejudices themselves cannot be justified."

The Court, therefore, ruled 6 to 3, that six States (Alabama, Colorado, Delaware, Maryland, New York, and Virginia) whose apportionment cases were before the Court on June 15, must reapportion both houses of their State legislatures on a population basis, and that alone. The following week, the Court, in another series of decisions,

nullified the legislatures of an additional nine States (Michigan, Washington, Oklahoma, Illinois, Idaho, Connecticut, Florida, Ohio, and Iowa). But the basic decision applies to more than 40 States which apportion districts in one or both houses of their State legislatures partly on population and partly along historical, economic, geographic, or county lines.

The June 15 decision was an astonishing departure from previous Court opinions dating from the 1800's. These previous Courts held that apportionment of State legislatures is a political question reserved for the States, and that the Supreme Court does not have jurisdiction in such cases.

Justice Harlan, in a vigorous dissenting opinion on June 15, said: "It is difficult to imagine a more intolerable and inappropriate interference by the judiciary with the independent legislatures of the States."

Of course, trees and acres, and economic interests don't vote, Justice Harlan acknowledged. "But it is surely equally obvious, and, in the context of elections, more meaningful to note that people are not ciphers, and that legislators can represent their electors only by speaking for their interests—economic, social, political—many of which do reflect the place where the electors live."

The aftermath of the decision of the majority, said Justice Harlan, "will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government. (The Court) does not serve its high purpose when it exceeds its authority. * * * For when, in the name of constitutional interpretations the Court adds something to the Constitution that was deliberately excluded from it, the Court in reality substitutes its view of what should be so for the amending process * * * it has strayed from the appropriate bounds of its authority * * * what is done today deepens my conviction that judicial entry into this realm is profoundly ill-advised and constitutionally impermissible."

Justice Stewart joined Harlan in the dissent. "The Court's answer is a blunt one, and, I think, woefully wrong," said Justice Stewart. The majority holds that "the fundamental principle of representative government in this country is one of equal representation for equal numbers of people * * * I think this is not correct, simply as a matter of fact."

Justice Stewart quoted ex-Justice Frankfurter on an earlier case who said that this (equal representation) "was not the colonial system, it was not the system chosen for the National Government by the Constitution, it was not the system exclusively or even predominantly practiced by the States at the time of adoption of the 14th amendment, it is not predominantly practiced by the States today."

"To put the matter plainly," said Stewart, "there is nothing in all the history of this Court's decisions which supports this constitutional rule * * * (it) finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year history of our Federal Union."

"Uncritical, simplistic, and heavyhanded application of sixth-grade arithmetic," summed up Justice Stewart. "If geographical residence is irrelevant, as the Court suggests, and the goal is solely that of equally 'weighted' votes, I do not understand why the Court's constitutional rule does not require the abolition of districts and the holding of all elections at large."

To summarize, in our own words, and in less legal terms, we can see that the Supreme Court majority of six is claiming that the Court, not the people, has jurisdiction over how State legislatures will be set up. The Court declared a new Colorado apportionment plan invalid, even though the people in a 1962 statewide referendum had approved it in every county of the State. Colorado

had rejected an alternative plan to place both houses on a straight population basis.

By this action, the majority Court declared that they, six men, can amend the Constitution—not only of the United States, but of the 50 States as well. The framers of the Constitution were careful to give this amending power to the people alone.

If in the Constitutional Convention of 1787 a plan had been proposed before Madison, Morris, Randolph, Hamilton, and the others that the Supreme Court should have jurisdiction over the makeup of State legislatures, it would have gotten nowhere.

If in 1787 these present-day majority six had proposed that the Supreme Court be given the power to amend the Constitution, they would have been run out of Franklin's town for proposing a centralization of power in one branch of the legislature—something that would have raised the hair on the necks of people that had been bowed before strong central government for generations. They who had just fought a war over the issue of a strong, despotic Central Government that imposed itself on the people against their will.

By declaring on June 15 that what we have is not representative government, the majority six, in effect, charged that our American Government has been a farce since the Revolutionary War. They are indulging in pure theory. The Constitution guarantees each State a republican form of government, but the majority six did not use this part of the Constitution to attack the government of the States. What they said is that the States do not conform to their own ideas of representative government.

The majority six quote Jefferson as saying that proportional representation is a fundamental principle of a true republic.

They also could have quoted a Chief Justice of the Supreme Court, Earl Warren, now one of the majority six, but who while Governor of California in 1948 said: "The agricultural counties of California are far more important in the life of our State than the relationship their population bears to the entire population of the State. It is for this reason that I never have been in favor of restricting their representation in our State senate to a strictly population basis. It is the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union, equal representation in one House and proportionate representation based upon population in the other."

"Moves have been made to upset the balanced representation in our State, even though it served us well and is strictly in accord with American tradition and the pattern of our National Government."

"Our State has made almost unbelievable progress under our present system of legislative representation. I believe we should keep it."

This agreed with Madison who wrote in *The Federalist* (No. 62): "In a compound republic, partaking both of the national and Federal character, the government ought to be founded on a mixture of the principles of proportional and equal representation."

But as we pointed out earlier, our Government arose from practical experience, not theory, and it is not the exact form that Franklin, Madison, Jefferson, or other individuals wanted. And let's hope that in this day, we don't make it a government of what six men want.

By their June 15 decision, these six men are saying that hundreds of court justices—equally omniscient as they—have been wrong down through the years for maintaining that State legislatures were a political matter for the States and the States people to determine.

In saying that States are not sound in copying the Federal Senate's geographical apportionment, the majority six are overlooking the fact that it was the Federal Con-

stitution which copied State systems, and that State and colonial senators have been apportioned partly along geographical and political lines since 1700. In no case that I can find was an upper house in colonial and Revolutionary times elected by proportional representation of districts equal in population.

In saying that basic representation is based on equal numbers, and equal numbers alone, the six are overlooking that each State is "unique in terms of topography, geography, demography, history, heterogeneity or concentration of population, variety of social and economic interests, and in the operation and interrelation of its political institutions," as pointed out by Justice Stewart.

The Indianapolis Star commented: "The Court deals with people as a sack of marbles. They are to be rolled out on the table top and divided into equal piles."

The real essence of federalism is reserving certain defined powers to each component part. But democracy, in the sense of the majority six, is "winner take all" with minorities having no rights that the majority can't override, suggests Felix Morley.

What people really want is good and balanced representation. And good representation where one State senator looks outside his downtown city office and sees the rooftops of all his constituents in a compact area of homogeneous interests is quite different from good representation of constituents by a State senator who comes from a large rural area of farmers and many small towns—with their many interests, backgrounds, economic problems, and diversity.

Good representation in government for a citizen does not stem from equal numbers—it does not even start there. It is born of the relationship between citizens and their representatives; the availability of the representative; the feeling of rapport between citizens and their elected representative; the flow of information, ideas and response between citizens and their representative; and the effectiveness of the representative in understanding the interests of his people and relating it to the national welfare.

The great responsibility of American representative government is for the representative of districts to really represent—represent not just numbers, and equal at that, but represent the views and needs of the people in the crucible of the State legislature.

Rural people, and those in small towns, are by distance, availability, and diverse interests harder to represent effectively than more homogeneous concentrations of population in concentrated areas.

Counties perform many important functions for unincorporated areas—things such as zoning, park and recreation services, street and road construction, sanitation, schools, public welfare, police and fire protection, licensing—all of which justify county representation in the councils of State governments.

The majority six have violated the principle of the separation of powers. They have taken over the amending process reserved for the people themselves. The selection of one house on the basis of area has developed as a part of our American governmental system since colonial days; it has become intertwined in the warp and woof of our governmental fabric; and now six men seek to rent it apart, willfully and unilaterally, without consulting the Congress, without public debate, and without consulting the people of the Nation.

"It amounts to judiciary rewriting * * * shocking judicial arrogance," says Columnist William S. White.

The Court did not say to States who were admittedly delinquent in apportioning their State legislatures: "Live up to your State constitution and apportion as the people wish." Instead, the six said: "Live up to our

ideas of what we think your constitution and apportionment should be." The six have roped off State reapportionment as an area for their judgment, and their judgment alone. The lower courts, they say, are going to be their agents as the sole authority for what is "proper" apportionment and representation. Not the people; not the States; but the courts.

And the haste with which the courts have proceeded to carry out the June 15 decision suggests that they want to get it done before people wake up to the seriousness of what has been proposed. Instead of being a brake on hasty governmental action, the Court is a party to it—and the perpetrator. They have invaded the political arena to settle a question of politics with judicial power—through a plan hastily conceived and hastily executed, without the benefit of thorough public discussion.

People never intended for appointed officials to determine political questions. They intended that these questions should be determined by themselves or by those who are both responsive to the voters and responsible to them.

If the Court can apportion a State against the will of the people, then it can dictate how your county, your township and your local school board will be run. "If nothing is done, this is only the beginning of Federal interference," says Representative WILLIAM M. McCULLOCH, of Ohio. "The composition of every political subdivision in the Nation may be subject to the dictates of the Supreme Court * * * the circuit court of Kent County, Mich., pursuant to the Supreme Court decision, ruled (in September) that the county board of supervisors was elected under an unconstitutional apportionment. Every city council, city ward, irrigation, flood control and sanitation district, and board of supervisors, among others, may have their membership apportioned by the mandate of the Supreme Court."

The decision of the majority six is illogical. How can a voter in a State with unequal population districts be "debased" statewise and not be debased federally where 408,000 people elect two U.S. Senators in Nevada and 18 million people—45 times as many—elect two U.S. Senators in the State of New York? Is the city of New York debased in the U.S. Senate when that city has no Senators it can call its own, but has more population than 43 States that do have two Senators each? And is the majority six saying that the Federal Senate is a farce; not representative government? "They imply that it is somehow un-American and undesirable," writes Felix Morley.

The U.S. Senate is made up in such a way that 26 States having only 16 percent of the Nation's population exercise a majority in the Senate. Yet we haven't heard that the other 84 percent of the people are so deprived and debased that they want to throw out the Federal Senate and tear up the National Constitution. Or is this next for the majority six?

The two Iowa Senators do not represent trees or acres or pastures. Indeed not. They represent the great State of Iowa. They represent a State with a unique contribution to the Nation. A glorious State with its own economic, historical, and social history, strength, needs, problems, aspirations, honor, and people. It is a complex that the six men in Washington, D.C., have ceased to understand. I, for one, would not abide the charge that Iowa's two Senators represent trees and acres. And if I were one of Iowa's two Senators, I would be working day and night—as I trust they are—to see that the people had an opportunity to set the six men straight about that.

In summary we can say that the decision of the majority six:

1. Has no historical basis.

2. Has no basis in the Constitution, as construed.
3. Is illogical.
4. Is a violation of the amending powers of the Constitution.
5. Is an invasion of States rights.
6. Is an overextension of historic, expressed powers of the Court.
7. Thwarts the checks and balances and caution built into our Government.
8. Is an impulsive creation of our over-anxious Court.
9. Denies fundamental protection to the minority.
10. Propels an appointive Court into political matters.
11. Is government theory of six men, untested in the public processes.
12. Creates a centralized governmental monster.
13. Ignores the full content of the 14th amendment on which the decision is based.

For some unexplained reason, the majority of six, in groping for something on which to base a case last June 15, clutched the straw that is in the first section of the 14th amendment. This Reconstruction amendment was an outgrowth of the Civil War, and all reconstructed States were required to ratify it to gain admittance back into the Union. The first section says: "All persons born or naturalized in the United States * * * are citizens of the United States and of the State wherein they reside." And no State shall "deny to any person within its jurisdiction the equal protection of the laws." The reason for this, in view of the times, is obvious. It meant simply that whatever the law—it would apply to everyone, regardless of color.

But there is a second, and longer section, to the 14th amendment. It recognizes that States have exclusive power over who can vote and in what manner—so the second section provides that if the vote of any male citizen over 21 is denied or abridged in any way—in national or State elections—then the State population for purposes of governmental representation will be reduced by the proportion that the denied voters bear to the whole number of male citizens 21 or over in the State.

Justice Harlan, in his dissent, gives a clear history of the congressional debate that preceded offering the 14th amendment for State ratification. He shows that the Congressmen who constructed the 14th amendment at no time believed that it would render inoperative the several State constitutions of either loyal or reconstructed States.

Congressman Bingham, the author of the first section, said on the floor of Congress at the time that "the exercise of the elective franchise, though it be one of the privileges of a citizen of the Republic, is exclusively under the control of the States." Other speakers stated this repeatedly. This point was well understood in the Congress.

Furthermore, 15 of the 23 loyal States that ratified the amendment before 1870 had constitutions which provided for apportioning one of their houses on other than population considerations. "Can it be seriously contended that the legislatures of these States, almost two-thirds of those concerned, would have ratified an amendment which might render their own States constitutions unconstitutional?" asks Justice Harlan. And the constitutions of 6 of the 10 reconstructed Southern States provided for State legislature apportionment on bases other than population. Would these legislatures intentionally put themselves and their constitutions out of business without mentioning it?

For some reason, the majority six are silent about this part of the 14th amendment.

"I am unable to understand the Court's utter disregard of the second section which expressly recognizes the States power to deny 'or in any way' abridge the right of their in-

habitants to vote for the members of the (State) legislature," says Justice Harlan. This section, he says, "precludes the suggestion that the first section was intended to have the result reached by the Court today."

Not everyone takes this view of the decision.

Organized labor was quick to sense the crippling blow to rural areas of the June 15 decision. The committee of political education of the AFL-CIO, in its COPE publication of June 29, said with obvious enthusiasm: "Curtains for rural-dominated horse-and-buggy State governments unresponsive to the needs of an increasingly urban nation."

COPE told its labor-union readers that the effect of the June 15 decision would be a "surge of responsible, progressive action within the States aimed at advancing the social and economic welfare of their citizens."

COPE applauded: "The Court pitched a third strike against lopsided representation which has given the rural voter a powerful advantage over his city and suburban counterpart. And, as in baseball, three strikes means you're out."

Senator GEORGE AIKEN, of Vermont, says, "Once both houses of the State legislatures are apportioned in accordance with the rule, control of fully half the States will pass to an urban majority, leaving the rural areas of a State as a minority or possibly without representation at all."

What does this hold for rural areas? Probably it would mean less road aid; it could mean higher school taxes and less local school aid; it could mean greater consolidation of schools; it could seriously impair vocational agriculture and home economics programs; sales taxes might be imposed on farm production items; it could lead to an oppressive value added tax; water rights would change, with industrial areas of concentrated population taking over control of water; hunting and fishing laws probably would be altered; public domain land in rural areas for open spaces and recreation probably would be greatly expanded; it could well mean that control of county governments would pass to cities; it could launch a move to do away with township governments and consolidate them into counties; it could easily lead to consolidating county functions and redrawing county lines; it would certainly mean reapportioning congressional districts to the disadvantage of rural areas after the 1970 census; it would automatically mean a change in the control of local and State political parties, and this would certainly lead to a change in the kind of political candidates and political programs from local government up the line.

It is with good reason that this is called the most sweeping overnight change in Government contemplated since the Civil War.

"If this Supreme Court decision is permitted to stand, the State of Kansas will be completely dominated from this day forward by urban areas. Rural areas will be virtually powerless," says Congressman BOB DOLE, of Kansas.

It would mean that "the State of Illinois will be completely ruled from this day forward by Chicago," says Congressman PAUL FINDLEY, of Illinois. "Downstate will be powerless to keep a legislature dominated by Chicago machine politics from funneling the lion's share of State revenue into Chicago projects and programs."

The Wapakoneta (Ohio) Daily News commented: "Bigness is not a virtue, nor is smallness a fault. Centralization of authority, whether in Federal or State governments, can lead to despotism."

We are now confronted with political minions surging forth from the controlling city machine to levy, collect and bring back the revenues to be used to perpetuate and further the grandeur and power of that

machine," says Senator EVERETT DIRKSEN, of Illinois.

We might ask: If it is bad that a large geographic area with less than a majority of the State's population can control the State through one house of the State legislature, then is it automatically good that a small geographic area with a majority of the State's population can control the entire State? Which is better for the State of Illinois and the people in it? Weighing the prospect of the two possibilities should leave little question in the minds of thinking people as to which is more desirable. I know, because I lived in Illinois for many years.

Could the majority six really believe that the city of Chicago should rule all of the States of Illinois? Or that three or four counties should rule all of California, a distance of 900 miles long?

While trees and acres and pastures and districts don't vote, it is a matter of practical politics that political machines do vote—or deliver the vote—and that these machines are most often found in cities where the history, economic interests, communications, citizens, and numbers are such that political machines can and do deliver large blocs of votes. I know; I work in such a city. The doctrine of the political equality of equal numbers when viewed in this setting does not paint a glowing picture of equal voters in equal numbers between districts meeting on equal ground to cast their equal-numbered votes.

"To be specific," says Senator AIKEN, "we are engaged in a struggle between the powerful machines of the great cities and the people of the United States. Make no mistake about it," he says, "this is a battle for the political control of the Nation and with the control goes the power to tax, the power to spend, and the power to enact programs that will affect the lives and welfare of every living person for generations to come."

To better see what this might mean to rural areas, I requested three State Farm Bureau organizations to make studies of the voting of their big-city Congressmen—in Chicago, Detroit, and Philadelphia—to add to a study that New York had already made of the vote in New York City.

The results may both surprise you and astound you:

In the State of New York, the Farm Bureau compiled the voting record of their Representatives in the National Congress on 10 representative issues, farm and nonfarm (feed grain program, foreign aid, tax cut, area redevelopment, Mexican farm labor, Cooley cotton bill, credit to Communist countries, food stamp, wheat-cotton bill, and antipoverty bill). There are 19 Congressmen from the city of New York; and voting on 10 issues gave them a possible 190 votes on these 10 issues. They actually voted 188 times. These New York City Congressmen voted for the Farm Bureau position 15 times—8 percent of the time—and voted against the Farm Bureau position 173 times—92 percent of the time.

Yet these same Congressmen in the 88th Congress voted for COPE's labor position 96 percent of the time and 98 percent of the time for the position of the Americans for Democratic Action (ADA), an ultraliberal group.

The other 22 Congressmen from the State of New York—outside the city of New York—voted with the Farm Bureau position 72 percent of the time (157 votes) and opposed the Farm Bureau 28 percent of the time (61 votes).

In the State of Illinois on the same 10 issues, nine Congressmen from Chicago voted 84 times—and 83 of those 84 votes opposed the Farm Bureau. Only one vote agreed with the Farm Bureau position. Yet in the 88th Congress they voted 97 percent of the time for the ADA position; and 98 percent of the time for COPE's position.

Congressmen in the rest of the State of Illinois—outside of Chicago—voted with the Farm Bureau position 80 percent of the time.

In Pennsylvania, on the same 10 issues, five Philadelphia Congressmen voted 46 times, and cast every single vote against the Farm Bureau position. Yet in the 88th Congress they voted 98 percent in favor of COPE's labor position; and 97 percent of the time for the position of the ADA.

In the State of Michigan the Farm Bureau compiled the votes on eight representative issues. There, seven Representatives whose districts are primarily in the city of Detroit voted 48 times on these eight issues, and cast 47 of the 48 votes against the Farm Bureau position. Yet in the 88th Congress they voted 93 percent of the time for the position of the ADA and 99 percent of the time for COPE's labor position.

The other Congressmen in Michigan—outside of Detroit—cast 88 percent of their votes in favor of the Farm Bureau position.

A summary of the vote in the four States shows that in 366 votes cast by Congressmen from the four big cities, these city Congressmen voted with the Farm Bureau position just 17 times (15 of those from New York City) and against the Farm Bureau 349 times—5 percent for and 95 percent against.

The conclusion is rather obvious. These big-city political machines are not only almost unanimously opposed to the Farm Bureau position, they are also out of step with the Representatives from the rest of their own States. What this means to all people in light of the June 15 majority six decision is rather plain.

Can the people do something about this? You bet they can. And I count you on the side of those who want to see it done.

There are these things that you can do:

1. First, see that everyone recognizes that this June 15 decision is a fundamental question of constitution and government.

It is a question of whether the power in our government will really flow from the people, as it has since the Revolutionary War, or whether this will suddenly be changed.

It is a question of whether we, the people, will permit an appointed agency of our government to rise up and devour us.

It is a problem of the centralization of Federal power.

It is a matter of whether we in this Nation shall succumb to dictation by the Court.

It is a matter of whether we shall settle our important political questions through open, thorough public discussion and vote, or whether it shall be done hastily, in a court, or anywhere else, with six people making the decision.

This is a test of whether there is one Government in Washington, D.C., or whether there are also 50 State governments; it is a test of whether the form of government belongs to the people, or to the Supreme Court; it is, indeed, a test of whether the government belongs to the people and is a government with the consent of the governed, or whether it is a government of centralized power without the consent of the people.

2. Second, see that everyone recognizes that if this is to be a battle, it will be a struggle between big-city machines and the rest of the country.

It is not a farm-city fight. If this is a fight between citizens, it is a battle between counties and big cities; between the people and machine politics and ward leaders—and then, only if the big-city machine leaders chose to make it so by endorsing this action of the majority six.

Yours is a positive action to preserve the local functions of government where you can govern best—and to keep these functions as we the people want them.

3. Third, get your State, and all States, to call for a Constitutional Convention.

One way to amend the Constitution is to start with a Constitutional Convention, which can be called if two-thirds of the States (34) ask for it. This is a direct action that you can take—and you can see that it gets done in your State by talking with your State representative right at home.

4. Fourth, get Congress to pass a resolution putting a constitutional amendment before the States in a referendum. This is another way to amend the Constitution if three-fourths of the States (38) ratify the amendment.

A simple resolution has been proposed by Representative McCULLOCH, of Ohio, and the general assembly of States. It says: "Nothing in the Constitution of the United States shall prohibit a State, having a bicameral legislature, from apportioning the membership of one house of its legislature on factors other than population, if the citizens of the State shall have the opportunity to vote upon the apportionment. And any State may determine how governing bodies of its subordinate units shall be apportioned."

This puts the question before the people twice:

First will be a vote on the constitutional amendment. This permits States to vote on the question of whether they want to reserve for themselves the power to apportion their own legislature.

Second will come an opportunity for the people to vote on any apportionment plans that might come up in the State.

Let that "one man, one vote" be on State apportionment—that is what we are asking for: That each man be allowed to vote whether apportionment of State legislatures shall be done by his State in its own political wisdom, or whether it shall be done by the Court, satisfying only the theories of six men.

Fundamentally, we ask that the people have the opportunity to make the decision on this question. Surely, this is what democracy and representative government is all about. And who can be opposed to the people exercising this right to vote on the issue? If anyone is opposed, now is the time to find out who it is.

5. Fifth, get Congress to pass a staying action on the majority six Court decision until the people have an opportunity to express themselves through a Constitutional Convention or through a constitutional referendum on a congressional resolution.

The courts are running full tilt to get apportionment wrapped up under their edict before the people have time to act. Others will help them. You are fighting a race against time.

Last August the House of Representatives in Washington passed the Tuck bill by an overwhelming majority. That bill would have denied all Federal courts jurisdiction over matters dealing with State legislative apportionment.

This was killed in the Senate as a rider on the foreign aid bill. Then a Dirksen-Mansfield rider was proposed to "buy time." This proposal would have provided a partial stay on the Court action so that there would be time to permit States to vote on a constitutional amendment. This bill was lost, primarily through a filibuster of four Senators.

Senator AIKEN commented: "It is significant that virtually all of the Senators taking part in the filibuster were from States with cities of 1 million and over; cities that are overwhelmingly in debt and are constantly seeking new sources of revenue either from taxes or public grants."

Two of the leaders of the filibuster were Senator DOUGLAS, from Chicago, and Senator CLARK, from Philadelphia. They didn't want the people in the States to have an opportunity to express themselves in a constitutional amendment referendum. It is interesting that these Senators, who plead that the majority should rule, resorted to a filibuster

to keep the majority of the Senate from voting on the issue of whether to "buy time" so that the States could vote by a three-fourth's majority rule on whether to keep apportionment as a State matter.

6. Last, you can launch a personal and group educational program to see that people—not just farmers, but others as well—understand what is involved in this Court action. Read it; study it; write about it; talk about it; make speeches about it. Do this, not just through your State office or the national office; but right where you live. You can make it your personal No. 1 project for 1965; nothing is more important to you and to all the people in your community, your county, and your State.

You can call on and meet with your State representatives; your county officials; your local township and political officials. There shouldn't be a single township in the State of Iowa that doesn't have a full scale half-day or full-day meeting on this in the next few weeks.

And what is done in Iowa should be done in every State in the Union.

If you will do this, there will be no question about the outcome.

Anything less than this is losing faith with the people who, through extreme sacrifice, courage, God-given wisdom, and loss of life built this privileged Nation for us through colonial oppression, frontier travail, and the agony of great wars which harvested our young men—the price that others have paid for our liberty and freedom. Anything that we can do, will not be enough to pay for the priceless privilege that is ours.

ALCATRAZ ISLAND COMMISSION BILL

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

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

There was no objection.

Mr. COHELAN. Mr. Speaker, the 88th Congress, by means of Public Law 88-138, created a Commission on the Disposition of Alcatraz Island to study and recommend future use of this former maximum security penitentiary which has now been declared excess to Federal requirements.

Today, in conjunction and cooperation with the distinguished junior Senator from Missouri [Mr. LONG], I am introducing legislation which incorporates and carries out the recommendations of this Commission.

In brief, the five-man Commission on which Senator LONG as Chairman and I had the privilege of representing the House of Representatives, recommended, and this bill provides, that the Federal Government accept the offer of the San Francisco Chapter of the United Nations to build a monument on Alcatraz Island commemorating the founding of the United Nations in San Francisco in 1945 and as a symbol of peace.

The Commission's report, and this bill, further provide:

First. The creation of a commission to oversee, negotiate, and coordinate all matters associated with the realization of this proposal.

Second. The General Services Administration be given authority to transfer

Alcatraz Island to the National Park Service without reimbursement.

Third. The National Park Service be authorized to accept from the San Francisco Chapter of the American Association for the United Nations the monument and any maintenance endowment or funding that might be offered from time to time.

Fourth. The National Park Service be given authority to administer the island.

Fifth. The monument be erected on the island under the supervision of the Commission in consultation and cooperation with the Secretary of the Interior with the remainder of the island being retained in its natural state.

Sixth. The Commission be given the authority to negotiate with the San Francisco Chapter of the American Association for the United Nations for the early demolition and removal of structures on the island.

Seventh. Provision be made for a reservation to the State of California for use of a part of the island for public purposes if the need should arise; provided such use by the State of California is compatible with and does not detract from the primary use.

Eighth. An international architectural competition be conducted by the San Francisco Chapter of the American Association for the United Nations with the winning design subject to final approval by the Commission after consultation with the Secretary of Interior.

Ninth. All costs incident to the international architectural competition, the demolition or removal of structures, and the construction of the monument be borne by the San Francisco Chapter of the American Association for the United Nations or a private nonprofit foundation created for this purpose, with any proceeds from salvage applied to the costs of demolition.

Mr. Speaker, the Alcatraz Island Commission, after inspecting the island, hearing more than 40 witnesses, and reading more than 400 written proposals, felt strongly and so emphasized in its report, that Alcatraz is not a "usual" piece of property to be disposed of through the normal procedure of public sale by the General Services Administration.

The island occupies a prominent position in one of the major ports of this country; its use as a penitentiary for hardened criminals has made it known the world over; and any future use will clearly have significant meaning for the San Francisco Bay area and the entire United States.

The Commission decided to recommend the offer of the San Francisco Chapter of the American Association for the United Nations because it recognized the formidable cost of constructing any new project on the island, yet did not look to any public source for money, and because it was in accord with a majority of the serious proposals presented that the most appropriate and fitting use would be some type of monument as a memorial to the principles of peace and human dignity.

Mr. Speaker, I would like to commend Senator LONG and the other members of

the Alcatraz Island Commission—California's Lieutenant Governor, Glenn Anderson, California's State Senator J. Eugene McAtee, and San Francisco Attorney James Thacher—for their work on this project which holds so much promise for the people of this country and the world. It was a great privilege and pleasure for me to work with them and I thank the Members of the House for this opportunity.

I am very hopeful, Mr. Speaker, that the House will now be able to give early consideration to this proposal.

It has already been carefully screened and thoroughly thought through by a commission acting at the direction of Congress. It recommends a program committed to the highest ideals of man, yet offered with no thought of personal gain.

It is a proposal which represents our own great tradition of freedom and our hopes for a freer, more peaceful world for all men.

It is a proposal of which we can be justly proud.

The text of the bill follows:

H.R. 3143

A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of providing for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace, there is hereby established a commission to be known as the United Nations Monument Commission (hereinafter referred to as the "Commission"), to be composed of seven members as follows:

(1) Five members who shall be appointed by the President of the United States of whom one shall be appointed from nominees submitted by the Governor of California, one from nominees submitted by the mayor of San Francisco, and two from nominees submitted by the San Francisco Chapter of the American Association for the United Nations;

(2) One member who shall be appointed by the President of the Senate; and

(3) One member who shall be appointed by the Speaker of the House of Representatives.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission shall serve without additional compensation by reason of their services as members, but shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred by them in performing their duties.

(d) The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, an executive director who shall be compensated at a rate not to exceed \$18,000 per year, and such other employees as may be necessary in carrying out its functions.

(e) Expenditures of the Commission shall be paid by the executive director, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission.

SEC. 2. (a) The function of the Commission shall be to develop and execute suitable plans for the erection on Alcatraz Island of a monument to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace. In formulating and developing such plans, the Commission shall consult and cooperate with the Secretary of the Interior. The design of such monument shall be selected, subject to final approval by the Commission, through an international architectural competition conducted in accordance with the provisions of clause (3) of section 3 of this Act, but no design submitted in such competition shall be selected if it would result in a hazard to navigation.

(b) No appropriated funds shall be used in connection with the construction of such monument, including the demolition or removal of structures on such island, or the holding of such competition, but any proceeds from salvage of existing structures or other property on such island may be applied to the cost of such demolition and construction.

SEC. 3. In carrying out its function under this Act, the Commission is authorized to—

(1) construct, or provide for the construction of, a monument as provided for in this Act;

(2) accept donations of money, property, or personal services; to cooperate with State, civic, patriotic and other groups; and to call upon other Federal departments or agencies for their advice;

(3) negotiate or arrange with the San Francisco Chapter of the American Association for the United Nations or others for the early demolition or removal of the structures on the island, and for the holding of an international architectural competition for the purpose of selecting the design of such monument;

(4) make such expenditures for the purpose of carrying out the provisions of this Act, as it may deem advisable from funds appropriated or received as donations for such purpose, subject to the provisions of subsection (b) of section 2; and

(5) exercise, subject to the provisions of this Act, such additional powers and functions as may be necessary to carry out the purposes of this Act.

SEC. 4. The Commission shall, not later than February 1 of each year, transmit to Congress a report of its activities and proceedings for the preceding year, including a complete statement of its receipts and expenditures. A final report of the activities of the Commission, including a final accounting of its receipts and expenditures, shall be made to the Congress not later than ninety days following the completion of the monument authorized by this Act. The Commission shall terminate thirty days following the date of the submission of such final report.

SEC. 5. The authority granted by this Act shall cease to exist, unless within five years after the date of enactment of this Act (1) the erection of the monument is begun, and (2) the Commission certifies to the Secretary of the Interior the amount of funds available for the purpose of the completion of the monument and the Secretary determines that such funds are adequate for such purpose.

SEC. 6. The State of California is authorized, subject to the approval of the Secretary of the Interior, to use a part of Alcatraz Island for public purposes, if any such use is compatible with and does not detract from the monument established pursuant to this Act.

SEC. 7. Any funds acquired by the Commission remaining upon its termination shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 8. The monument established pursuant to this Act shall be the property of the United States and, together with the land comprising Alcatraz Island, shall be set aside as a national monument and designated as the United Nations Monument. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such monument, subject to the provisions of this Act and the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

SEC. 9. The land comprising Alcatraz Island is hereby transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

CUTBACKS IN VA SERVICES

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] 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 California?

There was no objection.

Mr. HARSHA. Mr. Speaker, last week, on January 13, Members of Congress were notified by the Veterans' Administration of a program of cutbacks and consolidations in the services to our veterans. Seventeen regional offices, 11 hospitals and 4 domiciliaries in several States, including Ohio, will be involved. While none of the installations affected are located in my district, any general deterioration of facilities will be reflected in poorer service to all our veterans in every district in our Nation.

Is there to be nothing in the Great Society for the veterans? Are veterans to become just numbers to be stuffed in computer machines? The care of our veterans must meet human needs, humanely and fairly considered in accordance with the best standards. The care of our veterans must not become subject to the cold calculations of an electronic computer. It is unconscionable to submit the health, care, and welfare of our veterans to a machine void of compassion. In administering the VA program the primary objective should be service to the veteran rather than to operate the facilities as a commercial enterprise.

This cutback is poor economy and will certainly provide additional material for the war on poverty. It makes little sense to spend billions to eradicate poverty in the United States, to spend additional billions in foreign aid to raise the standard of living over the entire world, and then virtually pull the bed out from under the veteran. Apparently, the Great Society is to bypass the veteran.

I have written to the chairman of the Veterans' Affairs Committee to request that committee to investigate the action of the Veterans' Administration in closing VA facilities.

I have also written directly to the Veterans' Administration to urge that it forgo its proposed cutbacks until such investigation can be completed by the committee.

I sincerely hope that action can be taken which will meet the human needs of our veterans rather than the budgetary desires of the administration.

WE BANDSMEN SAW EUROPE TOGETHER

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] 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 California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of the most effective programs in which the image of the United States is properly presented abroad is that sponsored by the School Band of America. This past summer the School Band of America toured much of Europe.

One of its members was a talented young lady, Miss Emily Jane Canning, a resident of Homewood, Ill., in the Fourth Congressional District. Upon her return, Miss Canning wrote a special article for the November 1964 issue of the School Musician magazine, and I ask leave to place it in the RECORD at this point.

WE BANDSMEN SAW EUROPE TOGETHER

(By Emily Jane Canning)

As a music student, I had never really realized before my trip with the School Band of America the variance of American student musicians. They are different, but they can have fun living and traveling together for a month, and at the same time see Europe and learn to know about the people.

The European tour this past summer by the School Band of America and the School Chorus of America covered during this short month the Netherlands, Belgium, Germany, Austria, Italy, Switzerland, France, and England, followed by an exciting day at the New York World's Fair.

Concerts were given in The Hague, Rotterdam, Blankenberge, Brussels, Spa, Heilbronn, Nuremberg, Munich, Innsbruck, Venice, Piacenza, Genoa, Nice, Lausanne, Strasbourg, Paris, Horsham, Dorking, and New York.

Transatlantic crossings were by charter jetplane. Comparative strangers left from New York Kennedy International Airport on June 11; but they were well acquainted on the return flight which departed from London, July 9. European land travel was by four blue charter buses with drivers and couriers from the Netherlands.

Band and chorus members were from Alabama, Arizona, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Maryland, Minnesota, Missouri, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, West Virginia, and Wisconsin. We have made new friends not only in Europe but throughout the United States.

The band, with 98 members, and the chorus, with 34 members, continued the tradition of presenting concerts to large enthusiastic audiences, the largest being 5,000 in the very famous St. Mark's Square in Venice. In each instance, 22 concerts in all, SBA-SCA was invited to return next year.

SBA-SCA since its beginning has covered 45,000 miles to play 71 concerts to a total audience of 150,000 persons, and has participated in 24 official receptions, 4 TV appearances, 18 radio broadcasts, and 9 youth gatherings.

Since its founding as a nonprofit, non-commercial organization on July 1, 1959, the School Band of America-School Chorus of America has established itself as an integral part of the American music education scene. The organization was founded primarily for the purpose of giving outstanding American school musicians an opportunity to use their talents in the area of international understanding, and at the same time acquire a firsthand knowledge of the cultural centers of Europe.

SBA-SCA has developed into a cooperative venture involving music educators, music teachers, music publishers, and music instrument manufacturers throughout the United States.

The European audiences were eager to hear the music of SBA-SCA. They clapped, whistled, and gave standing ovations for the tunes they particularly enjoyed, especially the "Stars and Stripes Forever," and "Battle Hymn of the Republic." It can be said the SBA-SCA has more than fulfilled its original purpose and has developed into a strong positive influence in the field of international relations. American Government officials in Europe and European government authorities have repeatedly stated that SBA-SCA concerts and related activities are the major events in their year's calendar. A dignified image of American youth is projected to the Europeans who draw many of their conclusions only from movies.

SBA-SCA has been accepted as an official project of the music committee of the people-to-people program, has been sanctioned by the Bureau of Cultural and Educational Affairs, Office of Cultural Exchange, U.S. State Department, and is assisted by the U.S. Information Agency. Files contain letters of commendation from Dr. Norman Vincent Peale, Leonard Bernstein, and Edward R. Murrow. The band and chorus have been personally commended by former Vice President Richard M. Nixon.

The reputation of SBA-SCA has grown considerably in the 4 years since the European tours were established. The band and chorus have become a tradition in many areas with a loyal following. An SBA-SCA fan club has been organized by students in Nuremberg, Germany, where a large youth gathering was held this year.

At Nuremberg an important concert was presented in Europe's newest and most beautiful concert hall, the Meistersingerhalle, which was filled to capacity of 2,200. A local orchestra director led us in "El Capitan" before an audience made up mostly of young people.

At Dorking, England, the SBA-SCA opened the annual music festival in grand style. Guests of honor were Prince and Princess Tomislav, of Yugoslavia, and Max Grossman, cultural attaché of the American Embassy, and Mrs. Grossman. The director of the British Broadcasting Corp. (BBC) television orchestra, Eric Robinson, was guest conductor. The chairman of the music festival committed publicly stated that he had never seen an audience in Horsham react so enthusiastically to any presentation.

Near the end of the tour at Strasbourg, the groups taped two albums of high fidelity records.

At the final concert at the New York World's Fair, July 10, SBA-SCA drew the largest crowd of the year at the Tiparillo Band Pavilion.

The repertoire of the School Band of America and School Chorus of America is representative of school instrumental and vocal groups throughout the United States. It is designed to please all audiences with a varied program including serious, contemporary, traditional, vocal, and band music; marches, musical comedy selections, and novelties.

Any school instrumental or vocal student in the United States between the ages of 15 and 21 may apply for membership. Final

selection for the touring groups is made on the basis of musicianship, character, and personality. Musicianship is determined by audition, tape recording, or in person; character by letters of recommendation from a school official, music teacher, and pastor; personality by personal interview where practical. SBA-SCA has 16 representatives in 10 States and 2 foreign countries. They all volunteer their services.

The individual cost of the European concert tours was \$878. This amount was determined on a prorated basis covering the expenses involved in developing and carrying out the concert tour. This relatively modest amount, which included all necessary expenses for the month-long tour from New York and return, was a result of the non-profit feature of SBA-SCA and the fact that SBA-SCA is authorized by the Civil Aeronautics Board to charter transatlantic flights.

SBA-SCA functions within the philosophy that the free enterprise system is the central core of the American way. Therefore, Government financial assistance is neither sought nor desired. However, financial assistance in varying amounts to individual students on a local basis is recommended.

Considering the fact that the appearance, conduct, and quality of SBA-SCA reflect an image of all Americans, many students receive financial assistance from local civic and service clubs, church groups, school organizations, individuals, etc. A sponsor is defined as an organization or an individual who contributes \$25 or more to a student's expense. The 1964 program listed approximately 600 friends and official sponsors.

Founder and director is Edward T. Harn of Bloomington, Ill. In addition to his directing duties with SBA-SCA, he is principal conductor of the all-star high school band which annually presents the grand finale concert at the Mid-East Instrumental Conference sponsored by Duquesne University School of Music in Pittsburgh.

European music critics have highly acclaimed his work with young American musicians. He received two medals this summer at Nervi and Venice, making eight he has received from European governments for his contribution to a better understanding between America and Europe.

Assisting with directing duties are Wayne M. Reger, authority on brass instruments, author of "The Talking Trumpets," and instructor in the public schools at Massillon, Ohio; Don McCathren, clarinet clinician, affiliated with H. & A. Selmer, and chairman of instrumental music at Duquesne University; and Cedric Cooke, director of music in the Greenview, Ill., public schools.

SBA-SCA concert tours are chaperoned by a select group of adults, mostly teachers, who pay their own expenses as do the students. Each chaperone is assigned 10 students. There are also two nurses. Following the tour, chaperones' reports are sent to parents of each member and to school officials.

Four concert tours are planned for 1965. The regular SBA-SCA European section tour of central Europe, June 12-July 11, will feature a command performance for Her Majesty, Queen Elizabeth, in Royal Festival Hall of London.

A new SBA Near East section tour of Israel and central Europe, July 21-August 19, will participate in the Israel Festival of Music, the first time a band has been honored with an invitation. Al Reed and Mr. McCathren will be conductors.

A new SBA Far East section tour of Japan, July 25-August 15, will be sponsored by the All-Japan Band League. SBA alumni will be given preference for this trip. School Band of America will be the featured band at the Japanese Music Federation Convention in Tokyo.

A new School Orchestra of America tour of central Europe, June 21-July 20, has been

developed to provide additional incentive, quality, and prestige to the fast-growing string education program in the United States. SOA is to be directed by Don Miller, director of the string program at Lyons Township High School in LaGrange, Ill. He is well known in the field of music education and is in demand as a festival director and adjudicator.

Headquarters for the groups is 28 Harbord Drive, Bloomington, Ill., where information about the bands, chorus, and orchestra is available. Deadline for making application for 1965 concert tours is December 1, 1964.

MRS. MARY GABRIELLA GOMES

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

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

There was no objection.

Mr. GOODELL. Mr. Speaker, I am today introducing private legislation on behalf of Mrs. Mary Gabriella Gomes, the mother of Mrs. Keith Crawford, 51 Bowen Street, Jamestown, N.Y.

The bill, if approved, would grant permanent residence to Mrs. Gomes, who entered this country as a visitor on October 2, 1961. Mrs. Gomes is a native of British Guiana and a citizen of Great Britain.

PROPOSED LEGISLATION TO IMPROVE AND INCREASE SOCIAL SECURITY BENEFITS

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

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

There was no objection.

Mr. GOODELL. Mr. Speaker, I am today introducing a bill which would provide new, improved and increased social security benefits for an estimated 20 million Americans.

Mr. Speaker, the House and Senate are in agreement on the provisions of this proposal since it incorporates the amendments to the social security laws which had been agreed upon by the House and Senate conferees in the 88th Congress.

The House should immediately adopt this proposal so that we can swiftly move to bring these new benefits to our retired citizens.

Aside from the provisions on hospital care for the aged which caused disagreement, everything in my bill had the approval of the Congress. It died in the 88th Congress because of the controversy over the hospital care provisions.

Apparently the hospital care provisions will require additional or new hearings. The improvements in the social security system should not be further delayed. We must do everything we can to start getting checks to our retired people under the new amendments as promptly as possible.

There has been too much delay already.

My bill would include:

First. An increase in benefits of 7 percent with a \$5 minimum in the primary insurance amount.

Second. A minimum benefit of \$35 each month for those over 72 who did not meet the work requirements in the present law.

Third. Liberalization of the earning limitations now in the law.

Fourth. Benefits for dependents in school up to age 22 instead of the present cutoff date at age 18.

Fifth. Benefits for our widows when they reach 60 rather than waiting until they reach 62.

Sixth. Liberalization of the gross income upon which farmers may decide to pay social security taxes.

Seventh. Provide for the objection of certain religious groups to the social security system.

This Congress has an obligation to enact this legislation to provide for our older citizens with dispatch and vigor. There is no reason for delay of these agreed-upon improvements in our law.

Equity demands the prompt passage of these amendments. I urge speedy action by the House of Representatives.

LEGISLATION TO CUT FEDERAL HIGHWAY COSTS

Mr. TALCOTT. 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 California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today I have reintroduced my bill to cut Federal highway costs by authorizing a program to assist the States to acquire rights-of-way in advance. This bill would enable States to acquire property needed for rights-of-way at comparatively low costs and at times when announcements of proposed routes have not drastically inflated real estate values.

Under the present law, States have not been able to utilize existing limited procedures for buying rights-of-way in advance. This is largely because they must use all available State and Federal funds in actual construction and are unable to tie up large amounts in rights-of-way that may not be used for several years. Some States, in fact, simply do not have the money to spend on an orderly program of acquiring advance rights-of-way.

As a result, there are numerous cases where owners have undertaken extensive improvements of their property and have forced the States to pay inflated prices for highway rights-of-way.

Under my bill, first introduced in the 88th Congress, the Secretary of Commerce would be authorized to advance Federal-aid highway funds to any States for early right-of-way acquisition. These funds would be free of any interest and would not be charged against current Federal-aid apportionments.

They would be repaid by the State when actual construction on a right-of-way is authorized or at the end of a period not to exceed 7 years or on September 30, whichever occurs first.

Such a program, carefully administered, would pay rich dividends in savings to the governments and do much to eliminate hardship, inconvenience, and uncertainty for those whose property and businesses may be in the path of highway construction.

Funds advanced under this program would be paid by the highway trust fund and at no time could exceed a total of \$200 million.

This bill meets a major problem which has been hampering the Federal highway program and causing much individual hardship. I hope the House will have an early opportunity to act on it.

THE PROBLEM OF ALCOHOLISM AMONG OUR YOUNG PEOPLE

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] 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 California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, in our efforts today to direct and assist our young people so that they can successfully meet the challenges of their future, one of the continuing problems that must be met is alcoholism. Our young people must be made to realize that clear thinking and physical fitness, together with moral stamina, are the assets which lead to successful and satisfying lives.

The Youth Temperance Council, with headquarters in the 13th Congressional District of Illinois, which I am honored to represent, has performed outstanding service in educating the youth of our country to the dangers of alcoholism. Each year the council observes Youth Temperance Education Week, which has been officially proclaimed in the past by 75 percent of our State Governors and by the mayors of our larger cities. Recognition and endorsement of this endeavor by the Congress of the United States would have far-reaching effects; and I am, therefore, introducing today a joint resolution to designate the fourth week of April of each year as Youth Temperance Education Week.

I urge adoption of this resolution by the House.

RECENT CRASH OF AIR FORCE KC-135 TANKER

Mr. TALCOTT. 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 California?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I have just returned from my home city of Wichita, Kans., where on last Saturday

morning, January 16, 1965, an Air Force KC-135 tanker crashed into a residential area in the northeast part of the city. The tragic accident took the lives of at least 23 civilians and 7 Air Force crewmembers on the aircraft. Some 15 homes were destroyed or damaged beyond repair, and approximately 75 were reported damaged by fire. There were 15 persons treated for injuries by local hospitals.

My purpose in rising today in the House is to express my heartfelt sympathy to those who lost loved ones in this air disaster. I also want to pay tribute to local, State, and Federal agencies which responded speedily and efficiently. On Sunday and Monday I witnessed the effective relief which was being given by the Red Cross, the Salvation Army, and other civilian agencies. Local police, fire, and civil defense officials handled their monumental tasks with dispatch.

The city of Wichita long has played an important role in our Nation's defense. Wichita indeed is the "air capital" of this great Nation. The people of Wichita recognize the importance of aircraft to the community and the Nation. Their courage and understanding in the disaster should not go unnoticed.

When disaster struck the city last Saturday morning, the city government and private citizens alike responded to the needs and anguish of their fellow Wichitan. In this tragic period for Wichita, I am proud of the manner in which the citizens have reacted with understanding and compassion.

It should be noted, too, that the seven Air Force crewmembers aboard the aircraft who lost their lives were performing a military mission for their country. There is evidence that they did everything within their power to avoid or prevent crashing into a residential area.

Finally, I want to commend the Air Force for the expeditious manner in which it has proceeded to investigate the cause of the tragedy and to assist the civilian population affected by the accident.

IN PURSUIT OF WORLD ORDER

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, as Members of the Congress are aware, 1965, which is the 20th anniversary of the United Nations, has been designated "International Cooperation Year." President Johnson has asked that this occasion be used to take stock of progress already underway in international cooperation and to chart new possibilities of cooperation in the future.

In this regard, I think the Members of the Congress will be interested in a new book which has been written in connection with International Cooperation Year by Richard N. Gardner, who has served since 1961 as Deputy Assistant Secretary of State for International Organization

Affairs. The book is entitled "In Pursuit of World Order: U.S. Foreign Policy and International Organizations."

"In Pursuit of World Order" is a thoughtful and a thought-provoking book. It provides an up-to-date account of the efforts of the U.S. Government to promote the common interests of mankind in peace and welfare through the United Nations and other worldwide organizations. It also deals with the practical politics of adjusting the relations of states without war. And it provides fresh insight into how the United Nations system is developing and on what lines it can evolve in the future.

As chairman of the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, I have handled legislation relating to the United Nations for a number of years. I have been increasingly concerned about the growing number of problems confronting that organization. The United Nations, as we are only too well aware, is facing perhaps the most serious crisis in its 20-year history. This makes it all the more important that the American people have available a clear and balanced account of the way the United States has sought to promote its enlightened self-interest in a decent world order through international organizations. By preparing such an account, Mr. Gardner, in my opinion, has rendered valuable public service.

An extra bonus in the book is the lucid foreword by Harlan Cleveland, who is known to most of us for his distinguished service as Assistant Secretary of State for International Organization Affairs.

I think the Members of the Congress may also be interested to know that Mr. Gardner wrote this book while carrying on his responsibilities in the Department of State and that he is assigning all his royalties to the American Foreign Service Scholarship Fund and the United Nations Association.

Mr. Gardner's introduction to his volume is an excellent summary of the crisis which now faces the United Nations and the approach our Government is taking to it.

Under unanimous consent, I place it in the RECORD at this point:

INTRODUCTION TO "IN PURSUIT OF WORLD ORDER"

(By Richard N. Gardner)

Not long ago, Secretary of State Dean Rusk was asked in a television interview whether the United States was pursuing a "no-win" foreign policy. The answer was delivered in the closely reasoned phrases that are his trademark:

"Well, I would not agree with this. What we are trying to accomplish in this world—the American people and most people in most other countries—is a victory for freedom, for the independence of states and the freedom of peoples * * * a victory for a decent world order under conditions of law * * *."

"Now we know that this struggle for freedom is constant, it is implacable, and it is necessary to win it. But you would not win it by a vast military orgy which would bring into jeopardy the existence of the Northern Hemisphere * * *."

"The problem here is to make it very clear that the vital interests of the free world will be defended with whatever is necessary. But the problem also is to defend these by

peaceful means if possible. The easiest thing in the world to think of is to expand a war. But the human race needs something else if we can find it."

A central purpose of U.S. foreign policy under the Kennedy and Johnson administrations has been to find this "something else"—something that could lead to victory without war, a victory of human dignity not just for Americans but for all men everywhere.

It has been said many times but it bears repeating: Such a victory will not be won through the subjugation of any people. It will not be won by force of arms—although the free world must have adequate military strength and the will to use it in defense of freedom. It will be won by painstaking efforts to build the foundations of peace and the general welfare of mankind. Moreover, it will never be finally won—it will have to be fought for and earned, every day, by ourselves and our posterity.

Mankind is now divided by two competing concepts of world order—one based on coercion, the other based on consent. Because of the kind of society we are at home, because of the kind of order we seek abroad, we cannot simply impose our views on other peoples. Our method of building a world order is much more difficult than the Communist method, but it is also much more durable. It is through free association with other nations in bilateral, regional, and global diplomacy.

Much is heard these days about the protection of national sovereignty. But if sovereignty is more than a sterile legalism, if it means the real power of a nation to assure by itself the security and welfare of its citizens, then it is obvious that no nation is any longer truly sovereign. It is one of the great paradoxes of our time, and undoubtedly a major source of public frustration, that the most powerful nation in the world is less able to employ its power alone, in pursuit of national ends, than at any previous point in history. Compared to the destructive power the United States possesses today, all the destruction wrought in previous wars is, in President Johnson's words, "like a firecracker thrown against the sun." Yet the achievement of minimum security for the American people depends in part upon cooperation from other countries—even from our greatest adversaries.

What is true of security is true of other essential goals of our national policy. We can no longer assure the material well-being of American citizens by acting alone. The cooperation of other nations is now essential to protect our balance of payments, to assure us of access to raw materials and markets, to maintain the safety of our air and ocean transport, to enjoy the full benefits of space technology in communications and weather forecasting, and generally to bring about the kind of world environment congenial to our continuing prosperity.

All this is obvious. What is less obvious is that to encourage the cooperation of other nations which is necessary for our security and welfare, we have had to develop a new arm of diplomacy. This new diplomacy is carried on through international organizations. That is why President Johnson has pledged this country "to do its full share to assist in the development of sound, efficient international organizations to keep the peace, to resolve disputes, to promote peaceful change, to conduct a world war against poverty, to exchange technology, and for other purposes."

Someone once said that all revolutions seem impossible before they occur and inevitable after they occur, an observation that applies well to the diplomatic revolution of the last generation. At the beginning of World War II, it would have been difficult to conceive of the vast array of important functions now being discharged through in-

ternational institutions. Today, it is hard to imagine a world without them.

This book is about the use of international organizations in our efforts to achieve a victory without a war—a decent world order in the interests of all mankind. It is not concerned with regional organizations in the North Atlantic community, the Americas, or elsewhere—important as these are as stepping stones toward our global objective. It concentrates instead on the major worldwide organizations, mainly the United Nations and its specialized and affiliated agencies, most of which comprehend not only our allies but also uncommitted and Communist nations.

A realistic appreciation of the work of these agencies is not a distinguishing feature of the contemporary scene. Discussion of whether or not we should be in the United Nations is about as useful as discussion of whether or not we should have a U.S. Congress. What we really need is to accept the fact that international organizations are here to stay and to turn to the much more difficult question of how we can use them better to promote our national interest. We need to discuss the U.N. and other international organizations in operational rather than in symbolic terms. We need to consider in professional detail just what these agencies do and how they could do it better.

Both the uncritical admirers of the U.N. and its uncritical opponents do a disservice to the institution and to U.S. foreign policy. One group regards any criticism of the U.N. as profanation of a religious shrine; the other never fails to point out the yawning chasm between U.N. aspirations and U.N. accomplishments. Neither group looks at the U.N. for what it is—a reflection of a turbulent and divided world, an arena for the interplay of national power, a limited instrument for the voluntary association of nations in areas where the interests uniting them are stronger than the interests dividing them. All too few of those forming judgments about the U.N. bring to the subject even a fraction of the professional attention they apply to local or national politics—to speak of the conduct of their private affairs. This is unfortunate, for the path to world order will not be found by those who are negligent of details, indifferent to obstacles, and hell bent on final solutions—whether in the form of a military showdown or instant world government.

Those who would make a responsible contribution to foreign policy—particularly to the field of multilateral diplomacy—should combine a passionate dedication to long-term goals with a sober appreciation of the difficult tasks of institution building that lie along the way. Technological and political imperatives are pressing the United States and other nations more and more to work through international institutions to promote their basic interests. Yet we also live in an era of resurgent nationalism which places severe limitations on what can be done in the short run.

President Johnson has asked that 1965—which the United Nations has officially designated "International Cooperation Year"—be used to take stock of the international cooperation already underway in international institutions and the ways in which it can be strengthened. This book is designed as a contribution to that effort. It is natural, therefore, that it should emphasize the positive more than the negative side of the equation—the constructive ways in which we and other nations have pursued our common interests and the new possibilities we have for doing so in the future. It is all too evident what international organizations have failed to do; the story of what they have succeeded in doing is largely unknown and therefore needs telling. Besides, we can usually get better results in

dealing with the shortcomings of international organizations by working to correct them through quiet diplomacy than by denouncing them from the rooftops.

Emphasis on the positive contribution of international organizations does not mean we are uncritical. It would do no service to U.S. foreign policy—or to the United Nations—to hug that organization to death. We must continue to view the U.N. at a distance sufficient to permit a realistic look at its strengths and limitations and a clear appreciation of where and how it touches our national interest. Our approach to the United Nations and other international agencies is therefore pragmatic. In determining whether to pursue a particular foreign-policy interest in international agencies, we weigh the disadvantages as well as the advantages.

Law in our society has been well defined as consisting of "the wise restraints that make men free." In the international community, some restraints on the use of national power are obviously required in the common interest. Other restraints may be undesirable or impractical because common interests do not exist. International institutions require exchanges of mutual restraints and reciprocal concessions by the participating countries. And in each case, it is right and proper for the United States, as well as other countries, to ask whether the restraints and concessions undertaken by others are adequate compensation for the restraints and concessions undertaken by ourselves.

The central thesis of this book is that the pragmatic balancing of the advantages and disadvantages inherent in this system is yielding positive results over a widening range of subject matter. But not all governments share this conclusion. This is not because the national interest of their countries would not be furthered by the continued strengthening of international organizations. On the contrary, as this book argues, the long-term interest of all countries in survival and welfare requires a steady buildup of international institutions. Yet for one reason or another, the leaders of some countries do not share this concept of the national interest or are not prepared to act upon it. Not only are they reluctant to undertake bold new reforms in the direction of closer international cooperation; they are resisting some of the forms of international cooperation we already have.

This situation helps to explain why the U.S. Government has been unenthusiastic about proposals for a conference to review and amend the United Nations Charter. Some of the proponents of this idea believe such a conference would help to transform the U.N. into some kind of world government; others believe it would at least strengthen the organization in fundamental respects. But amendment of the charter requires approval not only of two-thirds of the member states but specifically of the Soviet Union, France, and other permanent members of the Security Council. If one examines carefully the attitude of U.N. members toward specific proposals for strengthening the organization, one quickly discovers that the most likely consequence of wholesale revision of the charter would be to diminish rather than enhance the strength of the organization.

The Charter of the United Nations, like the American Constitution, is a framework for organic growth in response to new demands and changing realities. The United Nations has been able, within the context of the charter, to assume ever greater responsibilities in the service of its members' long-term interest. An attempt to rewrite its constitution would arrest the continued growth of the United Nations, for

some of the members would be reluctant to give explicit endorsement to some of the implicit powers that have been granted to the organization over the years. The fact is that the charter is a better instrument for the achievement of U.N. purposes than any that could be negotiated today. The same is true, by and large, of the constitutions of other major international agencies.

It is a very large question whether the impressive growth in the responsibilities of international institutions recorded in the last two decades and analyzed in this book can continue in the years ahead, or whether we are in for serious disappointments in our efforts to achieve a decent world order. "Crisis" has become an overworked word, but it is no exaggeration to say that the system of international institutions of which the U.N. is the center is now in crisis. The future of that system, and the pace of progress toward world order, will be determined to a large extent by what takes place in the vital period between the opening of the 19th General Assembly near the end of 1964, and the close of International Cooperation Year 13 months later.

During this relatively brief span, the nations of the world will be required to make decisions of unprecedented difficulty. They will be faced—if the Soviet Union and other countries do not cease their financial boycott—with the application of article 19 of the U.N. Charter, providing for loss of vote in the General Assembly to members more than 2 years in arrears in their assessed contributions. They will consider new arrangements for the initiation and financing of peacekeeping operations—arrangements giving a larger voice to the large and middle powers that bear the principal responsibility for supporting them. They will have to decide whether or not to ratify charter amendments enlarging the Security Council from 11 to 15 members and the Economic and Social Council from 18 to 27—a question which in the United States is certain to stimulate a wide-ranging review of the decision-making process in U.N. organs.

But the months ahead will be a time for decisions not only about peacekeeping operations, but also about cooperative endeavors for the general welfare of mankind. The members of the U.N. will try to establish new machinery to deal with the trade problems of the developing countries. They will consider proposals to merge the central U.N. institutions providing preinvestment aid in less developed countries. They will take a second long look at the world population problem and possibly measures to deal with it. They will make fundamental decisions about the work of the U.N. system in industrialization, housing, and provision of food to less-developed countries. They will examine pressing issues of human rights and the adequacy of existing machinery to deal with them. And, outside the U.N. itself, decisions will be made in the most ambitious negotiation ever undertaken to reduce trade barriers and on new measures for strengthening the world's monetary system.

These problems and prospects are considered in detail in the following chapters. It may be appropriate at this point to underline the critical importance of the decisions facing the U.N. in the peacekeeping field. Will the fiscal and constitutional integrity of the organization be maintained in the face of opposition from some of its members? Will improved procedures be found for initiating and financing peacekeeping operations? The answer to these questions cannot fail to have a decisive influence on the future of the United Nations not only as an instrument for peace and security but also as an instrument for the promotion of the general welfare. The work of the United Nations system in economic and social de-

velopment is not likely to prosper if the countries that bear the principal burden of supporting it lose confidence in the constitutional integrity of the system.

How the United Nations survives this emerging crisis will be determined by the response of four groups of members:

The first group includes the Soviet Union and other Communist countries. In recent months, Soviet leaders have said uncommonly generous things about the importance of strengthening the peacekeeping work of the United Nations. Yet as these words are written, the Soviet Union still refuses to pay its peacekeeping assessments or negotiate meaningfully on new procedures for peacekeeping operations. In the final analysis, the peacekeeping work of the United Nations must continue—in the future as it has in the past—even without the cooperation of the Soviet bloc. Yet it is obvious that Soviet cooperation is greatly to be desired and that continued Soviet opposition will make progress more difficult.

The second group includes those countries from Africa and Asia which have recently achieved independence. Many of these countries describe themselves as "uncommitted." This term causes no problem if it means uncommitted as between parties, for rigorous adherence to an independent stance often serves the cause of freedom as well as choosing sides in the cold war. But the term is dangerous if it means uncommitted as to values, if it means that on any given subject, a country or a person takes a position that is halfway between the positions of the United States and the Soviet Union. Such a policy is the very negation of independence, for it makes the country or person applying it a dependent variable whose position on any given subject is determined by where the great powers stand. The day the members of the United Nations decide to be uncommitted to the principles of the charter, the organization will cease to exist.

If the Soviet Union fails to alter its policy on U.N. peacekeeping operations in the months ahead, it will test as never before the attitudes of the newly independent nations. The very future of the United Nations may be decided by the determination with which these countries implement their commitments to the charter in the face of Soviet opposition. If they respond to this new crisis as they have responded to similar crises in the past, they will rally to support the organization, out of a recognition of their basic interests in a stronger United Nations working in pursuit of freedom and economic advancement for all nations.

The third group includes the countries of Latin America and the older nations of Africa and Asia. In past years, they have helped to encourage a responsible dialog between the industrialized countries and the new members of the United Nations. Much depends on how they play this role in the future.

The fourth group includes the United States and the other countries of the North Atlantic Community, together with Australia, New Zealand, and Japan. These countries have provided the main material and moral support for the United Nations and other international organizations. The unusual obstacles that now obstruct the path to world order demand of them a much more unified and effective effort in the future. Such an effort will require a broader consensus than now exists on the ways in which the North Atlantic nations and their Pacific partners can employ international institutions to promote the common interest in peace and welfare. The development of this consensus should be an urgent item of public business for all these countries.

As anyone familiar with government knows, the making of policy is a corporate

rather than individual effort. While the author has helped to shape the policy of our Government on most of the subjects discussed in this book, he has been but one small part of a very large enterprise in which many others have shared. This volume is the result of a personal effort and the responsibility for any shortcomings in exposition or argument rests solely with the author, yet it must be emphasized that the final manuscript draws greatly on the suggestions of many government colleagues.

Every book reflects the particular perspective of its author. The character of this book would have been different had I never left Columbia University to become a State Department official. In government, the view is different (not necessarily better or worse) from what it is in private life. Moreover, subjects must be handled differently on the printed page. The government official benefits from inside knowledge, but he also observes restraints that are vital to the conduct of modern diplomacy.

John F. Kennedy liked to quote the ancient Greeks' definition of "happiness"—"the exercise of vital powers in a life affording them scope." Those who came to Washington in the spring of 1961 were blessed with an extraordinary opportunity to enjoy that kind of happiness. It was a particular joy for one whose central professional interest has been the development of international law and organization to find himself with a broad mandate to assist in the development of U.S. policy in the United Nations and other international organizations. It was still a greater privilege to be associated with a group of men and women dedicated to the same concerns and embodying the best combination of thought and action—thinkers and doers in the best sense of both words.

The person responsible for bringing me to Washington and the guiding force in the development of the ideas contained in this book has been Harlan Cleveland, Assistant Secretary of State for International Organization Affairs. My indebtedness to him, intellectually and otherwise, is infinite. I owe a similar debt to Ambassador Adlai Stevenson, who continues to be an inspiration for all those beating paths to world order. I should also like to mention the other leading members of the team who helped to shape U.S. policy in international organizations in the Kennedy-Johnson administration, and whose contributions are reflected here—my colleagues Joseph J. Sisco, Elmore Jackson, and Thomas W. Wilson. And it is difficult to overestimate the continuing contribution to policy made by the extremely able members of the career service in the Bureau of International Organization Affairs, surely one of the most extraordinary concentrations of talent in this or any other government. Special thanks must be given to Mrs. Mary Frances Keyhole, who discharged with her usual good nature and efficiency the difficult assignment of preparing this manuscript.

Grateful acknowledgment is hereby made to Foreign Affairs, the Saturday Review, and the New York Times Sunday Magazine for permission to use material originally published in those periodicals.

LEGISLATION DESIGNED TO TEMPORARILY RELEASE 100,000 SHORT TONS OF COPPER FROM NATIONAL STOCKPILE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] 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 Missouri?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I have today introduced a bill to authorize the temporary release of 100,000 short tons of copper from the national stockpile. In addition, I have today addressed a letter to Edward A. McDermott, Director of the Office of Emergency Planning, to request that he continue his discussions with other Federal agencies and representatives of the copper industry to determine whether additional relief can be provided administratively to alleviate immediately the hardships caused to the industry by the current shortage of the metal.

I was happy to announce in December the receipt of a communication from Director McDermott in which he informed me that he had authorized, at that time, the sale of 20,000 tons of copper from the Defense Production Act inventory. Last October there were 30,000 tons of stockpile copper released for use by the Bureau of the Mint. The producers of copper in my district have informed me that the release of 20,000 tons of copper to the industry will be helpful, but that it will not solve the problem of market stability. It has been estimated that it would take from 6 months to a year for distributors to meet current demands and I have, therefore:

First. Asked for further administrative action.

Second. Filed legislation authorizing the Director of the Office of Emergency Planning to make available to domestic producers of copper 100,000 short tons under such rules and regulations as he may prescribe. One of the terms would be the requirement that the producers receiving such copper agree to restore it in equal amount and grade not later than 1 year after its receipt or, in the event of an emergency as determined by the President, not later than 60 days after notice thereof.

Mr. Speaker, the industry and the economy of my district are dependent to a major degree upon the availability of copper. Similar bills have been filed by some of my colleagues. I hope that the House will support us in this endeavor.

SENATOR GAYLORD NELSON SAYS "KEEP ST. CROIX RIVER CLEAN"

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] 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 Missouri?

There was no objection.

Mr. FRASER. Mr. Speaker, an eloquent appeal for conservation of our river resources was made by Senator GAYLORD NELSON, of Wisconsin, last Thursday, January 14. He appeared in Stillwater, Minn., at a hearing on the future of the St. Croix River, a beautiful

clean river forming the boundary between Minnesota and Wisconsin.

Senator NELSON's speech, which follows, should be read by all Members of Congress:

STATEMENT BY SENATOR GAYLORD NELSON BEFORE A JOINT HEARING BY THE MINNESOTA CONSERVATION COMMISSIONER, WAYNE OLSON, AND THE MINNESOTA WATER POLLUTION CONTROL COMMISSION IN STILLWATER, MINN., JANUARY 14, 1965

I appreciate the opportunity to appear here today before this joint hearing of the Minnesota Conservation Commissioner and the Minnesota Water Pollution Control Commission. I want it to be clear at the outset that I am appearing here today on my own time and expense as a private citizen. I represent and speak only for myself. Though I grew up in a fine little village not far from the banks of the St. Croix, my prime concern over this river is neither parochial nor nostalgic. It is the same broad concern that all conservationists have about these matters whether it be the wilderness of the West, the Redwoods of California, the Indiana dunes, or the Appalachian Trail of the East.

This morning I want to speak briefly about conservation as an issue in American life, and about why it has been for so long an uphill fight and why, I believe, the tide must turn now or the cause be irretrievably lost.

I hope to outline the compelling reasons why the St. Croix River ought to be reserved for recreation development, and why this will be in the best interests not only of the Nation and the metropolitan area, but even of Washington County, Minn.

The agencies holding this joint hearing are the only public agencies that have any power under present legal arrangements to consider the broad issues involved in this dispute. I hope that you take these broad issues into consideration and that you examine the information now being gathered by the Federal-State Task Force on the St. Croix before you reach your decision.

With President Johnson's commitment to protecting our natural heritage and to preventive action on water pollution, the nationwide conservation movement has taken on a new political luster.

Let me quote for a moment from the state of the Union message:

"For over three centuries," the President said, "the beauty of America has sustained our spirit and enlarged our vision. We must act now to protect this heritage."

This statement reflects both wisdom and hard political sense. The wisdom is familiar to all of us from our schoolday acquaintance with John Muir, Henry Thoreau, and the other greats of the long, but losing 19th century battle to preserve some of our natural wilderness.

Wisdom has often seemed a kind of euphemism for the attractive but impractical position in that battle.

But times are changing. President Johnson is as much a reflection of that change as he is its leader.

The day when short-term economic gain could easily win over long range public conservation interests is about at an end. The vital need to preserve what is left is widely recognized.

To put it bluntly: There is a rapidly growing public interest in conservation that just was not there before. Perhaps some people care now who did not before because they have the money and the leisure to enjoy the out-of-doors; or perhaps it is because increasing tens of thousands of people in our vast metropolitan wastelands finally sense a growing isolation from nature; or because of the dawning awareness that the children have no place to play, the adults

no place to relax in peace and the environment no place to accommodate the beauty and wonders of nature. Whatever the reasons, there most certainly is a developing sense of dismay over the wanton destruction of our resources.

I think one little-noted element in this change is a new recognition of the vital economic importance of outdoor recreation.

According to the highly regarded report to the President of the Outdoor Recreation Resources Review Commission (ORRC report), outdoor recreation is a \$20 billion a year business—and it is growing by leaps and bounds.

The report, by the way, makes at least two statements directly relating to the decision before this hearing:

First, it states that the recreation resource in greatest demand and shortest supply is water-oriented recreational areas handy to metropolitan areas.

Second, it says, the area of the Nation that by 1980 will have the largest demand for outdoor recreational facilities is the north central census region. As you know, the Twin Cities are the great population center for the western part of that region.

It may be hard to realize for those who have lived their lives in the St. Croix Valley, but Minnesota and this entire region have a priceless recreation resource in this river—a clean, large, spectacularly beautiful river within a half hour's drive of a major population center.

I am appearing here today to express the hope that you preserve this river in its present state for yourselves and as a heritage for those who come after you.

The President said: "For 300 years the beauty of America has sustained our spirit."

Under industrious cultivation our rich and beautiful land not only sustained our spirit but has made us rich beyond our greatest dreams.

We have always been grateful, but I fear we have too often forgotten the need to conserve as much as possible of this rich inheritance we have received. Everyone, or nearly everyone, is in favor of conservation—in principle. But in fight after fight, the general public interest in conservation has lost out to the specific local interest in commercial development.

Perhaps the conflict goes back to the day when the white man first faced the original American.

The white man brought from Europe ideas of land management very different from the Indian's.

The Indian had great reverence for the land. He knew he depended upon it for life itself. The fruit of the earth confirmed the generosity of the gods. The land belonged not to the individual, but to all his people.

The white man, of course, thought in terms of individual exploitation—too often for private gain at public expense.

It is only gradually that we are coming to see that there is much truth for us in the original American's idea.

Thoreau and Muir, and our other early conservationists, had a good deal of the Indian about them. But the fight they waged was little more successful than the Indian's.

In most conservation contests—whether over the use of the Indiana dunes, or the Redwoods of California, or the St. Croix—there is usually a sizeable group of local people willing to grant the validity of the conservationist's arguments, but bowing in this specific instance to the strong local economic interest in the development of a specific forest, river, or bit of lakeshore.

The fight has been unequal—eloquent spokesmen preaching lofty conservation generalities on the one hand, determined people seeking their bread and butter on the other.

The country has always seemed so vast, its resources so endless, and economic progress so American, that the conservation in-

terests, except in areas of marginal economic utility, have almost always lost the contest. No single one of these lost contests loomed large in the total picture. But down through the decades these thousands of lost contests have spelled the destruction of a major portion of America's resources.

In this way, most of the great rivers of America have been systematically destroyed, in the name of progress.

George Washington dreamed of the Nation's capital on the beautiful Potomac, the river praised by early travelers for its exceptionally sweet water.

But since Washington left us with his dream, tons of silt from exhausted tobacco plantations, acids leaching into the river from abandoned mines, industrial wastes and half treated sewage have fouled this once sweet river and turned it into a national disgrace. Stand on the lawn in front of George Washington's Mount Vernon home today, gaze across the broad expanse of the Potomac, and your view will be scarred by a sign proclaiming: "Danger, polluted water."

The U.S. Corps of Engineers has proposed to spend \$500 million to build a system of dams to flush out this scenic sewer. And now the President is thinking in terms of a multi-million-dollar program to restore some measure of the river's great reputation.

Call the role of the great American rivers of the past, and you will have a list of the pollution problems of today—the Androscoggin in Maine; the Connecticut, that boundary water between the Green Mountain and the Granite States; the mighty Hudson; the thermally polluted Delaware; the Ohio; the Mississippi; the Missouri; and even your Minnesota, covered from time to time by flotillas of sugarbeet chips.

The story in each case is the same: they died for their country. They died in the name of economic development.

And now we must spend vast amounts of money if our people are not to become sick from their dying.

The story of America's commercial development, which is in large part the story of her rivers, is a glorious one. We all benefit. But we are only beginning to reckon the price we must pay for the foolish squandering of our limited supply of clean water.

The story of America's rivers warns us against that American spirit of optimism that presumes there is always more to be had and more to be carelessly wasted.

The vision of the frontier, with its promise of untapped land and fresh opportunity has always been part of our dream. It has not, however, been part of our reality for some 70 years. We are only now coming to realize this fact.

We must act now to plan, and to husband this heritage of land and water carefully. Our long tradition of private land ownership and management makes these things very difficult for us, but we are learning.

It seems logical to me that some rivers ought to be working rivers, kept as clean as possible, but recognized and designated as industrial and commercial arteries. The Mississippi is a most obvious candidate for classification.

Others ought to be classified as wild rivers, and still others as recreation rivers. Your favorite trout stream most certainly ought to be protected in a wild state. Rivers like the lower St. Croix, that offer unusual potential for recreational development, ought to be set aside for wise recreational development, especially when there are working rivers nearby.

The St. Croix is the last large clean river near a major metropolitan area in all of the Midwest. If we don't halt commercial exploitation here, where shall we stop?

The upper St. Croix is a river that got a second chance. By 1903 the stripping of the valley's forests had left it nearly bare—and made the river towns rich. But 60 years

of quiet have reclothed its banks with trees and stabilized its soil with grass. Now it has been studied as a wild river, part of a new Federal program for the preservation of our dwindling supply of undeveloped streams. It looks like the upper St. Croix is going to be preserved. We can all be grateful.

The towns of the lower St. Croix thrived on timber fortunes and related industrial development while the upper valley was being stripped.

The magnificent period architecture in Stillwater is a tribute to those prosperous, highhanded old days.

But since World War I, the lower St. Croix valley has been industrially becalmed. Local citizens have kept up their hopes for a rebirth of industry, but without any luck. In 1938, as Mr. Chester Wilson so eloquently explained at our Senate subcommittee hearings in December, the U.S. Army Corps of Engineers completed a 9-foot barge channel 23 miles up the river to Stillwater in hopes of attracting industry.

Washington County is already part of the Twin Cities metropolitan area. Even in 1960, according to the census, 50 percent of the county's wage earners worked outside its borders—in the Twin Cities, of course. The pressure on the schools of Free School District 834 comes from the children of Twin Cities' workers who are making their homes in this beautiful county.

By the year 2000—only 35 years away (those of you who remember 1930 will realize what a short time 35 years is)—the Twin Cities area population will hit the 2 million mark, according to a report by your metropolitan planning commission, and Stillwater will be practically downtown.

"In our urban areas," President Johnson said in his state of the Union message, "the central problem today is to protect and restore man's satisfaction in belonging to a community.

"The first step is to break old patterns—to begin to think, work, and plan for the development of entire metropolitan areas."

Now, but even more in the years immediately ahead, this great and growing metropolitan area will need the St. Croix as a recreational resource, not as an industrial site.

Despite its sparkling array of lakes and woods the Twin Cities area, again according to the metropolitan planning commission report, is even today short of outdoor recreational facilities. In fact it has only 30 percent of what is considered desirable (10 acres for every 1,000 residents).

The Upper Midwest Research and Development Council reports that in the next 15 years the Twin Cities area will bear the brunt of the continuing migration from the small towns and farms of the north central region.

With incomes going steadily up (the gross national product is predicted to jump 95 percent in the next 15 years) and more and more leisure time available, the need for and demand for outdoor recreation in the beautiful lower St. Croix Valley will be enormous.

Conservationists usually find themselves in the position of arguing for abstract values against men holding gilt edge balance sheets.

We are beginning, however, to develop some facts that help explain the dollar value of green space and recreational areas.

For instance, it was discovered in New York City that, over a 15-year period, property located on Central Park increased 18 times in value while similar property away from the park only doubled in value.

In Washington, D.C., it has been demonstrated that the total investment in lovely Rock Creek Park has been more than paid for by the increased tax income on the properties near the park.

Those who fear that without heavy industry Stillwater is doomed to be just another dying river town are looking to the past, not to the future. Recreation develop-

ment offers more in the long run than the development of industry on the St. Croix.

The Northern States Power Co. proposes to begin construction this year on the first of two coal-operated steam-electric generating units at Oak Park Heights, Minn., just south of Stillwater. The first unit would have a capacity of 550,000 kilowatts. It would have a 785-foot smokestack, a half-mile coal pile, and require 660 cubic feet of river water per second for cooling and condensing steam. The second unit, a 750,000-kilowatt unit, would of course require even more cooling water.

Valley residents and thoughtful conservationists everywhere fear the heat pollution of the river, pollution of the air by the sulfur gases from the burning of low grade fuel, and the fiftyfold increase in barge traffic on the river that the first unit of the plant would require. In essence, this plant will simply and unnecessarily reduce the value of the river for recreation at a stage in history when the trend should be sharply reversed.

On the narrow question of water pollution danger, I have no new information to add. The Minnesota Water Pollution Control Commission is, I am confident, able to sift all the available evidence on that problem. If the evidence shows that the operation of the plan will have any adverse effect on the water quality or the ecology of the river, I am confident that the commission will either turn down the company's application for a permit to return heated water to the river, or at least require the construction of the proper cooling towers to insure the river against damage.

I would like to raise one question, however.

The national power survey just released by the Federal Power Commission indicates that it is generally considered sound practice to limit stream diversion for steam condensation to one-half the streamflow.

The first unit of the proposed Allen S. King plant would require, I understand, 660 cubic feet per second, well over half the 1,000 cubic feet per second which is the 10-year minimum flow of the St. Croix at Oak Park Heights. Since the second unit of the plant is even larger than the first, I am anxious to see evidence behind the company's assurances that no harm will be done to the river by such massive withdrawal of its waters.

I would like to make one other comment. The company asserts that the additional cost of constructing this plant on the Mississippi—say at the Prairie Island site, north of Red Wing, Minn.—would not be great enough to affect the electricity rates.

It has also argued the wisdom of developing the St. Croix site now on the grounds that the power requirements of the Twin Cities area in the years ahead will be so great that all available sites must be developed at one time or another, and the best time to develop the St. Croix site is now.

Given the fantastic pace in powerplant design and development—it was only in 1961 that the first 500,000-kilowatt steam-electric generating plant went into operation—would it not be wise to hold off on using the St. Croix site for the time being in the expectation that new developments in plant capacity would make using the site unnecessary?

The pollution questions you are expected to pass on. The larger questions, more crucial really, raise perplexing problems.

The fact is that the fight over the location of this plant reveals a gap in the fabric of our institutions. It raises the question of land-use evaluation. There is no agency available to resolve that question.

This is a genuine, honorable conflict. Which is to come first on the St. Croix—power development or recreation and conservation? Who can decide the question?

This case raises the age-old question of land use and resource use, a question that

must daily be decided in situation after situation across the country.

Whose responsibility is it?

Are we to ask Northern States Power Co. officials to make their decision on the basis of the area's present and future recreational needs?

The Washington County officials? For the taxpayer that \$68 million plant is a well-nigh irresistible tax windfall, although I believe there are some who see the long-range dangers.

In the absence of any regional, or metropolitan planning authority, the appeal must be made to this joint hearing to take the larger considerations into account.

I am aware there are differences of opinion over the scope of authority vested in the conservation commissioner by the words "health and welfare" in the pertinent section of the statutes. These are matters over which competent counsel are expected to differ. But since they do differ and the issue is so important, it surely is a matter that ought to be settled by the appropriate court before authorization is granted the company to proceed.

That there is a vested public interest in public waters as such is clear; that any reasonably liberal interpretation of the word "welfare" raises the question of the stake of the general public in this matter; that since this is a private utility with a monopoly in a service area set by the Government, the company can hardly argue that a few months of delay will cause irreparable damage—while whatever damage is done by the plant to the river will be irreparable.

Furthermore, I am advised that the company plans to proceed with construction on other sites including the Mississippi in the years immediately ahead.

I ask again, would it not be reasonable to develop another site now, saving the lovely St. Croix for exploitation at some future time and only if absolutely necessary?

I know you all realize this is a case of national significance. It has attracted attention of the press and magazines through the Midwest and from coast to coast. The New York Times, the Washington Post, the Nation and New Republic have written stories and editorialized about it.

During the past 100 years we have wrought more wanton destruction of our landscape than any previous civilization accomplished in 1,000 years. We now say, what a pity our ancestors didn't have the foresight to husband our bountiful resources more sensibly. How much richer we would be both in esthetic and material wealth had they had more vision and more courage. Before this case is decided I think we all should ask ourselves this question: What are our great-great-grandchildren going to say about us a half century from now?

I might add that beginning attempts at the industrialization of the St. Croix made it clear that Federal action is needed to protect the national interest.

Therefore, I am now drafting a bill to make the entire length of the St. Croix and its Wisconsin tributary, the Namekagon, into a national scenic waterway.

North of Taylors Falls the St. Croix would be designated a "wild river" as envisioned in the Federal study. A national recreation area would be laid out along the lower St. Croix.

A number of Washington county people seem to feel that Save the St. Croix, Inc. is made up of wealthy yachters who want to keep Lake St. Croix as their private playground.

This charge is not based on fact. But the fact is that if the St. Croix is to be made a recreation area for all, careful planning must begin now. Access points and riverside parks must be developed and proper zoning regulations worked out in cooperation with local

property owners. The river must be made available to all the people of the area.

That is the purpose of the bill I am drafting.

The future establishment of a St. Croix National Scenic Waterway would, of course, have no legal effect whatever on the Northern States Power Co. proposal now before you. That decision rests with you.

SEMIANNUAL SESSION OF THE COUNCIL OF INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

MR. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WILLIS] 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 Missouri?

There was no objection.

MR. WILLIS. Mr. Speaker, it was my pleasure to attend, in November 1964, the regular semiannual session of the 29 member-governments session of the Council of ICEM—Intergovernmental Committee for European Migration—held in Geneva, Switzerland. The U.S. congressional delegation, of which I had the honor to be a member, was composed of the gentleman from Kentucky [Mr. CHELF], the gentleman from New Jersey [Mr. RODINO], the gentleman from Colorado [Mr. ROGERS], the gentleman from New Jersey [Mr. CAHILL], the gentleman from Maryland [Mr. MATHIAS], and the Senator from West Virginia [Mr. BYRD].

Permit me to say, Mr. Speaker, that the debates held in Geneva have once more acknowledged the vitality and the usefulness of ICEM, an organization conceived and founded by our lamented colleague and friend, Francis E. Walter, as a valuable and important instrument serving not only humanitarian principles and aims but—first and foremost—vital U.S. interests in the field of our national immigration policy and world migratory movements.

The most important task facing ICEM at the present moment is to find ways and means to cope with a rising trend of demands from new refugees for resettlement. While the generosity of many countries maintains their doors open—Australia, Canada, South Africa, Sweden, and New Zealand should be mentioned at this point together with the United States operating under the refugee fair share law—the increase of needs for expeditious movement of refugees creates for ICEM additional financial difficulties.

The current situation in the refugee sector of ICEM's operations was presented to the organization's Council by ICEM's new Deputy Director Walter M. Besterman, who served as our counsel for over 19 years.

When Walter Besterman resigned from the staff of the Judiciary Committee last September to assume his post in Geneva to which he was unanimously elected by ICEM's Council, the Speaker had this to say about him, among other things:

Besterman researched and presented the facts with a strict and inflexible integrity for the whole truth and then he let the facts

and the history behind them speak for themselves. When, as so often happened, his counsel and personal advice were sought by those who were charged with the responsibility for legislation and for action, he provided it in a manner that cast a penetrating shaft of light on the facts of a situation.

The presentation of the current refugee problems by Walter Besterman was in his best tradition. No wonder he was vigorously applauded by all present at the meeting, a very infrequent occurrence in Geneva meetings.

For the information of the House, his address follows:

STATEMENT MADE BY MR. W. M. BESTERMAN, DEPUTY DIRECTOR OF ICEM, AT THE 1963 MEETING OF THE COUNCIL OF THE INTER-GOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION, HELD AT GENEVA, NOVEMBER 10, 1964, ON REFUGEE MIGRATION

Thank you very much, Mr. Chairman. I was requested by the Director to introduce to the Council document MC/INF/116, which is being presented pursuant to a specific directive incorporated in Resolution No. 315, document MC/663 of last May's session, and additional views of the subcommittee on Budget and Finance expressed in the course of its meeting held in Washington in September. The document reaches the Council forwarded by the executive committee under action taken last week. The administration respectfully submits it as an information paper, containing what we believe to be a comprehensive recital of the scope and the principal characteristics of existing demand for movements of refugees to areas of resettlement which have been opened to them through the generosity of various receiving governments.

As we see it, the problem of European refugees is far from being solved. In fact, the contrary seems to be the truth. What we consider to be legitimate demands for our assistance grow in their size and in their complexity, while the need for timely assistance in the movement of refugees becomes more acute.

Fully realizing that because of a variety of factors ICEM is and will be prevented from complying with every request for assistance in the movement of refugees, the administration, under directives given us by our governing bodies, presents to the Council and all governments of good will, our minimal approximation of the status of current demand for assistance to refugees as we are able to assess it in the realistic context of presently foreseeable income.

As I mentioned a while ago, Mr. Chairman, there are two basic points to be considered: (1) the size of the demand and (2) the need for timely assistance, if such is to be accorded at all.

First, how come we are faced with urgent requests for movement of refugees while camps in Europe have been closed long ago—with very few exceptions—and the United Nations High Commissioner for Refugees indicates the need but for the movement of a modest number of residual or handicapped cases? Who are the refugees who knock at our door for assistance?

I am most happy, Mr. Chairman, to be able to report to this Council that this administration has been and is receiving full and complete understanding and cooperation of the High Commissioner. In Rome, 2 weeks ago, where I had the honor to represent ICEM at the meeting of the High Commissioner's executive committee, we found wholehearted support expressed in one of the resolutions adopted there.

Who are then the refugees who ask for our assistance? The answer is given, I believe, on pages 4 and 9 of the document I referred to which I would invite the Council to examine. Also, the information contained on

pages 4 and 9, inclusive, is summarized briefly for the Council's convenience in two tables added as an annex, with the very final figure at the right hand of the second page of the annex indicating what is the financial size of the problem. It is \$249,843, exactly 1 percent of this organization's total budget.

The influx of new refugees arriving in Western Europe shows a slight increase over the last annual average which was approximately 10,000. Most of the new refugees are the people that we have known for years: Czechs and Slovaks, Yugoslavs, Poles, and Hungarians but, significantly, because of political events an increasing number of Albanians. In addition to that, there is an increasing number of refugees transiting through Western Europe to areas of resettlement. This category of refugees includes those who succeed in obtaining visas or other type of entry permit from the receiving countries prior to the time they leave the countries which they are abandoning.

Although, legally, the great majority of refugees who apply for ICEM's assistance fall within the mandate of the High Commissioner, they do not show in the statistics including camp inmates. The reason for this is that voluntary agencies and ICEM begin to process them for movement to areas of resettlement before they obtain exit permits. It is precisely for this reason that they do not become camp residents. They do not become a burden upon the countries of asylum and upon the international community supplying funds for care and maintenance.

The Director has pointed out in his report on ICEM's policy and programs that we take pride in the fact that, thanks to the efforts of the voluntary agencies and the improvement of our own procedures, we are now moving to the receiving countries human beings not eroded by the depressing and demoralizing influence of camp life. We also believe that we are contributing to the welfare and the interests of the countries of first asylum by relieving them of the financial and administrative burdens stemming from maintenance of camps.

Under the well thought out intent of the framers of our charter, the Brussels resolution of 1951 and the Venice Constitution of 1953, this organization does not operate under the legal definition of "refugee" as does the United Nations High Commissioner and as did the old IRO. What prevails in our operations as far as determination of refugee status is concerned, is (1) the historical, traditional acceptance of the meaning of that term, and (2) national criteria, national policy determinations, and national legislative definitions used for admission purposes. Combining the two principles, ICEM assists in the movement of refugees strictly in accordance with the policy of the receiving countries and under one overriding governing principle: availability of funds.

The paper before you, Mr. Chairman, offers, I believe, the opportunity for the unequivocal application of these two principles in predicated the collective assistance to each movement upon the unencumbered freedom of choice of each money-contributing and immigrant-receiving government. Briefly, what we are offering on these pages 4 to 9 of the document—what we are offering each government—is the opportunity to indicate to us, specifically, the class or category of refugees it desires to assist through the use of our operational machinery. Thus, it is made abundantly clear, I believe, that only those refugees will be moved to areas of resettlement for whose assistance funds are provided. Consequently, as it was pointed out in our progress report, not all of the refugees requesting our assistance will be accorded it. Our budget paper for 1965 which the Council will consider subsequently brings out clearly, I submit, the fact that our refugee movements estimates are being adjusted to budgetary realities. In simple

words, this means that the task cut out for us by the member governments in years past will not be carried out in full as long as the tools supplied us remain inadequate.

Obviously, it is for the governments to determine to what extent and which part of the task is to remain unfulfilled.

The paper under discussion makes it evident, we believe, that we are faced now with a refugee problem vastly different from the one World War II left the free world to cope with. Save for a few exceptions, we are not dealing with displaced persons and refugees as the international community knew them in the past. Today, the refugee who desires to obtain a new lease on life is the victim of circumstances which arose in the wake of World War II, after the guns were silenced but the world did not obtain tranquillity nor stability.

What are the causes of the continuing presence of the European refugee problem?

I shall attempt, Mr. Chairman, to summarize them, as briefly as I can.

One, the continued existence of political systems not acceptable to many of those who are forced to live under them—that produces more refugees. As someone said, people leaving the domains of oppressive regimes, "vote with their feet."

Two, political events resulting in the creation of new sovereignties, many of which are founded on religious and racial bases—that produces more refugees.

Three, new systems of persecution and discrimination based on political, religious or racial grounds—that produces more refugees.

Four, unfortunate manifestations of immature, often rampant nationalism directed primarily against those who bear the stamp of belonging to those European nationalities in whose name colonies were administered—that produces more refugees.

Five, successful attempts of some governments at forcing out of the countries those whom they call members of the former ruling and privileged classes—that produces more refugees.

Six, the displeasure of some governments with the disruptive influence of the flow of messages in which a happily resettled refugee reports from the free world back home to his unhappy relatives, his wife, child, parent, brother, or sister—that causes some governments, often after years of hesitation, to adopt the policy of "good riddance" expressed in an exit permit—and that produces the family reunion cases.

All of these refugees are listed in our paper in what we believe to be plain and judicious language. It is in the document before you, sir. The appearance of each group is the direct result of one or more of the circumstances I tried to identify.

All of them are Europeans, all of them stem from the same European stock that in centuries and decades past settled Latin America, Australia, Israel, South Africa, Canada, and the United States.

As I said, we full well realize that not all of their number may receive our assistance through your governments' generosity. We nevertheless list them all as we believe that they are all entitled at least to beg for assistance in their quest for a new happier life.

Now, in the course of last week's discussions held in our Executive Committee there was a very valid point raised, I believe, as to the European and oversea community's moral responsibility for the recognition that persons abandoning certain Mediterranean areas as a result of the various types of pressures I tried to describe may properly be classified as refugees.

Well, Mr. Chairman, personally, I think it will be presumptuous to suggest any policy determinations to any of the member governments of ICEM.

Nevertheless, permit me to bring to the attention of the Council some actions taken by my Government, by the U.S. Government. In the aftermath of the Suez crisis of 1956, realizing the change of attitude of certain countries of the Near East toward national and religious minorities—in plain language, Christians and Jews—the Congress of the United States approved an amendment to the Refugee Act of 1953, which was then on our statute books. Under that amendment the United States opened its doors to certain closely defined refugees “from any country within the general area of the Middle East,” such area extending, under the language of the law, “from Libya to the west, to Turkey on the north, Pakistan on the east, and Saudi Arabia and Ethiopia on the south.” The author of that amendment, which became the law on September 11, 1957, and remains in full force at the present time, was the then Senator John F. Kennedy, of Massachusetts. His amendment was successfully piloted through the House of Representatives by the late Representative Walter with the active, invaluable assistance of several distinguished gentlemen occupying today the seats in the U.S. delegation, such as the gentleman from Kentucky, the gentleman from New Jersey, the gentleman from Louisiana, and the gentleman from Colorado. It might be worthwhile to add, Mr. Chairman, that Senator Kennedy's amendment passed the Senate and the House of Representatives unanimously.

Three months before his martyr's death, President Kennedy formally requested the Congress to liberalize further the definition of a refugee by dispensing of certain encumbrances such as, for instance, the requirement of eligibility under the United Nations High Commissioner's mandate. That recommendation, endorsed by President Johnson, is pending before the Congress and by the time I left the committee, for whom I had the honor of serving for over 19 years, I found, personally, no opposition to that particular part of the proposal and if I am wrong I may stand corrected by my five former bosses who are in the room.

The second basic point I raised, Mr. Chairman, was timeliness of movement. Why do we believe that carrying out the movements as expeditiously as money and international arrangements permit, is essential? The answer lies, paradoxically, in our inability to foresee or forecast the next turn the policy of certain governments will take.

There is no assurance that the expired exit permit and the one-way passport would be renewed when, at expiration time, we are still not ready to effectuate the movement which we are theoretically authorized to carry out except that we have no money to pay for. There is no assurance that a change in the degree of internal or external pressures upon a government would not cause a change in its present exit policy.

In all frankness, how would we know if and when powerful influences will start objecting more vigorously to the exodus of Christians and Jews from north Africa? How would we know if and when personnel changes on the ruling level of the Soviet Union will result in pressures upon the captive governments to tighten up on exits or stop them altogether? How would we know if and when even the most meritorious program, the one of refugee family reunion, will be slowed down, curtailed or totally eliminated?

All of the present exit policies practiced by the governments with which this international organization maintains no contact may stop as suddenly as they started. This is the reason, Mr. Chairman, for the note of urgency for which we apologize, the note of urgency which is easily detectable from our papers.

We do believe, however, that the matter is urgent. Human beings are involved, and you

know, Mr. Chairman, that even perishable goods are usually shipped under the label “Rush.”

Thank you, Mr. Chairman.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on House Resolution 126, which was passed today.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOSMER (at the request of Mr. GERALD R. FORD), for today, on account of Government business.

SPECIAL ORDERS GRANTED

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

Mr. GUBSER (at the request of Mr. TALCOTT), for 30 minutes, on January 25, 1965.

Mr. COOLEY (at the request of Mr. HUNGATE), for 60 minutes, Tuesday, January 26, 1965, vacating his special order of today.

EXTENSION OF REMARKS

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

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

Mr. QUIE.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 20, 1965, at 10:30 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

383. Communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1965 in the amount of \$1,742,209,000 for the Department of Agriculture (H. Doc. No. 59); to the Committee on Appropriations and ordered to be printed.

384. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to increase the size of the Joint Staff, and for other purposes; to the Committee on Armed Services.

385. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Inter-American Development Bank Act to authorize the

United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank; to the Committee on Banking and Currency.

386. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the appropriation of funds for the maintenance and instruction of deaf, mute, and blind children of the District of Columbia; to the Committee on the District of Columbia.

387. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Facility Act of 1942 to authorize the maintenance and repair of parking meters and payment for parking meters from fees collected from such meters; to the Committee on the District of Columbia.

388. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to utilize certain funds for snow and ice control; to the Committee on the District of Columbia.

389. A letter from the Comptroller General of the United States, transmitting a report on overpayments of per diem travel allowances, Department of State; to the Committee on Government Operations.

390. A letter from the Chairman, Federal Communications Commission, transmitting the 30th Annual Report of the Federal Communications Commission, pursuant to section 4(k) of the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

391. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to remove the present \$5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.; 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. ANDERSON of Illinois:

H.R. 3138. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. BELL:

H.R. 3139. A bill to amend title 18 of the United States Code to provide for the greater protection of the President and the Vice President of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 3140. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases; to the Committee on Interstate and Foreign Commerce.

H.R. 3141. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3142. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. COHELAN:

H.R. 3143. A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 3144. A bill to amend title 38 of the United States Code to allow the Administrator of Veterans' Affairs, under certain circumstances, to disclose information which he has relating to the whereabouts of individuals; to the Committee on Veterans' Affairs.

By Mr. DANIELS:

H.R. 3145. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 3146. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

H.R. 3147. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 3148. A bill to amend title II of the Social Security Act to provide that the child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 22 if he is attending school; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 3149. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act to increase the amount of insurance applicable to bank deposits and savings and loan accounts to \$25,000; to the Committee on Banking and Currency.

H.R. 3150. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 so as to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 3151. A bill to extend benefits under the Retired Federal Employees Health Benefits Act to the survivors of retiree annuitants who died before April 1, 1948, and to employees who retired from the Tennessee Valley Authority and Farm Credit Administration, prior to July 1, 1961; to the Committee on Post Office and Civil Service.

By Mr. DUNCAN of Oregon:

H.R. 3152. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rouge River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 3153. A bill to provide a hospital insurance program for the aged under social security, to amend the Federal old-age, survivors, and disability insurance system to increase benefits, improve the actuarial status of the disability insurance trust fund, and extend coverage, to amend the Social Security Act to provide additional Federal financial participation in the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. GATHINGS:

H.R. 3154. A bill to amend the Agricultural Act of 1949 to provide for the increased use of milled or enriched rice by the Armed Forces, Federal penal and correctional institutions, and in certain federally operated hospitals, and for other purposes; to the Committee on Agriculture.

H.R. 3155. A bill to permit the exchange between farms of cotton acreage allotments for rice acreage allotments; to the Committee on Agriculture.

By Mr. HAGAN of Georgia:

H.R. 3156. A bill to amend title II of the Social Security Act to provide that a woman who is permanently and totally disabled may become entitled to widow's insurance benefits without regard to her age if she is otherwise qualified; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 3157. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits; to the Committee on Interstate and Foreign Commerce.

By Mr. HUOT:

H.R. 3158. A bill to authorize assistance under the Area Development Act for certain additional areas which have sustained, or are about to sustain, sudden and severe economic hardship; to the Committee on Banking and Currency.

By Mr. JOELSON:

H.R. 3159. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income of interest on savings deposits; to the Committee on Ways and Means.

By Mr. KUNKEL:

H.R. 3160. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for an individual member of a recognized religious sect who is conscientiously opposed to acceptance of benefits because of his adherence to the established tenets or teachings of such sect; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 3161. A bill to amend the Internal Revenue Code of 1954 to exempt schoolbuses from the manufacturers' excise tax; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 3162. A bill to amend title 18 of the United States Code to provide for the greater protection of the President and the Vice President of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 3163. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, to improve the public assistance programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 3164. A bill to authorize the temporary release of 100,000 short tons of copper from the national stockpile; to the Committee on Armed Services.

By Mr. MORRIS:

H.R. 3165. A bill to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NEDZI:

H.R. 3166. A bill to provide a hospital insurance program for the aged under social security, to amend the Federal old-age, survivors, and disability insurance system to increase benefits, improve the actuarial status of the disability insurance trust fund, and extend coverage, to amend the Social Security Act to provide additional Federal financial participation in the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

H.R. 3167. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise taxes on automobiles and on parts and accessories, and to reduce the manufacturers excise tax on trucks and

buses to 5 percent; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 3168. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. RIVERS of Alaska:

H.R. 3169. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

H.R. 3170. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 3171. A bill to amend title II of the Social Security Act to reduce from 1 year to 6 months the period for which an individual must have been married (in most cases) in order to be considered the wife, husband, widow, or widower of his or her spouse for benefit purposes; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 3172. A bill to establish a Commission on Congressional Reorganization, and for other purposes; to the Committee on Rules.

By Mr. SLACK:

H.R. 3173. A bill to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region; to the Committee on Public Works.

H.R. 3174. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

H.R. 3175. A bill to amend the Internal Revenue Code of 1954 to repeal certain retailers and manufacturers excise taxes and the excise tax on the use of safe deposit boxes; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 3176. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 3177. A bill to amend title 38, United States Code, to increase dependency and indemnity compensation in certain cases; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Louisiana:

H.R. 3178. A bill to increase the minimum domestic allotments for cotton farms having two or more tenants; to the Committee on Agriculture.

H.R. 3179. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

H.R. 3180. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for evacuation expenses incurred during natural disasters; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 3181. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALKER of New Mexico:

H.R. 3182. A bill to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL:

H.R. 3183. A bill to protect the domestic economy, to promote the general welfare,

domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 3214. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of sick leave, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 3215. A bill to amend section 124 of title 23, United States Code, to provide for the financing of advance acquisition of rights-of-way for the Federal-aid highway system; to the Committee on Public Works.

By Mr. CLEVENGER:

H.R. 3216. A bill to provide the planning and coordination needed to assist the economic development of the upper Great Lakes region; to the Committee on Public Works.

By Mr. COHELAN:

H.R. 3217. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 3218. A bill to amend title II of the Social Security Act to provide a 7-percent increase in all benefits, with additional future increases in benefits based on increases in the cost of living, to provide child's insurance benefits beyond age 18 while in school, to liberalize the retirement test, to reduce retirement age for women from 62 to 60 and for other purposes; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 3219. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, to improve the public assistance programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 3220. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon:

H.R. 3221. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 3222. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the eastern district of Wisconsin; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 3223. A bill to amend title 38, United States Code, to provide education and training for veterans who served in combat or in certain campaigns after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3224. A bill to amend title 38 of the United States Code to provide pension benefits for veterans of campaigns and expeditionary services; to the Committee on Veterans' Affairs.

H.R. 3225. A bill to amend title 38 of the United States Code to establish the rates of disability compensation on an equitable basis giving due consideration to the continuing increase in the cost of living; to the Committee on Veterans' Affairs.

By Mr. ZABLOCKI:

H.R. 3226. A bill to amend title 28 of the United States Code, so as to provide for

the appointment of one additional district judge for the eastern district of Wisconsin; to the Committee on the Judiciary.

By Mr. ASH BROOK:

H.J. Res. 213. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 214. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person may be a Member of Congress who has not, when elected or appointed, been an inhabitant for at least 1 year of the State from which he is chosen; to the Committee on the Judiciary.

By Mr. RUMSFELD:

H.J. Res. 215. Joint resolution to provide for the designation of the fourth week in April of each year as "Youth Temperance Education Week"; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. Con. Res. 120. Concurrent resolution expressing the sense of the Congress with respect to the distribution and viewing of the film "Years of Lightning, Day of Drums" prepared by the U.S. Information Agency on the late President Kennedy; to the Committee on Foreign Affairs.

By Mr. MOSS:

H. Con. Res. 121. Concurrent resolution to establish a Joint Committee on the Organization of the Congress; to the Committee on Rules.

By Mr. BOB WILSON:

H. Con. Res. 122. Concurrent resolution expressing the sense of Congress with respect to the establishment of a commission to study the feasibility of Federal legislation requiring uniform threads on couplings of fire hoses; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE:

H. Res. 128. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. GOODELL:

H. Res. 129. Resolution to amend rule XXVIII of the rules of the House to permit 1 hour of debate on a motion to agree or disagree to a conference report; to the Committee on Rules.

By Mr. KUNKEL:

H. Res. 130. Resolution to amend rule XXII of the Rules of the House of Representatives to permit Members to introduce jointly public bills, memorials, and resolutions; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 3227. A bill for the relief of Serafem J. Loucas; to the Committee on the Judiciary.

H.R. 3228. A bill for the relief of Epifanios Tufexis; to the Committee on the Judiciary.

H.R. 3229. A bill for the relief of Mario Barbati; to the Committee on the Judiciary.

H.R. 3230. A bill for the relief of Elie Andreakos; to the Committee on the Judiciary.

H.R. 3231. A bill for the relief of Vincenzo Crifasi; to the Committee on the Judiciary.

H.R. 3232. A bill for the relief of Pietro Daidone; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 3233. A bill for the relief of Emanuel G. Topakas; to the Committee on the Judiciary.

H.R. 3234. A bill for the relief of Miss Orani Sarian (Sarioglu); to the Committee on the Judiciary.

H.R. 3235. A bill for the relief of Dr. Jose L. Guinot; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 3236. A bill for the relief of Louis Shchuchinski; to the Committee on the Judiciary.

H.R. 3237. A bill for the relief of Mrs. Filomena Daria Mannarella; to the Committee on the Judiciary.

H.R. 3238. A bill for the relief of Mrs. Lois Agatha Morrison (nee Daley); to the Committee on the Judiciary.

H.R. 3239. A bill for the relief of Mrs. Kajla Mandel Stachewsky de Balaban; to the Committee on the Judiciary.

H.R. 3240. A bill for the relief of Bianca Viola; to the Committee on the Judiciary.

H.R. 3241. A bill for the relief of Albert Griffith; to the Committee on the Judiciary.

H.R. 3242. A bill for the relief of Vincenzo Cirone; to the Committee on the Judiciary.

H.R. 3243. A bill for the relief of Stamatios Constantellos; to the Committee on the Judiciary.

H.R. 3244. A bill for the relief of Petra John; to the Committee on the Judiciary.

H.R. 3245. A bill for the relief of Stavroula P. Stratigos; to the Committee on the Judiciary.

H.R. 3246. A bill for the relief of Ignazio Barravecchio; to the Committee on the Judiciary.

H.R. 3247. A bill for the relief of the DiCula family; to the Committee on the Judiciary.

H.R. 3248. A bill for the relief of Giovanni Di Norcia; to the Committee on the Judiciary.

H.R. 3249. A bill for the relief of Peter George Raptakis; to the Committee on the Judiciary.

H.R. 3250. A bill for the relief of Alexander Camenzuli, his wife, Eileen Mary Camenzuli, and their minor son, George Camenzuli; to the Committee on the Judiciary.

H.R. 3251. A bill for the relief of Tiang H. Ong and his wife, Hian Nio Ong; to the Committee on the Judiciary.

H.R. 3252. A bill for the relief of Alberta Blanche Stevens; to the Committee on the Judiciary.

H.R. 3253. A bill for the relief of Fotini Papadakou; to the Committee on the Judiciary.

H.R. 3254. A bill for the relief of Luigi Renzi; to the Committee on the Judiciary.

H.R. 3255. A bill for the relief of John Carrassale; to the Committee on the Judiciary.

H.R. 3256. A bill for the relief of Salvatore Francavilla; to the Committee on the Judiciary.

H.R. 3257. A bill for the relief of Georgios Kaloides; to the Committee on the Judiciary.

H.R. 3258. A bill for the relief of Muriel Agatha Gauntlet; to the Committee on the Judiciary.

H.R. 3259. A bill for the relief of Giuseppe Basile; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3260. A bill for the relief of Mrs. Camille Nuyt; to the Committee on the Judiciary.

H.R. 3261. A bill for the relief of Miss Juana D. Dionisio; to the Committee on the Judiciary.

H.R. 3262. A bill for the relief of Lugino Dario; to the Committee on the Judiciary.

H.R. 3263. A bill for the relief of Karim Youssef Bou-Semaan; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 3264. A bill for the relief of Armenouhi Eghiazarian; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 3265. A bill for the relief of Vincenzo Pettinato; to the Committee on the Judiciary.

H.R. 3266. A bill for the relief of Wiktor Truszkowski; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3267. A bill for the relief of Horace Cassar and Catherine Cassar; to the Committee on the Judiciary.

H.R. 3268. A bill for the relief of Emilia Botta; to the Committee on the Judiciary.

H.R. 3269. A bill for the relief of Francesco Barone; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 3270. A bill for the relief of Henryk Lazowski; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 3271. A bill for the relief of Mrs. Caterina Wurzburger Varriale; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3272. A bill for the relief of Rosa Kelly; to the Committee on the Judiciary.

H.R. 3273. A bill for the relief of Nicola Lante; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 3274. A bill for the relief of Mary Gabriella Gomes; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 3275. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Mrs. Melba B. Perkins against the United States; to the Committee on the Judiciary.

H.R. 3276. A bill for the relief of Floyd Concrete Co., Mock Fence Co., Smith Contracting Co., John G. Butler Co., Inc., Cement Products Co., and B. A. Mock, doing

business as B. A. Mock & Son; to the Committee on the Judiciary.

H.R. 3277. A bill for the relief of James Hubert Rhoden and Marjorie Joyce Rhoden; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 3278. A bill for the relief of Wayne Gee (also known as Gee Kim Poy); to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3279. A bill for the relief of Maria Perel Kot; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 3280. A bill for the relief of Mrs. Myrtle Weir Prince; to the Committee on the Judiciary.

By Mr. MCGRATH:

H.R. 3281. A bill for the relief of Yoko Okura; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 3282. A bill for the relief of Delia Pill; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3283. A bill for the relief of Fu Wong; to the Committee on the Judiciary.

H.R. 3284. A bill for the relief of Wu Tsai Chang (also known as Wu Tsai Cheng); to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 3285. A bill for the relief of Strategoulas Petosa; to the Committee on the Judiciary.

H.R. 3286. A bill for the relief of Anastasios Alexander Hoidas; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 3287. A bill for the relief of Czeslawa Podgorska; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 3288. A bill for the relief of Hwang Tai Shik; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3289. A bill for the relief of Mr. Adolfo J. Torres; to the Committee on the Judiciary.

H.R. 3290. A bill for the relief of Esperanza Corral-Marin; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 3291. A bill for the relief of Kemal Dincer, M.D.; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 3292. A bill for the relief of Consuelo Alvarado de Corpus; to the Committee on the Judiciary.

H.R. 3293. A bill for the relief of Severia Cortes Naranjo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

76. The SPEAKER presented a petition of LeRoy H. Woodson and others relative to abolishing the House Un-American Activities Committee, which was referred to the Committee on Rules.

EXTENSIONS OF REMARKS

Retirement of Frank Fuller

EXTENSION OF REMARKS OF

HON. A. WILLIS ROBERTSON

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, January 19, 1965

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me concerning Frank H. Fuller, of the Associated Press.

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

STATEMENT BY SENATOR ROBERTSON

Along with many other Virginians, I am going to miss Frank H. Fuller, who is retiring from the Associated Press, after 38 years as chief of its Richmond bureau.

As head of Virginia operations for the Associated Press, he has directed with efficiency and speed the distribution of news to many newspapers and radio and television stations throughout the State. Newspaper readers seldom get to know the desk men of a news-gathering organization, who work quietly behind the scenes. But these are the men who see to it that we find out without delay what happened a few minutes or a few hours ago.

Mr. Fuller began his career with the Associated Press in the Atlanta bureau in 1923, shortly after his graduation from the University of Georgia. Before coming to Richmond, 4 years later, he served the Associated Press in Alabama, Arkansas, Mississippi, and Louisiana.

In addition to having many contacts with Frank during my 32 years of service in Congress, we had another interest in common—the love of the out-of-doors and an inborn fondness for duck hunting. One of the

crosses that Frank bore with patience and fortitude was a broken leg which interfered with his hunting and fishing.

I join his many friends in wishing him many years of happiness in his well-earned retirement.

Debate on U.S. Policy on Vietnam

EXTENSION OF REMARKS OF

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, January 19, 1965

Mr. McGOVERN. Mr. President, a continuing and, in my judgment, very constructive debate, on U.S. policy on Vietnam is underway. Right now, I believe, there exists what amounts to a deadlock between the state of South Vietnam, aided to an increasing extent by the United States, and the Vietcong guerrillas, aided to an increasing extent by North Vietnam. It would be difficult, and probably impossible, for South Vietnamese forces to win a final military victory, since there appears to be a grass roots cooperation with the Vietcong throughout much of the countryside. On the other hand, it would be equally difficult for the Communist forces to achieve a final victory over the South Vietnamese, with their strong U.S. military backing. The U.S. forces are undoubtedly able to remain there indefinitely and to prevent a Communist takeover in that manner; yet there is raised with increasing frequency the question of whether we might achieve basically the same results, over the long run, by a negotiated settlement which would spare

the Vietnamese people the long suffering and economic devastation of continued warfare. It would also avoid the continued financial drain and loss of life now being suffered by the United States.

Few Americans favor an immediate and unqualified pullout. I believe the commitment we have given the leaders of South Vietnam and the concern we have for the people there would make it impossible for the United States to withdraw immediately. Yet it is not too soon to discuss the terms on which a withdrawal might ultimately be possible, and to assess the long-term requirements for the settlement of an issue which is basically political, not military. During the present struggle, we should not remain silent, with bated breath, as it were, waiting for a sudden resolution of the problem, which is most unlikely. Rather, we should use, here in Congress and throughout the country, the existing deadlock to discuss alternative policies and forms of settlement, so that the American people, as well as the administration, will be better equipped to take further action at an opportune time. Prolonging the conflict indefinitely could only mean continued painful losses for both sides.

In this connection, Mr. President, a debate over U.S. policy on Vietnam was published in the New York Times magazine of January 17. The debate was between the Senator from Oregon [Mr. MORSE] and Henry Cabot Lodge, former Ambassador to South Vietnam. Both points of view—"withdraw now" or "fight on to victory"—were presented clearly and cogently. I ask unanimous consent that this presentation be printed following my remarks in the RECORD.

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

WE MUST LEAVE VIETNAM
(By WAYNE MORSE)

Ten years ago the United States embarked upon an adventure in South Vietnam that was just about 100 years out of date. While Britain, France, and the Netherlands were terminating their rule over their Asiatic colonies, the United States began trying to establish its own beachhead on the Asiatic mainland.

Although present at the Geneva Conference of 1954, which drew up the accord whereby France withdrew from its old colony of Indochina, the United States refused to sign the final agreement. So did one of the subdivisions of Indochina, South Vietnam. The United States began a heavy program of financial and military aid to a new Premier in South Vietnam who, we believed, was most likely to preserve a Western orientation. When it came time for the 1956 election throughout both North and South Vietnam required by the Geneva accord, we and our client in Saigon, Ngo Dinh Diem, realized it would be won by Ho Chi Minh's followers not only in his own North Vietnam but in the South as well. South Vietnam refused to proceed with the election.

In the last decade we have explained our policy as one of helping a free government resist Communist subversion. But South Vietnam never has had a free government. In its 10 years of existence its governments have been picked for it by the United States and maintained by our heavy doses of economic and military aid.

The fraudulence of our claim has been starkly exposed by the successive coups in Saigon and by the piecing together of one government after another by the American Embassy. Leaders suspected of favoring neutralism or any form of negotiation for settlement of the civil war are firmly excluded from Government ranks. The major tools we have used in manipulating political and military leaders have been various threats and promises regarding our aid, which now hovers around the level of \$600 million a year in a country of 14 million people. This sum is exclusive of the cost of keeping 23,000 American "advisers" and large contingents of aircraft in the country.

In fact, our official explanations of why we are there now play down the "helping a free government" line and play up American security and American prestige as the stakes in Vietnam. At least, the explanations are getting closer to the truth, which is that the United States took over this quarter of Indochina in 1954 when the French pulled out. Having intruded ourselves into southeast Asia, where we never were before, it was this country and not the Communists who made our prestige in Asia the issue.

Our Secretary of State often says that "China must leave her neighbors alone." Under this premise, our officials have vaguely threatened to expand the war to North Vietnam and possibly China if we cannot win in South Vietnam. But there are no Chinese forces in South Vietnam nor Chinese equipment in appreciable amount. Americans are still the only foreign troops in South Vietnam.

Nonetheless, China has the same interest in what goes on in the subcontinent of southeast Asia as we have in Mexico, Cuba and other countries of Latin America. She will increasingly resist having hostile governments on her borders, as do Russia and the United States. We recognize and accept this principle as regards Russia, but we refuse to recognize it as regards China.

This has been true even though we have watched other Western nations ousted from Asia and Africa by rising nationalism. It was inevitable that once China became part of this tide she would reassert her interest

in the governments on her borders. A reawakened China would assert this interest whether she were Communist or not. The more we escalate the Vietnam conflict, the more likely China is to intervene directly.

In South Vietnam we invite China's apprehension, but more than that, in trying to surround China with American bases and pro-Western states, we have to buck not only communism but anticolonialism. One of our many mistakes is to equate the two, especially when antiwhite feeling is directed against the United States. Advocates of a "containment" policy for China, similar to that applied to Russia with some success in the late 1940's and 1950's, overlook the impossibility of maintaining Western strongholds in Asia, no matter what their purpose. What we could do in white Europe and even the Middle East is not to be imposed upon an Asia that is united in at least one respect—its determination to see the white man sent back to his own shores.

With our great wealth we can sustain the current war effort in Vietnam indefinitely, even if it is escalated. But it will never end, because our presence and our selection of Saigon's rulers will always inspire rebellion.

Far from maintaining our prestige in Asia, our present policy in Vietnam is eroding it. The fact that we are losing despite the steady increase in our aid, the addition of 23,000 American advisers, and complete American air domination, has already led several Asian nations to throw out an anchor on the Chinese side. Of the famous dominoes that were all supposed to fall to China if we failed to take up the French burden in southeast Asia, Burma and Cambodia have already neutralized themselves. Pakistan has made it clear that the aid she gets from us is directed against India and not against China. Japan and India, the largest non-Communist nations of Asia, who might be expected to be the most helpful to us in Vietnam, have not associated themselves with what we are doing there. A few days ago India's Premier Shastri urged a new international conference to negotiate a settlement. He asked the United States not to press for a military decision and urged that we avoid a major military conflict.

Of all the nations touted as potential Chinese victims, only Australia and the Philippines have offered tangible help in South Vietnam. The Australian contribution amounts to some 66 "advisers" and 3 air-cargo planes. The Philippine offer of a force of volunteer veterans was turned down.

That is the extent of the local interest and support for the American view that we are saving all of Asia from communism by our policy in Vietnam. Surely if one of these so-called dominoes believed it, they would be fighting side by side with us in Vietnam. They are not, because they see us having to run faster and faster just to stay in the same place in Vietnam. They see that the bulk of its people are too indifferent to American objectives to resist the Vietcong. They know that sooner or later we will have to leave and they do not want to jeopardize their own standing in Asia by supporting a last-minute white intervention.

There are many ways this country could crawl back from the limb we crawled out on 10 years ago. Through the Southeast Asia Treaty Organization, the United Nations or a reconvened Geneva Conference we could seek to establish an international presence in Vietnam to stabilize and pacify the country while it develops political institutions. Our refusal to sign the accord of 1954 has always made suspect our claim that we were enforcing it.

In truth, our "enforcement" has taken the form of violations far more massive than any violations by North Vietnam. Our jet air forces and bases, our helicopter fleet, the 23,000 U.S. military advisers are all violations of the 1954 accord. So are they violations

of section after section of the United Nations Charter, under which we are pledged to seek peaceful solutions to disputes and to lay before the U.N. those disputes we are unable to solve peacefully through means of our own choosing. We have done neither in Vietnam.

A negotiated settlement in South Vietnam is the first solution we are obliged to seek. Of course, it would mean some guaranteed neutralization of the country. That would give its war-torn people the best chance they have yet had to construct a country of their own, something the French, the Japanese, the French again and now the Americans have not given them.

If we fail to reach a negotiated settlement, then the U.N. Charter requires the dispute to be laid before a regional organization, such as SEATO, or one of the U.N. bodies. Both groups have the capacity to police the country; both are more likely to bring it some degree of cohesion than is the United States with its unilateral intervention in pursuit of our own interests.

Some Americans have busily erected an enormous pyramid of disasters they contend would result even from this limited American retrenchment. They see America as a power in the Pacific only if we and our friends control all its shores instead of just its northern, eastern, and southern shores, plus the island fringe off its western shore. Most important, they ignore the impossibility of creating an American foothold on that shore in mid-20th century, communism or no communism.

Many countries, east and west, have accommodated themselves to the end of the old order in Asia. We will, too, eventually. The only question is how much blood and money we will waste first trying to turn the clock back.

WE CAN WIN IN VIETNAM

(By Henry Cabot Lodge)

"Pulling out of Vietnam" is exactly the same as "turning Vietnam over to the Communists." Such a course would be not merely imprudent, but actually extremely dangerous.

Geographically, Vietnam stands at the hub of a vast area of the world—southeast Asia—an area with a population of 240 million people extending 2,300 miles from north to south, and 3,000 miles from east to west. The Mekong River, one of the 10 largest rivers in the world, reaches the sea in South Vietnam. He who holds or has influence in Vietnam can affect the future of the Philippines and Taiwan to the east, Thailand and Burma with their huge rice surpluses to the west, and Malaysia and Indonesia with their rubber, oil, and tin to the south. Japan, Australia, and New Zealand would in turn be deeply concerned by the communication of South Vietnam.

Historically, Vietnam has long played a part in the political development of the Far East. For many centuries it was under the occupation or influence of the Chinese and was used by the Chinese as a means of enforcing their hegemony over the whole of southeast Asia. The Vietnamese did not enjoy this experience and have traditionally done what they could to throw off Chinese overlordship. In a very real sense, therefore, the present struggle is one of self-determination.

But today Vietnam should be seen as one more instance in a long series of events which began in Iran, Turkey, and Greece after World War II; which include the seizure of Czechoslovakia; which led to the Marshall plan in Europe; which caused the Korean war, the Malayan emergency, the Huai rebellion in the Philippines and the Berlin crisis. In all these widely separated places the Communist bloc has tried to subvert and to undermine the free world in order to spread its control and its suppression of freedom.

In opposing this Communist onslaught, the free world has stood together for nearly two decades. One manifestation of our common determination to frustrate the Communist design to conquer Europe was the creation of NATO. Elsewhere in the world we have formed other alliances. The United States alone has suffered 160,000 casualties since the end of World War II in this effort to contain the spread of communism.

This worldwide effort by nations of the free world has not been undertaken out of a simple quixotic delight in engaging in battles in distant places. Nor does it signify a desire to establish a new colonialism or any kind of special position. The war in Vietnam is not only the struggle of a small nation to exist, but it is also an open encounter between the doctrine that "wars of revolution," as the Communists call them, are the wave of the future, and our belief that in the future nations should be allowed to develop their own destinies free from outside interference.

Although the North Vietnamese have their own motives for their aggression in South Vietnam and have played the leading role, they have always been backed by the Chinese Communists. Should their aggression be successful, the Chinese Communists will have seen positive proof that their approach to international relations is correct.

Such an outcome might well lead the Soviets, in their desire to retain the leadership of the Communist bloc, to adopt a more belligerent stance in their relations with the outside world. This would surely affect the West.

It would also be regarded everywhere as a reflection of the inability or lack of will of the free world to prevent aggression. What, for example, would be the reaction in Europe if the United States were to withdraw from southeast Asia in the face of its commitment to assist the nations there?

The state of public opinion in the United States itself would also be affected. Should Vietnam be lost, many voices would be heard urging us in effect to resign from the world, fall back onto our Fortress America and gird up our loins for a contest with guided missiles. This too would be something which neither Europe nor the rest of the free world could ignore.

Because of all these considerations, the United States has undertaken to support the Vietnamese both politically and militarily, in an effort which has cost us lives and treasure. The effort has not been in vain.

Although we are not yet victorious, we have achieved a stalemate, which is surely much better than defeat. On the economic and social front the United States has contributed to the building of schools, clinics and better farms, all of which are essential to gaining and holding the political support that must be had to win the war. And we try to help in every way in training civil administrators and in creating political energy in the country.

Some have said that despite this effort the war in Vietnam cannot be won. Yet recent history shows that we have been fighting wars of this sort for the past 20 years and that the record is creditable. We of the free world won in Greece, we thwarted the Communist aggression in Korea, we won in Malaya, we won in the Philippines, and we can win in Vietnam. We must persist and we must not play into the enemy's hands by counting on a quick, sensational and easy way out and then being disappointed when it does not occur.

Persistent execution of the political and military plans which have been agreed to will bring victory—provided outside pressures do not become too great. These outside pressures occur in many forms such as the problem of sanctuaries from which Vietnam can be attacked and the Vietcong helped with impunity. Infiltration from such sanctuaries cannot be allowed to defeat the efforts

the Vietnamese are making. We will not shrink from taking such measures as seem necessary to cope with it.

Another form of "outside pressure" is the desire in some quarters for an international conference here and now. We do not oppose the idea of holding international conferences as an abstract proposition—if they are held at the proper time and under the proper circumstances—but we think that to hold a conference now would serve no good purpose and would seriously undermine morale in South Vietnam. Consider the reasons:

1. There have already been two conferences on southeast Asia (one on Vietnam and another on Laos), the terms of which were satisfactory but which the Communists violated before the ink was dry. Before holding another conference there must be some sign that the Communists of Hanoi and Peiping are prepared to let their southern neighbors alone.

2. For the South Vietnamese to go to a conference now with a large and aggressive fifth column on their soil would amount to a surrender. A conference not preceded by a verifiable Communist decision to cease attacking and subverting South Vietnam would be nothing more than a capitulation.

3. There is clearly no agreement between us and the Communists on the simple proposition to let South Vietnam alone. A conference held in an atmosphere of bitter disagreement could only make matters more dangerous than they already are.

So-called neutrality is another outside pressure standing in the way of the successful prosecution of the war in South Vietnam. Neutrality that does not include some means of enforcement, that does not include North Vietnam, that means South Vietnam will be alone and disarmed, is nothing more than surrender. It should be opposed for Vietnam just as it is opposed for Berlin or for Germany. It takes strength to be neutral. South Vietnam is not strong enough today to be neutral.

In truth both Vietnams are "neutralized" now by article 10 of the Geneva accord of July 21, 1954, which said: " * * * the two parties shall insure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy."

This provision was formally approved by article 5 of the final declaration of the Geneva Conference of 1954, which the U.S.S.R., Red China, France, the United Kingdom, United States, Cambodia, Laos, North and South Vietnam attended.

We must therefore insist before there is any discussion of a conference or of neutrality, that the Communists stop their aggression and live up to the agreements which already exist. The minute the onslaught ceases, there can be peace. At present, the North Vietnamese seem only to understand force, and, of course, when they use force they must be met with force, as they were in the Gulf of Tonkin. They should also be met with the strong and united opposition of the free world.

It seems that conflicts in far-off places are precisely those which have often brought war and calamity to all of us. Manchuria seemed far away in 1931; the subversion of Czechoslovakia by Hitler seemed remote to the United States in 1938. Persistence, and unity in the face of Communist pressure have succeeded in Europe and in southeast Asia, and can succeed again.

Mao Tse-tung said: "Politics is war without bloodshed; war is politics with bloodshed."

The struggle in Vietnam is not a "war" in the sense that World War II—or Korea—was a "war," because total military success in Vietnam, unaccompanied by success in other fields, will not bring victory. A many-sided

effort is needed; no single effort will solve the problem; the problem is thus the despair of the headline writer and the political stump speaker employing black-and-white phraseology.

Therefore, those who say that there is a quick solution or a simple solution or an exclusively military solution are doing as much of a disservice as are those who say that there is no hope, that we must pull out and that another southeast Asian conference (added to the two which have been already held—and dishonored) will do other than turn South Vietnam over to the Communists.

They also do a disservice who deny that much has been achieved, that the military program, the economic program, the social program, the informational program and the various technical programs have all accomplished much—have indeed built the springboard of victory—and that it is the political, counter-subversive, counter-terrorist program which still needs special attention.

It is accurate to say that a glass is half full of water and it is also accurate to say that the glass is half empty. To dwell on the fact that we have not achieved victory does not negate the other fact that we have prevented defeat—and that a stalemate is much better than a defeat.

It is not the American tradition to get panicky whenever there is a little rough weather. If we decide only to interest ourselves in the nice, quiet, neat countries (which do not need our help) and abandon all the rough, tough, difficult places to the Communists, we will soon find ourselves surrounded by a rough, tough world which is aimed straight at the destruction of the United States and which will make our present effort in Vietnam seem like the mildest of pink teas.

One Response on Medicare

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1965

Mr. QUIE. Mr. Speaker, few pieces of legislation have received greater publicly than the so-called medicare bill. It is interesting to note that few pieces of legislation have received less actual public interest in proportion to the amount of publicity about it.

This fact—the general public apathy toward such a measure—was amply demonstrated recently in one of the cities of my district, Red Wing, Minn. The editor of the Red Wing Republican-Eagle, a daily newspaper, wrote an editorial on November 25, 1964, in which he bluntly asked if there was one single elderly person in his area that does not receive adequate medical care because he cannot afford it. He asked with equally direct candor whether any such person could say that the Kerr-Mills law, which has been doing such a good job in Minnesota, has failed him while "medicare" would help him?

Following is the full editorial from the Red Wing Republican-Eagle:

WHAT CASE FOR MEDICARE?

Reelected Congressman Al Quie spoke at length against social security medicare when he appeared in Red Wing last week, and we are glad he did.

So many GOP Congressmen were buried under the anti-Goldwater avalanche November 3 that medicare appears almost certain to pass next year. Some believe the new Congress will rush it through shortly after convening in January. But nothing is pre-ordained in politics or legislation, and minority Congressmen ought to keep pressing the case for not overburdening our social security system.

The Kerr-Mills approach to medical care for the elderly is well started in Minnesota. Goodhue County's welfare department has the program in full swing. And because Kerr-Mills offers so much broader protection than the social security plan—while limiting its coverage to those who can't afford to pay their own way—we agree with QUIE that Kerr-Mills is infinitely to be preferred.

But are we wrong? Is there an elderly person living in this area who is not getting the medical treatment he ought to have because he can't afford it? Can such a person say that Kerr-Mills has failed to help him while social security medicare would?

If such a person exists, we wish he would step forward by writing us a letter or visiting the DRE's editorial offices. If his case is valid, it would make a wonderful case study in refuting the views that we have expressed here and QUIE has so ably championed. If none such exists, on the other hand, it's hard to see much reason for Congress to impose social security medicare on an unwilling country.

Mr. Speaker, upon reading this fine editorial with its thought-provoking questions, I wrote Mr. Phil Duff, editor of the Red Wing Republican-Eagle, complimenting him, asking for a report on how many elderly people actually came forward to declare Kerr-Mills of no value, and asking his permission to share his views and information with my colleagues.

This is my letter:

DECEMBER 4, 1964.

Mr. PHIL DUFF,
Red Wing Republican-Eagle,
Red Wing, Minn.

DEAR PHIL: Your editorial "What Case for Medicare?" on November 25 was a dandy, and I appreciate greatly your reference to my views on this issue.

It will be interesting to see how many elderly persons come forward to declare that the Kerr-Mills program is of no value, or that they are not getting proper medical treatment because of lack of funds. I wish that you would give me a report on the results of this appeal as I may want to include it with your editorial as an extension in the CONGRESSIONAL RECORD.

With every good wish, I remain,

Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

Mr. Speaker, on December 30, 1964, I received a reply to my letter from Mr. Duff. He stated that only one person had come forward with a response. Mr. Duff also kindly included two clippings from his newspaper. The first is a letter to the editor—the only response he received. The second is a followup edito-

rial which Mr. Duff wrote. Following are his letter to me, the letter to the editor which I just mentioned, and the followup editorial:

DAILY REPUBLICAN-EAGLE,
RED WING, MINN., December 30, 1964.
Hon. ALBERT H. QUIE,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

DEAR AL: To answer your request of a little bit back, I received only one response to my suggestion that old people come forward with actual cases to show how Kerr-Mills didn't fill the bill but medicare would.

This one response—obviously not very clear—is marked on enclosed tearsheet. Another tearsheet shows my followup editorial. Nothing since.

Sincerely,

PHILIP S. DUFF, Jr.,
Editor-Publisher.

LETTER TO THE EDITOR—OTHER NATIONS FIND MEDICARE SUCCESS

To the EDITOR:

In as much that Representative ALBERT QUIE thanked you for your editorial and you had no word from older folks I will try to put in one little bit for as much as it might be worth.

It is real nice for older people that might have \$200 or \$300 stashed away so dad could get a new suit as his old one is 10 or 15 years old, or mother would like a new coat. But one of them needed medical attention and according to Kerr-Mills they had to go and bow down to the welfare board and were told: spend your money first so AMA can survive.

I would ask QUIE as a good Norseman to take a trip to any one of the Scandinavian countries which all have medicare from the cradle to the grave and they would not part with it.

England started about 25 years ago and there if today you would speak against it you would be hung. QUIE and the Farm Bureau are against everything the Government does. But their members are the first to take advantage of it. QUIE and the Goodhue and Wabasha Counties newly elected representatives don't want reapportionment.

They, plus the Farm Bureau, think that 10,000 rural people should have the same voice in the legislature as 200,000 urban dwellers.

If QUIE and these representatives would only consider that it is not only farmers they represent but about 50-50 labor which they are against, let them consider who buys their products.

AN OLDSTER.

LAKE CITY.

ONE RESPONSE ON MEDICARE

The DRE several weeks ago invited readers to come forward with specific illustrations of the need for a social security medicare program. We asked for actual examples of elderly people who need and deserve the taxpaid care that the President's medicare bill would provide but who can't get this needed care through the local-State-Federal Kerr-Mills program.

Congressman AL QUIE noted this editorial and wrote to express his interest. He would

like to have the results, QUIE said, in anticipation of the congressional medicare debate early next year.

So far only one response. A Lake City olderster wrote that Kerr-Mills may be "real nice for older people that might have \$200 or \$300 stashed away" to pay for a needed new suit or new coat. But if husband and wife needed medical care, "they had to go and bow down to the welfare board" under the Kerr-Mills program. And then they were told to go and spend their money first.

This writer provided no more information on his personal situation, but the above suggests he hasn't realized the full benefits of Minnesota's program under the Kerr-Mills law. This program—officially "medical aid to the aged"—would allow him to get the needed suit and coat and still get all the medical attention he or his wife should have.

A welfare worker must first take some confidential information to determine his eligibility. But then this couple can have as much as \$200 in monthly income, \$15,000 clear in a home, \$1,000 in cash savings, and \$1,000 each in cash value life insurance and still have the welfare office pay all their doctor, medicine, hospital, and nursing home bills after they have first paid \$200 per year themselves. Nor is any lien attached to their home.

This splendid medical coverage is available to all Minnesotans 65 and older right now. Why should we want a medicare bill that will impose new taxes on family incomes \$5,200 and under in order to pay hospital bills for elderly couples who have more than \$200 monthly income, or more than \$15,000 value in a house, or more than \$1,000 in the bank, and \$2,000 in cash value life insurance?

Mr. Speaker, taking into account the published circulation of the Red Wing Republican-Eagle and the National Editorial Association's estimate of how many individuals read each newspaper circulated, it is reasonable to assume that about 30,000 people read the Red Wing Republican-Eagle each day.

Yet, it would be reasonable to cut that 30,000 figure in half, or in fourths, or even smaller, and it would still be obvious that just one response hardly shows any great public support for medicare.

Moreover, Mr. Duff, in his followup editorial, met the argument of the letter with logical facts and statistics which must cause any reasonable person to conclude that the letterwriter, if possessed of the information contained in the editorial, might have earlier reconsidered his view.

Mr. Speaker, it would appear that if the response to such an editorial question were not greater in all the communities of America than it was in Red Wing, Minn., that medicare would not be considered of major importance.

It is interesting to note that, until now, there has been very little evidence to indicate that the response in any given city would be any greater than that which I have just shown.

On this solemn and sacred day in the calendar of our national life we are invoking the blessings of Thy grace upon our newly elected President and Vice President, who are about to take the oath of office and pledge their allegiance to our country and the Constitution.

Grant that they may have a vital and vivid understanding of Thy divine spirit,

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 20, 1965

The House met at 10:30 o'clock a.m., and was called to order by the Speaker pro tempore, Mr. CELLER.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words from King Solo-

mon, reputed to be one of the wisest men who ever lived, I Kings 3: 9: *Give therefore thy servant an understanding heart.*

Let us pray.

Almighty God, Thou art the Supreme Ruler of the universe and the Guiding Intelligence in the life of men and of nations.