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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 28, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words of the Psalmist: *God is our refuge and strength, a very present help in time of trouble.*

Most merciful and gracious God, may we daily cultivate a deeper comprehension and concern for those majestic values of the spiritual life with which we have been endowed but which frequently seem so meaningless, so drab and dull.

We penitently confess that we often misdirect our energies and enthusiasms by allowing secular and materialistic interests and overtures to pollute and poison our faith and stifle our capacities for the more abundant life.

Grant that with Thy good hand of grace upon our President, our Speaker, and our Congress, in these days of world crisis and amidst the desolation of an embattled earth, may they be blessed with a wise leadership which will bring victory and peace to all mankind.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7091. An act making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HOLLAND, Mr. HAYDEN, Mr. ELLENDER, Mr. HILL, Mr. BYRD of West Virginia, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. KUCHEL to be the conferees on the part of the Senate.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1965

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7091) making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, THOMAS, KIRWAN, WHITTEN, ROONEY of New York, FOGARTY, DENTON, BOW, JONAS, LAIRD, and MICHEL.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 7091.

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

There was no objection.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1966

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tomorrow night to file a report on the bill making appropriations for the Department of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

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

There was no objection.

Mr. LAIRD reserved all points of order on the bill.

INTER-AMERICAN BAR ASSOCIATION

Mr. PEPPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 349) welcoming to the United States the Inter-American Bar Association during its 14th conference to be held in Puerto Rico.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 349

Whereas the Inter-American Bar Association was organized at Washington, District of Columbia, May 16, 1940, and is now celebrating the twenty-fifth anniversary of its founding; and

Whereas the Inter-American Bar Association will hold its fourteenth conference at San Juan, Puerto Rico, during the period May 22–29, 1965; and

Whereas this is the first time that the Inter-American Bar Association has planned a conference in the Commonwealth of Puerto Rico; and

Whereas three previous conferences of the association have been held in the United States; and

Whereas the purposes of the association, as stated in its constitution, are to establish and maintain relations between associations and organizations of lawyers, national and local, in the various countries of the Americas, to provide a forum for exchange of views, and to encourage cordial intercourse and fellowship among the lawyers of the Western Hemisphere; and

Whereas the high character of this international association, its deliberations, and its members can do much to encourage understanding, friendship, and cordial relations among the countries of the Western Hemisphere; and

Whereas there were adopted by the Eightieth Congress, in its second session, and by the Eighty-sixth Congress, in its first session, concurrent resolutions of welcome and good wishes to the Inter-American Bar Association on the occasion of its holding conferences in the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States welcomes the Inter-American Bar Association during its fourteenth conference to be held in the Commonwealth of Puerto Rico, and wishes the association outstanding success in accomplishing its purposes; and be it further

Resolved, That a copy of this resolution be transmitted to the secretary general of the Inter-American Bar Association.

Mr. POLANCO-ABREU. 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 Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, the Inter-American Bar Association will hold its 14th conference in San Juan, Commonwealth of Puerto Rico, May 22 to May 29, 1965. Approximately, 1,500 lawyers, representing the Inter-American Bar Association and coming from the United States, from Canada, and from the various Latin American countries, will attend the conference

We, in Puerto Rico, are highly honored that this distinguished group has chosen to visit us on this occasion.

House Concurrent Resolution 349 would recognize the 14th conference of the Inter-American Bar Association and the 25th anniversary of the founding of

the association and would extend welcome and good wishes for the outstanding success of the association in accomplishing its purposes.

Similar action was taken by the 86th Congress, 1st session, and by the 88th Congress, 2d session, by similar concurrent resolutions.

I hope that our colleagues will unanimously support House Concurrent Resolution 349, which appears fitting and appropriate at this time.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

INTER-AMERICAN BAR ASSOCIATION

Mr. PEPPER. 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 Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I commend and thank my colleagues for the adoption of House Concurrent Resolution 349 of which our distinguished colleague, Mr. SANTIAGO POLANCO-ABREU, the Resident Commissioner of Puerto Rico is the author, and of which I have a companion resolution, House Concurrent Resolution 354, expressing the welcome of the Congress of the United States to the Inter-American Bar Association to its 14th conference to be held at the beautiful city of San Juan in the Commonwealth of Puerto Rico, May 22–29. The Inter-American Bar Association is composed of members of the bar of the United States and all the Latin American countries excepting Cuba, of course, while it retains its Communist character, who banded together for the development of the law and legal institutions to forward the peace and the prosperity of the Americas. I am proud to be a member of the Inter-American Bar Association and to have attended the Inter-American Bar Association Conference in Bogotá some 4 years ago. I look forward with particular pleasure to attending the impending conference in San Juan.

Today, as we seek to establish peace through law and to build a world governed by law it is essential that we emphasize the role of the law in the building of a peaceful and a better world. Lawyers have always been the architects of institutions to progress the cause of peace and a better life for mankind. Today the troubled and still, I regret to say, lawless world challenges the genius of the lawyers of all lands who believe in the supremacy of law over the conduct of nations as well as men. The lawyers of the Western Hemisphere have much to offer in the building of such institutions. The Honorable Roy Vallance, of Washington, D.C., founder of the Inter-American Bar Association, is to be commended for bringing the lawyers of the free nations of our hemisphere, except Canada, into this Inter-American Bar Association. Much good has this association accomplished. Greater accomplishments lie ahead for it.

I am sure the San Juan Conference in the inspiring Commonwealth of Puerto Rico will do much to hasten the day, of which Mr. Justice Jackson spoke in his opening statement at the Nuremberg trials, when "every man shall live by no man's leave underneath the law."

VIETNAM SITUATION

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

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

There was no objection.

Mr. BOGGS. Mr. Speaker, I commend the attention of the Members of this great body to the remarks made by the President of the United States on yesterday at his press conference relative to the crisis in Vietnam. This, of course, has been a subject of continuing discussion on the part of the American people.

The President on yesterday, Mr. Speaker, spelled out the policy of this Government to maintain freedom in that part of the world and elsewhere against Communist aggression. He restated the policy first laid down in his speech at Baltimore recently. To those who have been critical of our policy, I suggest that they read the press conference statement in full. I know that Members of this body, on both sides of the aisle, have generally supported the position taken by the President. And I am happy to note that in public opinion polls taken in depth throughout the Nation very recently, the American people support the President of the United States.

The foreign policy of our Government must indeed be a bipartisan foreign policy and I hope the American people generally will read this statement and understand the issue before our Nation.

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

Mr. BOGGS. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Louisiana in the statement he is making and I associate myself with his remarks. In his statement yesterday the President once again enunciated the aims and aspirations of the United States with respect to the crucial struggle in Vietnam. He stressed our determination to help a free country remain free. He stressed yet again that our fundamental purpose is to achieve a peaceful settlement that will permit the people of this area to live their lives in freedom and security. I would like to associate myself with this objective and under leave to extend my remarks I include the statement made by the President on yesterday:

STATEMENT OF THE PRESIDENT

We are engaged in a crucial struggle in Vietnam.

Some may consider it a small war. But to the men who give their lives, it is the last war. And the stakes are huge.

Independent South Vietnam has been attacked by North Vietnam. The objective of that attack is conquest.

Defeat in South Vietnam would be to deliver a friendly nation to terror and repression. It would encourage and spur on those who seek to conquer all free nations within their reach. Our own welfare and our own freedom would be in danger.

This is the clearest lesson of our time. From Munich until today we have learned that to yield to aggression brings only greater threats—and more destructive war. To stand firm is the only guarantee of lasting peace.

At every step of the way we have used our great power with the utmost restraint. We have made every effort to find a peaceful solution.

We have done this in the face of the most outrageous and brutal provocation against Vietnamese and Americans alike.

Through the first 7 months of 1964, both Vietnamese and Americans were the targets of constant acts of terror. Bombs exploded in helpless villages, in downtown movie theaters, even at a sports field. Soldiers and civilians, men and women, were murdered and crippled. Yet we took no action against the source of this brutality—North Vietnam.

When our destroyers were attacked in the Gulf of Tonkin, we replied with a single raid. The punishment was limited to the dead.

For the next 6 months we took no action against North Vietnam. We warned of danger; we hoped for caution in others.

The answer was attack, and explosions, and indiscriminate murder.

It soon became clear that our restraint was viewed as weakness. Our desire to limit conflict was viewed as a prelude to surrender. We could no longer stand by while attack mounted; and while the bases of the attackers were immune from reply.

And so, we began to strike back. But we have not changed our essential purpose. That purpose is peaceful settlement. That purpose is to resist aggression. That purpose is to avoid wider war.

I say again that I will talk to any government, anywhere, and without any conditions; if any doubt our sincerity, let them test it.

Each time we have met with silence, slander, or the sound of guns.

But just as we will not flag in battle, we will not weary in the search for peace.

I reaffirm my offer of unconditional discussions. We will discuss any subject, and any point of view, with any government concerned.

This offer may be rejected, as it has been in the past. But it will remain open; waiting for the day when it becomes clear to all that armed attack will not yield domination over others.

And I will continue along the course we have set; firmness with moderation; readiness for peace with refusal to retreat.

For this is the same battle which we have fought for a generation. Wherever we have stood firm, aggression has been halted, peace restored, and liberty maintained.

This was true under President Truman, President Eisenhower, and President Kennedy.

And it will be true again in southeast Asia.

Mr. GERALD R. FORD. Mr. Speaker will the gentleman yield?

Mr. BOGGS. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. As the gentleman from Louisiana has noted, both privately and publicly I have supported the President's present firm policy in Vietnam. It is also fair to state that all Members of our party on this side of the aisle in the House have supported the present course of action in Vietnam. This is a critical and serious situation

that demands our maximum strength both at home and in Vietnam. In this instance, particularly, I feel we should have a very high degree of bipartisanship in order to convince the opponents, the Communists, that they should not miscalculate the intentions of America. If they miscalculate because of statements made by any public officials the dangers to all mankind could be significantly increased. Consequently I call upon all Americans, particularly those in elected office in the Federal Congress, to stand firm and steadfast against Communist aggression in southeast Asia or elsewhere.

Mr. BOGGS. Mr. Speaker, I thank the gentleman and commend him and his colleagues of his party for their statesmanship.

The SPEAKER. The time of the gentleman has expired.

BIRTHDAY GREETINGS TO AN ELDER STATESMAN

Mr. MATSUNAGA. 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 Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, although this day has not been declared a national holiday, it should not go by without our observing that it was on this day, April 28, 83 years ago, that a great American and an elder statesman was born—a man younger and more agile in mind and spirit than many a man half his age—our eminent colleague, the gentleman from Illinois, the Honorable BARRATT O'HARA.

A man of tremendous driving force and energy, he continues to serve his Nation and his constituents with amazing vigor. He possesses those indispensable elements of statesmanship, independence, and personal courage. He never hesitates to speak out on his personal convictions, whatever the trend of current public opinion may be.

We in this Chamber have often sat spellbound by the force and eloquence of his speeches.

Few men in public life possess the wealth of experience in diverse fields that BARRATT O'HARA possesses—in journalism, radio broadcasting, law, politics, and military.

BARRATT O'HARA has distinguished himself as one of the greatest criminal lawyers this country has known, a reputable magazine editor, a well-known radio commentator, the youngest Lieutenant Governor in the history of the great State of Illinois, and as the only veteran of the Spanish-American War now serving in Congress. He is also a veteran of World War I.

As Lieutenant Governor of Illinois and as the presiding officer of the State senate, he commenced an investigation into the wages paid to working women. This pioneer work in the field of women's rights resulted in giving the whole minimum wage movement its impetus. The administration, in which he played a major role, established the first public utilities commission in Illinois.

BARRATT O'HARA entered his career in the Congress of the United States at an age when most men think only of retirement, at a youthful age of 66. He has since then given to the Nation invaluable service as a legislator totally committed to the public good.

As a Representative from the 50th State, I feel deeply indebted to BARRATT O'HARA for his eloquent and moving pleas which he made in support of Hawaiian statehood. The Honolulu Star-Bulletin singled out his speech delivered on this floor in 1950 as the most effective made in behalf of Hawaiian statehood in the 81st Congress and printed it in three installments. He eloquently stated at that time:

> The pattern of the Old World of the horse and buggy should be modernized even in the matter of selecting territories to be taken into the Union of the States. My faith is in my country and the purity of its purpose to ask nothing for its own people that it does not seek to make possible for all men to attain in a world of brotherhood.

Mr. Speaker, BARRATT O'HARA on his 83d birthday abounds in spirit and imagination which the young in age can well emulate, as we struggle for the attainment of the Great Society.

As one who has enjoyed a close personal friendship with BARRATT O'HARA, I fervently hope that he will continue to serve his country and his constituency in Congress until he is 100—as he has vowed to do. God knows the world needs men of BARRETT O'HARA'S caliber, integrity, understanding, and foresight.

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

Mr. MATSUNAGA. I yield to the distinguished majority leader.

Mr. ALBERT. I am happy that our colleague from Hawaii has taken this time to pay tribute to one of the finest, noblest men I have ever known. I associate myself with the remarks of my friend from Hawaii. BARRATT O'HARA'S careers have been as distinguished as they have been varied. I doubt that there is a single other person in public life in America today who has seen life from so many angles and who has appreciated its challenges as much as the gentleman from Illinois [Mr. O'HARA].

One of the most articulate men I have ever known, one of the most courageous men, one of the sweetest characters on earth, BARRATT O'HARA—may he live long and may his ideals continue to prosper.

Mr. MATSUNAGA. I thank the majority leader.

Mr. PEPPER. 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 Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I merely wish to associate myself with the deserved tribute which has been paid to this noble colleague of ours, Mr. BARRATT O'HARA, from Illinois. His eloquence, his nobility of spirit, his lofty idealism constitute an example and an inspiration not only for his colleagues but also for his countrymen. May his days continue to be long and fruitful in this Chamber and upon the earth.

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

Mr. PEPPER. I yield to the gentleman from California.

Mr. MILLER. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentleman from Florida. I cannot express them as well or as eloquently as he, but I join him in paying tribute to my great leader, the great BARRATT O'HARA.

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

Mr. PEPPER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman.

I, too, welcome the opportunity to join in this expression of love and admiration for the great colleague from Illinois whose eloquence continually stirs this legislative body.

I believe if there could appropriately be given a name to this outstanding Member of the House, it would be "the happy warrior of the Congress of the United States."

Congressman O'HARA is a great legislator, a great humanitarian, a great speaker, and a great individual. It is a continuing source of pleasure and inspiration to serve with him in this body.

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

Mr. PEPPER. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentleman from Florida. As a member of the House Committee on Foreign Affairs who has served on the committee with Congressman O'HARA, I want all Members to know and the RECORD to include that no one makes a finer contribution to the committee and no one engenders a more humane spirit in the legislation which emanates from the House Committee on Foreign Affairs than BARRATT O'HARA. BARRATT O'HARA served in the great 80th Division during World War I. Its motto was "The 80th Only Moves Forward." One of the reasons it always did was BARRATT O'HARA. BARRATT has always moved forward for his fellow man and still does. I hope he continues to do so for many years to come.

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

Mr. PEPPER. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I want to associate myself with the remarks made. The thing which has always impressed me most about Mr. O'HARA is his youthful spirit and his youthful outlook. I know how many years he claims, but I also know he is not a man who looks back. He always looks forward. I think some "young fogies" could well benefit from this youthful, effervescent spirit. It has been a pleasure to work with him.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. WRIGHT. Mr. Speaker, I simply want to join our colleagues in this well deserved tribute so deeply felt by all of our Members for our colleague, BARRATT O'HARA. His alert, inquisitive mind and his high-spirited idealism mark him as a young man. BARRATT O'HARA will always be a young man.

As one Member of this House, I shall treasure always the opportunities I have enjoyed to visit with BARRATT O'HARA on numerous occasions. I feel myself richer for having been exposed to his wealthy store of knowledge and his magnificently charitable spirit.

His mind and his heart are big. His vision is broad. And his friendship is truly a thing to treasure.

Mr. CONTE. 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 Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I would like to join with my colleagues in extending my greeting to the gentleman from Illinois, BARRATT O'HARA, on his birthday. I think one of the finest things that can be said about a man is that he is a good man. In my book BARRATT O'HARA is a good man.

Mr. Speaker, I would like to wish him many, many decades of good health, happiness, and success so that in the golden years of life he may harvest the rich dividends and spiritual satisfaction which he has so ably earned in a lifetime of dedicated service to his State and his country.

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

Mr. CONTE. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Massachusetts [Mr. CONTE] and the other Members here who have paid well deserved tribute to the gentleman from Illinois, my distinguished and indomitable colleague [Mr. O'HARA]. His ready wit and perceptive comment have added much to our deliberations and I am grateful to him for his constructive contributions to this body.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

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

Mr. REID of New York. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Massachusetts and the gentleman from New Hampshire and the gentleman from Hawaii and very simply say to my good friend and distinguished colleague BARRATT O'HARA that I greatly value his friendship. He is a man of principle, conviction, and courage. He has ennobled this House by his courage and his actions.

I might say he has always been a stanch friend of Israel, the only democracy in the Near East. His support of that country has meant much to the course of freedom in the Near East.

I would merely add, BARRATT, I hope that you not only prosper in your important work in this House for many years but in congratulating you on your birthday, may I wish that you live to be 120 years young.

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

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

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the gentleman from Massachusetts yielding to me. I wish to join in paying tribute to BARRATT O'HARA today. He and I belong to a rather exclusive club, I think, perhaps with one or two other Members, not the Spanish-American War veterans but, rather, the former Lieutenant Governors of our respective States, which we were at almost the same time. Of course, BARRATT and I are about the same age, give or take 20 or 30 years. However, for a time when he first came to Congress—and I think I should say this for the benefit of the other Members of the House in case there is any question in your mind as to his ability—I managed him. When I say I managed him I mean I was in charge of booking all of the various prizefights and fisticuffs in which he engaged. He was known in the prize ring and up and down the eastern seaboard as "KID" O'HARA. He packed a very great wallop and we had a lot of fun out of it. "KID," I hope you continue in good shape and in good condition and that you do your roadwork regularly and keep your legs sound and hold your left out in front of you a little bit and watch out for those right uppercuts. I think you will finish the course all right. Congratulations.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. MADDEN. Mr. Speaker, I, too, wish to join the many Members of Congress who would like to pay tribute to the gentleman from Illinois, BARRATT O'HARA, on his 83d birthday. I ask unanimous consent that all Members who wish to pay tribute to him may extend their remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. In addition to what my colleague, the gentleman from Ohio, Congressman BROWN, has stated as to being a member of the exclusive club of former Lieutenant Governors, I want to point out that BARRATT O'HARA was elected Lieutenant Governor of Illinois in 1912. A great number of Members do not know that he was the first public official in the Nation to expose the slave labor conditions in the child labor sweatshops.

Lt. Gov. BARRATT O'HARA pioneered the first public hearings that exposed to the Nation the fact that children were working in those days at starvation wages in the sweatshops of the city of Chicago and also throughout the Nation. He was the pioneer public official who sponsored legislation that did away with the sweatshops in that early day.

He not only accomplished a great deal as Lieutenant Governor of Illinois, but he was also one of the great lawyers of the Middle West and was associated for a number of years with Clarence Darrow in the practice of law.

He also was nationally known as a newspaperman and his writings were published by newspapers and magazines throughout the Nation before and during World War I.

Mr. Speaker, he is the only Spanish-American War veteran in the Congress of the United States. We all hope that BARRATT O'HARA will be a Member of this body for many, many years to come and we congratulate him on his 83d birthday today.

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

Mr. MADDEN. I yield to the gentleman.

Mr. HUNGATE. We, from Missouri, are proud to offer the gentleman from Illinois, BARRATT O'HARA, as an example of the benefits to be derived from attending Missouri University. He was not only a great fighter, but he was the best football player pound for pound that attended that school. We commend his career to everyone.

Mrs. KELLY. Mr. Speaker, the great State of Illinois is known as the Land of Lincoln and, in this day, it has given other great men to our Nation and to public service.

I refer to two gentlemen whom I have the good fortune to have as my friends and colleagues, the Honorable WILLIAM L. DAWSON and the Honorable BARRATT O'HARA. Both of these Representatives serve their country well and both of them have celebrated their birthdays this week.

I join my colleagues in wishing them the best of health, happiness, and all good fortunes for many years to come.

Mr. ZABLOCKI. Mr. Speaker, I want to take this opportunity to join my colleagues in paying tribute to an outstanding Member of this body, the Honorable BARRATT O'HARA, on the occasion of his 83d birthday.

We in the House are fortunate indeed to have among us a man whose outstanding career is certain to merit him a place in American history. There are few indeed who are privileged to have had so much adventure and to have given so much service to their fellow men in one lifetime as BARRATT O'HARA.

Youthful explorer, Spanish American War and World War I soldier, newspapermen, youngest attorney general in Illinois history, motion picture executive, brilliant defense lawyer, author, and Congressman—each of these careers and achievements would require a lifetime of an ordinary man. BARRATT O'HARA has accomplished them in 83 short years.

It is a measure of the stature of this outstanding American that he first came to Congress at an age when most men have retired. Since his election from the Second District of Illinois to the 81st Congress, he has earned the respect of his colleagues for the depth of his wisdom and the breadth of his vision.

It has been my distinct privilege to have served with Mr. O'HARA on the

House Foreign Affairs Committee. He has never ceased to amaze me with his energy and abilities. His counsel and advice to me have been of inestimable value through the years.

Today in congratulating BARRATT O'HARA on his birthday, I want to add my sincere best wishes to him for many more years of fruitful service to his constituents and to our Nation.

Mr. FARBSTEIN. Mr. Speaker, I am pleased to make this statement congratulating my good friend and colleague, BARRATT O'HARA, of Illinois, on his 83d birthday.

Soldier, educator, Governor, and now, legislator—where is the location of the fountain of youth that he has discovered and used to such good advantage?

Forthright and courageous—a man of dominant will, who could face down the devil, if necessary.

A champion of the disadvantaged, both individual and national, it has been my great privilege to serve with him on the Committee on Foreign Affairs where he has made a great and outstanding record upholding the rights of the democratic African countries as chairman of that subcommittee. He has continually shown his friendship for that small Western-oriented country in the Middle East known as Israel.

May his breed continue; and may he, as the leader he has always been, continue to show us the light for many years to come. And may we again have the privilege next year of celebrating his 84th birthday.

Mr. ANNUNZIO. Mr. Speaker, I am happy this morning to join my other distinguished colleagues to pay tribute to BARRATT O'HARA on his birthday. I have known my distinguished colleague for a period of a quarter of a century. He has always been a fighter in the public interest. In Illinois, we refer to him as the boy wonder of Illinois politics.

He has served his country in war and peace. He is the only Member of Congress that is a veteran of the Spanish American War. At the early age of 30, he served our State as Lieutenant Governor of Illinois, the youngest in the history of our State. He led the fight for the passage of the State's first minimum wage law. He reentered military service during World War I and at the termination of hostilities, he resumed his law practice. In 1948 he was elected to the Congress of the United States. He served in the 81st Congress, the 83d, the 84th, the 85th, the 86th, the 87th, the 88th, and 89th Congresses with honor and distinction, recognizing the needs and wants of the vast majority of the American people.

To my 83-year-old young friend, I say to you that America is stronger because of you.

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

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

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

There was no objection.

SUBCOMMITTEE ON TRANSPORTATION OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

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

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

There was no objection.

THE LATE THOMAS A. FLAHERTY

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is with heartfelt regret that I announce that former Congressman Thomas A. Flaherty of Boston passed away this morning. Mr. Flaherty was elected to the Congress in 1937 and served until 1942. He was one of the most beloved, able, and competent officials we ever had in our area of the country. Tom was loved by all.

After he left the Congress of the United States, willingly—he did not run for reelection in 1943—he became a public utilities commissioner. He enjoyed a full life of many honors working for the public. He was a man of greatest ability and outstanding integrity.

Mrs. O'Neill and my family offer our very heartfelt sympathies to the family of Mr. Flaherty.

Mr. McCORMACK. Mr. Speaker will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, it is with sadness that I rise to pay tribute to my good friend and former colleague, Thomas A. Flaherty, who has passed away.

The Commonwealth of Massachusetts and all America has lost a valuable public servant and I feel a great personal loss.

Thomas Flaherty not only knew his Government, but he had a great faith in our way of life and the institutions of democracy.

He was born in Boston on December 21, 1898, and attended the public schools of that city. He also attended Northeastern University Law School at Boston.

During the First World War Mr. Flaherty served as a private in the U.S. Army in 1918. Subsequently he continued to serve his country, and especially the veterans, when he was employed with the U.S. Veterans' Administration in Boston from 1920 to 1934.

His vital interest in the political life of our Commonwealth caused him to run for public office and he served as a member of the State house of representatives for 2 years.

He was elected as a Democrat to the 75th Congress of the United States to fill the vacancy caused by the resignation of John P. Higgins and was reelected to the 76th and 77th Congresses. He served in this legislative body from December 14, 1937, to January 3, 1943, and was not a candidate for renomination.

Returning to his native city, Tom Flaherty served as transit commissioner of the city of Boston for 2 years; as chairman of the Department of Public Utilities of Massachusetts from 1936 to 1953, as commissioner from 1953 to 1955, and chairman of the board of review, Assessing Department, city of Boston, from 1956 to 1960.

There is one thing we can never forget about Tom Flaherty, and that was his constant demonstration of the results of hard work. He made his own way in the world and never complained. He looked toward a goal and attained it.

He was a loyal Democrat, but first of all he was a loyal American.

Time will continue to reveal Tom Flaherty's contributions to his local community, to his State, and to his Nation. He was a fervent patriot. He loved his country. He respected the Congress and the House of Representatives. He was completely devoted to duty. I am proud to have called him my friend.

Mrs. McCormack and I extend to Mrs. Flaherty our deep sympathy in her great loss and sorrow.

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

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I consider it a great privilege to join the gentleman from Massachusetts in paying tribute to our late friend and colleague, Mr. Flaherty.

It was my opportunity and pleasure to serve with him in the House where I became acquainted with him. He was a delightful gentleman, a very able Representative and, as the gentleman said, he left the House willingly to return to the State of Massachusetts in other positions.

I remember at the time we all wished him well. He left many friends behind, and we are grieved at his passing.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. The gentleman from Massachusetts makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. HARRIS. 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. 80]

Arends	Ashley	Baring
Ashbrook	Bandstra	Bolton

Brademas	Hanna	Redlin
Brown, Calif.	Hansen, Wash.	Resnick
Cooley	Hawkins	Rivers, Alaska
Corman	Hays	Rogers, Tex.
Culver	Holland	Schisler
Dawson	Jarman	Scott
Dickinson	Jones, Ala.	Sisk
Diggs	Keith	Stephens
Dingell	Latta	Teague, Tex.
Duncan, Oreg.	McDowell	Toll
Everett	Moeller	Van Deerlin
Farnsley	Morrison	Waggonner
Giaimo	Morse	White, Idaho
Gibbons	Nix	Willis
Goodell	O'Hara, Mich.	
Halpern	Powell	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 381 Members have answered to their names, a quorum.

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

SUCCESSION TO THE PRESIDENCY AND VICE-PRESIDENCY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

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

The Chair hears none, and without objection appoints the following conferees: Messrs. CELLER, ROGERS of Colorado, CORMAN, MCCULLOCH, and POFF.

There was no objection.

THE LATE HONORABLE WILLIAM F. BRUNNER

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, it is with sadness that I announce the death of the late lamented William F. Brunner, a former Member of this House. Our former colleague and my esteemed friend, Bill Brunner, has unfortunately left us. He will be sadly missed by all who knew him and the many for whom he performed countless acts of kindness with humility and without fanfare.

Mr. Speaker, Bill was a lifelong resident of Queens County of the city of New York. He served as a member of the New York State Assembly from 1922 to 1928 and then was elected as a Democrat to the 71st and three succeeding Congresses, when he resigned in 1935 to serve in other public offices of the county of Queens and New York City.

In later years Bill resumed the insurance and real estate business but he never lost active interest in civic affairs and the community in which he lived. The Peninsula General Hospital in Edgemere, Long Island, of which he was president, was near and dear to his heart and he worked tirelessly to expand and help improve its facilities.

I knew him as a benign character. He was always kind in words and in action. We were enriched indeed by his having passed among us, and we are saddened by his departure. He has gone to that undiscovered country from whose bourne no traveler returns.

He leaves a good name, and a good name is like the acrostic; you read it from right to left, or up or down, and a good name always spells goodness. As the Psalmist said:

> Better is the fragrance of a good name than the perfume of precious oils.

Our condolences go forth to the members of his family and we mourn his passing.

CALL OF THE HOUSE

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

The SPEAKER pro tempore (Mr. ALBERT). The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. MADDEN. 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. 81]

Arends	Hawkins	Powell
Ashbrook	Holland	Randall
Ashley	Hull	Resnick
Baring	Hungate	Reuss
Bates	Ichord	Rivers, Alaska
Belcher	Jacobs	Schisler
Bolton	Jarman	Schweiker
Brademas	Jones, Ala.	Scott
Brown, Calif.	Jones, Mo.	Senner
Conte	Karsten	Sisk
Cooley	Keith	Smith, Calif.
Corman	Leggett	Sullivan
Culver	Lindsay	Teague, Calif.
Davis, Wis.	Long, La.	Toll
Dingell	Martin, Mass.	Tupper
Duncan, Oreg.	Mathias	Van Deerlin
Everett	May	Waggonner
Farnsley	Moeller	Weltner
Giaimo	Moorhead	White, Idaho
Gibbons	Morrison	Williams
Gubser	Morse	Willis
Halpern	Nix	Young
Hanna	Patman	
Hansen, Idaho	Pool	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 363 Members have answered to their names, a quorum.

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

WATER QUALITY ACT OF 1965

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 339 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 339

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

There was no objection.

Mr. MADDEN. Mr. Speaker House Resolution 339 provides for consideration of S. 4, a bill to amend and expand the Federal Water Pollution Control Act. It would establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes. The resolution provides an open rule, waiving points of order, with 2 hours of debate, making it in order to consider the substitute now in the bill.

No more important single problem faces this country today than the problem of good water. Water is our greatest single natural resource. The issue of pure water must be settled now for the benefit not only of this generation but for untold generations to come. The need for good quality water for all of our Nation's uses—public and private—is a paramount one.

The Calumet industrial region of Indiana comprises the First Congressional District which I represent in Congress. It is the No. 1 congressional district in the United States in relation to industrial concentration in the Gary, Hammond, East Chicago, Whiting area. Three major steel mills; Carnegie Illinois, Inland, Youngstown, and a number of smaller steel and smelter plants along with refineries of all major oil companies, and several hundred other large and small industries are located in this area. During the last quarter of a century these industries have expanded many times in production capacity. The major pollution to lakes and streams and especially beautiful Lake Michigan comes from the industrial waste from these plants.

Adjoining the Calumet region on the north is the large industrial complex of the city of Chicago and the same statement can be made regarding the pollution and waste expulsion into the waters of Lake Michigan as exists across the State line in Indiana.

The Hammond, Ind., Times reported recently a speech made by Richard Woodley of the Indiana State Board of Health. Mr. Woodley declared:

> The people are fed up with pollution and they want something done about it right away regardless if the action is local, State, or Federal.

Mr. Woodley is chief of the industrial waste section of the Indiana Board of Health.

As examples of the heavy concentration of pollution in the area waterways, Woodley reported outfalls were detected on a daily basis in these amounts: Oil, 106,000 pounds per day of which steel industries were responsible for 90 percent and the oil refineries the remaining 10 percent; ammonia, 500,000 pounds; phenols, 5,000 pounds; cyanides, 3,000 pounds.

These examples show why there is a large-scale effort underway to halt pollution.

The drinking water supply for approximately 600,000 people in the Calumet region and millions in the Chicago area is taken out of the waters of Lake Michigan adjacent to the shores from which this great industrial concentration is daily pouring industrial waste and other contaminating pollution into Lake Michigan. The health of approximately 7 million people in the Chicagoland and Indiana area is jeopardized and threatened by this inexcusable pollution into the formerly pure waters of Lake Michigan. Inland lakes and streams not only in this area but throughout Indiana, Illinois, and other States in the Union have already been contaminated by Government indifference toward enacting legislation to halt this health hazard to millions of our citizens.

The New York Times of April 18 had an extended three-page comment in its magazine section regarding the Raritan River in New Jersey. The Raritan River at the turn of the century was known as the "Queen of Rivers" with pure flowing waters coming from the mountains and hills without the least bit of contamination. An English poet, John Davis, described this river in the past century as the "queen of rivers." The article continued in stating that in the 1920's with the heavy concentration of industry and its depositing of waste and pollution from the towns and cities along its 100-mile shoreline, it became known as the "queen of sewers."

During the last 6 or 7 years, industries along this formerly "queen of rivers" have joined together in an effort to curb industrial waste from being deposited in the Raritan River. Great success has been accomplished by reason of the installation by these industries of modern methods to dispose of waste products and the river is gradually being restored to its former natural beauty and cleanliness.

The article further states that a complete recovery cannot be made until effective laws are passed to eliminate waste products from all industries along its borders, and it will, in a few years be restored to its title as "Queen of Rivers" with swimming, bathing, fishing, boating, and all the outdoor pleasures which its adjoining population took such delight and satisfaction in former years.

This Congress has made wonderful progress in legislation for the interest of millions of Americans so far this session. One of the real problems to be solved pertaining to the Nation's health is involved in this legislation pertaining to water pollution which we are considering today. It involves the health and welfare of every citizen in the United States regardless of whether he lives in an area that is a victim of pollution or out in the wide and open spaces where heavy concentration of industry is not a threat to outdoor recreations, and the welfare of wildlife, and enjoyment of which millions of our citizens have been deprived.

It has been nearly 9 years since the Congress, with the enactment of Public Law 660, 84th Congress, established the first permanent national program for a comprehensive attack on water pollution. The Federal role was fixed as one of support for the activities of the States, interstate agencies, and localities. The Federal Water Pollution Control Act authorized financial assistance for construction of municipal waste-treatment works, comprehensive river basin programs for water pollution control, research, and enforcement. It provided, too, for technical assistance, the encouragement of interstate compacts and uniform State laws, grants for State programs, the appointment of a Federal Water Pollution Control Advisory Board, and a cooperative program for the control of pollution from Federal installations.

The impact of the Federal Water Pollution Control Act has been impressive. It has taken us in less than 9 years from a situation in which untrammeled pollution threatened to foul the Nation's waterways beyond hope of restoration, to a point where we are holding our own. But that is not enough. The unprecedented and continuing population and economic growth are imposing ever-increasing demands upon our available water supplies. The accompanying trends toward increased urbanization and marked rapid technological change create new and complex water quality problems further diminishing the available supplies. S. 4 is a further and necessary step in continuing efforts to bring about proper water pollution control and a full upgrading of the water quality of our streams, rivers, and lakes.

Mr. Speaker, I urge the adoption of House Resolution 339.

Mr. Speaker, under unanimous consent, I incorporate with my remarks excerpts from the April 15 edition of the Chicago Tribune on the meeting of 68 industrialists, sanitation experts, and Federal and State officials meeting in Chicago, Ill., March 2–9, to discuss Lake Michigan pollution:

> Sixty-eight industrialists, sanitation experts, and officials of the Federal Government, and of Illinois and Indiana State and local governments, met from March 2 to 9 in Chicago to discuss ways to end the pollution.
>
> DANGER TO HEALTH
>
> Celebrezze called the conference after determining that poluted water at the lower end of the lake and the streams feeding it "endangered health and welfare" in both Illinois and Indiana.
>
> Celebrezze said the pollution of the interstate waters of the Grand Calumet River, Little Calumet River, Calumet River, Wolf Lake, and Lake Michigan was "caused by discharges of untreated and inadequately treated sewage and industrial wastes."
>
> Celebrezze and his staff had found that the polluted water from the heavily industrialized south end of the lake had crept dangerously close to the intake cribs of the Chicago water system.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN] has explained, House Resolution 339 makes in order the consideration of S. 4, as amended by the House Committee on Public Works, under 2 hours of general debate, an open rule, subject of course to amendments under the 5-minute rule and the full consideration of the House of Representatives.

Mr. Speaker, I have studied this legislation carefully as possible both as a member of the Committee on Rules and in my capacity as a House Member interested in the welfare of my own State.

Mr. Speaker, I have had considerable correspondence with reference to this legislation. I am convinced that the House Committee on Public Works has done a splendid job in rewriting S. 4, and that is exactly what has been done. The bill has been rewritten and greatly amended.

The bill itself would change the name of the Federal Water Pollution Control Act to that of the Federal Water Pollution Control Administration. It would further provide grants for research and development, increase grants for construction and necessary treatment works, authorize the establishment of standards of water quality, and aid in preventing, controlling and abating pollution of interstate waters, and for other purposes.

The great difference between the House and Senate versions of this particular bill is that the House Committee bill now before us—that is, amended S. 4—provides that the standards for water quality shall be fixed by the local communities, working with the State, rather than by a Federal authority having jurisdiction over the entire country. That seems to be a very, very important difference, because it does keep control of the standards of water purity and water quality within the hands of the people who are the most interested, those in each locality, in each watershed.

I want to point out also, that this bill will provide for an increase of $50 million a year in the authorizations for the amount that can be appropriated for the purpose of making grants, gifts if you please, to different localities and their State system for sewage disposal plants,

for the elimination of sewage waste and for the purification of the streams and rivers affected. That money would have to be matched by State or local authorities. In other words, while the Federal Government would put up $50 million, under the provisions of this bill, the States or the local communities would have to put up a like amount, so that there will be not only a local interest but a local investment in any project of this sort.

Of all the legislation I have seen brought to the floor of the House in recent months, this bill is probably the best thought-out and best prepared measure I have seen, and I want to take this means of publicly commending and congratulating the House Committee on Public Works for the accomplishments it brings before the House this afternoon for consideration.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Minnesota.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 4, with Mr. SMITH of Iowa in the chair.

The Clerk read the title of the bill.

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

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it was from this committee, the House Committee on Public Works, that the first substantial legislation involving water pollution control originated back in 1956, and one of the foremost leaders and sponsors of that legislation is now the distinguished chairman of our subcommittee, the distinguished, able and respected gentleman from Maryland [Mr. FALLON].

I yield such time as he may desire to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, no more important single problem faces this country today than the problem of good water. Water is our greatest single natural resource. The need for good quality water for all our Nation's uses—public and private—is a paramount one.

The Committee on Public Works has been fully aware of this basic problem and from the committee came the first Federal legislation that brought into full focus the problem of water pollution control and water quality. The bill, S. 4, which the House will consider today, is one more step the committee believes in the continuing efforts to solve the great problem of water pollution and to provide for the use of good water.

It has been nearly 9 years since the Congress with the enactment of Public Law 660 in the 84th Congress established the first permanent national program for a comprehensive attack on water pollution. The opening phase of this program saw the Federal role of providing Federal assistance to local communities for the construction of sewage treatment plants. Since that time there have been further basic changes in the Water Pollution Control Act. At the present time the Federal Government is active in offering its good services in an effort to bring about proper control of those who would pollute our Nation's waters.

This program has proved to be a most effective one. Many miles of streams, rivers, and lakes of our Nation are now free from pollution as a result of the Federal assistance given during the last 9 years. Much more needs to be done. Much more will be done because I believe that we must find the means to fully and properly use our great God-given asset—the waters of this earth.

Water is industry's most valuable raw material and for our population growth, and by 1980 it will require twice as much as today. Water recreation has grown enormously during recent years as the leisure time and income of the American people has increased. They need this recreation outlet, yet each year more bathing beaches and water sports areas are closed because of pollution. The story is the same with sports fishing. Each year the number of pollution-caused fish kills grows higher.

There can be only one conclusion. This Nation is faced with a very critical problem of water pollution. You see it reflected in your daily newspapers, in your daily work, in your home districts, and here at the doorstep of the Nation's Capital.

S. 4 is, as I have said before, one more step along the way to the final solution to this great national problem. I trust this bill will pass and that we will continue to fight vigorously on all levels of government and in all fields of national endeavor both public and private until we have fully solved this problem.

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

Mr. FALLON. I am glad to yield to the gentleman.

Mr. EDMONDSON. I merely want to express my personal appreciation for the very solid and thought-provoking analysis of the basic problem which confronts us in this field. I compliment the gentleman from Maryland who in his quiet but typically competent manner has brought to the floor of this House a bill which does represent very solid progress in an hour of great need.

I am pleased to be associated with the gentleman as a member of the committee which brought forth this bill.

Mr. FALLON. I thank the gentleman from Oklahoma.

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

Mr. Chairman, the Federal Water Pollution Control Act became permanent law in 1956, bringing the U.S. Government into full partnership with the States and localities in a great national enterprise—the prevention, control, and abatement of pollution of the waters of the Nation. The law was strengthened 5 years later with the enactment of the Federal Water Pollution Control Act Amendments of 1961. To make the act a more effective instrument through which to stop the issue of pollution into the waters of America, to save clean waters from degradation, and to enhance the quality of waters already defiled is the purpose of the bill which we consider today.

S. 4, the Water Quality Act of 1965, comes before the House of Representatives with the unanimous favorable report of the Committee on Public Works. The bill is the product of careful committee consideration. We held 3 days of public hearings in February of this year, and had the benefit of the record of 12 days of public hearings on similar legislation in the 88th Congress. The testimony of witnesses presenting different viewpoints assisted us in our deliberations. The statements of Members of Congress, administration spokesmen, State, interstate, and municipal officials, conservationists, long the stanch advocates of clean water, civic organizations, industry, and other interests are on the record. S. 4 was introduced in the other body by the Senator from Maine, Mr. MUSKIE, for himself and 31 other Senators, and under his able floor management, passed that House on January 28 by a roll-call vote of 68 to 8.

The committee amendments to S. 4 were approved after thorough consideration. The active interest of the chairman of the committee, the gentleman from Maryland [Mr. FALLON], the diligence of members of the committee of both parties, and the support of many colleagues who joined me in introducing the legislation in the House, have been of immeasurable assistance in the development of the sound bill which we have reported. A little later in these remarks I will review the provisions of the bill and briefly discuss the principal committee amendments.

The quality of water and the quantity of water are closely intertwined. Between 1900 and 1945 total water use in the United States more than quadrupled from 40.19 billion gallons a day to 170.46 billion gallons a day. Between 1945 and 1962 it doubled again, to 343.42 billion gallons a day. The population nearly doubled from 76,094,000 in 1900 to 140,468,000 in 1945, and grew to 186,656,000 in 1962. On the basis of population growth and industrial production estimates, the Department of Commerce forecasts total water use in 1965 at 371.7 billion gallons a day, in 1970 at 411.2

billion gallons a day, in 1975 at 449.7 billion gallons a day, and in 1980 at 494.1 billion gallons a day. A higher figure for 1980, 597.1 billion gallons a day, has wide acceptance, and experts talk of the possibility that by the year 2000, total water use in the country may reach 1,000 billion gallons a day. Our dependable supply of fresh water is about 315 billions gallons a day, which we expect can be increased to 515 billion gallons a day by 1980, and to 650 billion gallons a day by the year 2000 through water resources development projects. Let us do some simple arithmetic, and we will see that a water deficit of serious proportions is in prospect, 85 billion gallons a day short in 15 years, 350 billion gallons a day short in just 35 years. Are we going to run out of water? It is unthinkable that we should allow such a calamity to happen. The prospect of a scientific breakthrough which will make the large-scale conversion of salt water to fresh water at a reasonable cost excites the imagination. There is another course, less dramatic, which we must exploit to the fullest. That course is the control of pollution, so that water can be used and reused for all legitimate purposes—for drinking water and multiple domestic uses, for fish and wildlife propagation, for water-centered recreation such as swimming, boating, water skiing, and sport fishing, for agriculture, for industry, navigation and power, and for the enjoyment beyond estimation of the sight of a sparkling lake or bay or river.

Now is the time to escalate the war against pollution. When we enacted the Federal Water Pollution Control Act not quite 9 years ago, rampant pollution prevailed in many parts of the United States. The act authorized a multipronged attack on the fouling of the Nation's waters—grants for the construction of municipal waste treatment works, comprehensive river basin programs for water pollution control, research, and enforcement. Technical assistance, the encouragement of interstate compacts and uniform State laws, grants for State programs, the creation of the Federal Water Pollution Control Advisory Board, and a cooperative program for the control of pollution from Federal installations have been other components of the national program.

Progress under the act has been impressive. We have established a beachhead, but there is many a battle to be won. As we have moved against pollution, the enemy has been aided by reinforcements—population growth, urbanization, industrial growth, new technology, and the effects on water use of a higher standard of living. Every major river system in the country is polluted. Pollution has not spared the Great Lakes, the largest fresh water source in the world. Lake Erie, the shallowest of the five, is so degraded that an enormous and costly effort will be required to restore the quality of its waters.

S. 4, as reported from the House Committee on Public Works, is a strong, practical approach to water pollution control. Its provisions are well considered. Their implementation will have a decided impact on the nationwide campaign for clean water.

First. The bill adds to the Federal Water Pollution Control Act a positive statement of its purpose to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution.

Second. It gives the national water pollution control program an administrative placement commensurate with its importance through the creation within the Department of Health, Education, and Welfare of the Federal Water Pollution Control Administration, elevating the program from its present division status within the Public Health Service. The Secretary is to administer the act through the Administration, and with the assistance of an Assistant Secretary, is to supervise and direct the head of the new Administration, and the administration of all other Department functions relating to water pollution. A new position of Assistant Secretary is created. The Secretary is to designate the Assistant Secretary who shall assist him in the area of water pollution and to prescribe what additional functions he shall perform. Commissioned officers of the Public Health Service now assigned to the program may be transferred to civil service status with the Administration on their own volition and without loss of their rights and benefits.

Third. The bill authorizes a 4-year program of grants to develop projects which will demonstrate new or improved methods of controlling waste discharges from storm sewers or combined storm and sanitary sewers. This is a complex pollution problem which has plagued particularly the older cities of the country. The new program, to begin in the current fiscal year, is authorized at an annual level of $20 million. Federal grants will be limited to 50 percent of the estimated reasonable project cost, and no one grant may receive more than 5 percent of the total amount authorized in any one fiscal year. Contract authority may be used for the program's purposes, with up to 25 percent of the total amount appropriated for any fiscal year authorized to be expended by contract during that fiscal year.

Fourth. The bill doubles the dollar limitations on grants for waste treatment works construction from $600,000 to $1.2 million for a single project, and from $2.4 million to $4.8 million for a joint project serving two or more communities. The present 30 percent of project cost limitation on grants in existing law is not affected. For fiscal years 1966 and 1967, the 2 years remaining before the present authorization expires, the authorized annual appropriations will be increased from $100 million to $150 million. The first $100 million will be allocated to the States on the basis of 50 percent population and 50 percent per capita income, as existing law provides. Amounts appropriated in excess of $100 million will be allocated on a straight population basis. The requirement that at least one-half of the funds appropriated for each fiscal year must be used for grants to projects serving municipalities of not more than 125,000 population will apply to the first $100 million, but will not apply to the additional amounts appropriated. Further, if the State matches the full Federal contribution made to all projects assisted from the additional allotment, grants from that allotment may be made up to the full 30 percent of project cost, without regard to the dollar ceilings. To encourage the orderly development of metropolitan areas, the bill authorizes the Secretary to increase the amount of a grant by 10 percent, if the project is in conformity with a comprehensive metropolitan area plan.

Fifth. The bill requires that in order to receive any funds under the act, each State must file with the Secretary within 90 days after the bill's enactment, a letter of intent that the State will establish water quality criteria applicable to interstate waters not later than June 30, 1967.

Sixth. The bill requires the Secretary to invoke the enforcement authority in certain circumstances to abate pollution which results in substantial economic injury from the inability to market shellfish or shellfish products in interstate commerce.

Seventh. The bill strengthens the enforcement authority by empowering the secretary or his designee, at the public hearing stage of an enforcement action, to administer oaths, to subpena witnesses and testimony and the production of evidence relating to any matter under investigation at the public hearing. The subpena power does not extend to trade secrets or secret processes. Jurisdiction for obtaining compliance is vested in the U.S. district courts.

Eighth. The bill clarifies the authority and functions of the Secretary of Labor respecting the labor standards applicable to the act. It requires accountability for financial assistance given under the act in accordance with acceptable audit and examination practices.

Let me discuss some of the provisions of S. 4 a little more fully and point out the principal committee amendments to the bill.

S. 4, as reported, transfers the entire water pollution control program to the new administration. As passed by the other body, the bill requires the transfer of only selected functions. The importance of the total program and the interdependence of its parts indicate that it should be elevated intact to the higher organizational status, which is comparable to that occupied by other major Federal water resources activities. The 1961 amendments to the act vested in the secretary, rather than the Surgeon General, responsibility for the administration of the act. It was our intention at that time that it should be upgraded. In the interests of stronger administration, and more ready public identification, there should be no further delay in the establishment of the new administration.

Statutory responsibility for the administration of the act will remain in the secretary. He will administer the

act with the assistance of the assistant secretary of his designation and through the administration. He will appoint and fix the salary of the administrator, who will be in a civil service status.

Water pollution control, as an integral part of water resources management, will no longer be conducted within the service concerned with the public health of the Nation. Health remains an important consideration, and the committee has provided that the administrator shall consult with the Surgeon General on public health aspects of the program.

We have provided for the voluntary transfer to civil service status of commissioned officers now working in the program, with protection for their rights and benefits. Of the 4,900 commissioned officers under the jurisdiction of the Surgeon General, 373 would be eligible for transfer. To insure their retirement rights, a maximum of $1,850,000 will be paid into the civil service retirement fund.

I do not wish to depart from this subject without paying tribute to the dedicated staff of the Federal water pollution control program in the Public Health Service, which has served so well during the important development years of the program. The new administration, to be established because of the importance of the work in which they have been engaged, is a recognition of their efforts.

The new 4-year program of research and development grants which is authorized by S. 4 will assist in the exploration of better methods of coping with the difficult pollution problem of the overflow from combined storm and sanitary sewers. Approximately 60 million people in some 2,000 communities are served by combined sewers and combinations of combined and separate sewer systems. Estimates of the cost nationwide of separating combined sewers run from $20 to $30 billion. Other solutions to the problem may be technically feasible and less expensive. Grants to States, municipalities, or intermunicipal or interstate agencies to finance up to half of the cost of demonstration projects will be of immediate value to the recipient areas, and will foster the development of knowledge applicable in other areas. The committee amended this section of S. 4 to permit the Secretary to use up to 25 percent of the funds appropriated for the program each year to contract with individuals, private enterprise, research institutions, or public agencies for demonstration work on the combined sewer overflow problem. A heavy dose of pollution can be administered to the receiving stream in a short time from this source. The new program will encourage the discovery of solutions to a particularly difficult pollution problem.

In recognition of the higher per capita cost of waste treatment facilities serving smaller communities, and of their difficulties in securing financing for public works on favorable terms, the Congress authorized a program of grants for the construction of municipal waste treatment works which gave proportionately more assistance to those communities. Their less costly projects could receive the full 30-percent grant provided by law. The $250,000 ceiling on the amount of a grant reduced the Federal share of larger projects to a fraction of 30 percent. When we passed the 1961 amendments, we raised the ceiling to $600,000 and authorized grants to joint projects with a ceiling of $2.4 million. Large projects still do not receive Federal assistance anywhere approaching 30 percent of total eligible cost. But it is in the metropolitan complexes of the Nation that the worst pollution exists. Large projects control more pollution from more people. In fairness to urban taxpayers, and in the interest of effective water pollution control, we should make more realistic assistance available for these large projects. The committee has amended S. 4, to increase the ceiling for single projects to $1.2 million, instead of $1 million, and for joint projects to $4.8 million, instead of $4 million.

When we review the construction grants program prior to its expiration on June 30, 1967, we will consider how large the program should be, and what direction it should take. We know that it is not large enough, and so our committee amended S. 4 to increase by $50 million the appropriations authorization for fiscal years 1966 and 1967. We know that it is not keeping up with the need in the urban complexes, and so we provided that the allocations to the States from appropriations made over and above the basic $100 million would be on a strict population basis, and we did not extend to them the requirement that half the funds go to communities of 125,000 population or less. We know that to wipe out the backlog of needed facilities, and to keep up with population growth and plant obsolescence will take the best efforts of government at all levels. At present only a few States participate in the financing of waste treatment works. By offering a full 30-percent grant, without regard to the dollar ceilings, for projects made from the additional allocation in States which match the Federal contribution, we hope to encourage more and more States to bear a share of the cost of these desperately needed and extremely costly public works.

The committee believes that the question of adequate water quality standards is of high importance throughout the Nation. We have considered carefully whether they should be established and promulgated by the Secretary of Health, Education, and Welfare, or fixed by the States. There is an urgent need for standards of water quality applicable to interstate waters or portions thereof to insure that there will be water of a quality high enough to serve the maximum number of needs demanded by a growing population or industry. On the basis of the exhaustive testimony taken this year and in the last Congress, we have amended S. 4 to give the States time to carry out their responsibilities for protecting the quality of the interstate waters within their respective jurisdictions. Waters arising entirely within a State, which do not flow into another State, and do not form a part of the State boundaries, are not deemed to be interstate waters and would not, therefore, be subject to any requirements respecting water quality criteria. Within 90 days after the bill is enacted, each State must file with the Secretary a letter of intent that the State will establish water quality criteria applicable to interstate waters or portions thereof within its jurisdiction not later than June 30, 1967. If a State fails to file such a letter of intent, it will receive no funds under the act until the letter is filed. We hope that the States will meet their responsibilities in this regard. The committee will consider additional water pollution control legislation in connection with the expiration on June 30, 1967, of provisions of the act. If the States have in fact met their responsibilities, they will be able to supply information of great value in the resolution of the water pollution problem.

S. 4 directs the Secretary to invoke the enforcement authority whenever he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution of interstate or navigable waters, and action of Federal, State, or local authorities. The provision would give recourse to persons who sustain economic loss because of a necessary ban on the shipment in interstate commerce of shellfish from polluted waters. The States must close harvesting areas found unsatisfactory for certification by the Public Health Service. The harvester, who is injured by necessary official action taken because of pollution which is not of his making and is beyond his control, should have the protection of official action in the abatement of that pollution.

The committee has amended S. 4 to give new support to the enforcement authority, the function on which the success of other program activity may ultimately depend. The Secretary or his designee will be given power to subpena witnesses and evidence which relate to any matter under investigation at the public hearing stage of an enforcement action. In the rare instances in which persons involved in enforcement proceedings fail to cooperate by furnishing needed information, the subpena power will aid effective enforcement. Trade secrets and secret processes will not be subject to subpena.

The 89th Congress in its first 100 days compiled a record of achievement which is compared to the first 100 days of the 73d Congress. A brave President, Franklin Delano Roosevelt, laid before the 73d Congress a bold program of far-reaching measures to bring the United States out of the depths of the despair wrought by the great depression. In a time of general prosperity, a brave President, Lyndon Baines Johnson, has laid before the 89th Congress a program to keep the Nation prosperous, to open opportunity to all of our people, and to improve the quality of American life.

Toward the third goal the President declared that we must act now to protect America's heritage of beauty. His brilliant message to the Congress on natural beauty expressed a sense of urgency about the massive pollution of the Nation's waters and the need for legislation to step up the fight to overcome it. In passing this bill we are stepping up the

fight. The American people have thrown off the fetters of indifference which have for too long hampered the drive for clean water.

I recommend to the House the passage of S. 4, the Water Quality Act of 1965.

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

Mr. BLATNIK. I will be pleased to yield to my friend from Iowa.

Mr. GROSS. First of all I want to compliment the committee on what I believe is a good bill. However, do I understand the gentleman to say that you have now pulled together in one place all things related to water pollution and to the supply of fresh water, in the Department of Health, Education, and Welfare? Is that correct?

Mr. BLATNIK. Yes, sir. All the functions that were until now under the Surgeon General, with the exception of those aspects which deal primarily with health. The aspects dealing with health will be retained, as under the previous law, by the Surgeon General. However, there are other aspects of pollution control which are under the Interior Department, the Agriculture Department, the Corps of Engineers, and the Conservation Corps, over which we have no jurisdiction.

Mr. GROSS. There is still some proliferation, then, of these activities?

Mr. BLATNIK. Yes. We took certain of these aspects from the Surgeon General and put them under an administrator so that they will now be at a higher level of administration than they were before.

Mr. GROSS. But you did take these activities out from under the Surgeon General?

Mr. BLATNIK. Yes, sir. And we put them under an administrator who will be in charge of this feature.

Mr. GROSS. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, will the gentleman yield for a further clarification?

Mr. BLATNIK. I am glad to yield to my colleague from Florida.

Mr. CRAMER. The legislation does require that the Surgeon General be consulted at all times in matters relating to and concerning health. Therefore, the Surgeon General does retain jurisdiction in effect over health matters. I ask the gentleman from Minnesota, Is that not correct?

Mr. BLATNIK. That is correct, and I thank the gentleman from Florida for his contributior. and clarification.

Mr. CRAMER. Mr. Cnairman, I yield myself such time as I may consume.

Mr. Chairman, I, too, am delighted to be able to join with the majority in unanimous support of this bill. It was supported unanimously by the majority and the minority. I think this is a clear-cut and outstanding example, particularly during this session of Congress, a shining example, where a committee when it is given the opportunity to do so without exterior interference, can do a good job and can come up with a bill that deserves the support of everyone in the House.

Of course, this has not necessarily been the case on all legislation that we have had before our committee, but this is a shining example where we were given an opportunity to work our will and we did so and I think came up with a sound and reasonable approach to what is admittedly a most serious problem throughout this Nation.

We are all for clean water, just as we are all for motherhood. We are all for doing what can reasonably be done to prevent water pollution. But as was stated when the legislation was initially passed by Congress back in 1956—and which, incidentally, I and others on our side cosponsored along with those on the majority side, which legislation first established the water pollution control program and the sewage disposal plant Federal grant program—it was specifically stated, and I believe this concept to be extremely significant and important, and must be maintained if this is going to be an effective program—that this program is one which must be participated in to the fullest extent not only by the Federal Government, in its proper jurisdiction, but by local and State authorities as well.

In enacting the initial law, the Congress said, and I quote:

> It is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution.

Now, in 1956 we had a bill which we could all support and did support in the committee.

In 1961 we had some differences of opinion as to what was the proper Federal responsibility in light of this statement of policy.

In 1965 we are coming before this body, this House, with a bill recognizing those basic principles and thus we are able to be in support of it both on the majority and on the minority sides.

Mr. Chairman, we had some difficulties with the consideration of the bill. Last year, of course, a quite different bill was voted out of the committee. This year a number of changes were made. There were some difficult problems with which our committee had to wrestle, but I am proud to say that I believe we did so successfully.

For instance, Mr. Chairman, we had to deal with the question as a result of having before us S. 4, the Muskie bill from the other body, we had to actually deal with the provisions of that legislation and make necessary changes, for instance, in the field and on the question of Federal standards. That probably represented the most difficult problem with which we had to deal. However, I feel it was dealt with most successfully.

Mr. Chairman, I think it would be a grave mistake for the Federal Government to try to set, as was proposed in that bill, water quality standards on all streams throughout America, which amounts to the Federal zoning, which amounts to the Federal Government determining what use can be made of streams and lands adjacent thereto, a responsibility clearly recognized as that of the State and local communities throughout the history of America. This has been avoided in the pending legislation and successfully so in that the bill before us, in section 5, provides that in effect the States should be encouraged to accept this responsibility themselves and therefore there was written into section 5 as a substitute for the Senate bill the provision that no State is to receive any funds under this act unless it files a letter of intent with the Secretary that the State, not the Federal Government—and continuing to quote:

> The State will establish water quality criteria to be applicable to interstate waters and portions thereof within the State prior to June 30, 1967.

Mr. Chairman, I believe that is a sound and reasonable approach. It encourages the States to do a job which we all admit should be done if water pollution is to be controlled and if we are to have eventually the necessary clean water in America.

So, Mr. Chairman, I wholeheartedly—and so do the minority members of the committee—endorse not only that section but the balance of the pending bill.

We had some problems relating to subpena powers. We had the question as to whether or not the Federal Government should have the power to subpena State and local records, not at the hearing stage but at the conference stage where discussions are taking place relating to the enforcement of pollution abatement.

It was resolved, and I think properly and rightly so, at the hearing stage "yes," at the conference stage "no." And thus the subpena power is properly given to the new administration at the hearing stage. That was successfully resolved in the committee. We had the question that was with us in 1961 and this year: Should the States be encouraged to match Federal funds in the treatment works construction program? I think it is conceded, and a correct statement of the gentleman from Minnesota, as to how tremendous this problem is which is facing the Nation. I think the estimate is something like $5 billion as to what it would cost to catch up with the needed sewage plant construction program in America, let alone get ahead. To catch up it would require an estimated $500 million or $600 million a year of local municipal funds alone to do the job.

This clearly indicates that the States should be encouraged to get in and help in this program. At this time it is mostly the Federal Government and the municipalities. The States are not involved except to set priorities. They are not required to provide grant money. Therefore it is plain, as we recorded it in the minority views on the amendments to the Water Pollution Control Act in 1961, that—

> If there is to be any increase in the amount of funds appropriated for Federal grants it should be directed toward providing an effective incentive to accelerate needed construction by offering an inducement to the States to respond to their responsibilities and participate in the cost of treatment plants.
>
> If enlargement of the Federal grant program to construct local sewage treatment works is inescapable, then it is high time

that the States face up to their responsibilities and assist in defraying the costs of such facilities.

This was in 1961. We offered amendments we hoped would accomplish that, but they were turned down in 1961. Amendments to at least partially accomplish that were adopted, and I think properly so, by the committee on the occasion of the consideration of this bill. So that the States are being encouraged to get into the program, to participate in the program, by the formula that was written into this legislation, relating not to the $100 million authorization but relating to the increased $50 million authorization. If the States want to exceed the top dollar limit for a project, which was doubled in this legislation for both single and combined projects, then they will be required to match Federal funds, in that way hopefully to bring the States into the picture and accept responsibility in it.

I am personally convinced if the job is going to be done, it is a bigger job than either the Federal Government or the local communities can handle in the near future. It is essential that the States participate in the program.

We had also the problem to deal with, a serious one, of the objection on the part of many of the State agencies with regard to changing the administration setup, taking it out of the Public Health Service and putting it in the hands of a new administration. This was resolved, and I think reasonably so, by the amendment that was adopted that requires the new control administration to consult with the Surgeon General on all health aspects of water pollution control. Therefore, the Surgeon General and the Public Health Service will remain in the picture. They of necessity have to remain in it, and they have specific authority to do so under the language of the bill as voted out.

I do not intend to discuss in detail the bill itself. The gentleman from Minnesota has outlined what the bill does. I do have a couple of other comments to make.

This is not the last water pollution control bill we are going to have in the near future. There is going to be another one in 1967 for the obvious reason that authorizations run out in 1967 and additional authorizations will be necessary, probably to be considered in the early session of the 90th Congress, and other matters involving water pollution control can be considered and probably will be at that time. So this is not the last look at this problem that Congress is going to have, and perhaps rightly so. I think it is well for Congress to review from time to time these basic problems. We will have an opportunity to do so in 1967, probably.

With the fine work done by this committee, and I am confident it will be substantially supported in the House by the vote of the membership, it would be my hope that when this bill is passed in the House and we go to conference, there will be such an overwhelming vote for this legislation on the floor of this House that the hands of the conferees will be upheld and we will be in a strong position to demand of the other body that, with such overwhelming support of this view of this legislation, we will be able to sustain the House position in conference, it being a sound and a proper position to take. So I am asking that this bill be passed with an overwhelming vote. I hope it will pass substantially in the form it is now and be sustained in conference.

I will now be glad to yield for any questions.

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

Mr. CRAMER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to take this opportunity to congratulate the members of this great committee on having worked and produced what I believe is one of the finest pieces of legislation on water and the problems affecting water that has ever been presented to the House of Representatives. The gentleman from Minnesota [Mr. BLATNIK], the gentleman from Alabama [Mr. JONES], the gentleman from Florida [Mr. CRAMER], and the gentleman from California [Mr. BALDWIN] are to be particularly commended for what I consider to be outstanding statesmanship.

When you were holding your hearings, I know you were presented with many divergent views. When the committee had completed its hearings, closed the doors, and proceeded to mark up the bill, I am satisfied that partisan politics was laid aside. The Members on both sides of the aisle were determined to produce a good piece of legislation.

I sincerely hope there is a record vote on the passage of this bill, and that it will be supported unanimously in the House of Representatives. The other body should accept without question the House version and get this law on the books at the earliest possible date. Then the States and local municipalities will have more time in which to supplement this bill, and work on the probems in their immediate States and localities.

To all members of this great committee the Navy praise is appropriate: "Well done."

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

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. BLATNIK. I want to express my appreciation to the ranking minority member for his fine statement, and also to the gentleman from Pennsylvania, who for 10 years has been of great assistance in matters of water conservation and utilization.

Mr. CRAMER. I thank the gentleman.

Mr. BLATNIK. It saddens us deeply that the most dedicated, devoted, and honorable man in this body, if not in the entire Congress, in the field of many aspects of water utilization, preservation, conservation, and flood control, our dear friend ROBERT E. JONES, was so severely and seriously stricken a month ago.

I would like to point out that it was on the same evening when we were concluding the resolution of this highly controversial issue on standards and criteria in which the gentleman from Alabama [Mr. ROBERT JONES] played an important role and played a leading part together with our distinguished Member, the gentleman from Louisiana [Mr. T. A. THOMPSON], that we came to the conclusion, unknown to him, how seriously ill the gentleman from Alabama [Mr. JONES] was when he was taken to the hospital for extremely serious surgery from which he is still recovering. He is coming along most satisfactorily and I know we are all delighted to hear that. So at this point, Mr. Chairman, I ask unanimous consent that the remarks of the gentleman from Alabama [Mr. JONES] appear in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, we have only to travel a few blocks to the once beautiful Potomac River to see that water pollution is an imminent and pressing problem at our very doorstep. But, unfortunately, the Potomac is not the only polluted river in our Nation. The citizens of this great land find this problem repeated at practically every doorstep. There is increasing pollution of our water resources by raw sewage, untreated industrial wastes and other refuse. It gravely impedes our Nation's full social, economic, recreational and community growth.

Voices of concern are being raised by industries which must have an adequate supply of clean water for continued economic well-being. Anglers are outraged by fishkills and the diminishing quantity and quality of aquatic life in streams and lakes. Water sports enthusiasts are shocked when they are directed to avoid certain streams at peril to health and safety. Housewives cringe at the foul odor of even hygienically safe treated water. Conservationists are repulsed by the disgraceful sights which mar the streams of our otherwise beautiful woods, parks, and recreation areas. Civic-minded groups everywhere are aware of the need for cleaner waters to meet the demands of our growing population and developing industries.

These voices of concern were raised in a plea for action time after time at the extensive hearings, over which I presided as chairman of the Natural Resources and Power Subcommittee of the House Committee on Government Operations last year. We heard similar testimony in the hearings by the House Public Works Committee on the bill which is before us today. Hundreds of concerned citizens, representatives of industry, and many State and local officials testified on the needs for improving our water resources. Their testimony demonstrated that despite some encouraging successes in the battle to abate pollution, concerted action must be taken on all levels of government and in all sections of the Nation if we are to hold the progress which has been made and then turn back the increasing tide of polluted waters.

Mr. Chairman, I endorse S. 4 with the amendments reported by the House Public Works Committee.

We need to upgrade the Federal water pollution control efforts to reflect the broad problems associated with conservation of our great water resources. S. 4 will do this by establishing a Federal Water Pollution Control Administration to be headed by an assistant secretary in the Department of Health, Education, and Welfare. This agency will be able to administer all matters under the Federal Water Pollution Control Act. It will be able to deal with the broad problems of pollution associated with conservation of waters for all uses, including municipal water supplies, fish and aquatic life and wildlife, recreational needs, agricultural and industrial requirements, and other vital needs. It will be able to fulfill the purpose of the act to "enhance the quality and value of our water resources and to establish a national policy for prevention, control and abatement of water pollution."

Our hearings indicate the solutions to our water pollution problems will not be simple or easy. The problems are complex and their solution also can be very expensive. For example, combined storm and sanitary sewers are a critical source of pollution in many of our cities. To eliminate this source of contamination by physical separation may cost the cities as much as $30 billion unless new techniques can be found for handling the problem. We must provide for research assistance which is beyond the capability of the individual States or municipal governments.

The bill would authorize matching grants on approved demonstration research on combined sewers by States, municipalities, intermunicipal, or interstate agencies. These grants could be as much as $1 million per project, and total $20 million per year for 4 years. Furthermore, under the committee amendments, up to 25 percent of the same appropriation could be used for contracts with various private or public agencies for research on this subject.

It was encouraging at our hearings to learn of the thousands of municipal sewage treatment facilities fostered by the Federal construction grant program. In the past 9 years, Federal grants of $640 million have stimulated local governments to provide treatment facilities costing more than $3 billion. Every dollar of Federal aid resulted in $4 of local spending. This aid went to 6,028 projects which serve 48 million people. The rate of treatment plant construction has been almost doubled since the Federal program was begun. But as impressive as these figures are, our cities are still woefully short of the needed sewage treatment facilities. The backlog of needed facilities grows every day. Recent figures show that 1,470 applications, totaling $181.3 million, are now pending for treatment projects that will cost $904.1 million.

Population is increasing rapidly. Our cities are growing even more rapidly. Great demands are made on these municipal governments for improvement of services. And, whether we like it or not, city officials who are besieged by many problems are often tempted to give sewage treatment facilities a low priority. After all, the city can dump the sewage downstream where it presents no immediate threat to its citizens. Then only the water users farther downstream have to worry.

Limitations of existing legislation were pointed out in our hearings. Dollar ceilings of $600,000 on individual project grants and $2.4 million on multimunicipal project grants have inhibited local action in the larger cities where the cost of adequate facilities runs to many times the Federal portion. The ceilings also have tended to encourage smaller, sometimes less efficient, plants where larger facilities would have meant savings in the long run.

To advance this needed treatment plant construction and stimulate municipalities to end this source of water pollution, S. 4 as reported, will double the maximum construction grants to $1,200,000 for a single project and $4,800,000 for multimunicipal projects, provided the grant does not exceed 30 percent of the reasonable project cost.

The grant program has 2 years remaining under this act. If we are going to make a dent in the backlog of needed treatment facilities, the appropriation for these grants must be increased. S. 4 will authorize additional appropriations of $50 million a year for the next 2 years and bring the total authorized to $150 million annually. I believe these increases are not excessive. Indeed, they are truly minimal in light of the great national needs. The first $100 million in grant money will continue to be allocated under the existing formulas which insure more grant money for the smaller and medium-sized cities. Funds over $100 million will be allocated to the States on a population basis and thus allow for more substantial grants to the larger cities where the greatest need for improvement exists.

The main purpose of these grants is to stimulate local action. The bill, as reported, provides extra inducement where a State provides funds to cities, matching the Federal grants, for treatment plants. In such cases, the dollar ceiling limitations on grants, up to 30 percent of project costs, would be removed from the appropriation of the extra $50 million.

To encourage further economies and efficiencies, the bill provides a 10-percent increase for projects certified by State or regional planning agencies as conforming with the comprehensive plan for a metropolitan area when the President determines the area is appropriate for such increase.

S. 4 also takes a first step toward the establishment of critically needed water quality standards. As passed by the Senate, S. 4 would give the Secretary of Health, Education, and Welfare authority to establish standards for interstate and navigable waters. However, during our hearings, many witnesses representing many industries and many State agencies testified that such additional power on the Federal level is unnecessary and undesired; that it would be time consuming and costly to establish such standards; that the standards might be unrealistic because every stream, and even every segment of a stream, varies in its uses and in the amount of waste it can safely absorb; that these considerations require great familiarity with a multitude of diversified factors; and that the individual States should have greater proximity to these problems.

The reported bill, therefore, places on the States the responsibility for establishing the criteria for water quality within the State.

The acceptance by the States of this responsibility will be of great value in helping to solve the water pollution problem and will provide valuable information for consideration of new legislation when important provisions of the existing law expire in 2 years. Any State which fails within 90 days to file a letter of intent to establish such criteria before June 30, 1967, would not receive any Federal grants for its water pollution program.

At our hearings, representatives of the shellfish industry, which is highly dependent on clean waters, have repeatedly urged additional Federal action on interstate or navigable waters to curtail pollution which is cutting into the livelihood of the industry. This will authorize the Secretary of Health, Education, and Welfare to take action when he finds that substantial economic injury results from the inability to market shellfish in interstate commerce due to health threats resulting from pollution of these waterways.

To strengthen abatement efforts, the bill also empowers the Secretary of Health, Education, and Welfare to subpena witnesses in matters under investigation when the procedure reaches the public hearing stage.

Mr. Chairman, our hearings demonstrated that many industries are taking steps, often at great expense, to end or reduce the polluting effects of their manufacturing processes. The detergent industry is an excellent example of how self-regulation can shortstop the need for more Government regulation. Within the year, the industry will have changed from stream polluting hard detergents to a new product which can be handled in existing sewage treatment facilities. The end of the unsightly foam on our streams from these hard detergents may be anticipated in the near future. I strongly urge all industries to step up their antipollution efforts. The need for the control of industrial wastes is a great and pressing national problem.

Mr. Chairman, the scope of the water pollution problem is so great as to require the enthusiastic cooperation of all official and unofficial segments of our society. S. 4 as reported by the House Public Works Committee, seeks that cooperation, especially in regard to greater State participation. Some groups have urged stronger and more sweeping Federal powers than are included in this bill. Some have urged less. I believe that S. 4 as reported, is an equitable, workable, and necessary step if we are to attack this single most desperate natural resources problem facing the country today.

I urge adoption of this bill.

Mr. THOMPSON of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I am pleased to yield to the gentleman from Louisiana.

Mr. THOMPSON of Louisiana. Mr. Chairman, I would be remiss if I did not associate myself with the remarks of the gentleman from Minnesota not only in regard to this legislation but in regard to his remarks about the Honorable ROBERT E. JONES of Alabama.

I do not know of a man who is possessed of more of the qualities of leadership in this body and who can be more persuasive and who is possessed of a vast knowledge gained over many years of experience than our colleague, the gentleman from Alabama [Mr. JONES]. I am happy to have the opportunity to work with him, and I am happy also to report that he is doing so well that he is back in Washington today and, of course, we all hope that he will certainly continue to be with us for many, many years to come.

Mr. Chairman, if the gentleman from Minnesota will yield further, I do want to say, too, as a Louisianian, that our State of Louisiana is a recipient State when we speak of this problem of water pollution because, as a matter of fact, two-thirds of all the water that flows in this Nation and whatever pollution is in it flows through my State. So you can well see that if anyone or any State is interested in the abatement of pollution and the control of pollution, my State of Louisiana certainly is greatly interested.

Water pollution is a serious threat to the welfare of our country, and the critical need for clean water in our Nation's rivers and streams has been brought to the forefront with sober emphasis. We of the Public Works Committee, after long hearings and lengthy deliberation, feel that the bill as we reported it provides the best solution to the pollution problem. The House committee version includes a provision which allows the individual States to establish water quality control criteria, in lieu of having nationwide Federal standards.

Our extensive hearings clearly demonstrated the necessity for upgrading the Federal water pollution control effort. To satisfactorily eliminate the existing problems will require full and close cooperation between local, State, and Federal Governments. In recognizing that the problems within the various States are different, the House version points up the important responsibility of the States in the matter of pollution control and gives them an opportunity to establish water standards most suitable to their specific needs and problems. I believe the States can, and will, effectively assume this vital task, and actually, the Federal Government could not proceed as quickly as individual States can under this bill in establishing a National Inventory of Water Quality.

Another aspect of this bill authorizes a 50-percent increase in the total funds which may be appropriated for grants to States for construction of sewage treatment plants in cities, and would double the dollar ceilings on both municipal and multimunicipal projects. Recently there has been a noticeable increase in the number of such plants constructed throughout the United States, and there is a tremendous number of applications currently pending for municipal sewage treatment facility grants. These applications greatly exceed the amount of funds available. By increasing the appropriation and providing a greater availability of funds, treatment plant construction would be stimulated in all industrial areas where the most serious pollution problems exist. In Federal-State matching fund projects the bill would provide a 30-percent grant from the increased funds for treatment plant construction.

I believe that the bill as reported—placing the authority for water control criteria in the States, along with the other provisions made by the House Public Works Committee—is the most desirable means of reaching the goals we realize are vitally necessary and prove a giant step forward in the attack on, and the eventual elimination of, the water pollution problem.

My people in Louisiana are satisfied with this approach that is being made through this legislation. As a matter of fact, they have already commended me and all of the membership of this committee and have so advised me. Our Governor is working on this matter through our stream control commission. They have done a splendid job and they have asked me to extend to the entire membership of the Committee on Public Works of the House of Representatives their appreciation of what has been done.

Now, Mr. Chairman, this legislation could not have gone through without the bipartisan approach that was taken. I have great pride in being a member of the House Committee on Public Works. For many reasons, but especially because this legislation which approaches this problem in an attempt to attain the same goals that the other body is seeking, I hope inasmuch as our committee has approved this legislation and sent it to the floor of the House by a unanimous vote that the House would take the same action.

I also want to say that this legislation as it is now presented would not have been possible without the help of the hard working and enlightened staff that we have on our Committee on Public Works.

Mr. BLATNIK. I thank my colleague from Louisiana.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I am pleased to yield to my very dear friend, the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I think the Members of this body are indebted to the great Committee on Public Works, which enjoys a unique distinction in that, at least in the years I have had the honor of being a Member of this body, the committee has never lost a piece of legislation. This is a great tribute not only to the committee's parliamentary skill but to the thoroughness with which it approaches legislation. I think also the tributes to our colleague, the gentleman from Alabama [Mr. JONES], who has been ill, are particularly well deserved. There is not in this body a more sophisticated or more persuasive or more knowledgeable negotiator than ROBERT E. JONES of Alabama. I find myself not always in agreement with that distinguished gentleman, but I find myself without exception admiring of him and really too many times persuaded by his enormous skill which was demonstrated earlier in the handling of the Appalachia legislation and in this particular area in which we are legislating today. ROBERT E. JONES has made great and lasting contributions to Alabama and the Nation in many fields. He is this body's leading expert on the TVA, on Appalachia, and in water resources legislation.

In this particular area in which we are legislating today, he has a background of many years of service, especially with respect to technical knowledge of the subject, which he has so well at his command. I am sorry he has been ill, but am delighted by his recovery. He deserves the thanks of all of us. ROBERT E. JONES is one of the truly great public servants of our time.

Mr. BLATNIK. I thank the gentleman from New Jersey. I appreciate his remarks.

Mr. Chairman, the gentleman from Missouri [Mr. RANDALL] worked very closely with Mr. JONES and several others, particularly those on the Subcommittee of the Committee on Government Operations. They have held, without question, most intensive public hearings in several major areas of the United States.

I am pleased to yield at this time to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I appreciate being granted some time by the floor manager of this bill, the gentleman from Minnesota.

I rise in support of the Water Quality Act of 1965 and in tribute to a member of the Public Works Committee who was also my chairman in the Subcommittee on Natural Resources of the Committee on Government Operations, the gentleman from Alabama [Mr. JONES].

Under delegation of authority by the chairman of the Committee on Government Operations, the gentleman from Illinois, our dear friend BOB JONES conducted 2 full years of hearings both here in Washington, D.C., and from coast to coast in 1963 and 1964. These hearings and his other activities properly put BOB's name in the forefront of the fight for pure water. It was my privilege and honor to have served as a member of that subcommittee. We held hearings in Trenton, N.J.; Hartford, Conn.; Chicago, Ill.; Seattle, Wash.; Austin, Tex.; Muscle Shoals, Ala., and Kansas City, Mo.

We all know that BOB JONES has been stricken as a result of a serious operation, but it is good news to know that he is now recuperating. I know that every Member is pulling for his speedy recovery and his quick return to his duties here in the House.

To dramatize the harsh fact that we are soon going to have an acute shortage of pure water in this country, the gentleman from Alabama had a simple illustrative formula. He said there were three

factors involved which could be treated like an ordinary, simple division problem. In the first place, he said, there is a divisor—and that is the population. The dividend is the fixed quantity of water, and it cannot easily be increased. As the population increases, the divisor goes up and is divided into the dividend, which remains static. As a result the quotient becomes smaller and smaller. That quotient is the amount of pure water each of us will have to use over the years ahead.

It was such clear and simple logic as that which pinpointed attention and focused the interest of the people from coast to coast on the importance of this problem.

Mr. Chairman, I would like to summarize a few of the findings and accomplishments of the Subcommittee on Natural Resources, but I first wish to compliment the gentleman from Minnesota on the thorough and competent job his committee has performed in improving through amendment S. 4, the bill sent here from the other body. The problems of drafting equitable Federal legislation to assist in abating and controlling water pollution are complex and controversial. It is evident the Public Works Committee has negotiated these problems with great skill and has reported a bill which will foster genuine progress in the field of pollution control and yet will not overstep the proper limits of Federal authority.

If I had to characterize the accomplishments of the Subcommittee on Natural Resources in just a few words, I would say that Mr. JONES' subcommittee gave the people of the United States a picture in proper perspective of Federal, State, and local water pollution abatement efforts.

In the first place, the National Resources Subcommittee created a forum in which citizens all across the country could express their concern about water pollution and in which responsible public and private officials had to justify their actions in the field of pollution control. Those who testified included Federal, State, and local officials or representatives, sportsmen and wildlife enthusiasts, and members of several civic organizations including the ever-present League of Women Voters.

The fact that these hearings were held by an arm of the legislative branch of the Government added to the importance of the forum. We were able to make this forum effective because as a subcommittee, we were an agency of the Congress working on a problem of national importance. For this reason we gained attention and response that no administrative official could have commanded.

In the second place, the subcommittee was able to pinpoint some of the difficulties connected with the concept of national water quality standards. At first some of the members were surprised to find out most of the areas in our country were opposed to the establishment of a Federal water standard, but as the hearings continued reasons began to develop why the areas must have a voice in establishing the standards of pollution control applicable to them. We found that each local area has its peculiar problems. In some places it was acids in the water from the mines; in other places it was wastes from the steel mills; and in still other areas it was refuse from the pulp and paper industry. In the Southwest, the problem was salinity and pollution from the natural salt content of the soil.

I can assure my colleagues that we did not shirk our duty of putting offenders on the spot and that at least to some degree we were able to dispel complacency and apathy. But I can also report that we found many occasions to commend and congratulate those who had already achieved some measure of accomplishment in solving their own local problems of water pollution. Indeed, if anything, the subcommittee came away from its hearings with the impression that much more was being done in this area than we had previously imagined.

In the third place, we were able to identify the multiplicity of Federal agencies that have been involved in protecting and securing pure water. We established the contributions to pollution control and abatement made by such agencies as the U.S. Geological Survey, the Department of Agriculture in its Soil Conservation Service studies and its studies of the effects of water on farming and irrigation, the Bureau of Fisheries, the Bureau of Mines, the Corps of Engineers, and the Public Health Service.

Finally, we like to think that through these hearings the subcommittee and its able chairman were enabled to promote a number of concrete accomplishments in reducing the impact of water pollution. There were no miracles performed, but some important first steps were taken. I should like to list just a few of them for the benefit of my colleagues:

First. An Executive order was issued giving the U.S. Geological Survey primary responsibility for establishing and maintaining a national network to measure quantity and quality of our waterways.

Second. Federal agencies and shipbuilders are finally developing requirements for treating sewage of ships, including those owned by the U.S. Government.

Third. Interagency conflict has been reduced among some of the Federal agencies working on the problem of water pollution.

Fourth. The results of research done by Federal agencies will now be more generally available to those who might have a need for them.

Fifth. It is likely that in the future Federal agencies and Federal installations will make more adequate provisions for waste treatment facilities. In particular, military installations have been made to realize that they will not be exempt from, but must comply with, the program of pollution abatement.

Sixth. The Bureau of Mines is really going to get to work on the problem of acid mine drainage, instead of just talking about it.

Mr. Chairman, I would like to make some brief comments on the two sections of S. 4 which relate to establishment of water pollution standards and to administration of Federal water pollution controls. Both provisions have a history of extended public controversy; and in both instances the Committee on Public Works has made marked improvement over the version of S. 4 as passed by the other body. We can only hope that the views of the House will prevail when the conferees meet to resolve differences between the two bills.

For my part, I was delighted to learn that the committee had stricken from the bill coming over from the other body the authority granted Federal agencies to set Federal standards for water quality. The hearings in which I participated provided ample evidence that the primary responsibility for abatement of water pollution must reside in the areas affected, if all relevant factors are to be given their proper weight. Our Public Works Committee did a real service to the people of this country by substituting for a mandatory water standard the provision that individual States must within 90 days file a letter of intent that they will establish not later than June 30, 1967, water quality criteria, if they are to be eligible for Federal grants under provisions of this act. This provision leaves primary responsibility for water quality standards to the States, yet because the act will again be reviewed by the Congress when it expires in 1967, they are given strong incentive to put their own houses in order with dispatch.

Let me say I was a little disappointed to learn of the creation of a separate Federal Water Pollution Control Administration within HEW, because I came away from these 2 years of hearings with the distinct impression that the U.S. Public Health Service had been doing a commendable job. However it is not always possible to have everything one would prefer in a bill, and some clauses are included which limit the potential dangers from such a change in administrative structure.

It is noteworthy that only those functions of the Surgeon General relating to the water pollution control program will be transferred to this new Administration. As was pointed out in debate a few moments ago, even with the changes, the Surgeon General must be consulted by the head of the new Federal Water Pollution Control Administration in all cases of pollution involving public health.

In addition, I am delighted to know that the bill was drawn in such a way that several hundreds commissioned officers now under the jurisdiction of the Surgeon General will be eligible for transfer to the new Pollution Control Administration.

Mr. Chairman, it is a happy occasion for all of us who served on the Natural Resources Subcommittee with the distinguished gentleman from Alabama to see this day arrive when we can join in support of the Water Quality Act of 1965. It makes one proud to think he may have had just a small part in this ever-continuing fight to prevent, control, and abate water pollution and to take this next step in amending the water pollution control statutes of 1948, 1956, and 1961. It is a great day in this House to see some action taken to provide adequate amounts of pure, potable water

which is so essential to life's processes. Fresh water is America's most precious natural resource.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, S. 4 which has been reported unanimously by the Committee on Public Works, is good legislation.

I have a deep and abiding interest in the subject of water pollution and, as a member of the committee, have followed with a great deal of interest the public hearings on this bill and related bills. I think this legislation, which is being considered today, is another giant step forward in our efforts to solve the problem of water pollution.

It brings about a number of major and necessary changes in our approach to the overall problem of control of waters and the development of pure waters.

First. It upgrades the administration of the water pollution control program within the Department of Health, Education, and Welfare. This is a needed and necessary step. It places the program as it should be in a separate status so that full time can be given to it by experienced members of that great agency.

Second. The program for the first time is a beginning in solving the problem of storm intercepter sewers. It provides for $20 million for 4 fiscal years for research work in this most important field. As a result of this research I hope, and the committee hopes, that a program will begin to fully and completely place the storm intercepter sewers on their way to completion.

Third. For the first time by providing an additional $50 million distributed on the basis of population in addition to the regular authorizations and providing for the fact that if they wish they may participate in this phase of the program. It brings into being a concept which we have long sought—a local-State-Federal relationship to control this great national problem and finally, the bill provides for a requirement that the States by June 30, 1967, submit to the Secretary of Health, Education, and Welfare water quality criteria for the several States. With this information at hand both the Secretary of Health, Education, and Welfare and the Congress will have the opening steps, if needed, to still further classify some form of standards for all our streams in the years to come.

I am proud to have been associated with the formulation of this legislation.

In closing, I want to commend the father of the Water Pollution Control Act, the chairman of our Subcommittee on Rivers and Harbors, my good friend and highly able colleague, Mr. BLATNIK, of Minnesota. I also want to commend our able colleague from Alabama, Mr. JONES, chairman of the Subcommittee on Flood Control, who has worked diligently for this bill as well as other important public works programs and I certainly want to commend our distinguished and able chairman of our full Committee on Public Works, Mr. FALLON, of Maryland, for his valuable assistance in connection with this important bill.

I strongly recommend its passage.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. OLSEN], a member of the committee.

Mr. OLSEN of Montana. Mr. Chairman, I wish to compliment the author of this legislation, the gentleman from Minnesota [Mr. BLATNIK], for his leadership of our committee in bringing this legislation to the floor. I agree wholeheartedly and support most wholeheartedly the efforts of the gentleman from Minnesota [Mr. BLATNIK], the gentleman from Alabama [Mr. JONES], and the leadership of the committee.

Probably the most important problem in respect to water and water control in America today is the problem of securing good water. Thus, most strongly I support this legislation.

Our greatest single natural resource is "good water." On a Federal level we commenced nearly 9 years ago to face the issue of pure water. We came to realize then and more certainly we realize now that the issue of pure water must be settled soon for the benefit of this generation and certainly for the benefit of generations to come. There is a paramount need for good quality water for all the Nation's uses—public and private, human consumption and industrial use.

With the enactment of the Federal Water Pollution Control Act Amendments of 1961 the program was strengthened in several important ways. Appropriations for waste treatment works construction grants were increased. Research function was strengthened. Appropriations for State program grants were increased. Then the administration for the program was vested in the Secretary of Health, Education, and Welfare, rather than the Surgeon General of the Public Health Service, and the enforcement authority was extended to navigable as well as interstate waters.

The impact of the Federal program has been impressive. But it has not been enough. It has taken us not less than 9 years from a situation in which untrammeled pollution threatened to foul the Nation's water beyond hope of restoration to a point where we are holding our own.

However, accelerating population and economic growth are imposing ever-increasing demands upon our available water supplies. Therefore, in this act we increase the available funds for each and every phase of the program. And this time we issue a warning and an encouragement to the States. For, 2 years hence, we are demanding that the States pledge that they shall establish State classifications of water. Failing this pledge, they shall receive no assistance. If the efforts of the States are found insufficient upon review, 2 years hence, then it will be our purpose to discuss the establishment of Federal standards on all navigable waters and upon all waters which are found to contribute to the pollution of navigable waters.

In my State of Montana I think we can meet the challenge. I think that our State can establish genuinely pure water standards so that water flowing from our State will be pure water. I sincerely hope that the other States to whom we contribute such an abundance of water will as well meet this challenge.

I think that States and communities and individuals should join in this great crusade to purify and then to preserve pure water.

Mr. BLATNIK. I thank the gentleman from Montana.

Mr. Chairman, I yield 3 minutes to the gentleman from California, the distinguished dean, the chairman of the great Committee on Science and Astronautics [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I want to congratulate the Committee on Public Works for bringing out this legislation. I want to congratulate Mr. BLATNIK, the gentleman from Minnesota, for the long fight that he has made in the field of obtaining pure water and the elimination of water pollution. Likewise I wish to congratulate Congressman JONES, who is not here today, unfortunately, but who has done an outstanding job in this field.

Mr. Chairman, I have some knowledge of water pollution and the meaning of water, especially pure water, in this country, because before I came to Congress I was executive officer of the California division of fish and game for 4 years. One of the duties of that commission is the enforcement of water pollution control in our State. We can see and sometimes we can smell the pollution that goes into our rivers, but how about the underground waters of the United States and their pollution? These are just as important as the waters that flow in our rivers. The continuous use of pesticides, of chemical fertilizers, which are taken underground into our waters, is something which is not only polluting these underground waters but is also polluting the land itself. In going into this field we have to be very careful that we do not treat the symptoms for the disease. There has never been a time when it has been more necessary to get on with this job, but this is a multidisciplinary scientific problem as well as a practical problem. It is a problem which requires the full cooperation of engineers and scientists throughout the country. It is a bigger job than we seek to do through this legislation, which, as important as it is, is only one facet of the problem of water pollution, which is becoming a very popular thing, too. Nevertheless, the real solution for this problem is one which we have not yet found and which will not be found until we apply the same intensive study to the matter of preserving the waters of this country as we apply to developing atomic energy or to the exploration of space. It is going to take almost the same type of effort to accomplish our goal in this field.

The record of the testimony before the Committee on Public Works on water pollution legislation reveals a curious alinement between State agencies and industry in opposing the significant water quality standards provision. Creative opposition, of course, is always beneficial and heartily welcomed. It is difficult, however, if not impossible to discern any creative opposition in these statements.

The formulation of effective Federal water pollution control legislation has

been beset by this kind of irrational opposition from agencies fearful of loss of authority and from powerful self-interest groups. These same State agencies loudly denounced proposals for Federal financial assistance to their municipalities for waste treatment works construction when these were first made. We have only to look at the record of impartial and highly successful administration of this particular Federal Water Pollution Control Act program to measure how far wrong the initial opposition was. The strongest proponents now for extending and further liberalizing this program, as proposed in the pending legislation, are the State agencies.

Federal authority to enforce the abatement of pollution was just as vehemently opposed. Yet the States themselves sought and received Federal enforcement assistance in abating 13 pollution situations which were insufficiently responsive to their own efforts.

Let us examine the proposed Federal standards authority. It can easily be seen that this is not a grant of exclusive Federal jurisdiction to the detriment and weakening of State rights. The provision requires consultation with the State and local interests right from the start in the preparation of the standards before they are ever formally promulgated. Here again the Federal standards may not be imposed without affording the States a reasonable time for establishing consistent standards under their own authority. Administrative procedural safeguards are incorporated to give the utmost protection against arbitrary decision or action. We can only conclude that the State agencies resent being placed in a bad light for having abdicated their responsibilities. There is nothing to be gained in acceding to their assertions of State authority and willingness to discharge their obligations whether a period of 2 years, 5 years, or even 10 years is fixed for them to take action. They have not done the job and it is well nigh certain that they will not do the job except in conjunction with cooperative Federal authority and assistance.

The basis for industry's opposition to Federal standards authority can be readily understood if not appreciated. Responsible Federal action is much more inclined to further the ultimate public interest as against a short-term economic benefit. The polluted condition of the Nation's waters dictates that this kind of responsible action be taken now.

There is little merit to arguments against Federal standards which contend that the necessary knowledge and technical information requisite to the setting of standards is not yet available. It would appear that we should wait until the cause of death is determined by a post-mortem examination before we act to apply any kind of preventive medicine. And preventive medicine is exactly the appropriately correct term for standards of water quality. Establishment of already-developed standards on our interstate waters and strong enforcement of the standards once they are established is the soundest approach for preventing pollution from arising in those few streams that have not yet been dirtied. The standards will also demonstrate to municipalities and industries the potential for improving the quality of waters now despoiled by setting reasonable guidelines for effective waste disposal practices. This does not imply that standards are, in effect, a license to pollute. Conservation spokesmen, who have in fact experienced this in certain areas, are to be commended for their forthright demands that this not be allowed to happen. The Congress, of course, can make certain that it does not by carefully watching the administration of this authority if it is provided as it should be.

The strong endorsement and support of the President in behalf of this provision is expressed in his message on natural beauty. As indicated in my previous remarks, there is a total lack of convincing reasons why the Congress should not grant the requested authority. There is every reason, however, as only a look at the Potomac which flows past the Nation's capital will confirm, why the Congress should and must provide the Federal standard-setting authority so that pollution of the Nation's valuable water supplies may be effectively prevented.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. RODINO. Mr. Chairman, I am very happy today to have the opportunity to speak in support of S. 4, to amend the Federal Water Pollution Control Act.

For a long time I have advocated new legislation to control and correct the pollution of our water supplies. And as a member of the NATO Parliamentarians' Conference Scientific and Technical Committee I have been active in promoting studies of environmental health problems, such as air and water pollution. It is for these reasons that I introduced, on January 4, 1965, my own bill, H.R. 151, and that I am proud today to express my strong support for the administration's bill, S. 4.

We can sum up what is happening to the streams throughout our country in just two words: America's shame. Water pollution in the United States has become a menace to our health and an economic problem which robs us of the water we need. It destroys fish and wildlife, threatens outdoor recreation areas, and is often an esthetic horror.

We are daily pouring filth into our lakes, oceans, and rivers from the Snake and Columbia in the Northwest, to the Mississippi and Ohio in the Midwest, to the Passaic and Raritan in the Northeast. In addition to ordinary sewage, outfalls are discharging slaughterhouse byproducts, lethal chemicals, and radioactive matter in our waterways. Polio, infectious hepatitis, and more than 30 other live viruses carried by sewage effluent have been isolated by Public Health Service officials. These germs have even been found in sewage that has already been treated.

It should be of concern to all of us to realize that, because of the necessity of reusing water, there is an almost 50–50 chance that the water we drink has passed through someone else's plumbing or an industrial plant sewer.

The adverse effects of water pollution are much broader than health. Some industrial plants reject water as unfit for their uses. Swimming is forbidden on many beaches. Radioactive wastes are found in drainage basins. Floating garbage and other filth clog water supply intakes of some cities that take their water from open streams. Detergent foam runs from the faucets in several States. Mine acids pollute streams and kill wildlife. Oil spills kill birds and spoil beaches.

The first Federal Water Pollution Control Act, passed in 1948, authorized cooperative studies of the problem. The 1956 amendments authorized Federal grants for a small portion of the costs of sewage treatment plants. This program was strengthened and enlarged in 1961, but it is still not enough. We need to take a more positive approach to the whole problem along the lines of the provisions of S. 4, and we need to do this immediately. The longer we wait, the greater the dangers and the larger the problem.

Our greatest need is for a new national policy for the prevention of water pollution as well as abatement of pollution already created. The passage of S. 4 will enable us to establish such a policy through the efforts of a Federal Water Pollution Control Administration directly responsible to the Assistant Secretary of Health, Education, and Welfare charged with supervision of all water pollution control functions. It will also provide more money for research, development and construction of municipal sewage treatment works.

The pollution of our waters is the worst in our history, most experts agree. And our future water needs are staggering. We are already using more than 300 billion gallons of water a day, and by 1980 we will be using 600 billion gallons each day. By the year 2000, a trillion gallons. It is clear that we are going to have to reuse our water time and time again.

Water pollution is not an insurmountable problem, but it must be worked on immediately. We must invest more money in city and industrial water treatment plants and provide more research facilities for the development of efficient techniques of waste treatment.

The bill now under consideration is a step toward the achievement of the cleaner water supply needed to promote good health and to serve vital functions in the areas of industry, agriculture and recreation.

President Johnson has said that:

A prime national goal must be an environment that is pleasing to the senses and healthy to live in.

Passage of S. 4 is certainly crucial to achievement of this objective, and I urge its prompt and unanimous approval.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin [Mr. STALBAUM] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. STALBAUM. Mr. Chairman, the poisoning of America's waterways is a growing scandal. This pollution of our great natural resources is reaching the point where it is getting late.

An overwhelming mail response to a recent newsletter describing the urgent need for the preservation and restoration of this Nation's resources seems timely proof that our citizens are finally becoming alarmed over these shocking developments. My esteemed Wisconsin colleague, Senator GAYLORD NELSON, joined me in pointing out the steadily worsening problem of pollution of our waterways.

The bill before us today to strengthen the Federal water pollution control program is most necessary in the current battle for conservation; the grim picture of the destruction of this great natural resource is all the more reason to do something now.

We must take action immediately or the green velvet countryside and glittering blue lakes will become so devastated as to deprive our children and succeeding generations of a land of beauty. Continuation of this critical poisoning of our waters will do untold damage, too, to the utilitarian aspects of this resource.

The lakes and streams of our country not only serve people as a source of water supply but provide everyone with ideal recreation and sport, and remain as a big part of this Nation's economy. I feel a great urgency in requesting our consideration and action in moving to stop pollution and provide protection for our country's waters.

Mr. BLATNIK. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, I rise at this time to pay tribute to the bipartisan leadership of the House Committee on Public Works for their dedicated work, which is based on experience, in drafting and bringing to the floor of the House this afternoon the Water Quality Act of 1965.

Water, clean water, is the most important domestic problem facing the American people today. This bill which we are now considering, as written, is one of the finest and most important pieces of legislation ever presented before the House of Representatives. Therefore, in conclusion, Mr. Chairman, I strongly recommend and urge Members of the House to see to it that this bill may unanimously pass without amendment. America needs this legislation. America needs clean water.

Thank you very much.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. MIZE].

Mr. MIZE. Mr. Chairman, this is an excellent program. I live on the Missouri River. We call it the Big Muddy. I am happy to support this excellent program.

I want to remind Members of the House that we are being asked to spend $150 million in connection with cleaning up our rivers, and yet, before long, we are going to be asked to sustain a cut of $120 million in the agricultural conservation practices program. I hope we will all be consistent and restore that cut because permanent agricultural conservation practices contribute to the cleanliness of our streams and rivers.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of the bill S. 4. It was my privilege to support the original Water Pollution Control Act when it was passed through our committee and by the House in 1956. It was also my privilege to support the extension of the act in 1961. This is a further step toward the basic objective of cleaning up undue pollution in the streams of America. This is one field that the people of the United States fully understand. I do not think there is a person in this country who has any doubt whatsoever that there is a need to do something to control stream pollution, because every person can see with his own eyes the adverse results of pollution in streams throughout the Nation.

We have tremendous public support for legislation along these lines. I am very pleased to have been a member of the committee in their deliberations on this bill. It has my full support and I hope it will have the unanimous support of the House of Representatives today.

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

Mr. BALDWIN. I yield to the gentleman.

Mr. BLATNIK. Mr. Chairman, I appreciate the gentleman's remarks. I should like to express for myself and for the gentleman's many, many friends on this side of the aisle our great delight in welcomeing back this modest, dedicated, and devoted Member of the House. He has been through an ordeal far beyond normal. Again, we welcome him with great enthusiasm and delight.

Mr. BALDWIN. Mr. Chairman, I thank the gentleman.

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

Mr. BALDWIN. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I should like to join in the comments made by the gentleman from Minnesota [Mr. BLATNIK]. There is probably no more dedicated member of the Committee on Public Works, no one more capable member, than the gentleman from California. We are certainly delighted to have Mr. BALDWIN back doing his customary sterling job.

Mr. BALDWIN. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation. I am pleased to follow the very able and distinguished gentleman from California [Mr. BALDWIN] who has certainly provided the committee with great leadership. I join the gentleman from Minnesota [Mr. BLATNIK] and the gentleman from Florida [Mr. CRAMER], in their expressions of pleasure at having him back with our committee. We need his wise counsel and advice on many of these matters. He is certainly one of the finest Members of the House, and I have been pleased to be able to serve with him on this committee.

I was especially pleased with the deliberations on this bill, on this very important matter of improving the quality of water in the streams throughout America, the discussion was fully bipartisan. All of the comments relating to the exceptional cooperation of this committee that have been made here today are true and are certainly to the credit of the committee.

As was previously mentioned, during the committee hearings, there was never an ounce of doubt in the minds of the participating members that we were purely objective. There was no partisanship. I think the fact that the bill has come out of the committee with unanimous support is evidence of that point.

We must certainly move to improve the quality of water in all of the States. And, of course, as the gentleman from Minnesota [Mr. BLATNIK] said, we have used the carrot as well as a prod to the States and local governments primarily responsible for water pollution control programs.

I would like to refer to this frankly as the motivated voluntary effort. However, I would want to admonish the States themselves that if they do not want Federal controls or Federal standards that certainly they are going to have to take the lead themselves, working in unison with all local units of government, to resolve some of these problems.

Mr. Chairman, this has been the great problem of America, the lack of leadership, the lack of ability sometimes to move forward and resolve problems in the environment where they exist.

Mr. Chairman, this bill is designed to provide the additional authorization and in 1967 we will again review this important subject. I would hope that we can see progress that follows the intent and objectives of the committee itself, as we have worked diligently and with dispatch to further the improvement of water quality throughout America.

I urgently request all Members to support this legislation and make this a historic day in the orderly development of adequate conservation measures.

Mr. CRAMER. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, water is one of the most important of our natural resources, and the entire fabric of our society is dependent on it. The wise and proper use of this great asset is essential to the growth and welfare of this Nation's fish and wildlife, our commu-

nities, our industries, our agriculture, and the very well-being of man himself.

Because the social and economic development of this country is so entwined around an adequate supply of clean water, the pollution of this Nation's streams, lakes, and waterways is one of the gravest domestic problems confronting us today.

Admittedly, significant progress has been made in combating pollution in the last few years, but a great deal remains to be done. We are far from having conquered the problem. Actually we have only begun—the war on pollution. The struggle to preserve and restore the waters of the Nation is a struggle which will not be won within the next few years or even within the next few decades. It is a struggle which will require the combined effort of Federal, State, and local governments. S. 4 as reported by the House Public Works Committee provides us with some of the tools to wage this war on pollution. For the first time in the history of Federal water pollution control legislation in this Nation, the bill before us today, S. 4, as reported, takes a step toward a cooperative effort among the three levels of government to share in the costs of construction of sewage treatment works. It has become obvious that a solution to the water pollution problem can be found only through the concerted action of all levels of government.

Despite the conviction of the minority on the Committee on Public Works that action to solve our water pollution problems was and still is urgently needed, it was our belief that many of the bills before our committee this session on the subject of water pollution control, contained unwise, undesirable, and unacceptable provisions.

After public hearings were held on these bills, lengthy deliberations of the committee were conducted in a bipartisan atmosphere. As a result of these deliberations, the committee has reported an amended bill which we do support. Even though it still contains sections about which we have reservations, such as the establishment of an additional Assistant Secretary of Health, Education, and Welfare, and the establishment of a separate Federal Water Pollution Control Administration within the Department, we feel the bill makes a great contribution to the struggle to combat pollution.

S. 4, as reported, is an acceptable and workable bill, and it is my hope that there will not be any attempt to amend the bill on the floor today to reincorporate those unwise, undesirable, and unacceptable provisions which the committee struck out.

I refer specifically to that section in S. 4, as passed by the other body, which would have given the Secretary of HEW the authority to promulgate regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof. These standards would have been promulgated and would have been mandatory if, within a reasonable time after being requested by the Secretary to do so, the appropriate States and interstate agencies had not developed standards found by the Secretary to be consistent with the stated purpose of the bill.

We, and evidently a considerable number of the majority on the committee, are strongly opposed to such a provision. Standards of water quality may be badly needed, but they should be established by the State and local agencies which are most familiar with the matter in a given locality, such as the economic impact of establishing and enforcing stringent standards of water quality.

The water pollution control program has traditionally been one of Federal-State cooperation, and while there can be no question of wishing to have the highest possible standards, I believe that the authority authorized by the other body would be contrary to the Federal-State cooperative relationship which has heretofore existed, and in fact do violence to that relationship and cooperation. Maximum progress in this field will only be achieved through cooperation between State and Federal agencies and to endanger this cooperation would be to hinder the objective of maximum progress. Authorizing the Secretary of HEW to promulgate and enforce such standards to the exclusion of the States would obviously discourage the States and local agencies from developing their own plans and standards for water quality and purity. It would give a single Federal official the power to control the economic, recreational, industrial, agricultural, and municipal uses of all interstate waters and subsequently lands adjacent to those waters in all parts of the Nation. A Federal bureaucracy would actually have the control of economic life or death over any given area within this Nation. It does not take a very vivid imagination to realize the ramifications of vesting such authority in the Federal Government. Such power over local affairs has never been vested in a Federal official, and we are opposed to doing it now.

After exhaustive consideration of this proposal, the committee approved a substitute provision which requires a letter of intent from the State that it will "establish water quality criteria applicable to interstate waters" by June 30, 1967. This is an acceptable provision and a vast improvement over the Senate version. The existing law declares that it is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution, and this new provision is consistent with that policy.

Mr. Chairman, public health is one of the primary objectives in any pollution abatement effort and the committee has provided that the Surgeon General must be consulted on the health aspects of water pollution by the new administration. As all of the Members know, the State authorities desire to keep public health in the pollution abatement picture and this should be done—since the necessity for insuring an adequate supply of pure water is based on human needs.

A compromise was made in the amounts of Federal grants for construction of sewage treatment works, as well as in the increased annual appropriation authority. The Republican position for years has been that the States should be encouraged to join in the construction of sewage treatment works, and this is accomplished under section 4, which permits Federal grants above dollar ceiling limitations only when the States match the Federal grants for such projects.

One other important revision in the law that is authorized by this bill before us today is the subpena power. At the outset it was suggested that this authority be applied to all phases of the enforcement sections, but realizing that this might lead to unnecessary harassment, the committee wisely limited this power to the public hearing stage with the provision that no trade secrets or secret processes need be divulged.

Mr. Chairman, those are the major revisions. S. 4, as reported, is supported by the minority of the committee, and we hope that this body will have the good judgment to pass this bill in the form it has been submitted by the committee.

Mr. THOMPSON of Louisiana. Mr. Chairman, I yield such time as he may desire to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, I rise in support of S. 4, the Water Quality Act of 1965.

It is often said that pure water is man's greatest asset. The truth of the statement is self-evident. The important corollary to that statement, one that we too often do not fully appreciate, is that pure water is water that is free of harmful impurities, in other words, water that is not polluted. And the problem of preventing pollution of water is intricately interwoven with the problem of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste.

These are problems which experience shows that our States, cities, and towns are not able to resolve without Federal assistance. This bill will not only continue to provide that assistance, but it will increase the volume and widen the scope of that assistance.

Noteworthy, for example, are the provisions in the bill which would increase the amount for a single municipal grant from $600,000 to $1.2 million and raise the ceiling for multimunicipal sewage treatment works from the present amount of $2.4 million to $4.8 million. As our Committee on Public Works has pointed out, this increase is expected to induce communities with larger populations and, therefore, larger costs to undertake construction of needed sewage treatment works.

While providing for the needs of larger communities, the bill also takes into consideration the pressing needs of the smaller communities. This it does by the allotment of the first $100 million on the basis of the existing formula that takes into account population and per capita income. The smaller communities are also protected by the provision that at least 50 percent of such $100 million is to be used for grants to projects servicing municipalities of 125,000 population or under.

In my own State of Hawaii, these provisions which assure aid to smaller communities will provide much needed assistance to our smaller cities and towns in the construction of sewage treatment works.

Mr. Chairman, the need for upgrading our pure water program is imperative, and I urge a vote in favor of this bill.

Mr. THOMPSON of Louisiana. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman, H.R. 77, which I introduced this year, would have the effect of repealing provision 14b of the National Labor Management Relations Act of 1947. Since the true meaning of this bill has already been obscured in ads in major newspapers, it would be well to elaborate on this proposal. H.R. 77 would simply close a loophole in the body of Federal labor law which allows the States to interpose themselves in only one area between the contracting parties in a labor agreement. Every other aspect of the process leading to a labor contract in industries affecting commerce is governed by Federal law. Yet, in the single area of the right of a union to vote to negotiate for a union security clause calling for the union shop, States have been left with the power to interpose themselves. This power frustrates the right of free Americans operating in a legal group to vote to adopt policies and goals which they desire.

This erodes the overall national policy which has governed American labor relations for 30 years; the policy that the union by democratic means shall adopt the goals it wishes in collective bargaining. The repeal of these antivoting laws would have one chief and primary effect. The repeal of 14b would remove from the States the power to outlaw the union shop in those plants involved in interstate commerce. This in turn would have two immediate consequences.

First, it would return to the employer and the employees' duly elected bargaining agents the right to fix conditions of work, including the question of union membership, without interference of State law.

Second, it would remove from the political arena the prospects of recurrent and divisive debates about the enactment of laws which prohibit unions from negotiating contracts which have union security provisions making union membership a condition of work. Repeal of 14b would not have the effect of enacting automatic compulsory union membership.

The issue involved is simple and straightforward. Shall employees have the right to establish as a bargaining goal union membership as a condition of employment? It is the right to vote on this question which is the fundamental issue. In the United States lawful organizations vote to decide on the policies and goals which they favor. As Gov. George Romney, of Michigan, has said of these restricting laws:

> These laws, whether National or State, are not the answer, because they deny to workers the same organization rights exercised by stockholders. Management and its policies are the result of majority votes by stockholders, and minority stockholders must accept the will of the majority or sell out. In the American economy and political system, workers must have the same rights of organization.

Limitations are placed upon this right to vote only when the policies adopted would harm the public interest.

It has now been 18 years since the passage of the Labor Management Relations Act of 1947. In this time the union shop has not endangered the public interest in those States which have not restricted the right of unions to bargain for this goal. The public interest in these States has not been damaged because of the exercise of the right to vote by union members to seek a union shop. This is the test of whether or not union shops should be lawful. If it cannot be demonstrated, as it has not been, that the public interest has been harmed by the existence of the union shop, then laws which unfairly restrict the freedom of choice on the part of the union to adopt policies which do not endanger the public interest would be superseded by Federal law which will reestablish the right to vote on this question.

We have heard no outcry from the National Right To Work Committee or the NAM for legislation to guarantee the "right to work" of individuals laid off or released because of automation or by reason of management's decision to move a plant. There has been no suggestion that the inconvenience or injury caused to these individuals has damaged the public interest to the extent which would require passage of legislation. The sole concern of the proponents of the so-called right-to-work law is, in their own words, that the "right of the individual to keep his job whether he belongs to a union or not be protected." I suggest that this antiunionism does not justify the violation of the basic freedom of individuals to determine by majority vote the goals and policies of the group.

The inconsistency of these restricting laws with national policy is especially obnoxious when its effect is to undermine a Federal policy carefully and wisely built up over the years. The whole tenor of U.S. labor policy since the 1930's has been to encourage and fortify collective bargaining as the main instrument in labor-management relations. To enable States to pass compulsory open-shop laws is to erode that national policy. Thus, section 14b is inconsistent with section 1 of the Wagner Act, which is explicitly reasserted in Taft-Hartley:

> It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce * * * by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

In debate which preceded passage of the Taft-Hartley Act, the union shop was not ignored. It was specifically discussed. Congress refused to enact a Federal sanction against the union shop. The arguments which prevailed then against such Federal action should be equally as sound now against permitting the States opportunity to outlaw it. That argument was stated best by Senator Robert Taft:

> This amendment * * * proposes completely to abolish the union shop. * * * We considered the arguments very carefully in the committee, and I myself came to the conclusion that (since) there had been for such a long time so many union shops in the United States (and) since in many trades it was entirely customary and had worked satisfactorily, I at least was not willing to go to the extent of abolishing the possibility of a union shop contract.
>
> I think it would be a mistake to go to the extreme of absolutely outlawing a contract which provides for a union shop requiring all employees to join the union, if that arrangement meets with the approval of the employer and meets with the approval of the majority of the employees and is embodied in a written contract.

Unfortunately, the question of the right of employees to negotiate for a union shop as a condition for employment has become obscured by the emotional overtones of the debate about so-called right-to-work laws. This right-to-work position constitutes a mountain of distortion. This distortion was authoritatively exposed by the late Secretary of Labor James P. Mitchell:

> They call these "right-to-work" laws, but that is not what they really are. * * * In the first place, they do not create any jobs at all. In the second place, they result in undesirable and unnecessary limitations upon the freedom of working men and women and their employers to bargain collectively and agree upon conditions of work.

Supporters of right to work are engaged in the biggest masquerade since the beginning of the Mardi Gras and Halloween. We find the NAM a passionate defender of the right of the workingman not to join a union. When the wolf advocates Red Riding Hood's right to travel, beware. When the NAM is concerned with the right of the workingman not to join a union, beware.

The present activity in the defense of 14b by the NAM and other business interests is not without precedent. In 1903 the NAM sponsored an open shop drive—open the shop to nonunion employees. Following World War I, employer organizations sponsored the American plan—abolish the un-American closed shop. Following World War II, we have witnessed the right-to-work movement. The underlying purpose of all these drives is to hamstring union organization. So long as unions must fight to exist, so long as the principle of good faith collective bargaining is denied in large areas, employees need and should have the freedom to protect themselves by exercising their right to negotiate for and enter into union security agreements.

I submit that the workingman is the best judge of his own interests. The repeal of section 14b of the Labor Management Relations Act would allow workingmen in all States to determine for themselves whether they feel their interests would best be served by the union shop or the open shop. The National Right To Work Committee, in a full page ad in the Washington Post on April 25, asked—"Who in good conscience can vote to repeal this freedom safeguard?"

I ask, who in good conscience can limit American workers in their right to negotiate their contract rights, their right to vote to decide what is best for themselves? I submit that the repeal of 14b will allow him to make that decision. I believe that the worker can best protect his freedom by exercising it through his right to vote.

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

Mr. PICKLE. Mr. Chairman, there is no doubt in my mind that this Nation—and, indeed, the entire world—faces a deathly disastrous water shortage unless immediate steps are taken to plan for future needs.

The time can certainly come when the booming population's growing demands for clean water will greatly exceed the available supply. I say "clean" water, Mr. Chairman, because the vastly abundant supply of available water we have is not all good water. The oceans are the best example of this, as well as the huge underground supplies of brackish, unusable salt water. But more threatening to future generations is the everswelling supply of polluted sewage waters and the increasing contamination of our streams and rivers.

As the population explodes, the amount of polluted water becomes greater, while the demand for additional pure water increases. This puts a continual strain on existing supplies and, as time passes, the situation can only become worse.

In my opinion, Mr. Chairman, it is time we in Congress began to think in terms of water quality. And it is time we took effective action now to meet the pressing problems of water pollution.

I am convinced that the measure now before us, S. 4 by Mr. MUSKIE, as amended and submitted to the House by the Honorable JOHN BLATNIK from the Committee on Public Works, should be enacted without delay as an effective means to assure future generations of an adequate and ample supply of clean water.

Mr. BLATNIK. Mr. Chairman, the gentleman from New Jersey [Mr. HOWARD] has already demonstrated his capabilities in representing the citizens of the Third Congressional District of his State. In addition, he has become a valued member of the Committee on Public Works. I wish at this time to make the remarks which he prepared for presentation during the committee's recent public hearings on S. 4, the Water Quality Act of 1965, a part of the record on this important legislation. Through inadvertence, his statement failed to be included when the hearings went to print. The following remarks were prepared for delivery at 9:30 a.m., Friday, February 19, by Congressman JAMES J. HOWARD, Democrat, Third District of New Jersey, before the House Committee on Public Works at its hearings on water pollution control.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The remarks referred to are as follows:

Mr. HOWARD. Mr. Chairman, as a new Member of Congress and of the Committee on Public Works, I am honored to have this early opportunity to express my support for H.R. 3988, the Water Quality Act of 1965. The members of this committee, under the strong leadership of its chairman, have already made great and farsighted contributions to conservation in this country. The Water Quality Act of 1965 will give this Nation new tools with which to conserve that resource which may soon become our most precious—water. In commenting on H.R. 3988 today, I should like particularly to discuss one aspect of it, the creation of the Federal Water Pollution Control Administration.

The Third Congressional District of New Jersey—Ocean and Monmouth Counties—is a very water-conscious district. The lessons of the need to combat pollution have been learned the hard way by the residents of this area. Raritan Bay, which separates Monmouth County from Staten Island and Long Island, N.Y., may be this country's worst instance of the pollution of salt water.

Recently a Federal study of Raritan Bay pollution, with the help of some economists, has been able to estimate in dollars the damages actually inflicted by the pollution of Raritan Bay. The hard clam industry, once a major source of income in the bay towns, has had to be closed almost entirely, due to the presence of fecal bacteria in the shellfish which caused a serious hepatitis epidemic in 1961. The present value of the remaining shellfish industry is $40,000 a year; the projected value of the industry if the water were to be cleaned up is $3 million a year. The fin fish industry is currently worth only $200,000 a year; it is estimated that figure could be doubled if the water were clean. Many of the popular bathing beaches have had to be closed. The current yearly income from businesses associated with bathing beaches is $500,000; economists estimate that with the literally limitless demand for recreational opportunities in the New York metropolitan area, these businesses could be worth $10 million if the water were clean. The boating industry, including marinas and other docking facilities, is now worth three-fourths of a million dollars a year; it could easily reach $1½ million.

These figures on the value of fishing and recreation, do not, of course, and cannot include the inestimable value of safety for our people and, particularly their children. Although beaches and shellfish beds are closed, it is well known that children do swim in them and that unscrupulous clammers do take clams from polluted beds, and that the job of patrolling these waters adequately to prevent these dangerous incursions is beyond the power of State authorities.

New Jersey residents have, due to the financial inability to cope with a rapidly expanding population, failed to adequately treat their wastes, both municipal and industrial, before discharging them into public waters. But residents in the Raritan Bay vicinity have been equally, if not more, damaged by discharges of untreated and inadequately treated sewage from New York. Everyday, Manhattan alone discharges over 50 million gallons of raw sewage into New York Harbor, and more than half of the pollution of Raritan Bay comes into the bay from New York Harbor. This amounts to interstate pollution of the worst sort, precisely the interstate pollution that the Federal Water Pollution Control Act of 1956 was designed to correct.

President Johnson, in his message on natural beauty, spoke of the need for a new conservation. The old conservation, of protection and development, will no longer do the job, he said. What is needed now is a firm, regulatory hand. There must be no more procrastinating. Staff of the Department have prepared a priority list of 90 polluted interstate rivers which may require enforcement action; this action must be taken as expeditiously as possible.

For Federal enforcement to be fully effective, there must be continued popular support for the cause of pollution control. The creation of the Federal Water Pollution Control Administration, in addition to freeing the program from some bureaucratic slowdowns, will also serve to make the public more aware of the urgency of ending the pollution of our Nation's water resources. The country's demand for clean water is rapidly approaching the limit of its current supply, and unless action is taken to reclaim polluted water immediately, the year of 1980 may see our water supply inadequate to meet demands.

The Senate has passed a water pollution control bill, similar to H.R. 3988, by a nonpartisan vote of 68 to 8. I hope that, under the able leadership of the chairman of this committee, the House of Representatives will pass the excellent measure proposed by the chairman quickly and with as great a majority.

Mr. BLATNIK. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. HOWARD] such time as he may desire.

Mr. HOWARD. Mr. Chairman, I am privileged to speak today in support of one of the key pieces of legislation in the Nation's conservation program, the Federal Water Quality Act of 1965. President Johnson's Great Society program is, in a sense, a giant conservation program: a plan for making the most of human, natural, and economic resources. This Congress, in passing the Appalachia bill and other pieces of legislation in the war on poverty, has determined to end the anomaly of a wealthy nation, the wealthiest in human history, permitting a large fraction of its population to be damaged and degraded by poverty. It is equally anomalous for a wealthy nation to permit its natural resources to be damaged and degraded. The amendments to the Water Pollution Control Act of which I am proud to be a cosponsor aim to put an end to the abuse of needed resources. We have become great by using our resources; we must see that we do not now undermine our greatness by destroying them through careless waste and mismanagement.

The legislation we will pass today is designed to attack water pollution from all sides. We will attack it by means of a stronger enforcement program; by increased and better distributed Federal grants for construction of waste treatment facilities; by Federal grants for research and development.

The administrative provision of the bill, which forms the basis for all its other functions, is the creation of a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare. The new Administration will demonstrate the urgency of the need to abate pollution in America and at the same time provide

the necessary machinery to do it. Today the Federal pollution control program is buried deep within the bureaucracy of the Department—branches within a division within a bureau within an office within an agency. With such an operation it has been difficult to inform the public of how crucial our threatening water shortage may be. It has also been difficult, for a program hindered by the redtape that accrues to a program so low in the chain of authority, to take imaginative, rapid, and forthright action to stop pollution. The new Administration, when supplied as it must and will be with an able Administrator and an expanded and capable staff, must at the very least triple the current pace of pollution abatement.

The bill provides for an important increase in authorization for Federal construction grants. The amount authorized in the new bill, $150 million a year, could be doubled or tripled and still be well spent. But this 50-percent increase should do much to stimulate construction of waste treatment facilities.

The bill also strengthens the enforcement arm of the program by providing subpena power to the Secretary in connection with the hearings that may be called if there is no compliance with conference recommendations. This power will enable the Administration to obtain, for example, data on industrial waste discharges, when such data is not forthcoming in the normally cooperative way.

The bill recognizes the growing contribution of storm-caused overflow of sewage and municipal wastes to polluting our streams. Grants for research and development work on this problem are provided with a total authorization of $20 million a year.

Finally, the bill recognizes particularly the damage inflicted by water pollution on the country's shellfish industry. I should like to expand somewhat on this point, for it is worthy of particular attention. Shellfish, particularly clams and oysters, are adversely affected by many pollutants. Research done by the Department of Health, Education, and Welfare is beginning to demonstrate that papermill wastes are toxic to oysters. It has long been known that both clams and oysters are sensitive to bacterial contamination, and that shellfish from polluted waters can cause serious illness, including hepatitis, in man. As a result of pollution, many beds that were once leading producers of shellfish have had to be closed by State and local authorities. Even more worrisome is the fact that the patrolling of closed beds is usually not adequate, and in many North Atlantic bays the poaching of shellfish from polluted beds and marketing them illicitly is a lucrative business. I am sure that my colleagues are aware of the several disastrous instances in which severe hepatitis epidemics have been caused by shellfish.

There are several factors that make pollution a particular hardship for shellfishermen. Stationed at the mouths and estuaries of rivers, they must watch angrily as year by year their upstream neighbors make of their river a dirtier and dirtier stream. Not a particularly powerful political force, shellfishermen have had little success in pleading their cause to State legislatures. Furthermore, Federal law itself discriminates against them: the Public Health Service is required to prohibit the movement of shellfish taken from polluted beds in interstate commerce, thus confiscating the product of the fisherman for no fault of his own. Yet no Government agency, as of today, is required to act to abate the pollution that ruined the fisherman's crop.

The shellfish provision in this bill will attempt to protect the economic interests of the shellfish industry, as well as the safety interests of the general public, by making "substantial economic injury from the inability to market shellfish or shellfish products" grounds for a water pollution control enforcement action. An additional tool in this many pronged attack on water pollution, the shellfish provision should correct a particular injustice that has been done to a small but priceless industry.

I would point out that my own district of Monmouth and Ocean Counties in the Third District of New Jersey lies along the Atlantic Ocean between the Raritan Bay on the north and extending below Barnegat Bay to the inlets south of Long Beach Island.

In my district the hard clam industry, once a major source of income in the bay towns, has had to be closed almost entirely, due to the presence of fecal bacteria in the shellfish which caused a serious hepatitis epidemic in 1961. The present value of the remaining shellfish industry is $40,000 a year; the projected value of the industry if the water is clean will rise to some $3 million a year. The fin fish industry is currently worth only $200,000 a year and it is estimated that this figure will be doubled if the water is cleaned.

The Federal Water Quality Act of 1965 is indeed a conservation milestone for which a major share of the credit must go to JOHN BLATNIK, Congressman from Minnesota. Author of the 1956 Federal Water Pollution Control Act, this ardent lover of Minnesota's beautiful waters has not rested since that time. He has ceaselessly inquired into the operations of the water pollution control program, concerning himself with the smallest details and the largest policies. As a result of his efforts, we now have a bill carefully and expertly tailored to fit the task. I am confident that the House will endorse it overwhelmingly.

Mr. THOMPSON of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I am happy to yield to the gentleman.

Mr. THOMPSON of Louisiana. Mr. Chairman, I would like to associate myself with the remarks of the gentleman in regard to shellfish and other foods of the ocean. Coming from a coastal State which is one of the great producers of oysters and shrimp and other seafood, we have had problems of pollution over the years. We have cleared up some of these problems through our own State initiative, but it also goes to show that the States that are desirous of solving their own problems and cleaning up this water pollution need the helping hand of big brother, that is the Federal Government.

Mr. HOWARD. I thank the gentleman from Louisiana and I imagine the gentleman agrees that it is difficult for the poor shellfishermen to stand idly by while upstream pollutants, possibly from other States, pollute the water in his area and he is helpless to do anything about it.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, before making my formal remarks in support of this legislation, I have a question I would like to ask the distinguished chairman of the subcommittee that considered this legislation, the gentleman from Minnesota [Mr. BLATNIK]. This has reference to subsection (h) of section 4, which is found on page 24 of the bill S. 4, as reported.

Before asking this question of our distinguished colleague, I would like to commend him as I would like to commend my colleague, the gentleman from Florida, for the bipartisan manner in which this bill was handled in committee. I think it is a stronger bill than it was and a better bill.

My question to Mr. BLATNIK is this: Under the provisions of subsection (h), which adds the new subsection (f) to the basic legislation—I have specific reference to the type of situation which might occur in the northern part of my district, where are located the headwaters of a river—if two or three towns got together and set up a regional planning agency for sewage control, if this were properly certified by the Governor of the State and otherwise came into conformity with this section, would the community qualify for this extra 10 percent of assistance? I am a little confused by the use of the word "metropolitan." In my district the towns involved are quite rural in nature. That is why I am concerned.

Mr. BLATNIK. Yes. In the opinion of the subcommittee chairman the areas would qualify. The intent was not to place any rigid interpretation on the word "metropolitan" even though the bill later, on page 25, line 7, does state:

> For the purposes of this subsection, the term "metropolitan area" means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget—

The key language, I call to the attention of the gentleman, is at the bottom of page 24—

> or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area within which the assistance is to be used—

And the following is the key language:

> or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning)—

It was our purpose to make that flexible. In my opinion the situation the gentleman referred to would be covered, and that area would be eligible.

Mr. CLEVELAND. I thank the distinguished gentleman from Minnesota.

His words are most reassuring. We should all bear in mind that although many of the water pollution problems faced by the Nation are found in the city areas, by clearing up pollution of headwaters of some of our rivers there will be a great public benefit not only to the cities themselves, for water supply, but also for recreational benefits accruing to many people in the country.

I know the distinguished gentleman from Minnesota is aware of this, but we must also remember that in the headwaters areas where the pollution occurs the communities generally are smaller and their capacity to construct sewage treatment facilities and to pay the proper share of them is less.

Mr. Chairman, I am pleased to recommend S. 4, as amended, to the House. As a member of the Public Works Committee, I took an active part in the hearings on the bill and in the committee. This measure represents the best bipartisan, constructive effort. Substantial improvements have been made in the bill as it came to us from the Senate.

Our country has made great strides forward in the campaign against water pollution begun when the first national program was established under the Eisenhower administration, nearly 9 years ago. The program was strengthened further by amendments enacted during President Kennedy's first year in office.

As the committee report states:

> The impact of the Federal Water Pollution Control Act has been impressive. It has taken us in less than 9 years from a situation in which untrammeled pollution threatened to foul the Nation's waterways beyond hope of restoration, to a point where we are holding our own.

Greater efforts, made possible through these current amendments, however, are needed. It is not enough to hold our own at present levels. The pressures of population growth, the growth of our cities, and the changes in industrial technology make it imperative to step up the program.

It goes without saying that water is one of our most precious resources. Although it exists in tremendous quantity in a variety of ways, the time has past when we can use it carelessly. Through many years of direct experience and legislative work in New Hampshire, I have become intimately familiar with problems of water conservation and pollution in northern New England.

EXPERIENCE GUIDED AMENDMENT

It was on the basis of this experience that I vigorously opposed a provision in S. 4 as it was passed by the Senate that would have authorized the Secretary of Health, Education, and Welfare to prepare regulations setting forth standards of water quality to be applicable to waters covered by the bill. Under this provision, the Federal agency would establish standards that would be mandatory on the States. Happily, this provision has been changed by the committee and the bill now places responsibility for setting standards on the States.

High standards of water quality are essential but they ought to be set by those local agencies that are familiar with the local conditions including economic factors. There are places in New Hampshire, for instance, where a mandatory Federal standard set by a remote official could, conceivably, restore a river to its natural purity but only by ruining paper mills, which are the main or even the sole industry for an entire region. This is a problem that exists in various forms throughout the country. In legislating on the problem, we must take care to provide for a careful balancing of community interests. S. 4, as we have amended it, provides for this in the only practical way it can be done, that is, by working through the State and local governments.

FEDERAL ZONING CONTROL OPPOSED

The Senate version of the bill actually would discourage State and local governments from developing their own plans for water quality control. Moreover, it would give the Federal Government effective power to establish zoning measures by which to control the use of land within watershed areas in every part of the country. Such power over local affairs never has been vested in a Federal official and should not be. The drift toward centralization in this Nation is serious enough without accelerating it deliberately and unwisely.

Accordingly, the committee has removed this provision and instead has inserted a requirement for the States to file letters of intent setting forth their standards of water control. States that do not do so within a specified time limit would not receive any funds under this act.

The bill has been amended further to increase the authorization for grants to States for construction of waste treatment facilities and new incentives for the States to participate in the costs have been written in. The bill does not go as far along this line as I would have liked but it provides an important step forward.

CLEVELAND AMENDMENT EXPLAINED

It is a matter of keen regret to me that the Public Works Committee would not accept my proposed amendment to this bill, which would have given an extra boost to hard-pressed communities in disadvantaged and depressed areas. Under the provisions of my proposed amendment, communities in depressed or disadvantaged areas would receive an extra 15-percent contribution from the Federal Government provided they were located in States that matched equally the basic 30-percent Federal contribution. My reasons for proposing this amendment are, of course, clear. When we consider that in Appalachia, communities there may receive up to 80-percent Federal assistance for sewage treatment plants, it seems only fair that, in northern New England, communities should be entitled to at least 45 percent Federal assistance. Many of our headwater communities simply do not have enough taxable property to support large sewage treatment plants, the purpose of which is to ultimately benefit larger and more prosperous communities located down river, and, indeed the entire Nation, by improving our water resources and recreational opportunities.

In this connection, I am proud of the leadership in New Hampshire's General Court that have proposed to increase New Hampshire's share upward from the present level of 30 percent as high as any in the Nation. I applaud their constructive proposal, but, in certain rural areas of New Hampshire, I think it only fair that the Federal Government should do more.

In conclusion, Mr. Chairman, I repeat my statement, this measure is the product of careful, bipartisan deliberation. I urge its adoption.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, I wish to speak briefly on this bill and to join with others who have commended the chairman and ranking minority member, the gentleman from Florida, as well as all members of the committee, who have considered this subject in great detail and have come forward with the legislation.

I had the privilege of serving with the gentleman from Alabama [Mr. JONES] as the ranking minority member on the Subcommittee on Natural Resources and Power, which, as the gentleman from Missouri [Mr. RANDALL] indicated earlier conducted the most extensive hearings ever conducted by a committee of the House on the subject of water pollution.

I wish to emphasize the fact that there are many competent and experienced local and State water pollution agencies. In addition, there are a great many responsible individuals and groups throughout the States who are working in behalf of cleaner water for our Nation.

I realize that there are differences of opinion as to some details of this bill. I testified on two occasions before the committee, giving my suggestions, not all of which are being followed. Nevertheless, I want to indicate my desire to support this legislation. The differences of opinion which I have are being reconciled in support of this measure which I regard as a forward step in the battle to reduce water pollution.

I would certainly like to join in the comment which was made earlier by the gentleman from California [Mr. MILLER] in suggesting that the pollution of our underground water supply is threatened also. This is something which should be of great concern to the Federal, State, and local agencies of our country. More and more we are tending to dispose of our waste waters underground by pumping the used water below the surface. In this way we are contaminating, in many instances, the great underground water supplies. Underground water reserves amount to many times the supply of the surface waters, I might say.

I also want to indicate the good cooperation that has developed between the Federal, State, and local agencies in behalf of this subject of water pollution. Great progress has been made in this field. We should not underestimate the progress that has been made by the State and local agencies as well as by many industries and communities under the existing legislation. While this bill

calls for the establishment of a new administration to be in charge of water pollution, I would certainly not want to suggest that the existing administration has not done an effective job, because, indeed, it has. Many other evidences of progress have been witnessed, including the coordination of data gathering of water quality and the coordination of water research activities. Many of these things have come about not just by legislation or by chance, but by virtue of the fact that we in the Congress and the public generally have focused attention on the need for cleaning up the waters of our Nation. The Congress and the public have promoted the most efficient possible employment of the limited number of expert hydrologists and other scientists whose talents are needed in reducing water pollution.

A continuing problem is that of our Federal installations. Our Subcommittee on Natural Resources and Power issued a report with regard to the problems of the Federal installations. We also produced a significant report with regard to municipal sewage and certain other subjects. These subjects may require additional legislation which we may have occasion to consider later. With respect to the subjects covered by the bill and with respect to the immediate needs we are considering here, I cannot help but feel that this is a great forward step in our national task of improving the quality of the waters of our Nation.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, an effective Federal water pollution control program is essential to the preservation and protection of our Nation's waterways. However, no water pollution control program can be truly effective unless water quality standards are a part of that program.

Water quality standards are a recognized tool in pollution abatement programs throughout the country. Not only have official standards of water quality been established by a number of State and local agencies, but standards have been used by the Department of Health, Education, and Welfare in its pollution abatement program.

These standards, however, are not official standards of water quality set by the Department, but rather are those which are established at the conference stage of enforcement actions by the States concerned and the Department of Health, Education, and Welfare. At these conferences the conferees review the sources of effects of interstate pollution, usually agree upon water quality standards, and recommend a program of remedial action which will improve the quality of water to meet the standards they have established. This method has proved effective in a number of instances, such as the Colorado River and its tributaries and certain areas of the Mississippi River, to name but a few.

The most recent enforcement conference held by the Department of Health, Education, and Welfare on March 2–9, 1965, concerning the interstate waters of the southern end of Lake Michigan and the Calumet River, Ind. and Ill., is again illustrative of the use of water quality standards. At this conference the conferees unanimously agreed to use as a guide for water quality at Chicago waterworks intakes the "Recommended Quality Criteria Goals, Lake Water at Chicago Intakes" presented by the Department of Water and Sewers of the city of Chicago, at the conference. These standards were adopted by the conferees for the purpose of initiating a program of remedial action to protect water quality in the area for the maximum number of legitimate uses.

Although it is apparent that the Department of Health, Education, and Welfare can, and does, use water quality standards in its pollution control program, and these standards are an effective tool in pollution abatement action, I believe that the Federal pollution control program could proceed more rapidly and effectively if water quality standards were established separately, and not as a result of each individual enforcement action.

In most of the 34 enforcement actions taken by the Department of Health, Education, and Welfare since 1957, water quality standards have been established by the conferees, or when necessary, recommended by the Secretary. There are at least 90 more areas where the Department of Health, Education, and Welfare has evidence of interstate pollution. If enforcement action is taken on these polluted streams, and if the Federal and State agencies must wait until each conference is held before establishing water quality standards, it will be many long years before this pollution is abated. However, if the Department of Health, Education, and Welfare in cooperation with the State agencies, can act now to establish water quality standards for interstate streams throughout the country, I believe that the course of remedial action would be clear to all, and pollution abatement could be accomplished more swiftly on the local, State, and Federal levels.

Certainly water quality standards are an effective tool in pollution abatement programs, but even more important, they can be an effective measure in preventing pollution. Our scientists and engineers have developed almost miraculous techniques for reducing pollutants in waste discharges, but with all their technical knowledge and skill they cannot completely restore a filthy stream to its former freshness and beauty. The Potomac River is a good example of the deleterious effects of pollution on a once beautiful and clean stream. There is now an abatement program in force on the Potomac which will end the pollution of this river. But even with the tremendous efforts being put forth to clean up the Potomac we know that the effects of the many years of pollution will not vanish overnight.

The present approach of the Federal water pollution control program is negative. The Department of Health, Education, and Welfare under provisions of the Federal Water Pollution Control Act can act to abate interstate pollution only after health or welfare is endangered. In other words the Department of Health, Education, and Welfare can act only after serious and sometimes irreversible damages have occurred.

If the Department of Health, Education, and Welfare were able to set water quality standards, the Federal Government and the States could act to prevent the water quality from falling below these standards. Action could be taken before health or welfare was endangered and serious damages occurred. This is a positive, effective, and beneficial approach to preserving our water resources.

If clean water is our goal, it is essential that the Department of Health, Education, and Welfare be empowered to set standards of water quality not only to aid in the abatement of existing pollution, but to aid in the prevention of the further needless destruction of our remaining clean streams.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. OTTINGER. Mr. Chairman, I rise in support of S. 4, the Water Quality Act of 1965, and I want to congratulate my distinguished colleague, the gentleman from Minnesota [Mr. BLATNIK], for fighting the good fight to end pollution of the Nation's waterways. I only regret that his fight was not a bit more successful.

This bill purports to carry out the request of the President for a concerted attack on water pollution. It is to be a first step on the road to a Great Society in the area of meeting the Nation's pure water needs and ending the poisoning of our lakes, rivers and streams.

I hail the direction. But this bill is only a faltering, baby step in the right direction.

This bill does not begin to provide the funds necessary to do, or even stimulate State and local governments to do the job. It adds $50 million a year to the $100 million already authorized, and I am certainly grateful for that.

However, one sewage treatment plant for New York City alone cost $86 million. The State of New York has two-thirds of its population living in areas affected by polluted waters. It has 1,167 communities that are pouring either inadequately treated wastes or raw sewage into rivers, lakes and streams. I am sure that the problem in other States is of comparable proportions. The funds authorized by S. 4 will cure but a drop in the oceans of polluted water flowing through this land.

I testified before the Committee on Public Works to request additional funds to attack the pollution problem and I firmly believe that an effort of great magnitude will be required to resolve the problem.

Mr. Chairman, I and 10 of my colleagues have introduced legislation to

establish a Hudson Highlands National Scenic Riverway in New York. One of the prime purposes of this legislation is to make land along the banks of the Hudson River available for recreational purposes—for swimming and boating and the like.

The benefits of this legislation will be beyond realization, however, regardless of what is done to preserve the shoreline, unless something is done to clear up the pollution that makes the river virtually useless for recreation the entire length of the Highlands.

New York City alone pours more than 600 million gallons of raw sewage into the Hudson daily. Since the Hudson is a tidal estuary, this sewage is a major factor in pollution reaching as far north as Poughkeepsie. To clear up this problem alone will require more money for New York City than S. 4 provides for the entire Nation.

The New York metropolitan area has a water shortage crisis this year. People will be prohibited from watering their lawns except for a few hours one day a week. Restrictions will be imposed on car washing and even on bathing. Hydrants will be sealed in New York City so that children will not be able to enjoy their usual summer play.

The most obvious way to meet this shortage would be to use the plentiful waters of the Hudson to supplement the watershed supply. This is feasible since the river is not saline north of Poughkeepsie. But many communities are revulsed at the idea of using Hudson River water for drinking purposes because of the pollution. To gain public acceptance of the idea of using Hudson water, we will have to clean up the river, and the cost will be far in excess of the funds S. 4 authorizes.

New York City newspapers recently carried a story about typhoid cases which resulted from children drinking Hudson River water. This certainly demonstrates the urgency of attacking the problem forcefully and immediately.

Governor Rockefeller has proposed a $1.7 billion water pollution control program for New York State. This program makes the Federal proposal we are considering today insignificant by comparison. In testifying before the Public Works Committee I supported Governor Rockefeller's request for an advance commitment formula so that States may plan ahead and commit funds for long-term programs of pollution control and abatement and take their share of Federal funds over a period of years. Such a formula would be a worthwhile addition to this legislation, for the cost of building sewage treatment facilities is ever rising, and it will cost both the States and the Federal Government far less to complete the necessary facilities as soon as possible.

In my view, there is also an urgent need for Federal standards for water pollution control. The State encouragement formula under S. 4 makes a start, but a real problem arises on interstate waterways when one State's inadequate practices nullify another State's worthy efforts. The results are particularly devastating when the lax State happens to lie upstream.

Mr. Chairman, I hope that before too long we will add the teeth necessary to make this legislation truly effective. I hope we will provide funds adequate to make a real dent in the water pollution problem, and I hope we will add Federal standards.

I support S. 4 as a first baby step in the right direction. I hope the baby's growth will be rapid and healthy.

Mr. BLATNIK. Mr. Chairman, the gentleman from Texas [Mr. WRIGHT] has been one of the real sparkplugs in this field. At times when we needed him we called him our running quarterback and at other times we called him our blocking halfback with respect to this water pollution control legislation for many years.

Mr. Chairman, I yield to the gentleman from Texas [Mr. WRIGHT], such time as he may require.

Mr. WRIGHT. Mr. Chairman, this undoubtedly is one of the most vitally necessary bills which will be presented to Congress this year. It builds upon the highly successful experience of the basic Water Pollution Control Act of 1956 and branches out onto new fronts in our continuing battle to preserve and pass on to the American posterity a heritage of clean water.

Certainly no informed person can deny the importance of the problem or the vital urgency of the need.

Within the past 8 years, through the program begun by this Congress and pioneered primarily by the vision of our colleague, the gentleman from Minnesota, JOHN BLATNIK, we have begun to make a dent in the problem. But there is much remaining to be done. During the past 8 years, 5,994 grants have been made to that many separate and distinct municipalities for the purpose of assisting them in the struggle to abate the pollution of our Nation's streams.

At the cost of approximately $500 million, we have stimulated local construction in the amount of more than $3 billion.

It probably is fair to say that we have reached the point where we are on the verge of holding our own against the onrushing tides of pollution. But this is far from adequate. The bill presently before us would expand this activity in several very meaningful ways.

First, let us get a broad general picture of the problem itself. Thousands of local crises are merging rapidly into one national crisis. A general cross-section of the national scene would include the following vignettes:

In a Connecticut public school, a new student tries the drinking fountain and steps back in horror as a milky substance froths up in bubbles from the faucet. A classmate explains that it is a bad time of day to get a drink, since detergents are working their way back through the city's water system.

Along the flooding Mississippi River this week, untreated sewage is washed up through storm sewers into the streets of several towns.

In the Nation's Capital, a father proudly takes his young daughter for a ride in a swan boat on the beautifully landscaped tidal basin where cherry trees form a delicate pink wreath beneath the Grecian grandeur of the Jefferson Memorial. He looks away in frantic embarrassment, a bit sick to his stomach, and suddenly changes the subject when his little girl asks "What are all those odd looking things" on top of the brownish water.

Lake Erie is dying. It has a "dead spot" covering several thousand acres where a cesspool of pollution robs the water of its life-giving oxygen.

Dead fish float up to the banks of Town Creek in a small midwestern community after a local shelling plant dumps its refuse, laden with tannic acid, into the stream.

A dry west Texas town hauls water 50 miles in tank trucks for its citizens to drink while an east Texas town feverishly fights a flood.

In a New York suburb, a salesman of distilled water reports a fantastic boom in the sale of bottled drinking water.

A southern city is turned down by the third industry in a week because it lacks a "dependable" water supply.

International crisis looms as an official Mexican delegation tells the U.S. Congress that our Colorado River irrigation system is dumping crop-destructive salt on the best farming lands in the Mexicali Valley.

All these are but facets of the most rapidly growing domestic headache in the United States—We are running out of usable water. The problem, at first parochial, very rapidly is becoming national in scope.

There are many reasons clean water is becoming increasingly important. The first is that there are more and ever more people drawing upon the fixed supply. One of the most crucially significant facts of our time may be read in the statistics of population growth—both in the United States and throughout the world.

In the beginning, the world's population grew very slowly. At the start of the Christian era, there were only some 250 million people on the entire earth. It took 1,500 years for that figure to double or reach 500 million. But then a sudden and dramatic upswing began which has continued over the past 400 years to increase by geometric progression. There were 1 billion people in 1835, 2 billion in 1935, 3 billion in 1965. If this pace is maintained, there will be 6 billion—twice as many as we now have—in the year 2000.

Here in America, when we sit down to dinner each evening, there are 7,000 more of us than on the evening before. Every year we add the population equivalent of a new Philadelphia. The same amount of land, air, and water must be made to serve more and ever more people.

More alarming still is the fact that our society each year is using more water per capita. While the whole Nation required only 40 billion gallons daily in 1900, we used 360 billion gallons a day last year. If present trends continue, this figure will double by 1980 and triple before the beginning of the 21st century.

Block by block, acre by acre, section by section, new housing projects sprawl

inexorably outward, denuding the former countryside of its natural cover. Where trees and native plantlife once found ample succor from the rainfall, today neat rows of houses march in line behind their inevitable green carpets.

With typically more leisure time, the suburbanite waters his shrubbery, his flower beds, his lawn. The thirsty lawn grasses which have become a status symbol in American suburbia often soak up water at four and five times the pace required by the native grass and shrub life.

Washing machines with enamel plated efficiency put the clothes and dishes through several rinsings, extravagantly squandering the water supply and discharging insoluble detergent suds into the disposal lines. Fly by plane over a new top neighborhood in any southwestern city and count the private swimming pools which sparkle in the sun. In one such typical neighborhood, the loss to evaporation is counted in the thousands of gallons daily.

Increasingly in the past few years, pollution has become probably the most critical of our water resource problems. No major section of the country is immune. Streams which once ran clean and sparkling pure have become clogged by organic and industrial wastes which can transmit disease, by toxic detergents and pesticides, by inorganic chemical and mineral substances which result from mining, manufacturing, oil and chemical plant discharges. A prime example is the Potomac on whose banks sits the Capitol of the United States. There also is a relatively new problem arising from radioactive wastes.

When demand exceeds supply, the reuse of water is a necessity. A special U.S. Senate study recently pointed out that the total dependable fresh water supply available to the country by 1980 will be only about 515 billion gallons a day. But our total daily water requirement will have climbed to more than 600 billion gallons. Even with maximum engineering and purification works, the study concludes that the most we can hope to make available is about 650 billion gallons. And by the year 2000, our foreseeable water needs will exceed 1,000 billion gallons a day.

The pollution problem in spite of our best efforts has been growing at least as rapidly and probably more rapidly than our solutions. At the end of 1959, the municipal sewage released into our streams was equal in pollution effect to the untreated sewage from 75 million people, three times the amount in 1900.

The bill before us offers a greatly expanded opportunity to fight pollution effectively. It is a substantial improvement over existing law. It is worth noting that, almost uniquely among major legislative matters this year, it has the unanimous endorsement of the Committee on Public Works, including Members from both sides of the aisle.

This bill is the product of many weeks of public hearings last year as well as 3 weeks of additional hearings this year, plus 3 long arduous days in executive session. Many Members contributed creative thought to shaping its provisions.

Here basically, is what it will do:

First, it will upgrade administrative control through the creation of a Federal Water Pollution Control Administration. This will consolidate numerous scattered activities under one effective head, give the program an identity commensurate with its importance, and facilitate action. Heretofore, this significant activity has been relegated to the status of a division within a bureau within the Public Health Service within the Department of Health, Education, and Welfare.

Second, subpena power will be given to the Administrator to strengthen his hand in enforcing already existing standards. This can greatly facilitate compliance. This subpena power is available at the hearing stage.

Thirdly, more money will be made available for the practical battle against pollution. This is considerably more important than the adoption of theoretical standards. Existing pollution cannot be abated simply by court order, since the effluent from treatment plants flows through gravity into rivers. This bill provides $150 million rather than the existing $100 million annual authorization. The original Senate bill made no gain in this regard. For a battle of this crucial importance, we feel that $150 million a year is little enough indeed. It amounts to less than $1 per year for each citizen to preserve and protect the one commodity without which no citizen could live.

In the fourth place, realistic help for the big cities is available for the first time in this bill. This is where most of the pollution originates. Ceilings on individual matching grants have made existing law relatively ineffective as a meaningful help to the metropolitan cities. These ceilings are raised in this bill to a workable level. The original Senate bill offered no solution to this very real problem.

Finally, each State is required for the first time to develop a set of water quality and quantity criteria. This is a meaningful advance. It is the first step in making a national water inventory, which we have desperately needed. The States are given 2 years in which to prove that they can and will develop, apply, and enforce water quality criteria.

This bill is crucially important to the future of America. It deserves a truly overwhelming vote from the membership of this House. I hope and trust that we will demonstrate by the number of our votes today the determination of this body to win the continuing battle against pollution of the Nation's streams to the end that future generations may have as their heritage an abundant and usable supply of this most precious and most indispensable of all the earth's resources.

Mr. CRAMER. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, it is a great pleasure for me to rise and support this legislation before the House today.

As a Representative of the Seventh Wisconsin District, I have long been aware of various attempts to meet the problems to which this legislation addresses itself. The Seventh Wisconsin District is composed of many papermills, and I am familiar with the good intentions of this industry with regard to water pollution control and abatement. The paper industry in my district is the largest single employer. Employers and employees in our Seventh District support this bill as amended by the House committee.

The pulp and paper industry has, of course, been specifically involved with the problem of pollution.

They are aware that the problems of control are both intricate and complex. On the one hand, the paper industry must have process water of adequate quality. On the other hand, the industry is aware that the users downstream must have suitable water also.

It is certainly safe to say that while much remains to be done, more than lip-service should be paid to the paper industry efforts in this area.

I would like to pass on one very impressive fact to my colleagues. During the past 20 years the total organic pollution load, as measured by biochemical oxygen demand, has actually been reduced by the paper industry, despite the fact that this major industry's production in tons has more than doubled in the same period.

And there are other noteworthy facts that could be mentioned at this time. A recent survey by the National Council for Stream Improvement indicates that 75 percent of the pulp and paper mills in the United States have waste treatment facilities in operation. This compares with only 37 percent in 1949. Thus it is obvious, Mr. Chairman, that the paper industry has recognized the need for water pollution control and that it has been taking concrete steps to alleviate the problem.

Through discussions with those concerned with various paper mills in my district, I have found that the efforts and achivements of the pulp and paper industry to combat water pollution are on the increase.

The whole problem faced by this legislation is exceedingly complex. The finger cannot be pointed at any one group. For at this critical time industry, government, and all involved groups have a stake in working toward a mutually beneficial solution to the water pollution problem.

I think the impressive story and the attitude of the paper industry is something which needs to be stated today.

This is a story, Mr. Chairman, which relates to the thinking of everyone in these Chambers. While some would contend that additional efforts could have been taken by the paper industry, the fact remains that they have made a significant beginning. I wish, for example, that I could present a similar array of facts for our Government installations. In glancing through the hearings in the House, I discovered a great deal of concern expressed by the members of the committee regarding pollution by Government installations.

This, however, is not the subject before the House today and will probably be dealt with, I hope, in the future. I stress this only to indicate that in the case of one specific industry—the paper industry—there are significant efforts underway. As a Member of the Congress representing an area which includes many outstanding papermaking facilities, I feel dutybound to spell out their efforts during a consideration of the Water Quality Act of 1965.

In conclusion, I think that the legislation as reported by the House committee emphasizes the continuing need of cooperation by all agencies concerned with the problems of pollution. I am certain, Mr. Chairman, this legislation will definitely enhance the quality and value of our water resources. I envision a future of cooperation and respect between all concerned groups, and particularly because of their past record, the various paper industries of the United States.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may require to a distinguished and important member of our committee, the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I rise in support of the pending legislation, S. 4. As a member of the Committee on Public Works and a member of the subcommittee that has dealt with this problem in the legislative session of 1961 and again in 1965 I want to say that all of the people of my State from whom I have heard are very much interested in the passage of this bill. Representing the watershed area in the West that I do I know how important it is to keep our streams clean and clear and free of pollution. We in California have many pollution problems. With the growth that is taking place in our State we are confronted with more of the problem of pollution which is causing concern all the way back to the mountainous areas where the streams arise. It is also a problem in our valleys and in the delta and great San Francisco Bay area. I know that this legislation is going to do a lot to clear up the rivers, lakes and bays of our Nation.

Mr. Chairman, I want to commend the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], as well as the minority members who have worked very hard with the majority in perfecting this bill and also, Mr. Chairman, I want to commend the chairman of the full committee, the gentleman from Maryland [Mr. FALLON], for bringing this fine piece of legislation to the floor for final passage.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I want to ask the able gentleman from Minnesota and also my distinguished colleague from Florida, the ranking member of the Committee on Public Works [Mr. CRAMER], whether there is any language contained in this bill which would afford any assistance to this sort of a situation which exists in the congressional district which it is my honor to represent.

There are three municipalities which wish to combine to connect with an outfall, that is, a system of emptying impure water into the Atlantic Ocean, way out far enough so that it could not possibly pollute the beaches of the mainland areas. Under the public works program that sort of an effort cannot obtain assistance because that program is limited to sewage treatment plants.

Now, Mr. Chairman, these people want to accomplish the same purpose, that is to say, safely to dispose of impure water.

I just wanted to know whether or not any assistance might be possible for that sort of program under the provisions of this bill.

Mr. BLATNIK. In response to the gentleman's inquiry, we had been hopeful, at least some of us had the opinion, that perhaps under the research and planning section there was provision for combining storm and sanitary sewer projects, and that would be eligible. However, in further checking on the matter, I am informed that it would not be eligible. Funds with which to provide facilities for the treatment plants themselves certainly are eligible, but I do not believe this would apply to a project such as the outfall extension which the gentleman from Florida has described.

Mr. PEPPER. As the gentleman from Minnesota knows, it was I who advised the gentleman with reference to this matter for I called just a few minutes ago the Department of Health, Education, and Welfare, and one of the representatives there told me that he thought the use of an outfall in the disposal of waste was already well established and the proposal of my constituents, as I reported it to him, might not be eligible on an experimental or research basis. The language, however, of this bill is broad enough to cover the proposal of my constitutents if there is anything unique or distinctive about the proposal so that it would contribute something of value in disposing of impure water or sewage.

Mr. BLATNIK. If the gentleman will yield further, I would like to elaborate a little further. The problem of the gentleman from Florida [Mr. PEPPER] is a bona fide problem and one which is entitled to assistance. We have inland municipalities which need assistance by way of extensions of interceptor sewers in order to reach their treatment plants. There is an awareness of this need among the membership of the Committee on Public Works for a general public assistance program for community facilities. We do intend to hold hearings—at least I shall make every effort to do so—on this matter. It represents an important and justifiable area of exploration and we do hope that that program will be of assistance to the situation which the gentleman from Florida has described.

Mr. PEPPER. May I make some inquiry with respect to the same subject of my able colleague, the gentleman from Florida [Mr. CRAMER], the ranking minority member of the committee?

Mr. CRAMER. If the gentleman will yield, we had a discussion of this, of course, in the Rules Committee and I think it was generally conceded, as the gentleman from Minnesota [Mr. BLATNIK] has conceded, that there is no grant money but that which is limited to suitable disposal treatment plants. The only possibility would be under 6(a) relating to grants for research.

I believe the key phrase there is whether or not this is a new or improved method. On line 16, page 20; and line 18, page 21, there is some reference to the matter, but these grants are limited to new and improved methods. If this is a new and improved method for waste water, then it could be included and that would be a decision for the Secretary to make.

Mr. PEPPER. I thank very much the able gentleman from Minnesota and my able colleague from Florida for those remarks.

Mr. YATES. Mr. Chairman, water pollution is a problem of nationwide dimensions. Unfortunately, not enough of us are aware of its many disastrous consequences for municipal and industrial water supplies, for fish and wildlife, and for recreational areas. That is why this bill is so important—important to our Nation and especially important to those who live on the Great Lakes. Today I wish to speak particularly as a representative of the people of the 9th District of Illinois, which is located in the city of Chicago.

Chicago's development has been largely determined by its surrounding waters. Early ship traffic did much to make it an economic and communications center, the Nation's second largest haven for immigrants of many nationalities and a pioneering city for inventors, architects, and businessmen of all kinds. Blessed with a great diversity of people and talents, and the space and resources in which to develop those talents, Chicago became the largest city of the Great Lakes.

Our city's focus, its particular charm, its very life, have always been its beautiful lakefront, which has provided a population of more than 5 million people with unparalleled opportunities for development. After some fearful epidemics of cholera and typhoid fever at the end of the last century, the city of Chicago spent a great sum of money and performed extensive research to develop techniques of water treatment to assure a continuing safe water supply. In 1889 the city embarked on one of the engineering wonders of the world: reversal of the flow of the Chicago River. And in 1922 the same was accomplished with the Calumet River, in order to protect the lake.

Chicagoans are not oblivious to Lake Michigan's vulnerability. However, for many years they avoided taking measures sufficient to reduce the threat to the lake.

The Great Lakes comprise the greatest fresh water resources in the world. It is unforgiveable that our children should be deprived of the lakes' benefits. Yet that is what is happening.

This was demonstrated most clearly at the conference held under the existing Federal Water Pollution Control

Act provision at Chicago March 2 through 9 this year. Though I was unable to attend the conference, I followed it closely. At its conclusion, three State and two Federal conferees unanimously concluded that Lake Michigan and its tributaries are polluted, that bacterial counts are too high for safe swimming, that phenols are causing tastes and odors in the drinking water, and that nutrient discharges are accelerating the irreversible aging of the lake.

Damage to Lake Michigan probably represents the most unpardonable encroachment of water pollution in the United States. When our Great Lakes start to deteriorate, river pollution becomes routine. Pollution should never have been allowed to advance this far. At this pace we are losing the battle to pollution. Scientists studying the ecology of large stagnant bodies of water, such as Lake Michigan, are pointing to the phenomenon of eutrophication, or aging, as the most serious problem. Eutrophication refers to the fertilization of the water by steady addition of organic matter. It can be natural, from the deposits of dying creatures, but in the lakes it is greatly accelerated by artificial discharges of nutrients. Eutrophication is irreversible. In Lake Erie, a shallower body than Lake Michigan, it has proceeded to the point where it may be necessary to dredge the entire lake bottom to keep the lake from becoming a bog.

The particular contaminants of Lake Michigan illustrate the need for speed in stemming the aging process. The Federal Water Pollution Control Act has been amended several times already, and it may well be amended further. Many proposals have been made for further provisions, including licensing, standards, stopping pollution before it occurs, taxes on polluters, and incentives for industrial waste treatment.

The bill we are now considering is most conservative. It is designed to expedite and strengthen the existing program, to enlarge it slightly and give it the separate identity it needs if public opinion is to support us in this most important of all contemporary conservation struggles. It aims at essentials. It separates the three basic tools we require to protect water quality, and it sharpens all three: technology, incentives, and enforcement.

In pursuit of better technology, the Federal Water Quality Act of 1965 provides not only for continuation of existing grants for State water pollution programs and fellowships for training and investigation, but for a new program of research and development in the field of storm water overflow. I may say this is an increasingly important source of pollution as direct discharges of raw sewage begin to be eliminated. Grants can be made out of a total authorization of $20 million annually to pay up to 50 percent of any project also approved by an official State water pollution control agency.

More incentives for the construction of treatment facilities are provided through a 50-percent increase in the Federal construction grants program. The total authorized amount will be $150 million yearly, and the maximum for any one grant will be $1.2 million—$4.8 million for a project involving more than one municipality. These funds will now be distributed more consistently with real needs with more of the funds earmarked for large population centers where pollution problems are greatest.

Enforcement is tightened in three ways. First, the bill removes the entire program from the Public Health Service, which has not proved particularly effective in pursuing the abatement of pollution of interstate rivers. Second, the Secretary of Health, Education, and Welfare will have subpena powers for hearings on pollution of interstate or navigable waters. This will enable Federal investigators to examine data on waste discharges, to inspect industries or other installations suspected of discharging damaging wastes and require the attendance of polluters at such hearings. Finally, the bill gives the Secretary the responsibility to initiate enforcement action when he finds that substantial economic losses are resulting from pollution damages to shellfish. Shellfish contamination, one of the most destructive and hazardous consequences of pollution, has long merited this attention.

Mr. Chairman, it is said that nothing is so local as a drop of water, or so national as what we do with it. Our distinguished colleague the gentleman from Minnesota [Mr. BLATNIK] and the Public Works Committee have presented us with a worthy measure.

There is no doubt that these amendments will be affirmed by this House. We are summoning forth the means to restore our damaged water resources and to protect our still healthy streams. Water, our most valuable national commodity, is now one of our greatest national problems. I wholeheartedly support this bill, and I urge the House to endorse it as a worthy response to that problem.

Mr. WOLFF. Mr. Chairman, the present state of the Nation's polluted waterways mirrors the long shameful years of neglect and permissive disregard which preceded our aroused concern for protecting and improving the quality of the Nation's precious water resources. Instinctively our initial efforts to halt the pervasive besmirching of our streams have been directed to the cleanup of the most serious pollution situations. An impressive start has been made through the application of the Federal enforcement authority in approximately 34 instances. The continuing existence of almost 90 equally serious pollution situations calls for further intensifying and accelerating the enforcement momentum, which received its most meaningful impetus after the change of administration in 1961. We have made and continue to make significant strides in controlling pollution from municipal sources. The provision of Federal grant assistance to municipalities for construction of waste treatment works has rolled up an imposingly successful record. The struggle against water pollution has thus far proceeded on these two fronts of control and abatement.

In committing the Nation to an all-out effort in this field, President Johnson calls on us to take up the challenge on a third front—prevention of pollution before it happens. We can no longer afford to complacently allow pollutants to enter our streams, waters, and beaches except under strict and careful regulation. This is doubly true in the case of the newer wastes increasingly spawned by our rapidly growing and fast-changing technology.

The enormously complex character of these newer wastes and their potential effects on the quality of water is either inadequately understood or totally unknown. Their wholesale disposal into our waters amounts to another variation of the deadly game of Russian roulette with the difference that we are risking the health or welfare of entire populations.

Necessary authority or measures for preventing the inception of pollution are lacking in the enforcement provisions of the existing Federal Water Pollution Control Act. State laws, the great majority of them, contain such authority in provisions for establishment of standards of water quality. For whatever reasons, the States have not effectively implemented these provisions of their own laws. Their failure is reflected in the countless miles of polluted waterways and beaches throughout the Nation. The need for Federal action is urgent, especially in regard to interstate water areas where Federal responsibility is clear cut.

Current proposals for Federal establishment and enforcement of standards of water quality on interstate waters fully safeguard State and local interests. They do not represent in any way an infringement of States rights but instead are designed to encourage the States to face up to the problem realistically. Practical standards will serve to prevent our few remaining clean waters from becoming polluted. These same standards applied to waters already afflicted with the scourge of pollution will provide guidelines for improving the quality of these waters to serve all useful purposes. Standards fairly applied will help in eliminating the unwholesome competitive advantage for industry enjoyed by those States which are willing to sacrifice a noble heritage for an illusive and temporary economic benefit. Temporary, yes, for once the industry has fouled these waters to the extent that it cannot use it for its own needs, it too, will move out.

Time has long since run out for the purely "voluntary persuasion" policy that has marked State and local efforts to deal with the problem of pollution. The mounting volume of wastes generated by our advances in population, urbanization, and technology, require determinedly forceful measures. Strong leadership has been asserted by the President in behalf of the Nation. We in Congress can do no less than to legislate the strengthened and improved authority that is necessary to implement this leadership, under which Federal, State, and local action can confidently join in the knowledge that their concerted efforts will successfully control, abate, and most importantly, prevent water pollution.

Mr. SCHEUER. Mr. Chairman, 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 CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MONAGAN. Mr. Chairman, I urge the adoption of S. 4, the Water Quality Act of 1965, as it has been amended and reported to the House by the Committee on Public Works. For the past 3 years the Natural Resources and Power Subcommittee of the House Government Operations Committee on which I serve has been conducting, under the chairmanship of the gentleman from Alabama [Mr. JONES] an exhaustive survey of our Nation's water pollution and from this study I have become convinced that there is great need for a stepping up of Federal assistance, greater local enforcement procedures, and a pattern of local, State, and Federal cooperation to abate and stamp out pollution. I have been taking an active interest in the legislative effort to bring about these improvements and I have in the last three Congresses filed bills to amend the Federal Water Pollution Control Act for this purpose. The bill which I filed in the 89th Congress is H.R. 3716.

I am convinced that the bill we have before us today is an improvement over the bill passed by the Senate and I note that this belief is shared by the New England Interstate Water Pollution Control Commission.

Water pollution is a problem which affects every community and every State in the Nation. It is increasingly acute because water demand and water pollution are mounting sharply at the same time.

Local communities and States cannot or will not bear the cost of abating pollution. It is my feeling that the Federal Government must step up its participation without further delay if we are to meet the crisis confronting us in the shortage of usable, clean water. Some efforts have been made and are continuing, but we must be shamefully aware that in spite of these efforts all our major streams, rivers, and lakes are suffering increasing pollution. On the basis of the study of our subcommittee I am of the opinion that, apart from foreign problems, water pollution is the Nation's single most serious hazard.

The House Public Works Committee in its examination of this problem considered, among others, my bill, H.R. 3716, and I was privileged to have the opportunity to testify in support of my bill before the committee on February 19, 1965.

On the evidence, one must concede the importance of establishing water quality standards, increasing grants for sewage treatment projects, improving administration of the Federal water pollution control program, and setting up a research and development program to cope with the problem of storm and sanitary sewage. President Johnson supported these objectives in his recent message on natural beauty. He also advocated an increase in ceiling for grants to State water pollution control programs. These provisions have been incorporated in the House committee's bill and I note with satisfaction that the committee has also given its endorsement to my recommendation to increase the authorized appropriation for sewage disposal plant construction grants from $100 million to $150 million for fiscal years 1966 and 1967. Actually, I had requested an increase to $150 million in 1966 and $200 million in 1967.

Mr. Chairman, without going into full details of this proposed legislation, since they have been fully explained by the able committee chairman, I want to state my support of the inclusion in the act of directive to the Secretary of Health, Education, and Welfare to initiate Federal enforcement action when he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution and action of Federal, State, and local authorities.

I also favor the bill's requirement that Federal pollution control funds be withheld from any State which fails, within 90 days after enactment of the act, to file a letter of intent with the Secretary of Health, Education, and Welfare undertaking that the State will, prior to June 30, 1967, establish water quality criteria to be applicable to interstate waters within the State.

Mr. Chairman, I believe that if we are to preserve the greatest of our national resources and afford an essential measure of protection to the future health, welfare, and economy of a nation which obviously has been remiss in meeting its responsibility in this regard, we must act now, and the enactment of S. 4 as recommended by the House Public Works Committee would be a mighty effective step in the right direction.

In support of this legislation I shall include a very timely article which appeared in the Hartford, Conn., Courant of Sunday, April 18, 1965. The article entitled "War Against Water Pollution Is Lots of Talk, Little Action" by E. Joseph Martin.

WAR AGAINST WATER POLLUTION IS LOTS OF TALK, LITTLE ACTION

(By E. Joseph Martin)

Once upon a time Connecticut cared about keeping its rivers and streams clean.

Time was when people were stirred up enough to act.

But as the years go by, more and more people are talking about water pollution while fewer and fewer people are doing something about it.

Rivers continue to be polluted. Fish continue to die from industrial wastes dumped into waterways. Instead of drinking water, more and more families draw detergent suds from their wells.

As the problem grows, Connecticut's initial commitment to act had become stagnated.

Connecticut's war against pollution was declared when the general assembly passed a law in 1925, but the battle has since become an extended skirmish and 40 years later victory is still 20 percent unrealized.

The law created a new agency to eliminate and control dirty rivers and streams. There were about 1.4 million people in Connecticut when the law creating the State water commission was passed. The population has since nearly doubled, the number and variety of industries continues to mount, and the number of contaminated wells also continues to increase.

However, with this increase in potential water polluters, the manpower in the State agency responsible for keeping the rivers and streams clean has remained about the same and has even diminished.

The State water resources commission was formed in 1957 to take over the duties of the State water commission and other agencies. Today, the commission has a staff of 10 engineers and 3 secretaries, the same number the water commission had 30 years ago.

Besides the additional number of staff help needed to keep pace with the growing problem, this same understaffed commission is responsible, in addition to water pollution, flood control, shore and beach erosion control, supervision of dams, structures and dredging in navigable waters, water resources inventories and other duties.

Today, 1,192 plants are treating waterborne wastes from industries, municipalities and institutions. Some 975 of these are treating sewerage and sanitary wastes and 217 are treating waste water from industries.

William S. Wise, director of the Water Resources Commission, says the State needs 235 more plants to treat industrial wastes and 46 more sewerage treatment plants.

Ten years ago, his staff started operations by projecting how long it would take to complete the water pollution control plants. The projects were placed into two phases.

Phase 1 was to complete sewerage treatment plants and was scheduled for completion this year. Phase 2 was the time needed to complete all industrial waste treatment plants. Target date was set for 1970.

However, because of the serious deficiency in the number of staff personnel, the sewerage treatment schedule was advanced to 1970 and the industrial treatment schedule advanced to 1975.

Five years ago, a commission study showed it needed a staff of 29 to do the work, more than double the number it now has. A Federal study later indicated the same commission would need a minimum of 46 and a maximum of 57. Wise, however, still thinks the figure of 29 is more realistic.

Budget requests for more staff have continually been cut back.

Can it be that the State administration and the general assembly wish to give only token attention to water pollution? If it did not so wish, why did it overburden the commission with so many other added duties?

Is it possible that a deliberate attempt is underway to slow down this State's initial drive against dirty water?

Wise has been reluctant to blame anyone for the apparent legislative and administrative apathy. He says the commission's record "points to notable progress. But," he says, "it also shows that we still face complex problems."

These complexities he enumerates:

The many suburban residential developments building beyond sewerage facilities and in inadequate drainage areas near small, clean streams.

Estuaries and tidal rivers complicating the receiving of outward flow from waste treatment facilities.

Ground disposal and treatment of various types of sanitary and industrial wastes and the treatment of disposal of wastes resulting from the production and the use of toxic substances, chemicals and pesticides, etc.

Besides these added so-called complexities, Wise and his staff do not have the manpower to regularly inspect the waste treatment plants already built. How can the commission expect the treatment plants built to continue to do the job if no staff is provided to see that they do?

Last month residents from East Hampton complained about the red color of the Salmon River.

The color came from paper fibers discharged from a paper company. Wise and his commission have had the plant under observation for 20 years. Different pollution control devices were tried with varying degrees of success.

After 20 years, paper company officials were threatened with formal commission action if the company did not find a satisfactory remedy by Monday. And after 20 years, a plant apparently equipped with a waste treatment facility is still polluting the Salmon River.

Is it enough to rationalize the problem away by admitting to complexities and the huge amount of work still left undone?

Wise admits his staff has been slowed down by many obstacles. These he said were the money hurdle and getting public and private officials to put pollution control on a priority list of importance.

But there must be a limit to buck passing. If enough money cannot be raised to pay for an adequate staff after the problems and complexities have been clearly stated, who is actually responsible? Or has the problem actually been clearly stated?

If the administration does not consider water pollution an important enough problem to solve effectively, who is responsible for making them recognize the importance?

Forty years ago, Connecticut thought the problem was serious enough to pass a law to solve it. Forty years have passed and administrative apathy has all but thwarted the law's directive.

Mr. TUNNEY. Mr. Chairman, I would like to express my support for the water pollution bill which is now before the House.

This legislation, S. 4, the Water Quality Act of 1965, will provide effective pollution prevention and enforcement. The bill has provisions for:

First. Setting water quality standards.

Second. Increasing the Federal grant ceilings for multimunicipal construction projects and State pollution control programs.

Third. Promoting research into the problems of mixed storm drainage and sanitary sewage systems.

We were once a nation that was proud of the beauty and majesty of our national resources. Today every major river system is polluted. Millions of Americans are denied the use of recreational areas because of widespread pollution. Furthermore, this pollution is detrimental and costly to our economy. It is very expensive to treat polluted drinking water.

The passage of this bill is essential if we are to return America to the beautiful Nation that it once was and can be once more. We must all be aware of the quiet crisis that we face with regard to the preservation of our natural resources. Industry and government at all levels work closely together in the area of pollution control. The passage of the Water Quality Act is important to insure that the Federal Government does its share to preserve our most precious resource—water.

Mr. GRABOWSKI. Mr. Chairman, it is a great pleasure for me to join with my distinguished colleagues in support of the legislation before the House. With a great many Americans I have always been concerned with the quality of water resources. For many years I have believed that our Nation's streams constituted the lifeblood of the Nation's health.

Our people require clean water in every respect whether we are referring to drinking water or to those leisurely hours when we vacation with family and friends near a cool lake. It is important that the quality of the water be of the highest possible standard.

In supporting this legislation, I am aware of the great efforts that have been made by the members of the House Public Works Committee, and by various Members in the other body. I have followed this work and I have read through the hearings that have been held in each body. I have been convinced that their work merits our great admiration. And I want to take this opportunity to praise the distinguished gentleman from Minnesota [Mr. BLATNIK] and all other Members who have worked so diligently on this legislation to amend the Federal Water Pollution Control Act, as amended.

This legislation has many, many interesting features. It establishes the Federal Water Pollution Control Administration. It provides grants for significant R. & D. matters and increases the grants for construction of municipal sewerage treatment works.

It is a time worn cliché to say that water is our greatest resource. As we look across the broad expanse of the globe, we can readily see that water constitutes a much wider area than land. We have been particularly fortunate here in the United States and it is absolutely imperative that we begin now on the course to settle the issue of pure water for all time. As was stated so poignantly in the House committee report to accompany S. 4, "the issue of pure water must be settled now for the benefit of, not only this generation, but for untold generations to come."

Mr. Chairman, in my judgment, the legislation before the House today will start us on the road to substantial and necessary improvement of our Nation's waterways. In two brilliant messages since January our distinguished President has called for improvement of our Nation's waterways. And back in the mid-thirties another great Democratic President said:

To some generations much is given, to others much is expected. This generation of America has a rendezvous with destiny.

These memorable words of Franklin Delano Roosevelt apply to the present problem at hand.

Mr. Chairman, I know that other Members of this distinguished House will speak to the specific aspects of this legislation. I want to conclude my remarks by simply saying that I believe—that in terms of water quality improvement—this generation of Americans has a challenge and a moral commitment to start the long process of cleaning up our streams. I also know that representatives of the local governments and industry are prepared to begin together the long and difficult task that lies ahead. The legislation before us, as approved unanimously by the House Committee on Public Works, will start the ball rolling. I urge its immediate enactment. It will be of lasting benefit to all residents of the Sixth Connecticut District.

Mr. HELSTOSKI. Mr. Chairman, in my own district we have two major rivers, and I am sorry to say we cannot boast today of the beauty of either one. The Passaic and Hackensack Rivers at one time, however, were pure and beautiful. They once served our area not only for transportation but for recreation as well.

The encroachment of industry, uncontrolled until recent years, has changed that picture. Today, no one would bathe in either river because of heavy pollution and there are few fish able to survive the contents of the tidal areas in either stream.

This has become a growing problem, long overdue for correction. It has reached a point where many homeowners are affected directly—by peeling paint, unpleasant odors, and unsightly waterfronts.

It is my belief that the proposed amendment to the Federal Water Pollution Control Act will begin to correct these shortcomings in my district and in similarly affected communities throughout the Nation.

This bill is a necessary forward step in our national effort to solve our water pollution problem and to bring about proper water quality. It upgrades the existing program; provides incentives for the participation of States in assisting local governments to finance the construction of necessary waste treatment works, and requires the establishment of water quality criteria by the States.

The creation of a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare by this legislation will lead to a strong national policy for the prevention, control, and abatement of water pollution.

The question of water quality standards, Mr. Chairman, is one of prime importance in my own district. Large portions of New Jersey and neighboring States are now faced by the results of a 4-year period in which we received less-than-normal rainfall. Our reservoirs have been drained to dangerously low points at times and many of our areas have had to ration water during hot summer days.

Cleaning up our rivers under this act could lead to finding and developing new sources of water for consumption.

This bill will open new areas of cooperation between the States and Federal Government. In this program, States and local agencies will benefit from research, investigations, training and information programs developed by Federal Water Pollution Control Administration. And since waterways do not recognize State boundaries, local efforts could result in providing purer water for large areas.

This amendment also provides the means for communities—particularly our older cities—to find the means to combat problems caused by antiquated sanitary and storm sewer systems.

This bill will aid many additional communities by doubling the dollar ceilings limitations for construction of waste

treatment works from $600,000 to $1.2 million for an individual project and from $2.4 million to $4.8 million for a joint project in which two or more communities participate. This dollar increase will still limit the Government to 30 percent of the total cost of the project, but is a more realistic figure based on present total construction costs. It will provide the degree of help necessary for larger cities and for those once-small communities which suddenly have found themselves mushroomed into city-like proportions. Their sewage treatment problems have grown at the same pace.

These, Mr. Chairman, I consider to be necessary services and aids for our communities. I strongly support this fight to combat water pollution and urge my colleagues to join me in voting for passage.

Mr. MORSE. Mr. Chairman, I rise in support of S. 4 as reported by the Public Works Committee.

In the 9 years since Congress first enacted a permanent program for an assault on the growing problem of water pollution, we have made important strides in the improvement of water quality. In 1961, I supported legislation to broaden and expand this program and was particularly pleased that the research function would be emphasized to a greater degree.

The efforts to date have borne fruit, but as the Public Works Committee has pointed out, we are just holding our own—we are not really getting at the root of the problem.

For this reason, I think that the bill before us today is necessary. If we wait much longer to intensify our attack, the battle may be lost.

It is estimated that we will be doubling our water consumption in the next two decades. It is clear that we have got to develop far more effective means of reusing water if we are to meet the rapidly rising demand for water for home, industrial, and scientific use.

This bill contemplates such an effort by including funds for projects to develop new means of waste disposal and control of discharge from sewers. Water treatment also will benefit. The cost of pollution control is expensive. But how much greater is the cost if we measure it in terms of lost opportunities for industrial development, or in terms of the health and happiness of our communities.

This legislation properly removes the limit on grants for waste treatment plants. At the same time, however, it provides incentives for State and local initiative and participation.

In short, it creates the opportunity for real partnership in this field.

In New England and particularly in Massachusetts, we have been blessed with an abundance of water for power and recreational purposes. I believe that this legislation can provide us with an opportunity to preserve that precious resource and open up a new era of economic growth and give our people the pure water they need for health and recreational use.

I urge the passage of the pending legislation.

Mrs. DWYER. Mr. Chairman, the pending bill, the Water Quality Act of 1965, can represent a major advance in one of the most critical problem areas facing the country—the need to clean up our waterways and assure our people of adequate quantities of clean water.

I strongly support this legislation, and I am pleased to note that it has come to the floor of the House with broad bipartisan backing.

New Jersey, Mr. Chairman, is no stranger to water pollution or to water shortages. As the most heavily populated and most intensively industrial of all the States, we have greater need for good water and face greater danger from polluted water and from inadequate supplies of clean water than most others.

In recent years, several of our communities have been forced to ration their water during periods of drought, while along sections of our seashore widespread pollution, at least temporarily, destroyed much of the shellfish industry and rendered useless miles of beaches for recreation purposes. Few of those who have been affected are likely ever to forget the role in their lives played by clean water.

More immediately, Mr. Chairman, northern New Jersey faces the most serious water shortage in its recent history. State and local officials are warning that 3 years of drought have reduced the huge reservoirs serving Newark and other major communities in the State to their lowest levels on record for this time of year. Last week, for instance, the two principal reservoirs in the area were down to 56 percent and 31 percent of capacity, respectively, whereas this time last year they were filled at 95 percent and 75 percent of capacity, respectively.

This impending emergency has not been created solely by inadequate rainfall. New Jersey, like most of the rest of the Nation, has plenty of water. But too much of it, including some of our biggest rivers, is so thoroughly polluted that it cannot be utilized as a source of public water supplies or even, in many cases, for industrial purposes.

Controlling and reducing and, finally, eliminating pollution from our lakes and streams is the only certain way of guaranteeing our people the water we need.

About 9 years ago, Mr. Chairman, Congress established the first comprehensive and permanent program for controlling water pollution. At that time, as the House Public Works Committee noted in its report on the present bill, "untrammeled pollution threatened to foul the Nation's waterways beyond hope of restoration."

Gradually, the committee believes, we have reached a point where we are just about holding our own. But that is not enough. In the face of unprecedented population growth, economic expansion, and rapid urbanization, the only way to keep up is to stay ahead. It is most significant that the committee was unanimous on this point. Both Democrats and Republicans—without exception—recognized this fact of life and voted to report the bill favorably. Since the bill was reported, the House Republican policy committee has joined in calling for its enactment—an excellent example of a bipartisan response to a national need.

The first water pollution control bill in 1956 defined the role of the Federal Government as primarily one of supporting and strengthening the activities of State, interstate, and local agencies. The program was improved in 1961, and the present bill will carry it forward again. But in all cases, Congress has recognized that nothing less than wholehearted cooperation between all levels of government will do the job. Congress and the executive branch can prod, encourage, advise, and help support the States and local communities. But it cannot step in and take over full responsibility for a problem that must, by its nature, be handled where it exists.

In 1962, the Advisory Commission on Intergovernmental Relations, on which I serve as one of three House Members and which is responsible for promoting greater Federal-State-local cooperation, recommended several improvements in the water pollution control program. The Commission proposed, among other things, that greater public investment in water supply and sewerage treatment facilities be encouraged; that the dollar ceilings be increased for individual grants for construction of sewerage treatment facilities so as to provide more help for larger cities; that grant ceilings be increased to encourage construction of joint projects serving two or more communities; and that an added incentive be provided to encourage the construction of waste treatment projects in conformity with regional or metropolitan area development plans.

Having introduced legislation in the previous Congress to implement these recommendations, I am especially pleased to note that the committee has included each of those I have mentioned in the bill now before us.

In addition, Mr. Chairman, the committee bill would also do these other important things:

Improve administration of the program by means of the proposed Federal Water Pollution Control Administration, the sole responsibility of which would be the prevention, control, and reduction of water pollution. Presently, this objective is only one of the many different jobs of the Public Health Service and this fact may help account for the rather unimpressive record of enforcement to date.

Encourage the development of new methods of controlling the discharge from storm sewers.

Promote the construction of larger waste treatment projects serving more people.

Require States to establish standards of water quality for the rivers, lakes, and other waterways they share with neighboring States, so that one State will not be polluting waters which also belong to others.

In connection with water standards, Mr. Chairman, it may be appropriate to echo the cautionary hope expressed by the League of Women Voters of the United States that the setting of water quality standards will not lead to protection of the status quo where existing conditions are poor or to further delay in

making improvements. Such standards can and must be employed to upgrade continuously the quality of the waters concerned. There is no other justification for standards.

Water, Mr. Chairman, does not make headlines until there is too little of it. By passing this bill, the House will help to keep water out of the headlines and in the homes and industry of America.

Mr. REUSS. Mr. Chairman, water pollution in our country is not being halted at a pace fast enough to protect our water supplies. The amendments to the Federal Water Pollution Control Act being offered today represent the next major step in the fight to control this pollution. In formulating these amendments, concerned Congressmen have been searching for the combination of programs, responsibilities, and jurisdictions that would best enable us to halt the growing pollution of our streams. I hope that Congress will soon decide that the only way markedly to step up the pace of pollution abatement is to allow the Federal Government to set standards for water quality on interstate streams.

Water quality standards are neither new nor radical. They are a device that the Federal Government is copying from the States. In 1962, at least 40 out of 50 States had water pollution control laws which provided for the establishment of standards, criteria, objectives, or other similar schemes to preserve water quality. I believe that there is very little argument among water pollution control officers about the necessity for guidelines and standardization of requirements for water quality. Without them, regulatory programs can become arbitrary and difficult to enforce. The only argument is about how to make such standards work.

The States have had numerous difficulties in prosecuting their standards. Out of those 40 States with power to establish standards, 10 have never actually promulgated any standards at all; 10 have standards which apply only to certain rivers; and many have only objectives, vague and with little legal force.

Most State water pollution control programs are greatly understaffed, with insufficient appropriations even for inspection and enforcement, not to mention funds to help municipalities and industries build waste treatment facilities. As a result, State standards, despite the good intentions of State officials, have been of little help in abating pollution.

One reason for this failure is the variability of standards from State to State. It is difficult for a State official to insist that an industry improve its treatment facilities to meet standards if that industry can threaten to move to a neighboring State where standards are lower. Furthermore, there is little incentive to clean up a stream to meet standards if upstream neighbors are allowed to discharge wastes within a much lower standard.

Another reason is the difficulty of arriving at reasonable standards. In most States, the process has involved lengthy hearings and technical services, costs which lie heavily on State budgets. Particularly in those States which employ classification of streams, that is, determining the legitimate uses of the stream before prescribing necessary waste treatment, the procedure is inordinately lengthy. Finally, when standards are set from an exclusively local level, with budget problems and heavy opposition from industries and municipalities with a vested interest in being allowed to continue polluting, there has been a tendency to set standards or classifications very low, with little improvement over the current condition of the stream required. Where classification is employed, for example, we have seen many streams actually classified as suitable primarily for the transportation of sewage—that is, condemning a river to be a sewer. I do not believe that this country is so poor or so callous toward its beautiful, but limited water resources that we need to condemn entire reaches of rivers to be nothing but sewers.

Opponents of water quality standards have, I believe, tended to obscure the issue by bringing up arguments that actually have no relevance to the proposal. Standards, as I have pointed out, are nothing new; almost all the States have found them necessary. Standards can never be universal, applying with equal severity to all streams regardless of size or use. Standards can, of course, be amended upwards or downwards at any time; they are, of course, subject to judicial review like any other administrative ruling; and they can, of course, only be laid down after proper consultation with all parties concerned. These are assumptions never questioned by those of us who support a provision for Federal water quality standards.

The only real argument is whether we will continue to place the entire burden of setting the goals for our country's biggest conservation cause on the already overburdened shoulders of the States. Much aid would be rendered to the State programs by a Federal standard-setting procedure. In many cases, the Secretary of Health, Education, and Welfare would put the weight of his Department's program behind already existing State standards, making them easier to enforce. The Department could also be of particular help to downstream water-users, who have attempted pollution control but have had their efforts undone by their upstream neighbors. In States where permits are issued to waste-dischargers, a Federal standard-setting procedure would help in reviewing and issuing permits judiciously.

From the Washington vantage point, as Congressmen of the United States, we have the opportunity to view as a totality the immense worth of the country's water resources. We must make use of our nationwide view of the problem to provide the inspiration and leadership to step up the fight against pollution. Congress has recognized the responsibility of the Federal Government to lead the Nation in other conservation battles, and I am sure it will assume the same responsibility in this case.

Mr. VANIK. Mr. Chairman, I wish to commend this hard-working committee and its diligent chairman for their labors on this crucial measure. There is no group more keenly aware of the severe nature of the problems of water purity and supply than the chairman and his committee.

This bill will aid immeasurably in our fight to preserve our water supplies. Under the 4-year $20 million project development program new methods will be discovered to control storm sewer systems and sanitary sewage treatment. These efforts are an invaluable part of a total water pollution control program.

By doubling the ceiling of grants to individual projects to $1.2 million and twice that amount for joint projects individual locales are further assisting in the realization of projects which have been long overdue. The 10 percent incentive above the ceiling has merit since it is based upon the development of a comprehensive plan for a metropolitan area.

The several States must take the initiative of participating in this program by filing a letter of intent within 90 days to the Secretary of Health, Education, and Welfare that the State will establish water quality criteria applicable to interstate waters before June 30, 1967. It is my hope that my State of Ohio will not delay the implementation of this law by waiting the maximum time allotted.

As matters stand now the State of Ohio has refused to acknowledge that the critical problem of pollution of the waters of Lake Erie is a matter for the Federal Government to treat. The several States have neither the capacity nor manpower to effect a meaningful comprehensive program. The failure to act by the States has cost millions to those who depend upon Lake Erie and the other Great Lakes for fresh water, commerce, and recreation. The moneys already lost have been multiplied manifold as lake-related businesses have been stunted, decreasing jobs and tax revenue. Therefore, it was my hope that the Federal Government will have the opportunity to act when there is inaction by the States.

At the present time, Lake Erie is the largest body of contaminated fresh water in the world. Rich oxides and chemicals have permanently settled in the lake bottom and the level of this "life-killing" pollution is steadily rising and widening. Attractive marine life has all but vanished. Recreational values of the lake have diminished. The Lake Erie shores through three States between Detroit and Buffalo are replete with evidence of contamination. The Department of Health, Education, and Welfare has nevertheless determined that while there is serious and unquestionable pollution, it has not yet been proven to be interstate in nature qualifying Federal entry.

In the meantime, the Governor of Ohio has called for a Great Lakes Water Pollution Conference for Monday, May 10, at which he has invited other Governors of the Great Lakes area to consider the water pollution problem. On March 26, 1965, I wrote the following letter to Governor Rhodes:

It is with great interest that I learned today of your decision to call for a conference on Lake Erie pollution. The problem was certainly not understated and the plea for joint consideration of this matter by the

Governors of all the States of the Great Lakes Basin is laudatory.

However, I am gravely concerned that the organization of the Great Lakes Water Pollution Compact and the development of studies and recommendations alone by that compact would serve to delay the direct solution of the problem.

An interstate compact among the several States would take an extended period of time to organize and would duplicate, in effect, the comprehensive studies which are currently being completed by the Public Health Service.

As matters stand now, the Department of Health, Education, and Welfare of the United States is ready, willing and able to schedule immediately a conference on Lake Erie pollution if you formally request it. Secretary Anthony J. Celebrezze told me last Monday, that a Federal conference on Lake Erie could not take place unless you request it.

Under Federal statutes a Federal Conference on Pollution is a mandatory prerequisite for the development of recommendations for pollution abatement and control. If these recommendations are not followed the Federal Government is then authorized to proceed to the courts to compel compliance with the "cleanup" directives.

It is my hope that the Governor's conference will not delay Federal entry into the solution of this problem.

I therefore urge that you request Secretary Anthony J. Celebrezze of Health, Education, and Welfare to proceed forthwith with a Federal Water Pollution Conference to meet simultaneously with the organization of a Governors' compact so that no time is lost in approaching effective solutions to the problem.

Mr. Chairman, I would interpret the vote on the legislation we consider today to indicate the tremendous public reaction and support to the Federal Government's activity in this field. It is my further hope that the Cleveland Water Pollution Conference called by Gov. James A. Rhodes will result in a call for a Federal water pollution conference on the Lake Erie problem so that the Federal machinery implemented by this bill may be put into motion.

Mr. ROUSH. Mr. Chairman, there can be no denial of the existence of a water pollution problem in our Nation. If there was no problem we would not be considering the legislation before us today.

There are other Members here who can claim and will, I am sure, exhibit a more detailed knowledge of this most serious subject than I can set forth. I wish to comment briefly on the urgency of the matter with which we are faced.

Time is a relative matter and 20 years can, from one point of view, appear to stretch out into the future in a seemingly interminable manner. But on this subject of water pollution, and the need to reduce and eliminate it, the end of the 20-year period is tomorrow.

By 1985 our Nation's population will have increased by 75 million people. This number is equal to the present population of the area extending from New York and New Jersey on the east to Illinois and Wisconsin on the west.

If we continue the present pace of attack on the water pollution problem on through the next two decades we will find ourselves almost hopelessly behind. It is imperative we upgrade our procedures and our efforts if we even hope to stand still in this area of need. The measure we are considering today will lend much-needed strength to the efforts of our States and cities and towns to combat this problem so vital to the health of our people.

We ourselves and our ancestors have grossly mismanaged this most precious heritage of clean water. It remains for us to insure this heritage will be handed on to those who come after us if we are to meet our responsibilities. We can do no less than to make certain the problem will not increase. We should do more so that the clean, clear streams, rivers, and lakes of yesteryear will be restored to their original state.

Mr. FARNUM. Mr. Chairman, it is our opportunity today to take effective steps to safeguard the greatest of all natural resources, which is pure water, for all generations to come.

That we have this opportunity is due in large measure to the farsightedness and dedication of an astute colleague, the gentleman from Minnesota, the Honorable JOHN A. BLATNIK, which is a State with problems much like those of my own Michigan, a State aptly called "The Water Wonderland."

As long ago as 1956 he helped build the base upon which the able Committee on Public Works, through its distinguished chairman, the gentleman from Maryland GEORGE H. FALLON, has helped him bring to the floor this bill so vital to the future of our nation.

It is of great importance, it seems to me, that primary responsibility for much of the effort to prevent, control, and abate water pollution is placed with the respective States and that promptness in action is encouraged through the requirement that each State to receive funds must demonstrate within 90 days after the day of enactment intent to establish water quality criteria applicable to interstate waters.

Let us hope that each of the States will take this local initiative to solve locally its own portion of the most pressing national problem facing us in the years immediately ahead.

It is important, of course, in the realm of the practical to underline the importance of the problem through establishment of a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare.

It is time indeed that we have an agency that will devote its total energies to attacking the pollution problem.

Increasing the amount of a single grant for municipal sewage treatment from a maximum of $600,000 to $1.2 million is certainly a step in the right direction as is the provision which grants of up to $4.8 million when two or more community applications are combined.

Passage of this bill will be a great step forward in building the America those who come after us will enjoy. With it we help to undo the mistakes of the past and restore the wonderful continent that our forefathers found when they came seeking liberty and the pursuit of happiness on these shores.

Mr. PHILBIN. Mr. Chairman, first, I want to extend my heartiest congratulations and my highest commendation to my dear friend and esteemed colleague, the outstanding chairman handling this fine bill on the floor, the gentleman from Minnesota, Congressman JOHN A. BLATNIK, and all members of the committee for the effective manner in which the bill has been prepared and presented to the House. I also want to thank the admired gentleman from Minnesota [Mr. BLATNIK], in particular, for the fair, balanced, informed and most impressive way in which he conducted the debate.

This bill is one of the most important that the Congress will be called upon to approve this session. First, because it relates to the health and well-being of the American people; second, because, as I have so often stated on this floor and elsewhere, the use, utilization, and control of water are of utmost importance to the American people and to this Government; and, thirdly, because this measure attacks the evil of pollution of our water supplies which is threatening us in so many ways these days; and fourthly, the issue of pure water must be settled now for the benefit of this generation and untold generations to come. The need, both public and private, is paramount.

This bill is one of several on the subject of water and pollution which this Congress has considered and approved within recent years. It is designed to enhance the quality and value of our water resources, and to set a national policy for the prevention, control, and abatement of water pollution. The bill authorizes a four-year program starting this fiscal year at an annual level of $20 million for grants to develop projects which will demonstrate new or improved methods of controlling waste discharges from storm sewers, or combined storm and sanitary sewers and provides contract authority for these purposes.

Federal grant participation is limited to 50 percent of the estimated, reasonable project cost, and may not exceed 5 percent of the total authorized annual amount for any one project. There is also a 25 percent limitation of the total appropriation on the funds which may be expended by contract during the fiscal year.

The bill doubles the dollar ceiling limitations on grants for construction of waste treatment works from $600,000 to $1.2 million for an individual project, and from $2.4 to $4.8 million for a joint project, in which two or more communities participate. The bill also gives the Secretary discretion to increase the basic grant by an additional 10 percent, if the project conforms to a comprehensive plan for a metropolitan area.

The bill also provides enforcement procedures to abate pollution resulting in a substantial economic injury from the inability to market shellfish or shellfish products in interstate commerce.

Proper safeguards for these enforcement procedures are in the bill to protect individual rights, require the production of appropriate evidence and to assure proper labor standards.

The chairman of the full committee, our most distinguished and beloved friend, the very able gentleman from Maryland, Congressman GEORGE H. FALLON, and all his colleagues on the committee, have long labored and have made

effective contributions in the vital area of antipollution measures of the Federal Government, and it is noteworthy and commendable that these very able colleagues of ours have so keenly and clearly recognized the great need of declaring war upon pollution before it spreads its devastating effects throughout even more of the country.

The fight against pollution must be designed not only to eliminate existing pollution, but to prevent further pollution, and to assist municipalities and the several States to achieve these necessary ends, in behalf of enlightened sanitation and public health, not to speak of conservation and recreation.

I have long been interested in this subject, and have joined most vigorously in the past in the efforts the Congress has made to purge the Nation of harmful pollution. I am, therefore, especially pleased again to lend my voice and to cast my vote for this meritorious bill.

I hope that the communities and States will avail themselves of this new and broad opportunity to press toward the complete elimination wherever need exists in our communities and in our country, in the interest of public health, in the interest of the individual citizen and family, and in the interest of a better, cleaner, more wholesome, and happier country for all.

Mr. GRABOWSKI. Mr. Chairman, it is a great pleasure for me to join with my distinguished colleagues in support of the legislation before the House. With a great many Americans I have always been concerned with the quality of water resources. For many years I have believed that our Nation's streams constituted the lifeblood of the Nation's health.

Our people require clean water in every respect whether we are referring to drinking water or to those leisurely hours when we vacation with family and friends near a cool lake. It is important that the quality of the water be of the highest possible standard.

In supporting this legislation, I am aware of the great efforts that have been made by the members of the House Public Works Committee, and by various members of the other body. I have followed this work and I have read through the hearings that have been held in each body. I have been convinced that their work merits our great admiration. And I want to take this opportunity to praise the distinguished gentleman from Minnesota [Mr. BLATNIK] and all other Members who have worked so diligently on this legislation to amend the Federal Water Pollution Control Act, as amended.

This legislation has many, many interesting features. It establishes the Federal Water Pollution Control Administration. It provides grants for significant R. & D. matters and increases the grants for construction of municipal sewage treatment works.

It is a timeworn cliche to say that water is our greatest resource. As we look across the broad expanse of the globe, we can readily see that water constitutes a much wider area than land. We have been particularly fortunate here in the United States and it is absolutely imperative that we begin now on the course to settle the issue of pure water for all time. As was stated so poignantly in the House committee report to accompany S. 4:

> The issue of pure water must be settled now for the benefit of, not only this generation, but for untold generations to come.

Mr. Chairman, in my judgment, the legislation before the House today will start us on the road to substantial and necessary improvement of our Nation's waterways. In two brilliant messages since January our distinguished President has called for improvement of our Nation's waterways. And back in the midthirties another great Democratic President said:

> To some generations much is given, to others much is expected. This generation of America has a rendezvous with destiny.

These memorable words of Franklin Delano Roosevelt apply to the present problem at hand.

Mr. Chairman, I know that other Members of this distinguished House will speak to the specific aspects of this legislation. I want to conclude my remarks by simply saying that I believe—in terms of water quality improvement—this generation of Americans has a challenge and a moral commitment to start the long process of cleaning up our streams. I also know that representatives of the local governments and industry are prepared to begin together the long and difficult task that lies ahead. The legislation before us, as approved unanimously by the House Committee on Public Works, will start the ball rolling. I urge its immediate enactment. It will be of lasting benefit to all residents of the Sixth Connecticut District.

Mr. DUNCAN. Mr. Chairman, I am delighted that this bill has reached the floor of the House and will soon become law. The gentleman from Minnesota [Mr. BLATNIK] deserves the applause of the Nation for his efforts. There is no more important factor in the future of this country than water and the time is long since past when it should have had more of our attention. Parochial and personal considerations can no longer defer the solution of this problem.

I sit on the appropriations subcommittee handling the appropriations for this subject. Testimony was presented to us that 1,511 requests for Federal grants were in preparation or under review, all with the necessary local financing. With our present $100 million authorization only 800 of these sewage-disposal projects can be built; $184.8 million in Federal funds is required to cover the applications in already, not to mention those that can still reasonably be expected during the next fiscal year.

Because I am convinced that the time is here when we must cease polluting our rivers and estuaries; because we have the knowledge now to correct this grave deficiency in our civilization I am convinced that we cannot afford not to proceed with all possible speed to eliminate the blight of pollution. For that reason I introduced H.R. 5377 for the purpose of doubling the authorization for matching funds for pollution control from $100 million to $200 million. This bill adds $50 million for which I am grateful but which I consider to be inadequate. I am, nevertheless, willing to take half a cake to no cake at all.

I am also concerned about the change from the Senate bill to allow the States to set their own water quality standards. Certainly I would far prefer the States to handle this problem as I would so many of the others. But they have not done it so far and I doubt that they can under this law. I envision an interstate stream dividing two States which are commercial rivals with similar industries with disposal problems. It is obvious that both States must agree or there will be no standards. It will be the purest of coincidences if both States can set standards which will clean up the stream.

Again I say, that, while the bill is not perfect, it represents a step forward. The States have their chance. I hope they will succeed. If they do not, we must.

Mr. ZABLOCKI. Mr. Chairman, I rise in support of the Water Quality Act of 1965.

At the outset I want to commend the gentleman from Minnesota [Mr. BLATNIK] and the other members of the Committee on Public Works for reporting this important and necessary piece of legislation to the floor for action.

Our population is growing rapidly. In 1900 there were 76 million Americans. In 1950 there were 150 million. In 1960 there were 180 million. By 1980 it is expected that our population will reach 260 million. Obviously the more people there are the more water we have to have and the more sewage there will be. In the past 100 years water consumption in the United States has risen from a few gallons a day per person to about 700 gallons daily per person. Today the Nation is using approximately 323 billion gallons of water daily. Of this amount, industry uses 160 billion gallons; irrigation, 141 billion; municipal, 22 billion. In 1980 it will jump to 597 billion gallons per day, with industry using 394 billion; irrigation, 166 billion; and municipal, 37 billion.

It takes an ocean of water to maintain our jobs—1,400 gallons to produce a dollar's worth of steel; nearly 200 gallons for a dollar's worth of paper; 500 gallons to manufacture a yard of wool, and 320 gallons to make a ton of aluminum. Water quality and quantity requires careful planning and only clean water will do for most of our needs. So, the water supply must be protected to keep it clean or it must be treated each time it is used until it is clean.

The Water Quality Act of 1965 will, in my opinion, be a powerful legal tool in assisting the national effort toward proper water pollution control and increased purity in the water of our Nation's rivers, lakes, and streams.

Therefore, Mr. Chairman, I urge passage of the measure before us today. We must insure that pure water—so necessary to life—is available to our children and our children's children.

Mr. HORTON. Mr. Chairman, I rise in support of the pending legislation. S. 4 has my enthusiastic endorsement and I shall vote for it.

Water pollution is a serious national problem that deserves Federal attention and action. The steps we have taken so far to provide Government help to the States and local communities in combating polluting conditions have paid off handsomely.

Now, we can do even more. The formula for assistance in this measure promises to be a strong stimulant for other levels of Government to be powerful partners in the fight against pollution.

From my service on the Natural Resources and Power Subcommittee of the House Government Operations Committee, I am very much aware of the scope and extent of pollution problems in our Nation. I have seen them first hand and heard from officials in various areas of the country on the positive controls that can be installed with the kind of Federal assistance proposed in S. 4.

I am particularly pleased at the assistance this legislation will make available to New York State, for my State is embarking on a very ambitious program to purify its water resources and assure their clean condition for the future. The New York pure waters program has been designed in complete harmony with the additions being made to Federal water pollution efforts as they are embodied by the bill before us today.

We can and will assure clean water for our Nation by further helping to build and operate up-to-date sewage treatment systems, by providing information and guidance to industries for their pollution-abating activities, and by better measuring water situations throughout the country in order that we know where action is needed.

I believe the public investment in pure water will be returned many times over in terms of better health, improved recreation, higher property values, lower water costs, and general economic expansion because our Nation will be a finer place to live, work and play.

Mr. Chairman, this legislation represents considerable assistance from the Federal Government to help our States and localities answer water pollution problems. It is the result of long and serious consideration and has a potential of protecting our Nation's water supply in a very positive fashion.

Therefore, I urge the House to give its overwhelming approval to the passage of this bill.

Mr. BLATNIK. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) section 1 of the Federal Water Pollution Control Act (33 U.S.C. 466) is amended by inserting after the words "SECTION 1." a new subsection (a) as follows:

"(a) The purpose of this Act is to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution."

(2) Such section is further amended by redesignating subsections (a) and (b) thereof as (b) and (c), respectively.

(3) Subsection (b) of such section (as redesignated by paragraph (2) of this subsection) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "The Secretary of Health, Education, and Welfare (hereinafter in this Act called 'Secretary') shall administer this Act through the Administration created by section 2 of this Act, and with the assistance of an Assistant Secretary of Health, Education, and Welfare designated by him, shall supervise and direct (1) the head of such Administration in administering this Act and (2) the administration of all other functions of the Department of Health, Education, and Welfare related to water pollution. Such Assistant Secretary shall perform such additional functions as the Secretary may prescribe."

(b) Section 2 of Reorganization Plan Numbered 1 of 1953, as made effective April 1, 1953, by Public Law 83-13, is amended by striking out "two" and inserting in lieu thereof "three"; and paragraph (17) of subsection (d) of section 303 of the Federal Executive Salary Act of 1964 is amended by striking out "(2)" and inserting in lieu thereof "(3)".

Mr. BLATNIK (interrupting reading). Mr. Chairman, I ask unanimous consent that further reading of section 1 be dispensed with, and open to amendment at any point.

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

There was no objection.

Mr. BLATNIK. Mr. Chairman, this covers the water pollution situation, and states the purpose, that is, Federal water pollution control is to enhance the quality and value of our water resources and establish a national policy for the prevention, control, and abatement of water pollution.

The Clerk read as follows:

SEC. 2. (a) Such Act is further amended by redesignating sections 2 through 4, and references thereto, as sections 3 through 5, respectively, sections 5 through 14, as sections 7 through 16, respectively, by inserting after section 1 the following new section:

"FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

"SEC. 2. Effective ninety days after the date of enactment of this section there is created within the Department of Health, Education, and Welfare a Federal Water Pollution Control Administration (hereinafter in this Act referred to as the 'Administration'). The head of the Administration shall be appointed, and his compensation fixed, by the Secretary. The head of the Administration may, in addition to regular staff of the Administration, which shall be initially provided from the personnel of the Department, obtain, from within the Department or otherwise as authorized by law, such professional, technical, and clerical assistance as may be necessary to discharge the Administration's functions and may for that purpose use funds available for carrying out such functions; and he may delegate any of his functions to, or otherwise authorize their performance by, any officer or employee of, or assigned or detailed to, the Administration."

(b) Subject to such requirements as the Civil Service Commission may prescribe, any commissioned officer of the Public Health Service who, on the day before the effective date of the establishment of the Federal Water Pollution Control Administration, was, as such officer, performing functions relating to the Federal Water Pollution Control Act may acquire competitive civil service status and be transferred to a classified position in the Administration if he so transfers within six months (or such further period as the Secretary of Health, Education, and Welfare may find necessary in individual cases) after such effective date. No commissioned officer of the Public Health Service may be transferred to the Administration under this section if he does not consent to such transfer. As used in this section, the term "transferring officer" means an officer transferred in accordance with this subsection.

(c)(1) The Secretary shall deposit in the Treasury of the United States to the credit of the civil service retirement and disability fund, on behalf of and to the credit of each transferring officer, an amount equal to that which such individual would be required to deposit in such fund to cover the years of service credited to him for purposes of his retirement as a commissioned officer of the Public Health Service to the date of his transfer as provided in subsection (b), but only to the extent that such service is otherwise creditable under the Civil Service Retirement Act. The amount so required to be deposited with respect to any transferring officer shall be computed on the basis of the sum of his basic pay, allowance for quarters, and allowance for subsistence and, in the case of a medical officer, his special pay, during the years of service so creditable, including all such years after June 30, 1960.

(2) The deposits which the Secretary of Health, Education, and Welfare is required to make under this subsection with respect to any transferring officer shall be made within two years after the date of his transfer as provided in subsection (b), and the amounts due under this subsection shall include interest computed from the period of service credited to the date of payment in accordance with section 4(d) of the Civil Service Retirement Act (5 U.S.C. 2254(c)).

(d) All past service of a transferring officer as a commissioned officer of the Public Health Service shall be considered as civilian service for all purposes under the Civil Service Retirement Act, effective as of the date any such transferring officer acquires civil service status as an employee of the Federal Water Pollution Control Administration; however, no transferring officer may become entitled to benefits under both the Civil Service Retirement Act and title II of the Social Security Act based on service as such a commissioned officer performed after 1956, but the individual (or his survivors) may irrevocably elect to waive benefit credit for the service under one Act to secure credit under the other.

(e) A transferring officer on whose behalf a deposit is required to be made by subsection (c) and who, after transfer to a classified position in the Federal Water Pollution Control Administration under subsection (b), is separated from Federal service or transfers to a position not covered by the Civil Service Retirement Act, shall not be entitled, nor shall his survivors be entitled, to a refund of any amount deposited on his behalf in accordance with this section. In the event he transfers, after transfer under subsection (b), to a position covered by another Government staff retirement system under which credit is allowable for service with respect to which a deposit is required under subsection (c), no credit shall be allowed under the Civil Service Retirement Act with respect to such service.

(f) Each transferring officer who prior to January 1, 1957, was insured pursuant to the Federal Employees' Group Life Insurance Act of 1954, and who subsequently waived such insurance, shall be entitled to become insured under such Act upon his transfer to

the Federal Water Pollution Control Administration regardless of age and insurability.

(g) Any commissioned officer of the Public Health Service who, pursuant to subsection (b) of this section, is transferred to a position in the Federal Water Pollution Control Administration which is subject to the Classification Act of 1949, as amended, shall receive a salary rate of the General Schedule grade of such position which is nearest to but not less than the sum of (1) basic pay, quarters and subsistence allowances, and, in the case of a medical officer, special pay, to which he was entitled as a commissioned officer of the Public Health Service on the day immediately preceding his transfer, and (2) an amount equal to the equalization factor (as defined in this subsection); but in no event shall the rate so established exceed the maximum rate of such grade. As used in this section, the term "equalization factor" means an amount determined by the Secretary to be equal to the sum of (A) 6½ per centum of such basic pay and (B) the amount of Federal income tax which the transferring officer, had he remained a commissioned officer, would have been required to pay on such allowances for quarters and subsistence for the taxable year then current if they had not been tax free.

(h) A transferring officer who has had one or more years of commissioned service in the Public Health Service immediately prior to his transfer under subsection (b) shall, on the date of such transfer, be credited with thirteen days of sick leave.

(i) Notwithstanding the provisions of any other law, any commissioned officer of the United States Public Health Service with twenty-five or more years of service who has held the temporary rank of Assistant Surgeon General in the Division of Water Supply and Pollution Control of the United States Public Health Service for three or more years and whose position and duties are affected by this Act, may, with the approval of the President, voluntarily retire from the United States Public Health Service with the same retirement benefits that would accrue to him if he had held the rank of Assistant Surgeon General for a period of four years or more if he so retires within ninety days of the date of the establishment of the Federal Water Pollution Control Administration.

(j) Nothing contained in this section shall be construed to restrict or in any way limit the head of the Federal Water Pollution Control Administration in matters of organization or in otherwise carrying out his duties under section 2 of this Act as he deems appropriate to the discharge of the functions of such Administration.

(k) The Surgeon General shall be consulted by the head of the Administration on the public health aspects relating to water pollution over which the head of such Administration has administrative responsibility.

Mr. WRIGHT (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that section 2 be considered as having been read and open to amendment at any point.

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

There was no objection.

Mr. WRIGHT. Mr. Chairman, this section provides for an upgraded status within the administrative structure for the water pollution control activities. Heretofore, the control of water pollution has been relegated to the very minor status of a division within a bureau of the Public Health Service within the Department of Health, Education, and Welfare. Certainly that is not a standing in keeping with or equal to the tasks or the importance of this activity. This section of the bill creates a Federal Water Pollution Control Administration. It will unify the three basic activities of research, enforcement, and assistance in one office. It consolidates the numerous scattered activities under one effective head. It will make compliance considerably easier, and make administration more effective.

AMENDMENTS OFFERED BY MR. BLATNIK

Mr. BLATNIK. Mr. Chairman, I have two amendments to offer, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. BLATNIK: Page 17, line 2, strike out "4(d)" and insert in lieu thereof "4(e)".

Page 17, line 3, strike out "2254(c)" and insert in lieu thereof "2254(e)".

The amendments were agreed to.

Mr. BLATNIK. Mr. Chairman, I have three correcting amendments to offer, and ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. BLATNIK: Page 21, line 23, strike out "1965," and insert in lieu thereof "1966,".

Page 21, line 25, strike out "purpose of making grants under" and insert in lieu thereof "purposes of".

Page 22, line 2, after "grant" insert "or contract."

The amendments were agreed to.

The Clerk read as follows:

SEC. 3. Such Act is further amended by inserting after the section redesignated as section 5 a new section as follows:

"GRANTS FOR RESEARCH AND DEVELOPMENT

"SEC. 6. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, and for the purpose of reports, plans, and specifications in connection therewith. The Secretary is authorized to provide for the conduct of research and demonstrations relating to new or improved methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes, except that not to exceed 25 per centum of the total amount appropriated under authority of this section for any fiscal year may be expended under authority of this sentence during such fiscal year.

"(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by an appropriate State water pollution control agency or agencies and by the Secretary; (2) no grant shall be made for any project in an amount exceeding 50 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made for any project under this section unless the Secretary determines that such project will serve as a useful demonstration of a new or improved method of controlling the discharge into any water of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes.

"(c) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1965, and for each of the next three succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purpose of making grants under this section. Sums so appropriated shall remain available until expended. No grant shall be made for any project in an amount exceeding 5 per centum of the total amount authorized by this section in any one fiscal year."

SEC. 4. (a) Clause (2) of subsection (b) of the section of the Federal Water Pollution Control Act herein redesignated as section 8 is amended by striking out "$600,000," and inserting in lieu thereof "$1,200,000,".

(b) The second proviso in clause (2) of subsection (b) of such redesignated section 8 is amended by striking out "$2,400,000," and inserting in lieu thereof "$4,800,000,".

(c) Subsection (b) of such redesignated section 8 is amended by adding at the end thereof the following: "The limitations of $1,200,000 and $4,800,000 imposed by clause (2) of this subsection shall not apply in the case of grants made under this section from funds allocated under the third sentence of subsection (c) of this section if the State agrees to match equally all Federal grants made from such allocation for projects in such State."

(d)(1) The second sentence of subsection (c) of such redesignated section 8 is amended by striking out "for any fiscal year" and inserting in lieu thereof "for each fiscal year ending on or before June 30, 1965, and the first $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965,".

(2) Subsection (c) of such redesignated section 8 is amended by inserting immediately after the period at the end of the second sentence thereof the following: "All sums in excess of $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, in the ratio that the population of each State bears to the population of all States."

(3) The third sentence of subsection (c) of such redesignated section 8 is amended by striking out "the preceding sentence" and inserting in lieu thereof "the two preceding sentences".

(4) The next to the last sentence of subsection (c) of such redesignated section 8 is amended by striking out "and third" and inserting in lieu thereof ", third, and fourth".

(e) The last sentence of subsection (d) of such redesignated section 8 is amended to read as follows: "Sums so appropriated shall remain available until expended. At least 50 per centum of the funds so appropriated for each fiscal year ending on or before June 30, 1965, and at least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under."

(f) Subsection (d) of such redesignated section 8 is amended by striking out "$100,000,000 for the fiscal year ending June 30, 1966, and $100,000,000 for the fiscal year ending June 30, 1967." and inserting in lieu

thereof "$150,000,000 for the fiscal year ending June 30, 1966, and $150,000,000 for the fiscal year ending June 30, 1967."

(g) Subsection (f) of such redesignated section 8 is redesignated as subsection (g) thereof and is amended by adding at the end thereof the following new sentence: "The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z—15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)."

(h) Such redesignated section 8 is further amended by inserting therein, immediately after subsection (e) thereof, the following new subsection:

"(f) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 10 per centum of the amount of such grant for any project which has been certified to him by an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area within which the assistance is to be used, or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning) as being in conformity with the comprehensive plan developed or in process of development for such metropolitan area. For the purposes of this subsection, the term 'metropolitan area' means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President as not being appropriate for the purposes hereof, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which in the opinion of the President lends itself as being appropriate for the purposes hereof."

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

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

There was no objection.

Mr. McCARTHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, two beleaguered contingents—one Federal and one local—have been waging a valiant war on water pollution.

But, we seem to be losing the war. Lake Erie, whose waters stretch for 20 miles in my district, soon will die if drastic steps are not taken promptly.

Reinforcements are needed. A third army must be recruited now. We need the States in this all-out battle.

In this bill, for the first time, the States are offered a real incentive to join in.

They are offered an incentive to help their larger cities shoulder the burden of this costly war.

Pollution, obviously, occurs where there are people. So the larger cities are the larger polluters.

But, until now, the $600,000 ceiling on a single project looked awkwardly, even impossibly low to the burgeoning municipalities.

Six hundred thousand dollars does not look like much to a fiscally strapped city that is faced with the need for a $10 million waste treatment plant and sees no hope of State aid.

The enemy—pollution—looks pretty ghastly, grim and growing to such a beleaguered city.

Responding to the plight of the cities, the committee has proposed that an additional $50 million be added to the original $50 million, a year program.

We propose that the new money be allocated to the States on a strict population basis and that the ceiling on Federal participation be raised to let the larger cities in. That it be lifted to a full 30 percent of the total cost of a waste treatment plant regardless of the total amount involved, provided that the State match dollar for dollar, all moneys allocated from the additional $50 million.

My State of New York has indicated that it would join the fight on this 30–30–40 basis—30 Federal, 30 State, 40 local. Other States would surely join in too.

This would offer new hope and help to those cities that previously faced a plight, like the city I mentioned, with the prospect of financing 94 percent of a $10 million waste treatment plant.

Under this new formula, this city could look to the State for $3 million, to the Federal Government for $3 million and would have to finance only $4 million, or 40 percent, locally.

Most important, by keeping this provision intact, we will be recruiting a new contingent—the States—into a new, three-pronged attack on water pollution.

We will lighten the financial load on all governments, hasten a victory over pollution and a cleanup of the Nation's waters.

But other forces, by way of other legislation and White House action, will have to join in if a total victory is to be gained.

Industries, many of whom have been draft-dodgers to date, must be pressed into the service with the carrot of tax incentives for extensive pollution abatement equipment and the stick of strict enforcement.

Our good neighbor Canada should be invited to join either through a new treaty or the existing international joint commission.

In a joint attack, Canada and the United States should eliminate municipal and industrial pollution from the Great Lakes, dredge vast quantities of algae from lake bottoms and finally, channel a new water supply from Hudson's Bay into the lakes to flush out pollutants, raise lake levels and provide for increased United States and Canadian water needs.

Much remains to be done. We must progressively escalate this war if we are to be victorious.

This bill today is a must.

As a Member of this body, as an American, a Buffalonian, a lover of Lake Erie, the Niagara River and all our lakes, streams, and rivers, I fervently hope you will vote for it.

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

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

Mr. STRATTON. I wonder if the gentleman from New York would tell me whether that means of the $150 million authorized here, the $50 million would be earmarked, so to speak, for the larger cities and the $100 million would be earmarked for the smaller cities.

Mr. McCARTHY. Partially that would be the effect, because the additional $50 million that we are discussing here now would be allocated on a strictly population basis, so that the larger States where the largest cities are would get more money proportionately. However, the smaller States would draw on that $50 million also.

Mr. STRATTON. I hope that that interpretation will be clear in the record because while I recognize the problem of the larger cities, I am fearful if we raise the ceiling too high all the money might go to the largest cities, and we who represent the smaller communities might end up with very little in our areas.

If that $50 million is in a sense earmarked for cities, then we representing smaller communities can be sure that our communities still have something to help them out.

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

Mr. McCARTHY. I yield to the gentleman.

Mr. BLATNIK. The gentleman from New York [Mr. McCARTHY], a member of the committee, has answered the question and clarified the question raised by the gentleman from New York [Mr. STRATTON]. We completely protect and do not at all change the position, and the justifiable position of priorities to small communities. On that initial $100 million authorization, half of that will be reserved. The priorities given to the $125,000 is as it now exists and has existed for these years under current law. The additional $50 million can be used in short by the States as they will. If their problem is as to small municipalities, they may emphasize aid in that direction for small municipalities. In other areas where we have huge metropolitan areas with their problems, then that money may be used to exceed the limit for the larger cities that equally need this. So we have a more flexible and more effective two-pronged program and at the same time encouraging and urging and hoping that the States will match on this additional $50 million—match their share prorated on a population basis dollar for dollar and they may, therefore, be permitted to exceed the limit. So we do adequately without question protect smaller communities and interests and for the first time also give an opportunity to assist the larger municipalities.

Mr. McCARTHY. I thank the distinguished chairman. I might add that one of the important effects of this, and I am sure the gentleman would agree, is that for the first time there is offered a real incentive to the States to come into this program. Up until now the Federal Government and the localities have been fighting a rather beleaguered war on

pollution. They need reinforcements and this will bring the States in by offering an inducement.

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

Mr. McCARTHY. I yield to the distinguished gentleman from Indiana.

Mr. HALLECK. I just want to say as one of the newer members of this committee, it has been a pleasure for me to work on the committee in drafting this legislation. I think the committee approached the whole matter with fairness and a desire to do the right thing on both sides of the aisle, and I am happy to lend my support on the passage of this bill.

Mr. McCARTHY. I thank the gentleman from Indiana.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENT OFFERED BY MR. CLEVELAND

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

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND: Page 24, line 8, strike out "(g)" and insert in lieu thereof "(h)".

Page 24, line 18, strike out "subsection" and insert in lieu thereof "subsections".

Page 25, line 18, strike out the quotation marks.

Page 25, after line 18, insert the following:

"(g) Notwithstanding any other provision of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 15 per centum of the amount of the total project cost if (1) the project for which the grant is made is for the service of a municipality located within an 'eligible area' as that term is defined in section 3(a) of the Public Works Acceleration Act (76 Stat. 541), and (2) such municipality is located outside the 'Appalachian region' as that term is defined in section 403 of the Appalachian Regional Development Act of 1965 (Public Law 89-4) and (3) the State or States in which such municipality is located pay toward the cost of such project an amount equal to the Federal contribution to such project authorized by subsection (b) of this section."

Mr. CLEVELAND. Mr. Chairman, I will try to explain this amendment briefly. The amendment was offered in committee but the committee did not adopt it.

The general purpose of this amendment is to recognize the fact that in some areas of the Nation, particularly those in the so-called deprived or disadvantaged areas, that even with 30 percent Federal help and even with 30 percent matching State funds, such as we have in New Hampshire, the remaining 40 percent is still beyond the reach of many of these small communities. This is particularly true of towns near or on the headwaters of some of the rivers that contribute to the pollution, which sometimes carries downstream and so affects the other communities far down the river.

The Committee on Public Works has recognized the fact that some of these rural communities cannot afford to participate with the matching funds necessary for sewage plants.

A remedy was provided in the Appalachian bill where up to 80 percent of the participating funds will be supplied by the Federal Government.

It seems only fair that in those rural towns—particularly those in depressed, distressed, or disadvantaged areas—there be an additional helping hand from the Federal Government, in recognition of the fact that even if they try their utmost they cannot afford to match these funds.

With this thought I offer the amendment.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment. At the same time I wish to make it clear I am in sympathy with the objectives of giving additional financial help to municipalities which have such a need.

This is not the place to do so. It would upset the standard, which is consistent and uniform, in a very progressive matching formula.

We are hopeful that the addition of the $50 million will induce the States to act. We expect to match the 30 percent, leaving only 40 percent to be provided, and that will be of assistance.

Above all, there is legislation pending before our committee designed to give assistance to areas where municipalities, counties, and governmental subdivisions are in financial need. There is a substantial community facilities section, and I believe some of the communities to which the gentleman refers could benefit and could be assisted.

I am sympathetic to the objective, but this is not the place to take action. I ask that the amendment be defeated.

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

Mr. BLATNIK. I yield to the gentleman from Florida.

Mr. CRAMER. I hesitate to oppose an amendment offered by the distinguished gentleman from New Hampshire, but I should like to ask a question.

An additional 15 percent is being proposed by the amendment, but there is no authorization increase to take care of the additional money in the amendment, so therefore would it not have to come out of the existing program which the legislation would authorize? In other words, the effect would be to permit a diversion of substantial funds to the additional "15 percent area."

Mr. BLATNIK. Yes.

Mr. CRAMER. Without increasing the authorization in the bill itself?

Mr. BLATNIK. That is correct.

Mr. CRAMER. This would have the effect of diverting funds from the authorizations proposed, as voted by the committee?

Mr. BLATNIK. That is correct.

Mr. CRAMER. From other communities which would otherwise qualify?

Mr. BLATNIK. That is correct.

Mr. CRAMER. I suggest to the gentleman that the question of depressed area legislation, as the gentleman from Minnesota said, will be considered by our committee. I believe that would be a better place for consideration of this proposal, although I hasten to say I doubt if I will be in support of that legislation when it is considered.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. CLEVELAND].

The amendment was rejected.

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

Mr. Chairman, I rise at this moment to give my strong support to this excellent legislation. I should like to underscore certain provisions in it which are of exceptional value to us in the Midwest.

I have just returned from an exhaustive observation of the Mississippi River region of my congressional district. My trip vividly impressed upon me the urgency and imperative need for passage of the strong water pollution control bill which the House of Representatives is currently considering. The Mississippi River is now overflowing its banks and spreading over rich farmland, homes, factories, and areas along the river.

But the most serious aspect of the present flooding conditions is the flow of raw sewage directly into the Mississippi River. In many of the communities along the Mississippi, the water has backed up into the sewerage systems and put them out of operation, thus causing the free flow of raw sewage waste into the river. This situation not only is increasing the polluted state of the river, but has resulted in raw sewage being deposited over vast areas of the Upper Mississippi River Basin. City water resources and individual wells have been contaminated and residents are faced with the prospect of a serious shortage of pure water. In short, a serious public health hazard has been created because of the inadequate ability of the existing disposal plants to cope with floodwaters.

My on-the-spot observations underscore the urgent need for this bill which contains a provision for coping with the existing public health hazard. We cannot continue to jeopardize the health and safety of our citizens who are in dire need of assistance for their efforts to cope with the serious problem resulting from the free flow of raw sewage into their homes and water. In the Quad City area, including Davenport and Bettendorf in my district, the sewage of 100,000 people is flowing directly into the river. This bill will help guard against future disasters in all parts of the Nation.

The Water Quality Act of 1965 will strengthen and broaden the national program of prevention, control, and abatement of water pollution. The progress that has been made under the Federal Water Pollution Control Act of 1956 and the amendments of 1961, in controlling and abating pollution makes it apparent that the goal of clean water can be achieved. Due largely to the untiring efforts of JOHN BLATNIK, of Minnesota, we have the opportunity today to vote on the Water Quality Act of 1965, which I believe will expand the water pollution control program and greatly accelerate the rate of progress toward clean water throughout the Nation.

This act provides for the creation of the Federal Water Pollution Control Administration. As water pollution control has taken on greater national significance through the past few years, it is now essential that the administration of this program be given the necessary

identity and status to perform its functions.

The section of the Water Quality Act of 1965 which I believe is particularly significant in the progressive fight against water pollution, is that which establishes a research and development program relating to combined sewers.

A great many cities in our country installed combined sewers at the time their sewer systems were constructed. Generally, these sewers are large enough to take not only the domestic sewage from the areas they serve, but also the water that runs off after a rainfall. Following a rain these sewers carry quantities of water which are frequently so great that it is not feasible to treat the water at any standard type of sewage treatment plant. And so, during periods of unusually high flow the excess water, including the domestic wastes carried with the water, is allowed to overflow directly to the receiving stream. Although the storm water provides some dilution of the domestic wastes, the heavy flows of storm water serve to flush out the accumulated organic material in the sewers, which increases the pollution of storm water overflows.

A recent study by the Department of Health, Education, and Welfare, on storm water overflows and combined sewer systems, showed that at least 59 million people in more than 1,900 communities are served by sewer systems which allow overflows. The annual average overflow is estimated to contain 3 to 5 percent of the untreated sewage and, during storms, the overflow contains as much as 95 percent of untreated sewage.

These discharges of untreated sewage adversely affect all known water uses, and significant economic loss results from the damages caused by these discharges.

There can be no question that something must be done about these discharges, but the question is what can be done.

The one method which we know will correct the problem is the complete separation of storm and sanitary sewers. With this method the domestic wastes would not be combined with the storm waters and would receive the treatment normally provided, at all times. This solution is technically sound, but financially impossible for most areas. Roughly, it would cost from $20 to $30 billion to achieve complete separation of sewers throughout the country. It is not hard to imagine why most cities find the cost of separating their sewers prohibitive.

Separating sewers involves not only spending huge amounts of money, but also involves disrupting normal life of a community. In order to separate sewers the streets must be torn up to lay the new pipes, thus streets must at times be closed to traffic and this can cause huge bottlenecks in rush-hour traffic. The merchants on the streets closed to traffic suffer great economic losses, as well. And, of course, the noise and dirt resulting from tearing up the streets are unpleasant to all.

Other methods of dealing with the problem of discharges from combined sewers have been proposed, but most of them are, as yet untried. These methods include partial separation of sanitary and storm sewers and other contributing sources, expanded or new treatment facilities, holding tanks with or without chlorination, disinfection, storage using lagoons, lakes, quarries, and other depressions, storage using guttering, streets and roadways, and inlets, additional sewer capacity, regulation and control of flow through the sewer system, and improved planning and zoning.

Up to this time these methods have not been studied because there are very few of such installations to study. And yet, to solve the critical problem of noxious discharges from combined sewers these new methods must be studied and evaluated.

The Water Quality Act of 1965, by providing grants to assist in the development of projects to find new or better methods of controlling discharges from combined sewers, is a great step toward the solution of this problem.

The expenditure of $20 million per year for the next 4 years, for research which can develop practical methods of controlling combined sewage wastes, is well justified when compared to the billions of dollars that otherwise would of necessity be spent to install separate sewer systems in cities throughout the country.

Although grants for research and development are a vital part of the water pollution control program, grants for construction of waste treatment facilities are also an important part of the total program. At present, grants under provisions of the Federal Water Pollution Control Act give the greatest benefit to small cities where the Federal grants frequently cover 30 percent of the construction costs. As the act allows grants up to 30 percent of the costs or $600,000, whichever is the smaller, large cities find that the Federal grants cover only a small portion of their total costs.

The Water Quality Act of 1965 provides for an increase in dollar limitations on treatment works construction. This increase will give the larger cities, with their proportionately greater treatment needs and expenditures, grants for a more equitable portion of their construction costs.

The procedures in the enforcement section of the Federal Water Pollution Control Act have been proven effective in the number of enforcement actions which have been taken. I am pleased to note that there are only two changes in this section, and both broaden the scope of the Secretary's authority in carrying out the enforcement provisions of this act.

The first change empowers the Secretary of Health, Education, and Welfare, to call a conference if he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution and action of Federal, State, or local authorities. Up to this time the Secretary has not had the authority to initiate action in such situations. This provision will enable the Secretary to take enforcement action where necessary, to deal with these problems.

The second change in the enforcement measures permits the issuance of subpenas at the hearing stage of enforcement procedures to compel the presence and testimony of witnesses, and the production of any evidence that relates to any matter under investigation. Although hearings have been necessary in only 4 out of the 34 enforcement actions it is essential that when a hearing is required the Federal authorities have the power to obtain the information which will make the hearing an effective and productive procedure.

I am convinced that this bill before us today is a major step forward in the fight against water pollution. In this fight we cannot take a moment's rest, for as every day passes millions and millions of gallons of water containing domestic sewage and industrial wastes of every sort, are poured into our streams increasing the already intolerable pollution load.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. (a) Subsection (f) of the section of the Federal Water Pollution Control Act herein redesignated as section 7 is amended by striking out "and" at the end of clause (5) and by inserting at the end of such subsection the following:

"(7) provides that the State will file with the Secretary a letter of intent that such State will establish on or before June 30, 1967, water quality criteria applicable to interstate waters and portions thereof within such State, and no State shall receive any funds under this Act after ninety days following the date of enactment of this clause until such a letter is so filed with the Secretary."

(b) Paragraph (1) of subsection (c) of the section of the Federal Water Pollution Control Act herein redesignated as section 10 is amended by striking out the final period after the third sentence of such subsection and inserting the following in lieu thereof: "; or he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution referred to in subsection (a) and action of Federal, State, or local authorities."

(c) Subsection (e) of such redesignated section 10 of the Federal Water Pollution Control Act is amended by inserting immediately after the period at the end of the third sentence thereof the following: "In connection with any such hearing, the Secretary or his designee shall have power to administer oaths and to compel the presence and testimony of witnesses and the production of any evidence that relates to any matter under investigation at such hearing, by the issuance of subpenas. No person shall be required under this subsection to divulge trade secrets or secret processes. Witnesses so subpenaed shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States. In case of contumacy by, or refusal to obey a subpena duly served upon, any person, any district court of the United States for the judicial district in which such person charged with contumacy or refusal to obey is found or resides or transacts business, upon application by the Secretary or the Attorney General, shall have jurisdiction to issue an order requiring such person to appear and give testimony, or to appear and produce evidence, or both. Any failure to obey such order of the court may be punished by the court as contempt thereof."

Mr. THOMPSON of Louisiana (interrupting the reading). Mr. Chairman, I ask unanimous consent that section 5 be considered as read.

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

There was no objection.

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

Mr. Chairman and gentlemen of this body, I believe that probably the part of this legislation as it was reported from the Senate which caused the greatest amount of concern was the part wherein the Federal Government would be authorized to promulgate water standards nationally.

After long deliberation in many hearings, as has been brought out here today, it was determined, after many, many meetings, that it was the consensus of the various States and, in fact, in nearly all instances where States were heard through their Governors or representatives, that they would prefer to work out their own problems settling what the criteria of water standards should be. We know that no two streams have the same personality, so to speak.

No two interstate streams have the same problems. Some pollution is caused by industry, other pollution by natural causes, other pollution by agriculture, and other by the communities located on the streams. Nevertheless all of it is pollution. In most cases we believe that the States should solve their own problems if they can. We feel that the Federal Government should not—and the committee agreed to this unanimously—attempt to step in and set water standards unless and until we can prove conclusively that the several States cannot do it for themselves.

In having this entire matter considered in this package type of legislation we have created a great incentive for the States to cooperate in solving a common problem and yet allow them to retain their privileges and prerogatives.

The legislation provides that by simply filing a letter of intent within 90 days after the passage of this legislation the States will be able to go on with their surveys for the establishment of water criteria to the point where reports will be available to Congress by June 30, 1967, at which time most of this legislation will have expired and when the Congress will be able to take another look at it. Those States which do not conform to this privilege and duty that is being given to them will, of course, not be allowed to receive their new grants.

We agreed to this, as I say, unanimously in the committee, and I am quite sure that the other body will see our point of view because it is one of the parts of the bill which was considered the longest and given the greatest deliberation by the experts, scientists, engineers, and our own legal and engineering staff on the committee. I hope there will be no amendment offered to this.

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

Mr. Chairman, our personal friend and able colleague, Congressman JOHN DINGELL of Michigan, has been in the forefront of conservation measures, particularly with regard to water pollution control legislation, from the very inception of it. Mr. DINGELL has done a tremendous job and has given valuable assistance to me personally and to many of us who are interested in effective legislation in this field.

Mr. Chairman, I ask unanimous consent that the remarks of the Hon. JOHN DINGELL appear at this point in the RECORD.

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

There was no objection.

Mr. DINGELL. Mr. Chairman, water is the lifeblood of every society. Without an adequate supply, history shows us, mighty nations crumble and once great peoples become the academic subjects of archeological diggings and scholarly dissertations.

Often, areas have been deprived of water due to changes in climatic conditions, changes over which primitive peoples and even advanced cultures have little control. While such deprivation is lamentable, at least man can console himself with the truth that the causes of his downfall are forces of nature beyond his power to affect.

We in America are confronted with a situation far more tragic. By polluting and defiling the sources of our water supply, we are thoughtlessly sowing the seeds of our own destruction. No acts of God are involved here, only the self-seeking shortsightedness of a prosperous nation.

Hence, it is imperative that we pause a moment amidst these days of unparalleled social and economic progress to take stock of this precious resource, the depletion of which would threaten our very survival, much less our struggle to build a better America.

The facts on water pollution are clear and frightening. As a nation, we receive about 1,200 billion gallons of water a day, about half of which is potentially usable. Current demand runs about 320 billion gallons daily, though only 315 billion gallons are available from running water and storage.

To make matters worse, water use is increasing at an accelerating rate. Since the turn of the century our population has tripled, but our fresh-water consumption has expanded eightfold from 40 billion gallons to the present level of 320 billion gallons a day. By 1980 water demand in America will have climbed to 600 billion gallons a day, about twice the present usage and equal to our total dependable supply.

Water reusage represents a partial solution to this crisis. The next time you turn on the faucet in your home, you will probably be reusing water utilized earlier by some upstream neighbor. In this sense we have not departed from the practices of ancient Rome, where water pipes bore the inscription:

> The water you drink may have quenched Caesar's thirst.

In 1980, when our population will be in excess of 200 million, the water of most of our streams will have to be reused six or eight times.

Reusage will only enable us to escape our demand-supply water predicament, however, if the more serious problem of pollution is solved. Since 1900, the municipal-waste pollution load discharged into the Nation's waters has increased from 24 million people to 75 million. This will grow to 84 million in the next decade and to 150 million by 1980 unless strong measures are taken.

The pollution load from industrial wastes has soared from the equivalent untreated sewage of 15 million persons to 150 million persons since 1900. There have been enormous increases in pollution by new and highly toxic chemicals. Unless industry faces up to its responsibility to control its contamination of our waters, its contribution will be equivalent to the waste of 300 million persons by 1970 and no one knows how many by the year 2000.

More than 100 million Americans get their drinking water today from rivers carrying sewage, industrial wastes, and anything else that can be flushed down a sewer or thrown from a bridge. The same municipalities and industries that need more clean water are soiling and defiling their own water supplies and those of their neighbors.

A partial list of the things we dump into our waters includes: untreated municipal sewage; manufacturing wastes; oxygen-absorbing chemicals; fish and animal matter; germs and viruses of a thousand varieties, including dysentery, cholera, infectious hepatitis, and probably polio; and radioactive wastes in small but increasingly dangerous doses.

Having surveyed the facts of the matter, what are the results of this failure to conserve our limited water resources? Most obviously, we are fast approaching the day when we will experience acute shortages of healthful water for drinking, cleaning, and washing.

It requires 770 gallons of water to refine 1 barrel—42 gallons—of petroleum, 50,000 gallons to test an airplane engine, 65,000 to produce 1 ton of steel, 320,000 gallons to produce 1 ton of aluminum, and 600,000 gallons to make 1 ton of synthetic rubber. Clearly, if something is not done, our industries will soon be constrained by inadequate supplies of water.

Esthetically, we can already witness the scars of pollutions. Our rivers and lakes were once clear, swift, and teeming with game fish. Today many of them lie sluggish, shallow, clogged with municipal and industrial wastes, and unable to sustain wildlife of any sort.

Commercial fishing industries and sport fishing on many of our inland rivers once known for their high yield of delicious fish have vanished, because the fish have been poisoned and suffocated or because they are so contaminated as to be ill smelling, evil tasting and often unsafe.

But what is to be done? Public Health Service experts estimate that the construction of 4,000 new sewage treatment plants and the modernization of 1,700 more are needed to handle the present load of municipal sewage dumped into the Nation's rivers and streams. It is

further estimated that it will require $4.6 billion if municipalities are to catch up with treatment needs by 1968; $1.9 billion to eliminate the backlog, $1.8 billion to provide for population growth, and $900 million to replace obsolete plants.

What is more, the problem is not a local or even a regional one, but plagues every part of the Nation. Looking at the Midwest from where I come, one is struck by the shameful spectacle of once beautiful Lake Erie dying a premature death due to pollution. Thoughtless pollution has rendered the lake's periphery a bleak wasteland, unfit for residence, recreation, or even industry.

Turning closer to my district in Michigan, one sees the sullied waters of the busy Detroit River, no longer fit even for swimming or fishing.

Industries discharge 1 billion gallons of waste into the Detroit River each day and municipalities discharge 540 million gallons of sewage. The river has changed from what was once a clean body of water at its head to a polluted body in its lower regions. The pollution is bacteriological, chemical, physical and biological, and this pollution will become progressively worse unless effective remedial action is taken at once.

The pollution of the Detroit River causes interference with municipal water supplies, recreation, fish and wildlife propagation, and navigation. It makes all forms of water contact sports in the lower Detroit River a distinct hazard.

Industries and municipalities discharge 6 million pounds of waste products into the Detroit River every day. At my urging in 1962, then Governor John B. Swainson of Michigan requested Federal enforcement officials to provide a solution to Detroit River pollution. The study undertaken after the 1962 conference has been concluded, and study recommendations are expected to provide an appropriate basis for remedial action to be taken in abatement of the pollution problem.

Concerned citizens elsewhere ask why little or nothing is being done to abate pollution. The responsibility for most abatement activity rests at State and local levels. Yet, due to weak antipollution laws and the unending efforts of industrial lobbyists, little progress has been recorded. Whenever Federal legislation is proposed to meet the problem, it is opposed on the grounds that it is an invasion of States rights.

A questionnaire sent out a few years ago by the chairman of the Public Works Committee of the House revealed that many States had never initiated their first proceedings under their respective water pollution laws. Others had never obtained a conviction because of gaps in laws and because of judicial and administrative indifference. Billion dollar corporations have been fined $25 for major water pollution. Some States have no agency authorized to administer State water pollution laws and one State which did have an administrative body to abate pollution found on one occasion that the legislature cut off its funds when it began to get too hard on a politically potent polluter. Industries often threaten to move out of a State if pollution control is enforced too rigorously, and States hungry for jobs and industry are prone to look the other way.

It was against this background of a growing national pollution crisis and State inability to act that Congress began, 17 years ago, to consider Federal legislation.

In 1948 Congress authorized the Surgeon General to assist and encourage State studies and programs to prevent and abate pollution of interstate waters, including the enactment of uniform State pollution control laws and adoption of interstate pollution contracts. It directed the Justice Department, with State consent, to institute court actions to require an individual or firm to cease practices causing pollution, and it created a Water Pollution Control Board.

In 1956 Congress increased the Surgeon General's initiative and powers. In 1961 Congress transferred Federal authority to the Secretary of Health, Education, and Welfare, expanded Federal abatement authority to cover intrastate and coastal waters, and permitted the Secretary to bring court actions through the Justice Department without first seeking State permission.

The present House bill will establish a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare. It will require States to promise within 90 days to establish water quality criteria for interstate waters by June 30, 1967, if they wish to qualify for Federal aid in the construction of water treatment facilities.

This latter provision replaces a Senate proposal to authorize the Secretary of Health, Education, and Welfare to establish and enforce water quality standards. The House bill provision looks in the right direction, but it does not go far enough and in my opinion it will not solve the problem. I was one of the first Members of Congress to introduce legislation to authorize Federal water quality standards, and I hope to see the conference committee on this bill adopt the Senate plan.

Water quality standards are an essential tool which should be afforded to the Secretary of Health, Education, and Welfare to begin a cleanup of our rivers and streams through effective preventive regulation. It enables the Federal Government, rather than seeking to restore streams, rivers and lakes which have been dreadfully abused, polluted and contaminated by the dumping of industrial wastes, to prevent abuse, pollution and contamination. The water quality standards in the Senate bill, and in my bills, H.R. 983 and H.R. 4482, as originally introduced, were meant to be a program for a continuing upgrading of our water to the highest level possible. Had this provision been enforced for 10 years, the Ohio newspapers would not be complaining about filth and sludgy accumulation in Lake Erie at the rate of 6 inches a year, and President Johnson would not be pointing out in his message the fact that 25 percent of Lake Erie is an ecological desert incapable of supporting fish or wildlife or serving as a recreational area in our growing America.

No single provision of the legislation, both that already approved by the Senate and the companion House measures, H.R. 3988, sponsored by the gentleman from Minnesota [Mr. BLATNIK] and my own bill, H.R. 4482, was open to more deliberate and flagrant misinterpretation than the proposed authority for setting of Federal water quality standards on interstate streams. This provision was given the endorsement of President Johnson in his message on natural beauty and accordingly supported by the administration and conservation and citizen interests as necessary in order to prevent pollution before it happens. It is more than particularly shocking, therefore, to learn that Secretary of Agriculture Freeman, on his own admission before another committee of the House, has interposed himself in opposition to this significant provision. Were his opposition based on fact, I would be the first to admire and applaud him. However, the analysis of this provision, which he submitted as the basis for his position, is wholly and totally lacking as to any real understanding or appreciation of the very language of this section. It is difficult in the extreme to even try to understand how this department head could regard the language of the bill as excluding the important water use interests which he represents from any voice in the preparation of the standards. What, if anything, is more clear and intelligible than the bill's wording that the Secretary of Health, Education, and Welfare would prepare regulations setting forth the standards "in consultation with the Secretary of the Interior and with other Federal agencies"? If he wished to have the identical specificity accorded to the Secretary of the Interior by inclusion of himself in the bill, why did not he say so? Instead, he pleads that the legislation slipped through his entire Department unnoticed, despite the fact that the same identical provisions received Senate approval in the previous Congress and renewed administration endorsement in this session. What is worse is to find in his analysis a key to his opposition in regard to "permits for waste disposal from Federal installations" which is not and has not been in any way included in S. 4 of the House companion measures. If, as I suspect, his analysis was prepared by legislative experts within his Department, I recommend that he do himself and his agency a distinct service by some swift firing, and, unless he learns to better support his administration, perhaps by a resignation.

As coauthor of this legislation I want to make another important point. This legislation in setting up an administration of water pollution control is not aimed at transferring the entire personnel now serving on water pollution in the Public Health Service. Its personnel have an important purpose to carry out in the Public Health Service. They have been tried in connection with the handling of water pollution and in frequent cases have been found wanting.

As I pointed out in my testimony before the House Public Works Committee, progress in water pollution control under State administration and under the

Public Health Service is moving, but is moving determinedly the wrong way. An increasing number of streams, utilities, municipal water supplies, and waters for fish and wildlife and for recreational purposes are defiled and destroyed each year.

My testimony stated in part:

When I testified before this committee more than 14 months ago, I had in my possession a list of 90 serious cases of interstate pollution on which no Federal enforcement action had been initiated. This list had been made available to me by the Secretary (of HEW) himself. Several days ago * * * I again requested a list of polluted rivers on which no Federal action had been taken, and this time I was proffered a list of 89 rivers. While less than overjoyed at the prospects of saving the Nation's waters at the aggregate advance rate of one river per annum, further investigation revealed that even this pathetic measure of progress was delusory. In fact, the list of 89 rivers actually included 102 waterways. Rivers that had been recorded separately on the first list were, for some reason, combined under one heading on the second list.

Of the 90 rivers that had appeared on the list more than a year ago, 33 had received Federal attention during 1964, while 57 had received none. In addition, 45 rivers on which no Federal action had been taken became seriously enough polluted to demand inclusion on the present list. Thus, after yet another year with the pollution program under the dead hand of the Public Health Service, and $100 million later, we have fallen 12 rivers deeper on the debit side. Let no one accuse our pollution program of stagnating; it is moving quite determinedly in the wrong direction.

I do, however, pay richly deserved tribute to some of the highly capable people in the Public Health Service—like Mr. Murray Stein, who certainly is deserving of enthusiastic acclaim for his splendid work in this field, and many others in that agency.

In other respects I favor this House bill. For example, it authorizes the HEW Secretary to subpena necessary witnesses to water pollution control hearings.

Concurrently with steady progress toward uniform and effective control over water pollution, Congress has provided increasingly generous Federal aid for the construction of sewage treatment facilities. The present bill will authorize Federal grants up to $150 million a year for 1966 and 1967.

Also in this bill Congress recognizes the advantages of large treatment plants by encouraging small communities to undertake joint projects, and raising the cost ceilings to $1.2 million for single and $4.8 million for joint installations. It also recognizes a special problem by authorizing research into the control of raw sewage overflows from combined storm and sanitary sewers.

As one of the earliest advocates of clean water for Americans, I urge Members of the House to vote for this bill and to support the adoption in the conference committee of the Federal water quality standards provision.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. The section of the Federal Water Pollution Control Act hereinbefore redesignated as section 12 is amended by adding at the end thereof the following new subsections:

"(d) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(e) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act."

SEC. 7. (a) Section 7(f)(6) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 6(b)(4)." as contained therein and inserting in lieu thereof "section 8(b)(4); and".

(b) Section 8 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 5" as contained therein and inserting in lieu thereof "section 7".

(c) Section 11 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 8(c)(3)" as contained therein and inserting in lieu thereof "section 10(c)(3)" and by striking out "section 8(e)" and inserting in lieu thereof "section 10(e)".

SEC. 8. This Act may be cited as the "Water Quality Act of 1965".

Mr. BLATNIK (interrupting the reading of the bill). Mr. Chairman, these last two brief sections are primarily technical and for the purpose of enumerating and identifying certain portions of the bill. I ask unanimous consent that sections 7 and 8 be considered as read and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. STRATTON

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

The Clerk read as follows:

Amendment offered by Mr. STRATTON: Page 28, after line 21, insert the following:

"SEC. 8. Section 13(c) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by deleting the period at the end thereof, inserting a comma, and adding the following: 'and such lateral and other connecting sewer lines as the Secretary shall determine are necessary to a particular project.'" And on line 22, strike out "8" and insert "9".

Mr. STRATTON. Mr. Chairman, I support this program. I have supported it in the past, back in 1961 when we did not have quite as unanimous support for it as we have today; and I support it today. It is a program that is vitally needed. But I would like to underline—and that is the purpose primarily of the amendment I am offering here—the peculiar problem that is being faced in the smaller communities, in the suburban areas, in the resort areas where all the recent growth has been taking place. I am not sure that this problem has been fully recognized in drafting this legislation.

And like the gentleman from New Hampshire [Mr. CLEVELAND], I, too, have an amendment which I think is addressed to that need.

I never quite realized just how much of a problem sewer lines pose for the rural and suburban areas of the country, until 2 years ago when we had the accelerated public works program in operation, with the Federal Government coming up with 50 percent help on local projects, assisting in the construction of needed water and sewer lines to provide for new divisions and subdivisions and new resort cottages. I realized then what a tremendous lack there was and what a tremendous need there was in our upstate, rural areas.

There are many communities I found, Mr. Chairman, where a sewer treatment plant exists but where effective sewage disposal is not being done because of the fact that many new areas are still not connected with the treatment plant and they need these new lines for the program to be effective.

My amendment is simply an amendment to the definition section of the act which defines the term "treatment works." In the present legislation treatment works are defined to include not only the actual sewage plant itself but also the necessary intercepting sewers, the outfall sewers, the pumping and other equipment and "extensions, improvements, remodeling and additions and alterations."

Maybe this wording would already take in those additional lines that you need to go out beyond the major interceptor sewers. But to be absolutely certain I think we ought to add this amendment, which would simply say that a sewer treatment work does include whatever necessary network of additional sewer lines the Secretary determines are essential to any particular project.

The cost of building these lines is sometimes as great as and sometimes even greater than the cost of building the plant itself. Many small communities that I have the honor to represent are faced, in New York State, with a mandate from the State to build their plant and the lines. And yet they find that the cost of these projects actually exceeds the assessed valuation of their own property. They cannot take full advantage of this program without help with sewer lines, too. I think the help should be provided if this bill is to do an effective job.

This amendment would make the program more effective. While we all recognize the needs of our larger cities, as the gentleman from New York [Mr. MCCARTHY], pointed out awhile ago, they are, after all, a little bit better equipped to finance these works than are the smaller communities. My amendment would make the water pollution program a more meaningful one and one that could be more generally helpful. I urge the adoption of the amendment.

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

Mr. Chairman, what the amendment proposes to do, of course, although in a limited way, is to extend the definition of "a sewage treatment facility plant."

The need for interceptor connectors to lines, of course, is an important one. We do not have the money authorized in this legislation and in this program to nearly begin to undertake a program of that scope. For instance, in the treatment plant program alone we have a backlog of $1.8 billion for almost 6,000 communities which do not even have a treatment plant, let alone the connector sewers.

Mr. Chairman, I am in sympathy, and I mean genuine sympathy, with the gentleman's problem and the proposal which he advocates.

We do have legislation to give broader assistance to municipalities in several forms of public works, not only the treatment plants, interceptor sewers, connecting sewers, substations, and so forth, but also water supply systems.

The gentleman from New York [Mr. STRATTON] has been a most consistent and effective supporter of legislation certainly of this type and he has given us some valuable and badly needed assistance and support in connection with the pending bill. It is my sincere hope that we can work together on additional legislation directed toward the problem which the gentleman from New York has described.

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

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

Mr. STRATTON. The current legislation provides in section 13(c) that, as I mentioned a moment ago, "treatment works" means—includes any extension, improvement, remodeling, additions, and alterations thereof.

Perhaps the chairman could make it clear that this language would seem, for example, to authorize this type of program—if you have an existing sewer treatment plant and some outlying sewers, an extension of that sewer system could be authorized under the current law; is that not correct?

Mr. BLATNIK. No; not the lateral connections of the sewers. The determination under this definition has been made administratively by the Secretary of the Department of Health, Education, and Welfare and it has been quite clear, and consistently followed, that it applies primarily and directly to the treatment facilities themselves, with some appurtenances or related mechanisms.

Mr. STRATTON. If the gentleman will yield further, obviously we do not mean the laterals into the houses. But unless you can put the sewerlines out into the communities, the new ones that are perhaps now being served by septic tanks, the sewer treatment plant itself is not effective. Perhaps, this could be done under the law as it stands, but it does seem to me that we need to spell it out somewhere either in the amendment which I have offered or in the legislative history on this bill so that provision can be made for these newer areas.

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

Mr. BLATNIK. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I join the gentleman from Minnesota in his opposition to the amendment.

I think the gentleman from New York [Mr. STRATTON] stated the most effective and the clearest reasons for opposing the gentleman's amendment. The cost of this would probably be as great or greater than the entire treatment works program which exists today. No reasonable consideration has been given to this substantial increase in program or otherwise.

Mr. Chairman, I believe the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. STRATTON].

The amendment was rejected.

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

Mr. Chairman, we come this afternoon to the close of a debate which has certainly been a distinct compliment to this House. This bill has received the unanimous support on both sides of the Committee on Public Works, and is a piece of legislation which reflects with great credit upon the Committee on Public Works and its distinguished chairman. However, Mr. Chairman, this is a piece of legislation that reflects with great credit upon the distinguished gentleman from Minnesota, JOHN BLATNIK, the father and the foremost exponent of clean water in America.

Mr. Chairman, I am pleased, coming from the State of Ohio, to add my support to these needed amendments to this program and to note with pride the splendid spirit of bipartisan unity that made the amendments to the original S. 4 bill possible.

Mr. Chairman, we have shown by amendment and by the remarks here during the debate this afternoon that there seems to be agreement that the Federal Government in its attack upon water pollution must proceed cooperatively, with State and local governments and with the vast American industry as well as in cooperation with every agency throughout the land interested in winning ultimately the fight for clear water.

This bill is void of any accusatory tone and is, indeed, a constructive, intelligent approach which has already brought a response from State governments. Now at the moment of the adoption of this bill I am proud to announce to the House that there is in the Great Lakes region, about to be reconvened a five-State regional conference of State Governors to join with the Federal Government in streamlining America's program for clean water. I am proud to participate in this debate and to support this bill.

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

Mr. Chairman, I want to express my deep admiration and respect for the distinguished subcommittee chairman, the gentleman from Minnesota [Mr. BLATNIK]. I commend Mr. BLATNIK for the magnificent job he has done in getting the committee finally to agree unanimously on one of the most important and controversial pieces of legislation to come before the Congress in a number of years.

I commend our committee chairman, the gentleman from Maryland [Mr. FALLON], the gentleman from Louisiana [Mr. THOMPSON], and the gentleman from Texas [Mr. WRIGHT] who played very important roles in getting every member of the committee to unite on this legislation. I wish the gentleman from Alabama [Mr. JONES] could be here during this debate. Mr. JONES worked long and hard and deserves much credit for final committee approval of the bill. I wish for him a complete recovery and that he will soon be here where he is needed.

This bill in its present form is a good piece of legislation. The distinguished subcommittee chairman, Mr. BLATNIK, deserves the unanimous support of the House of Representatives for his bill. I believe the passage of this bill today will be a significant milestone in the legislative history of this great body. I urge and believe this bill will pass unanimously.

I want to say, Mr. Chairman, that getting the various members of this committee together on this bill has been a monumental accomplishment. By the persistent efforts of the gentleman from Minnesota and the efforts of many others, we have agreed on a piece of legislation that will help purify the waters of the rivers of this country.

Unanimity could not have been possible without the splendid leadership of the minority leader, the gentleman from Florida [Mr. CRAMER]. The gentleman from Ohio [Mr. HARSHA], was most diligent, dedicated, and cooperative in helping to eliminate features of the original legislation objected to by industry, the States, and municipalities. Also, I commend Mr. BALDWIN, Mr. HALLECK, and the entire minority membership of the committee.

When this bill becomes law we will have the cooperation of the States, the local communities, and the industries involved.

Some days ago the distinguished chairman of the Committee on Interstate and Foreign Commerce brought forth a piece of controversal legislation—it was controversial at one time—before this body, and received a vote of 402 to 0. I hope the House will do the same in connection with this bill as a tribute to the magnificent achievement of the leaders of this committee who got all elements and factions together. It was no easy task to get the States, the local communities and industry, as well as the Federal Government, together on this bill, and I hope today the chairman of the subcommittee and the chairman of the full committee will receive a unanimous vote.

The CHAIRMAN. The question is on the committee substitute as an amendment to the Senate bill.

The substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having resumed the chair, Mr. SMITH of Iowa, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the

Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes, pursuant to House Resolution 339, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

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

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BLATNIK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 396, nays 0, not voting 37, as follows:

[Roll No. 82]

YEAS—396

Abbitt	Burton, Calif.	Dow
Abernethy	Burton, Utah	Dowdy
Adair	Byrne, Pa.	Downing
Adams	Byrnes, Wis.	Duiski
Addabbo	Cabell	Duncan, Oreg.
Albert	Cahill	Duncan, Tenn.
Anderson, Ill.	Callan	Dwyer
Anderson, Tenn.	Callaway	Dyal
	Cameron	Edmondson
Andrews, George W.	Carey	Edwards, Ala.
	Carter	Edwards, Calif.
Andrews, Glenn	Casey	Ellsworth
	Cederberg	Erlenborn
Andrews, N. Dak.	Celler	Evans, Colo.
	Chamberlain	Evins, Tenn.
Annunzio	Chelf	Fallon
Arends	Clancy	Farbstein
Ashmore	Clark	Farnum
Aspinall	Clausen, Don H.	Fascell
Ayres		Feighan
Baldwin	Clawson, Del	Findley
Bandstra	Cleveland	Fino
Baring	Clevenger	Fisher
Barrett	Cohelan	Flood
Bates	Collier	Flynt
Battin	Colmer	Fogarty
Beckworth	Conable	Foley
Belcher	Conte	Ford, Gerald R.
Bell	Corbett	Ford, William D.
Bennett	Craley	
Berry	Cramer	Fountain
Betts	Cunningham	Fraser
Bingham	Curtin	Frelinghuysen
Blatnik	Curtis	Friedel
Boggs	Daddario	Fulton, Pa.
Boland	Dague	Fulton, Tenn.
Bolling	Daniels	Fuqua
Bolton	Davis, Ga.	Gallagher
Bonner	Davis, Wis.	Gathings
Bow	Dawson	Gettys
Brademas	de la Garza	Gilbert
Bray	Delaney	Gilligan
Brock	Dent	Gonzalez
Brooks	Denton	Goodell
Broomfield	Derwinski	Grabowski
Brown, Ohio	Devine	Gray
Broyhill, N.C.	Dickinson	Green, Pa.
Broyhill, Va.	Diggs	Greigg
Buchanan	Dole	Grider
Burke	Donohue	Griffin
Burleson	Dorn	Griffiths
Gross	Mackay	Roosevelt
Grover	Mackie	Rosenthal
Gubser	Madden	Rostenkowski
Gurney	Mahon	Roudebush
Hagan, Ga.	Mailliard	Roush
Hagen, Calif.	Marsh	Roybal
Haley	Martin, Ala.	Rumsfeld
Hall	Martin, Mass.	Ryan
Halleck	Martin, Nebr.	Satterfield
Hamilton	Matsunaga	St Germain
Hanley	Matthews	Saylor
Hansen, Idaho	Meeds	Scheuer
Hansen, Iowa	Michel	Schmidhauser
Hansen, Wash.	Miller	Schneebeli
Hardy	Mills	Schweiker
Harris	Minish	Secrest
Harsha	Mink	Selden
Harvey, Ind.	Minshall	Senner
Harvey, Mich.	Mize	Shipley
Hathaway	Monagan	Shriver
Hays	Moore	Sickles
Hébert	Moorhead	Sikes
Hechler	Morgan	Skubitz
Helstoski	Morris	Slack
Henderson	Morse	Smith, Calif.
Herlong	Morton	Smith, Iowa
Hicks	Mosher	Smith, N.Y.
Holifield	Moss	Smith, Va.
Horton	Multer	Springer
Hosmer	Murphy, Ill.	Stafford
Howard	Murphy, N.Y.	Staggers
Hull	Murray	Stalbaum
Hungate	Natcher	Stanton
Huot	Nedzi	Steed
Hutchinson	Nelsen	Stephens
Ichord	O'Hara, Ill.	Stratton
Irwin	O'Hara, Mich.	Stubblefield
Jacobs	O'Konski	Sullivan
Jennings	Olsen, Mont.	Sweeney
Joelson	Olson, Minn.	Talcott
Johnson, Calif.	O'Neal, Ga.	Taylor
Johnson, Okla.	O'Neill, Mass.	Teague, Calif.
Johnson, Pa.	Ottinger	Teague, Tex.
Jonas	Passman	Tenzer
Jones, Mo.	Patman	Thomas
Karsten	Patten	Thompson, La.
Karth	Pelly	Thompson, N.J.
Kastenmeier	Pepper	Thompson, Tex.
Kee	Perkins	Thomson, Wis.
Keith	Philbin	Todd
Kelly	Pickle	Trimble
Keogh	Pike	Tuck
King, Calif.	Pirnie	Tunney
King, N.Y.	Poage	Tuten
King, Utah	Poff	Udall
Kirwan	Pool	Ullman
Kluczynski	Powell	Utt
Kornegay	Price	Vanik
Krebs	Pucinski	Vigorito
Kunkel	Purcell	Vivian
Laird	Quie	Walker, Miss.
Landrum	Quillen	Walker, N. Mex.
Langen	Race	Watkins
Latta	Randall	Watts
Leggett	Redlin	Weltner
Lennon	Reid, Ill.	Whalley
Lindsay	Reid, N.Y.	White, Tex.
Lipscomb	Reifel	Whitener
Long, La.	Reinecke	Whitten
Long, Md.	Reuss	Widnall
Love	Rhodes, Ariz.	Williams
McCarthy	Rhodes, Pa.	Willis
McClory	Rivers, Alaska	Wilson, Bob
McCulloch	Rivers, S.C.	Wilson, Charles H.
McDade	Roberts	
McDowell	Robison	Wolff
McEwen	Rodino	Wright
McFall	Rogers, Colo.	Wyatt
McGrath	Rogers, Fla.	Wydler
McMillan	Rogers, Tex.	Yates
McVicker	Ronan	Younger
Macdonald	Roncalio	Zablocki
MacGregor	Rooney, N.Y.	
Machen	Rooney, Pa.	

NAYS—0

NOT VOTING—37

Ashbrook	Green, Oreg.	Resnick
Ashley	Halpern	St. Onge
Brown, Calif.	Hanna	Schisler
Conyers	Hawkins	Scott
Cooley	Holland	Sisk
Corman	Jarman	Toll
Culver	Jones, Ala.	Tupper
Dingell	Mathias	Van Deerlin
Everett	May	Waggonner
Farnsley	Moeller	White, Idaho
Garmatz	Morrison	Young
Giaimo	Nix	
Gibbons	O'Brien	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Toll with Mr. Ashbrook.
Mr. Waggonner with Mrs. May.
Mr. Morrison with Mr. Halpern.
Mr. Culver with Mr. Mathias.
Mr. Nix with Mr. Tupper.
Mr. Garmatz with Mr. Young.
Mr. Giaimo with Mr. Van Deerlin.
Mr. Dingell with Mr. Conyers.
Mr. St. Onge with Mr. Farnsley.
Mr. Schisler with Mrs. Green of Oregon.
Mr. Sisk with Mr. Holland.
Mr. Cooley with Mr. Ashley.
Mr. Everett with Mr. Brown of California.
Mr. Moeller with Mr. Corman.
Mr. Scott with Mr. White of Idaho.
Mr. Resnick with Mr. Hanna.
Mr. Jarman with Mr. O'Brien.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "An Act to amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of Louisiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON RULES

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain reports.

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

There was no objection.

THE LATE EDWARD R. MURROW

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

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

There was no objection.

Mr. KORNEGAY. Mr. Speaker, yesterday the Nation and the world lost one of its most beloved and well-known voices in a man who was the epitome of modern mass communication. The voice of Edward R. Murrow in the dark days of World War II was as familiar to Americans as those of our own families. Later, following the cessation of this worldwide struggle for peace, the face of Edward R. Murrow became familiar to all of us.

His death yesterday leaves a void that may never be filled, for he personally created a new dimension in journalism and perfected his craft as no other had done before. His death was a personal loss that will be felt the world over,

but the depth of sadness will be even deeper in North Carolina—his birthplace. Edward R. Murrow was born 12 miles south of my home in Greensboro, N.C. From his place of birth on Polecat Creek in Guilford County, Mr. Murrow rose to become familiar to all who seek the truth.

We share the grief of his family and relatives, many of whom still reside in Guilford County—my home county—and I am certain that every Member of this 89th Congress joins me in expressing to them our great sense of loss. Our despair, however, is salved by the knowledge that he contributed so much to one of the principles inherent in the formation of this Government. It is such people as Edward R. Murrow that give meaning to "freedom of speech." It can truly be said of him, "Well done, thou good and faithful servant."

Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker my life was enriched by the warm and strengthening friendship of Edward R. Murrow, and when the tape on yesterday carried the sad tidings of his passing the world in which I live seemed narrowed and blackened.

In war and in peace, in places of quietude and in places of unrest in a changing world, Ed Murrow's was the voice of America in a very real and vibrant measure. His listeners found in his words the mirror of their unspoken thoughts. He personified the qualities of human understanding, humility, and courage, faith and vision in their finest American expression.

I shall always remember the gentle sweetness of Ed Murrow and always in the vision of my memory will be his smile. That smile I saw last on the eve of his hospitalization. He knew the operation that was ahead, and the full sweep of the hazard, but the smile on his face affirmed that the spirit of Ed Murrow was uncomplaining, unquestioning, and unafraid. Meeting head on and fearlessly the what had to be was his practice and his philosophy.

Ed Murrow loved his country with a passion of pure patriotism and he served the country of his love with rare devotion and high dedication; I would say in a spirit of genuine self-abnegation. He often said that never had he known such happiness and soul-satisfaction as had been his when serving his country as the directing head of USIA. Yet, although he never mentioned it, his friends knew that the salary of his Federal post, one of highest distinction and of massive influence on the thinking of the world, was not a tenth of his income in private life, an income he willing had abandoned to accept the call of President Kennedy to join him in the never-ending fight to gain the heights for humankind.

To the fine and noble woman who was his inspiration and his companion, and the other members of his family, and to his former associates in USIA, who grieve his passing and long will miss his presence, I extend my deepest sympathy.

Mr. IRWIN. Mr. Speaker, he always reacted. In an age of the institutional response, the corporate image and the faceless judgments of an anonymous editorial board, Ed Murrow stood out as an individual making judgments, taking risks and letting the chips fall where they may. Whether it was the bombing of London, the excesses of Joe McCarthy or the plight of migrant workers, Ed Murrow always reacted.

His response was not for CBS, with whom he spent some of his most brilliant days in radio journalism, or for a production crew, but for one human being, alive and deeply sensitive to the world around him.

To Edward R. Murrow, an individual voice in an institutional era, "Good night and good luck."

Mr. CLEVELAND. Mr. Speaker, the death of Edward R. Murrow is a source of great sorrow. As one of the prominent figures of the last world war, he was as battle-hardened as any soldier. He rose to the top of his profession and set new standards of courage and integrity in reporting. His work will always be a model of professional excellence. Like all men and women who excel in any endeavor, his influence extended far beyond the confines of his own field. Edward R. Murrow's work was felt throughout the world.

His was the voice of the Battle of Britain and in reporting it, Ed Murrow became a world figure in his own right. He gave to America a living sense of the heroism of the British and it was entirely fitting that the British, shortly before his death, conferred knighthood upon him to express the honor in which he is held.

He served his profession and his country with brilliance. It is fitting that he be honored in the House of Representatives. He will be much missed and long remembered. Our sympathy goes to his wife and family. With countless others, we share their sorrow.

THE LATE EDWARD R. MURROW

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

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I wish to join the gentleman from North Carolina in paying tribute to one of the greatest news reporters of all time, a man with a golden and courageous voice that called all America to arms in his famous broadcasts "London Calling."

I have known Ed Murrow for years. He was a personal friend. Along with every other newspaperman I considered him one of the truly great reporters of our generation. This country and the world have lost a great American in the death of Edward R. Murrow. We shall never see another Ed Murrow in our lifetime, I am sure, because like his close personal friend, Winston Churchill, there is only one in a generation.

THE LATE EDWARD R. MURROW

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

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

There was no objection.

Mr. REID of New York. Mr. Speaker, I would like to join with the distinguished gentleman from North Carolina and the distinguished gentleman from Ohio in expressing my deepest sympathy, and that, I believe, of the entire House, and of the 89th Congress, to the family of Ed Murrow.

I am sure his wife, Janet, and his son, Casey—of whom he was so proud—know how much he was respected and admired both by his colleagues in the press and by those in public life who had the warm privilege of working with him.

Ed Murrow was a reporter of the old school and a performer of the new, as Scotty Reston of the New York Times has so well stated.

He was perceptive in his search for the facts. He was incisive and articulate in their presentation, whether it was the Battle of Britain or the McCarthy hearings. In the latter instance, he was to show a moral courage that was to do much to put an end to the repugnant McCarthy era.

He was a warm and compassionate human being. His was a voice of conscience and leadership that rang out not only throughout the United States but throughout most of the free world.

Ed Murrow was a great American, a distinguished reporter, and a leader who will be long and deeply missed. We will not see his like again.

I wish to extend again the deepest sympathy of this House to Janet and Casey, and to all Ed Murrow's wonderful family.

Mr. Speaker, I would like to call to the attention of the Members the editorials in the New York Herald Tribune, the Washington Post, and the New York Times:

[From the New York Herald Tribune, Apr. 28, 1965]

THIS WAS MURROW

A man who could be at home with a king—and with a cockney—who could go from Prime Minister Winston Churchill's office at 10 Downing Street to lie down in a gutter, the better to record and then transmit to his American audience the sound, and even a sense of the smell and the taste, of the London blitz; such a man had the breadth of life itself, a talent for grasping it and for passing it on to others; such a man was Edward R. Murrow.

He was a pioneer in a pioneering field; restless, relentless, and perceptive in his search of facts and meanings; compassionate toward his fellow man, especially those whose suffering he chronicled; fearless in time of war and no less courageous in exposing those who would disturb the peace, at home and

abroad. The "small world" of Ed Murrow has become smaller for his having signed off. He made it larger while he lived.

[From the Washington Post, Apr. 28, 1965]

EDWARD R. MURROW

His voice was as well known to a whole generation of Americans as that of any other living man. His face on television was as familiar as that of a member of the family. His manner on the air and on TV was imitated by numberless others less accomplished. His cigarette was a sort of trademark without which he would have seemed strange.

These matters of appearance and style were by no means all of Ed Murrow, the great and gifted radio and television commentator who died yesterday. They helped to make more successful the career of a man whose success rested primarily upon his great qualities of mind and heart and his indefatigable energy. He worked tirelessly at his trade, mastering background on world affairs and searching out the facts on personalities in the news until his listeners saw the events of his time through the prism of a fine mind, sharpened to detect the significance and importance of events. As a broadcaster and as a broadcasting executive he worried about his profession and the industry. His conscience was as unfailingly present at his performances as his cigarette.

It is very sad that illness cut short his new career at the U.S. Information Agency where he struggled to improve the organization of the agency and tried to lift the quality of its disseminations. He will be recalled as long as the world remembers the great events he reported throughout his career. He will be remembered for his skill, his carefulness, his humanity, and his conscience.

[From the New York Times, Apr. 28, 1965]

WASHINGTON: FAREWELL TO BROTHER ED

(By James Reston)

WASHINGTON, April 27.—Edward R. Murrow lived long enough before he died this week to achieve the two great objectives of a reporter: He endured, survived, and reported the great story of his generation, and in the process he won the respect, admiration, and affection of his profession.

The Second World War produced a great cast of characters, most of whom have been properly celebrated. Roosevelt, Churchill, and Stalin are gone. Chiang Kai-shek is now living in the shadow of continental China, which he once commanded, and only De Gaulle of France retains power among that remarkable generation of political leaders formed in the struggle of the two World Wars.

The great generals of that time, too, like MacArthur and Rommel, have died or, like Eisenhower and Montgomery, have retired; but in addition to these there was in that war a vast company of important but minor characters who played critical roles.

THE IRONY OF HISTORY

History would not have been the same without them. They were the unknown scientists, like Merle Tuve, who invented the proximity fuse and helped win the air war, and Chiefs of Staff like Bedell Smith, and the Foreign Service officers like Chip Bohlen and Peter Loxley of Britain, and on the side, the Boswells of the story, like Ed Murrow of the Columbia Broadcasting System.

It was odd of Ed to die this week at 57—usually his timing was much better. He was born at the right time in North Carolina—therefore he was around to understand the agony of the American South. He went west to the State of Washington as a student and therefore understood the American empire beyond the Rockies; and he came east and stumbled into radio just at the moment when it became the most powerful instrument of communication within and between the continents.

A REMARKABLE GROUP

He was part of a remarkable company of reporters from the West: Eric Sevareid, Ed Morgan, Bill Costello whom Murrow recruited at CBS, Hedley Donovan and Phi. Potter out of Minnesota, Elmer Davis, Ernie Pyle, Tom Stokes, Bill Shirer, Raymond Clapper, Wallace Carroll, Webb Miller, Quentin Reynolds, Wally Deuel, the Mowrers, and many others, including his dearest friend, Raymond Gram Swing, who played such an important part in telling the story of the Old World's agony to America.

[From the New York Times, Apr. 28, 1965]

THIS IS LONDON

No one who heard Edward R. Murrow report on the Battle of Britain while it was in progress will ever forget him. A quarter of a century has elapsed since his calm baritone brought the indomitable spirit of the leaguered capital into millions of American homes, but the memory of his superb reporting still lives.

Many years later Mr. Murrow rose to another great opportunity, a test of moral courage rather than of physical bravery. By his devastating presentation of the facts he did as much to end the era of McCarthyism as any man could do.

Edward R. Murrow was a reporter of great courage, talent, and integrity. He will be mourned by multitudes who never knew him personally but who felt his impact on their lives.

THIS IS LONDON

But Murrow was the one who was in London at that remarkable period of the Battle of Britain, when all the violence and sensitivities of human life converged, and being sensitive and courageous himself, he gave the facts and conveyed the feeling and spirit of that time like nobody else.

It is really surprising that he lived to be 57. He was on the rooftops during the bombings of London, and in the bombers over the Ruhr, and on the convoys across the Atlantic from the beginning to the end of the battle. Janet Murrow, his lovely and faithful wife, and Casey, his son, never really knew where he was most of the time, but somehow he survived.

In the process, he became a symbol to his colleagues and a prominent public figure in his country, and there was something else about him that increased his influence. He had style. He was handsome. He dressed with that calculated conservative casualness that marked John Kennedy. He was not a good writer, but he talked in symbols, and he did so with a voice of doom.

It is no wonder that the British, who know something about the glory and tragedy of life, knighted him when they knew he was dying of cancer at the end. Their main hope in the darkest days of the German bombardment of London was that the New World would somehow understand and come to the rescue of the Old, and if anybody made the New World understand, it was Murrow.

THE RAT RACE

He hated the commercial rat race of the television networks, and fought their emphasis on what he regarded as the frivolities rather than the great issues of life, and talked constantly of escaping back into the small college atmosphere from which he came. He never made it and probably wouldn't have liked it if he had.

Those who knew him best admired him most. He was a reporter of the old school and a performer of the new. In radio and television, only the memory of other people remains, and the memory of Ed Murrow will remain for a long time among people who remember the terrible and wonderful days of the Battle of Britain.

INVASION OF PRIVACY: A REQUEST THAT ALL FEDERAL AGENCIES ADOPT REGULATIONS PROHIBITING PSYCHOLOGICAL TESTING

Mr. GALLAGHER. 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 pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the right to privacy is under great assault in the United States. Americans are being subjected to lie detector tests, electronic eavesdropping, mail checks, peepholes in work areas and restrooms, trash snooping and other equally alarming intrusions. The Federal Government should be leading the fight to protect the right to privacy guaranteed under the fourth amendment to the Constitution, but I regret to say it is not. Certain branches of the Federal Government are among the chief offenders.

For several months, the House Committee on Government Operations has been investigating a number of aspects of invasion of privacy involving Federal agencies. One of these has been the use of psychological questionnaires and personality tests on Federal employees and job applicants. These tests supposedly seek out the mentally disturbed. But they invade the most intimate recesses of the human mind in doing so. Federal workers are asked extremely intrusive questions about their sex lives, their families, their religious views, their childhood and practically everything else that people have a right to keep private. After taking hours of these examinations, a person is left standing psychologically naked. They are not only having their minds violated but also their constitutional rights in my opinion.

On March 29, I advised the House that the State Department had agreed to discontinue psychological testing. Today, I am pleased to inform you that the Export-Import Bank, after consulting the committee, has issued a policy statement prohibiting the use of psychological tests in that agency. The Bank should be congratulated for this move. It is my hope that other agencies of the Federal Government will now follow the lead of the State Department and Export-Import Bank. Those agencies include the Defense Department, the Labor Department, the Interior Department, and the Peace Corps.

Following is the text of the order banning psychological testing which was issued by the Export-Import Bank:

EXPORT-IMPORT BANK OF WASHINGTON,
April 20, 1965.

MEMORANDUM TO PERSONNEL OFFICER

Subject: Applicant and employee testing.

1. The purpose of this memorandum is to establish a policy prohibiting the use of a certain type of test on employees or applicants for employment with the Export-Import Bank.

2. It is recognized that there are certain kinds of test materials under the general heading of psychological testing which are useful and permissible, such as aptitude and vocabulary tests.

3. Apart from the above, there has been some use made in Government of psychological-personality tests which most often include questions of an extreme personal nature bearing on sex, morality, parental relationships, and the like.

4. It is hereby prescribed that tests of the nature indicated in paragraph 3 above will not be used in any examination of employees or applicants for employment.

JOHN R. CROWN,
Administrative Officer.

Mr. Speaker, our House investigators have uncovered another psychological test in Government files. It is just as bad as others we have studied and has no place in any Government personnel office. Here are a number of true-false questions contained on that examination:

I feel very guilty about my sins.
I like Westerns on television.
I am contented with my sex life.
I love my mother.
I sometimes think that I failed in love.
My parents would not be proud of the kind of life I have led.
I go to church more than once a week.
I masturbated when I was an adolescent.
My family didn't show much love for each other.
Flirting is often a lot of fun.
I stole things once in awhile when I was a child.
I occasionally enjoy a dirty joke.
I enjoy gambling.
I am seldom constipated.
I feel that my sexual instinct is as strong as my ambition.
I am never tempted to do anything wrong.
I have had a good deal of sexual experience.

This examination continues in a similar vein for 300 questions. But question No. 221 really takes the cake:

I find answering these questions to be a rather unpleasant task.

I guess if you answer "True" to that one, it makes you suspect. One must conclude from this that if you believe in the right to privacy then that apparently counts against you. This type of thing builds nothing but mental tapeworms.

Now I ask you, would you like to answer such questions as a condition of your service as a Member of Congress? Yet, Federal employees are being forced to answer such questions as a condition of their employment. In some cases, you cannot get a job with a Federal agency unless you go through an inquisition with the brain watchers. This mental wiretapping should be ended now—today.

TELEVISION IN THE UNITED STATES TODAY

Mr. HARRIS. 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 pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I am introducing today a bill aimed at dealing with an important aspect of television in the United States today and, more importantly, perhaps, with the future of television in the United States. The bill seeks to deal with the role of community antenna television systems in relation to television broadcasting.

On Friday last, April 23, the Federal Communications Commission adopted a course of action which makes consideration of this legislation by the Congress urgently necessary. The Commission announced that it will regulate community antenna television systems by imposing on the operations of such systems certain requirements with regard to carrying programs of local television stations and prohibiting, for a period of 30 days, the duplication of programs carried by such stations.

Mr. Speaker, the course of action adopted by the Commission is a source of deep disappointment to me. I have urged the Commission repeatedly over a period of years, and particularly in recent months, to submit to the Congress legislative recommendations aimed at dealing in a comprehensive manner with the problems presented by CATV systems. Instead of proceeding in this manner, the Commission contends that it has statutory authority under the provisions of the Communications Act of 1934 to exercise regulatory controls without additional legislation.

Mr. Speaker, I seriously question the contention of the Commission that it has sufficient statutory authority to exercise adequate control. The Commission bases its contention on general language in the 1934 act authorizing the Commission to regulate broadcasting in the public interest. It is the Commission's contention that the statutory authority over broadcasting gives it power to regulate instrumentalities like community antenna television systems on the ground that their operation directly affect broadcasting.

Mr. Speaker, if Congress fails to take action clarifying the situation it would be for the courts to decide whether or not the Commission has the regulatory authority over community antenna television systems which it now claims to have. The scope of that authority, however, would remain in doubt unless the courts give to the Commission carte blanche to proceed in any way it sees fit.

There was a time when this same Commission, with a somewhat different membership thought differently on this point. In 1959, the Commission denied that it had regulatory authority over community antenna systems. Also, during the 86th Congress, the other body gave extensive consideration to legislation giving such authority to the Commission. By a vote of 39 to 38 the other body voted to recommit to the Committee on Interstate and Foreign Commerce of that body legislation which would have granted to the Commission regulatory authority over CATV systems because the grant of authority was considered too broad.

Now, in spite of this background, the Commission has adopted a course of action which, in my opinion, is not in the best interest of the future of television in the United States, and it places the Commission in the wrong posture vis-a-vis the Congress. Mr. Speaker, as I said, I am greatly disappointed. I want to stress, however, that I am not mad at anybody.

My disappointment is all the greater because the present course of action of the Commission with regard to CATV does not constitute an isolated instance. There have been similar instances in recent years with regard to other aspects of broadcasting where the Commission acting on its own has sought to extend its regulatory activities without a sufficient mandate and guidance from the Congress to undertake such activities.

I would like to remind the Members of this body and the members of the Commission that this unfortunate approach has not been limited to broadcast matters. In the case of communications satellites, the Commission sought to pursue a similar course of action. In that case Congress acted promptly to establish public policies which take into consideration the broad interests of the American people in international communications as well as the interests of the various industry segments here at home.

The Commission originally was bent on a course of action which would have made communications satellites an adjunct to existing cable and radio services. The legislation establishing the Communications Satellite Corp. provided a novel and greatly different approach from the one pursued by the Commission. Mr. Speaker, a similar situation appears to exist with regard to CATV. The Commission claims the statutory authority to regulate CATV operations as an adjunct to television broadcasting. In approaching the problem in this manner the Commission has failed in two respects.

First, the approach to CATV is a piecemeal approach which is motivated by bringing about what the majority of the Commission considers fair competition between broadcasters and CATV.

Secondly, being a piecemeal approach, the Commission has failed to ask itself the all important question: What should our national policy be with regard to the future of television in the United States?

Such a policy, Mr. Speaker, can be established only by the Congress and only after taking into consideration many, many factors which the Commission in acting on CATV has failed to take into consideration.

Mr. Speaker, my contention is that the Commission should have regulatory authority with regard to CATV operations. Such authority, however, should be granted to the Commission by the Congress. Such authority should be granted only after the Congress has had an opportunity to consider all aspects of the future of television in the United States and has been able to provide what role CATV operations should play in this respect.

Mr. Speaker, the bill which I am introducing today is more than a CATV bill. The bill seeks to establish a national television policy which gives frank recognition to some of the realities of television today. The bill would establish as the goal of the national television policy "to give to the people of the United

States access to the greatest practicable diversity of local, network, educational, and other television programs."

It is my purpose in this way to make more specific the all too general "public interest" standard which presently constitutes the sole yardstick guiding the Commission in regulating television broadcasting. This standard is insufficient to guide the Commission with regard to the complex regulatory questions relating to local, network, educational, and other television programing.

The bill would clarify the authority of the Commission to regulate community antenna television systems without regard to whether microwave or wires are used by such systems. Mr. Speaker, I believe that this clarification of the present authority of the Commission is urgently needed if the broadcasting and CATV industries are to escape from prolonged uncertainty which would result from judicial tests of the Commission's authority to issue the community antenna television regulation which it has proposed.

The bill would make clear that the Commission is authorized to regulate CATV systems but not to license them. It would also make clear that CATV systems should not be deemed to be common carriers.

The bill further recognizes that State statutes and local ordinances may affect the accomplishment of the national television policy. The bill, therefore, would call for the preemption for exclusive Federal regulation of "those aspects of intrastate and local television communications which may affect the accomplishment of the national television policy."

Most importantly, the bill would provide that no CATV rules promulgated by the Commission should take effect prior to the expiration of 90 calendar days following the date of promulgation.

Mr. Speaker, the purpose of this provision is to give the appropriate committees of the Congress and the Congress itself, an opportunity to review such rules before they become effective.

Mr. Speaker, I realize that this provision proposes an important change in the traditional relationship by the regulatory agencies and the Congress. It is my considered opinion that such change is urgently called for on a selective basis in the case of those rules which involve the exercise of broad rulemaking authority under rather general statutory standards.

Mr. Speaker, this provision calls for a procedure whereby rules promulgated by the Commission with regard to CATV may be reviewed by the Congress before they become effective. This procedure is designed to strengthen the hands of the Commission. The Commission cannot function in a vacuum. If broad policy rules promulgated by the Commission are to be viable they must have substantial congressional support. A 4-to-3 or 3-to-2 vote by the Commissioners does not suffice.

Mr. Speaker, on the other hand, such a provision places an important responsibility on the Congress. Such responsibility can and must be exercised in selected important areas if the Congress rather than the Commission is to be the policymaking body in these United States, and the future of television in the United States is important enough for the Congress to be concerned.

There is no use complaining that the FCC and other independent regulatory agencies frequently steer an erratic course in discharging their regulatory responsibilities. In many instances the mandate given by the Congress to such agencies simply is not specific enough to give them the needed backing for their regulatory efforts. It is my hope that the proposed procedure will set a pattern for a more effective relationship between regulatory agencies and the Congress on the one hand and regulators and the regulated industries on the other hand.

In addition, my bill would provide that any interim procedure adopted by the Commission with regard to CATV systems which was adopted without following the rulemaking provisions of the Administrative Procedure Act shall be null and void. Mr. Speaker, the practice has grown in several regulatory agencies and particularly in the FCC to "freeze" for an indeterminate period of time or to impose so-called voluntary regulations pending completion of formal agency rulemaking. In my opinion, this approach violates the spirit, if not actually the provisions, of the Administrative Procedure Act, and should be specifically prohibited.

Finally, the bill would authorize the Commission to secure full and complete information on CATV operations using subpenas if necessary as provided elsewhere in the act. This is absolutely necessary if we are to have effective regulation of CATV in the public interest.

In conclusion, Mr. Speaker, by introducing this bill, it is my purpose not only to propose legislation with regard to CATV operations. It is my additional purpose to propose a national television policy and a procedural pattern of legislation and regulation which will enable the FCC and the Congress to become more effective in reaching important policy decisions with regard to the future of television in the United States.

SUMMARY OF PROVISIONS

The bill would:

First. Establish a national television policy "to give to the people of the United States access to the greatest practicable diversity of local, network, educational, and other television programs." This language would make more specific the "public interest" provisions contained elsewhere in the act.

Second. State that in order to accomplish this national television policy, it is imperative that interstate television communications—whether by wire or by radio—be regulated. This would clarify the authority of the Commission to regulate CATV systems without regard to whether microwave radio or wires are used by such systems.

Third. Preempt for exclusive Federal regulation "those aspects of intrastate and local television communications which may affect the accomplishment of the national television policy."

Fourth. Authorize the Commission to regulate CATV systems but not license them. Make clear that CATV systems shall not be deemed to be common carriers.

Fifth. Provide that no CATV rules should take effect prior to the expiration of 90 calendar days following the date of promulgation of such rules by the Commission. This would give the Congress an opportunity to review such rules.

Sixth. Make null and void any interim procedure adopted by the Commission with regard to CATV systems which was adopted without following the rulemaking provisions of the Administrative Procedure Act. Such interim procedure has been put into effect by the Commission making microwave licenses conditional upon "voluntary" acceptance by the licensee of certain operational limitations with respect to nonduplication and carrying local stations.

Seventh. Authorize the Commission to secure full and complete information on CATV operations using subpenas, if necessary, as provided in section 409 of the act.

SELMA, ALA.

Mr. CONYERS. 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 pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, after returning from my trip to Selma, Ala., on February 5, 1965, a drive was initiated in my congressional district for contributions to help the Negro Americans in the Selma area who have been the victims of severe economic intimidation as a result of their struggle to gain equal rights.

On Easter Sunday, April 18, 1965, I again visited Selma in order to present over 100,000 pounds of food, clothing, toys, medical supplies, and even Easter baskets donated by so many wonderful people throughout the State of Michigan. So much was contributed that it required six 40-foot trailer trucks, generously paid for by the Teamster's Union, to transport everything from Detroit to Selma.

While in Selma, a prominent white citizen showed me a newspaper advertisement in the Selma Times-Journal for that day. The sentiments and pledges expressed in that advertisement demonstrate that some progress is being made toward achieving equal rights for all the people of Alabama. I would like to quote some of the statements of belief from this advertisement, titled "What We Believe and Where We Stand," which was endorsed by a great many local groups and hundreds of individuals in Selma: "the full protection and opportunity under the law of all our citizens, both Negro and white," "the right of every eligible citizen to register and cast his ballot," and "obedience to the law." The advertisement also called upon Alabama businessmen to provide leadership in implementing title VII of the 1964 Civil Rights Act which prohibits discrimina-

tion in employment. I consider this last pledge particularly significant since the advertisement was signed by almost all the major business organizations when it was first published on April 15, 1965, in all Alabama dailies and the Wall Street Journal.

I have taken this time to bring these developments to the attention of my colleagues because I believe they are the crucial first steps toward achieving true democracy in Alabama and they deserve to be recognized and supported. I now look forward to specific actions in the next few weeks that will put these fine words into practice.

Mr. Speaker, I ask that, immediately following my remarks, there be printed in the RECORD the newspaper advertisement, "What We Believe and Where We Stand," with the initial list of endorsements, the list of people and groups in Selma who endorsed the advertisement on April 18, and also an article from the Selma Times-Journal of Sunday, April 18, explaining how the advertisement came to be supported by the Selma Chamber of Commerce.

WHAT WE BELIEVE AND WHERE WE STAND

In light of recent developments in Alabama, we feel that the business community has an obligation to speak out for what it believes to be right.

The vast majority of the people of Alabama, like other responsible citizens throughout our Nation, believe in law and order, and in the fair and just treatment of all their fellow citizens. They believe in obedience to the law regardless of their personal feelings about its specific merits. They believe in the basic human dignity of all people of all races.

We intend to continue working diligently for the full development of Alabama, the welfare of its people and the maintenance of conditions favorable to the creation of an economy which will benefit every citizen.

For these reasons, we feel that we must publicly declare and reaffirm what we believe and where we stand.

First, we believe in the full protection and opportunity under the law of all our citizens, both Negro and white. Just as we feel every Alabamian inherently has the right of protection, so does every Alabamian have a responsibility to uphold the law. We deplore equally public demonstrations which violate the law, and the actions of those who take the law into their own hands. There are proper procedures for expressing protest in a lawful manner, just as there are procedures for restraining those who would violate the law.

We believe in the basic American heritage of voting, and in the right of every eligible citizen to register and to cast his ballot. We believe, however, that qualification of prospective voters, when properly and equitably administered, is a constitutional responsibility that must be preserved.

We believe in obedience to the law, even though some may question the wisdom of particular laws. Such a law is the recently enacted Civil Rights Act of 1964, which many of our citizens feel contains many unjust and improper provisions. We do, however, have an obligation to abide by it, and this we will do. Where injustices or inequities are indicated, we will seek relief through proper and legal channels.

Our State is faced specifically with compliance with title VII of this law which goes into effect shortly. This provides for nondiscrimination in employment and will call for some adjustments. While many of our employers have been in compliance with these provisions for some time, we call on business leaders all over the State to provide leadership in this matter.

We believe that communication between different elements of our society must be maintained. We urge leaders of both races to improve avenues of communication and understanding. While this has been done successfully in many local communities, we suggest that consideration be given to the establishment of positive new vehicles for communications between the races throughout all the State.

We believe that an expanding economy will benefit all of our people. This will provide more jobs and greater income, thus raising the standard of living for all of our citizens—both Negro and white.

We believe that an ever-increasing level of education is an important objective. This will better equip our citizens to take advantage of job opportunities and to become qualified voters.

We believe in Alabama, have confidence in its future, and call upon all of its citizens to join together in working for the attainment of these objectives and the solution of the many problems facing us.

Alabama State Chamber of Commerce.
Alabama Bankers Association.
Associated Industries of Alabama.
Alabama Textile Manufcturers Association.
Birmingham Chamber of Commerce.
Mobile Chamber of Commerce.
Montgomery Chamber of Commerce.
Huntsville Chamber of Commerce.
Alexander City Chamber of Commerce.
Andalusia Chamber of Commerce.
Anniston Chamber of Commerce.
Cullman Chamber of Commerce.
Decatur Chamber of Commerce.
Florence Chamber of Commerce.
Gadsden Chamber of Commerce.
Jasper Chamber of Commerce.
Muscle Shoals Chamber of Commerce.
Opelika Chamber of Commerce.
Sylacauga Chamber of Commerce.
Troy Chamber of Commerce.
Tuscaloosa Chamber of Commerce.
Assocation of Huntsville Area Contractors.

(Published in the Wall Street Journal, U.S. News & World Report and all Alabama dailies on April 15, 1965.)

[From the Selma (Ala.) Times-Journal, Apr. 18, 1965]

A PUBLIC STATEMENT OF ENDORSEMENT

In approval of the principles stated in the message, "What We Believe and Where We Stand."

The City Council of Selma, Ala.
The Selma Automobile Dealers Association.
The Selma Restaurant Association.
The Dallas County Dental Association.
The Selma-Dallas County Chamber of Commerce.
The board of directors, Selma Retail Merchants Association.
The Selma Automotive Jobbers Association.
The board of directors, Junior Chamber of Commerce.
The Peoples Bank & Trust Co.
The Selma-Dallas County Committee of 100 Plus.
The Selma chapter, Associated Industries of Alabama.
The Selma Home Builders Association.
The City National Bank of Selma.
The Selma National Bank.

John Hayne, Charles S. Frazer, Seymour Cohen, B. W. Kynard, Jacob Bendersky, Rubin Bernstein, J. M. Gentry, Nelson Phelps, C. M. Hohenberg, Edgar Stewart, Attorney, Sam Earle Hobbs, Attorney, Martin B. Coon, Jack W. Nelms, John J. Grimes, B. Frank Wilson, Stephen A. Ball, Eleanor R. Falkenberry, Frank Ford, Mrs. Ida W. Ford, Henry Loyd, Walter C. Calhoun, Mrs. Walter C. Calhoun, Arthur Capell, Jamie Wallace, Mrs. Kathryn Windham, Sam Ezell, Marshall Hooper, Harry Hooper, Kenneth Harper, Leonard McCary, Watson A. Rogers, R. W. King, Mrs. R. W. King, J. M. Young, Mrs. J. M. Young, Ellen P. Horsting, Carrie N. Pollard, G. D. Short, Dorothy P. Siniard, William W. Siniard, Roswell Falkenberry, Richard N. Speer, C. F. Shuptrine, Carl C. Morgan, Jr., George A. Swift, Julian B. Lilienthal, Sam Sommers, Mrs. Sam Sommers, Otis Adams, Bob Armstrong, Hugh P. Bostick, Henry A. Vaughan, O. H. Horsting, Seymour Palmer, James F. Alison, Jr., M.D., Rex J. Morthland, Robert M. Combs, M.D., William E. Ehlert, M.D., D. Thompson.

W. M. Turner, Ralph S. O'Gwynn, Ralph K. Derryberry, Frank Calloway, Mrs. John H. Joyce, Mrs. Claiborne Blanton, P. Claiborne Blanton, M.D., P. M. Grist, C. P. Seale, J. E. Siegel, T. R. Cathey, Mrs. T. R. Carthy, James F. Miller, Audrey A. Miller, Henry N. Helms, Susie D. Helms, Charlie Luker, Jimmie Jones, Suy Nell Jones, W. O. Davis, Earline Davis, W. O. Hollingshead, Dot Hollingshead, James Friday, Mrs. Joan Friday, Zeddie Sanders, Mrs. Zeddie Sanders, Mr. and Mrs. Ed Alexander, Maude A. Renshaw, Margaret P. Jenkins, Edith L. Herrod, Sarah Evans, Doyle T. Sealy, James S. Ross, M.D., Mrs. Aline Fisher, M. L. Edwards, L. W. Matthews, C. D. Bell, Harriett B. Culbreth, Michael N. Hoke, Jr., Ted Osburn, Mrs. Ted Osburn, Jr., J. Winfred Brown, Lovid E. Godwin, Fred G. Cruikshank, Travis R. Posey, Sonia P. Martin, James W. Vinson, J. D. Patrick, C. B. Driver, Rex P. Waldrop, William Speed, B. L. Brown, E. H. O'Gwynn, Sr., Alex S. Cohen, Seymour Cohen, R. L. McHugh, Jr., Ron Binford, Mrs. Seymour Cohn, Lonnie Stone, Hermione Carter, Mrs. Richard A. Rosenberg, Mrs. Cecil Radford, Catherine E. Reed, Alice W. Ford, Mary J. Harris, Lula M. Tanton.

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Mrs. Carolyn Threefoot, Mrs. John Blalock, librarian, Carnegie Library of Selma; Mrs. Godfrey Thomas, Mrs. John T. Wilson, John T. Wilson, Mrs. W. T. Hendon, Mrs. Edgar A. Stewart, Bert Neville, Lanell Edge, Mrs. W. P. Sellier, Mrs. P. L. Tippett, Mrs. Edward Coe, Mrs. O. H. Horsting, Mrs. Catesby ap C. Jones, Mrs. Sam Earle Hobbs, Caroline A. Keith, Lottie P. Suttles, D. W. Rostron, P. W. Gibbs, Kurt S. Sealander, Charles L. McLafferty, Mrs. C. L. McLafferty, S. Hayes, Norma R. Hayes, R. E. Brown, Mrs. Richard Speer, J. B. Comer, Mrs. J. B. Comer, Anne A. Gamble, Mary Louise Simms Houghland, Edna H. Morrison, Pam Ware, Harriett Ann Terrell, Olene R. Trawich, Faye Lawrence, Robert D. Sanders, Donna Wiltsie, Betty Kendall, Richard Dunaway, Leland Graham, Bertha L. Reynolds, Dessie Davis, Elizabeth M. Sinclair, R. E. Ledyard, Jr., T. E. Dorman, E. S. Greene, R. L. Priest, J. A. Sobera, W. D. Beasley, Mary B. Cottingham, Dorothy Nelms, Mrs. Russell Burson, Russell N. Burson, Catesby ap C. Jones, Page Melvin, Frank W. White, E. E. Glass, H. H. Bassett, D. P. Singleton, Mrs. Will Hinson.

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Jeanette M. Blocker, Margie Eaves, Jerry L. Shope, Woodfin Anderson, Linda Buckner, Ann Williams, Garry Noah, M.D.; Carroll Curry, Ruth Felts, Mrs. Joe Patrick, Felton H. Lumpkin, J. Charles Johnson, John D. Vines, J. B. Hatfield, Mrs. Ernestine Brady, John W. Hughes, J. L. Hadaway, Johnu C. Davis, W. C. Morrison, Mrs. W. C. Morrison, Ralph Hobbs, Mrs. William Morrison, Mrs. Ralph D Nicholson, Ralph D. Nicholson, Roger D. Butler, H. E. Bartholomew, Mrs. E. Bartholomew, Wayne Cutler, John Howard Porter, Clarence W. DeBray, Otis S. Solomon, Elton L. Peacock, Leonard Morgan, Sybil A. Willis, J. B. Davis, Viola S. Guinn, William B. Craig, Richard B. Morthland, Jack P. Tucker, Terrell F. Hicks, Henry E. Pitts, Jr., James B. Williams, Cassidy Bender, Elizabeth Titus, Keith Creel, Charlyne Smith, Sue Hyche, Edward Day, Neal E. Avrett, Dutchey Bates, Evelyn Miley, Glenda Powell, Harrell Watts, Jr., M. A. Williams, Adele G. Harper, E. K. Maxwell, E. A. Wilkinson, D.D.S.; A. J. Larson, R. D. Russell, Jr., Dena Oakes, J. D. Henry, David H. Wallace, P. C. Morton.

John H. Roberts, Jr., John A. Lockett, Aubrey P. Guinn, James M. Watson, B. G. Quarles, Eugene Rush, Kenneth W. Jones, W. Clay Lawrence, Cathryn J. Strickland, Phyllis Barnes, Travis Smitherman, Beulah Rhiney,

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Mrs. C. E. Allbrook, Mrs. L. B. Hutcheson, William A. Wise, Alice A. Hohenberg, Jefferson G. Ratcliffe, T. D. McBryde, Walter L. Mills, Irwin D. Friday, John W. Blakely, Jr., Johnny Jones, Jimmy Akers, Mrs. W. C. Hall, Jr., Mrs. W. S. Stevens, Mrs. Otis Adams, Mrs. J. R. Johnson, John M. Taylor, Edna W. Taylor, Herbert L. Shuptrine, Grace W. Shuptrine, Edgar Givhan, Clara B. Fuller, Andrew L. Fuller, M. F. Suther, Lewis Shaw, Cora Shaw, J. T. Moore, Jr., M.D.; J. T. Moore, Sr., Raymond C. Watson, Jack Nelson, Bill Jackson, R. L. Jones, T. L. LeMaster, Michael C. Houghland, Gladys M. McQueen, A. L. Smith, M. B. Cosby, Jr., Virginia S. Watson, J. R. Wilson, R. L. McHugh, Jr., Weston Scarsbrok, Joe L. McHugh, Josephine S. McHugh, Stan Frasier, Nell C. Frasier, Louise B. Frasier, Carrie Patrick Moore, J. T. Davis, C. A. Potter, C. W. Hooper, Margaret J. Nelson, John Blalock, Virginia S. Shelby, Claudine G. Eiland, Mary F. Morton, R. K. Rollins, D. D. Martin.

Mrs. James Dance, Robert T. Shelby, Jerry T. Smith, James Dance, Mrs. C. W. Hooper, V. Eiland, W. Webb, Louise Grantham, Lucile P. Swift, W L. Piper, W. D. Grindle, Jr., Margaret Hunter, William Hinson, M.D.; Caldwell DeBardeleben, M.D.; Carl Stapler, Mary E. Felts, Pamelia Wright, Rosalie Foreman, Juanita McDanial, Nadine Stone, Josiah Smith, M.D.; Walter L. Green, M.D.; William C. Smith, M.D.; George B. Nicholson, M.D.; Margaret Hadden, Margaret Longshore, Evelyn Hamm, Mary E. Pritchett, Eva Warr, Lois Powers, C. J. Ross, M.D.; Carl McMillion, Virginia Mott, Rabon Harrison, Martha Reeves.

STUDENTS

Charles Stewart Allen, Jr,, Amasa B. Windham, Jr., John Willis, Becky Kirczow, Donna Roberts, Carol McCarty.

[Article from Selma Times-Journal, Apr. 18, 1965]

CHAMBER REVERSES STAND ON ADVERTISEMENT ISSUE

The Selma and Dallas County Chamber of Commerce board of directors voted 21 to 8 Saturday morning to endorse a statement of policy on moderation in civil rights issues which it had rejected by a 13 to 5 vote earlier in the week.

The action by 29 of the chamber's 30 directors came less than 24 hours after the Selma City Council stoutly challenged the wisdom of the chamber's initial position by voting 8 to 0 to endorse the declaration of principles.

Mayor Joe T. Smitherman has no vote on council, but both he and Council President Carl Morgan, Jr., who votes only to break a tie, gave endorsement of the statement strong support as being in the best interest of the city.

At 9 p.m. Saturday, after grappling with the thorny problem for 2 days, the Dallas County Board of Revenue announced its belated endorsement of the statement. No announcement was made of the breakdown of that ballot. The board was in session on the issue for several hours Friday but concluded the special meeting without making an endorsement. After the city took the leadership and the chamber reversed its position Saturday morning, the board went back into a closed-door huddle and thrashed out a supporting role.

On the heels of the city council's action early Friday afternoon, a petition supporting endorsement of the statement of principles began gaining momentum and by 6 p.m. Saturday it contained more than 1,100 names.

The statement of policy which prompted the local controversy was published Thursday as a full page advertisement in all Alabama daily newspapers and the nationally circulated Wall Street Journal of the chamber of commerce in with endorsements of 18 major cities in Alabama, the Alabama State Chamber of Commerce, Alabama Bankers' Association, Associated Industries of Alabama and the Alabama Textile Manufacturers Association.

Council approved the policy after a stormy 2-hour free discussion period which generated strong support from influential areas of the business and professional community and bitter opposition from citizen council leaders and that organization's supporters in some county elective posts.

About 40 prominent members of the Selma and professional community appeared before council in what amounted to the first public debate over a specific issue in Selma's long siege of racial trouble.

Names were called, tempers flared, and voices became impassioned as some 15 members of the group arose to be heard.

Major spokesmen against endorsement of the statement advertised as "What We Believe and Where We Stand" (a full text of which appears in this edition of the Times-Journal) were Sol Tepper, Joe Pilcher, Leon Jones, Walter Craig, Lee Calame, J. Bruce Pardue.

Most vocal in supporting the endorsement and other issues brought into the discussion were McLean Pitts, William B. Craig, B. Frank Wilson, Edgar Stewart, Jerry Siegel, Roger Jones, Paul Grist, Hugh Bostick.

Major support, which Pitts keynoted in outlining the background for and the issues facing the meeting, originated from concern over Selma's conspicuous absence from the advertisement expressed by Hammermill Paper Co. and Dan River Mill.

Pitts expressed it this way in opening the session:

"Hammermill and Dan River are very much concerned and feel that the Selma Chamber of Commerce is letting them down in some of the troubles they are having by being so conspicuously absent from the advertisement."

Pitts noted that both companies have been threatened by civil rights leaders with boycott and that Hammermill was picketed on Thursday because of their plans to locate a multimillion dollar plant in Selma. The Dan River plant is already under construction.

"Both of those industries have full confidence in the governing bodies of Selma and Dallas County," Pitts said, "and they want something to back them up in the troubles they are having over their Selma plant. When Selma's name wasn't on that advertisement, they felt that the props had kinda' been cut from under them."

"Whether or not the chamber should have signed the statement is the question before city council today," he said.

Announcing his support, Pitts said:

"The point is that the 1964 Civil Rights Act has been passed by Congress and it is the law, although I don't like it a damn bit," he said.

The attorney who has been associated in all of the legal defense of both the county and city on civil rights issues told the group that "as far as your Federal courts are concerned, you might as well forget it (challenging the Civil Rights Act).

"When you go to the Fifth Court of Appeals," he said, "you are beaten before you start."

Pitts said the attraction of industry into the section and the white voters which will follow the developments is one of the best ways to combat the threat of mass Negro voter registration.

Craig, president of the City National Bank, also urged endorsement of the statement and said he had been telephoned about Hammermill's and Dan River's concern over Selma's failure to join in the advertisement.

For the most part, the opposite viewpoint centered around the theme that to yield willingly even a fraction on the racial issue is to open the floodgates for mass integration into all areas of the community.

Jones, immediate past chairman of the Dallas County Citizens Council made this observation:

"If we want to do something, let's draw up a real resolution. That one they wanted the chamber to sign sounds like to me we're

apologizing to the whole world about Alabama and I couldn't go along with it."

Tepper pronounced impassionately that "death is inevitable, too, but all of us put it off as long as we can."

Walter Craig asked, "What did we promise those industries to get them here, total integration? That we would knuckle under to any demand they made?"

Siegel, chairman of the Committee of 100-Plus, industrial prospect committee, which played a key role in the location of Hammermill here, answered Craig.

"Hammermill neither asked for nor received any promises on the race issue. All they want to know is whose side we are on now that we've thrown the ball right into Martin Luther King's hands by expressing this attitude of defiance toward moderation."

Ed McBride, drugstore owner, manufacturer and milk processor, in a middle-of-the-road position advised that "if this dog (civil rights demonstrations) is finally dead, let's let him stay dead."

Pilcher, who was the opposition's most prolific spokesman, said "the one problem in this community is that it is a divided community."

He called by name a group of bank presidents, attorneys, newspaper editor, lay church leader, and businessmen whom he said had been meeting for the past several months as a self-appointed group with a plan to compromise on Selma's racial issues.

Members of the group named by Pilcher included Rex Morthland, Roger Jones, Bruce Pardue, William Craig, presidents of Selma's banks; Frank Wilson, a bank vice president; Times-Journal Editor-Publisher Roswell Falkenberry; Attorneys Edgar Stewart and Sam Earle Hobbs; P. M. Grist, retired executive secretary of the YMCA; and C. M. Hohenberg.

Pilcher said "to yield is a sign of weakness" and the moderate group, as represented by a committee on which there are no elected officers, represents thinking along the line of a voluntary plan for integration.

The Selma attorney said the only hope to avert the disaster Selma faces unless its white people unite is a law enforcement policy preserving law and order without mass arrests and street confrontations and resistance in all areas of desegregation through the courts.

Pilcher advocated a rallying of all white persons behind joint leadership of Sheriff Clark and Mayor Smitherman along lines of a joint policy issued by the two officials several weeks ago.

When white people are finally united, Pilcher said, "they, by stalling in the courts, can hold integration to a minimum."

Stewart and Craig, with assistance from Wilson, Grist, and Jones, defended the committee of which they were members.

"Our only motive has been to do what we think is in the best interest for Selma," Stewart said. "And I assure you, we have not and will not compromise our principles of integrity under any pressure."

Craig agreed that unity in the white community might be desirable but he cautioned that responsible leadership "should not lower ourselves to achieve this unity."

Bostick said he respected and defended the citizens' council's right to express its views but said he thought they should be expressed through city and county governments as opposed to propaganda campaigns which confuse and inflame the public.

Mayor Smitherman restated his opposition to formation of a biracial committee but said he and members of his council have met and will continue to meet with local Negro leaders in an effort to work out solutions to Selma's racial problems.

CIVIL RIGHTS BILL

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

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

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, in answer to the comment of my distinguished colleague, the gentleman from Michigan [Mr. CONYERS], that he had noticed an advertisement over the Easter vacation in the Selma Times Journal that Selma people wished to take their place again in the Nation, I would remind him that this same expression was available to him on February 5 last, when all the citizens and principal people of Selma gathered together to tell him that story, and he made a speech instead and walked out on all of them. The facts are that certain political shylocks had not at that time exacted their pound of flesh.

Now all just men in America today believe that discrimination in voting must go, but the administration voting rights bill, soon to be presented to this body, in the name of upholding the 15th amendment violates at least four sections of the Constitution, and in its spirit of discrimination violates the 15th amendment itself.

Are we presently to look to the producers of crafty political drama in conspiracy with certain alchemists of the press, radio, and TV for leadership? Is frenzied public opinion developed in the cheap political theater like the performance in Selma going to be the basis for sound and effective law? Are these the moorings we are about to choose instead of our glorious Constitution?

SPANISH-AMERICAN WAR STATISTICS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as the last Spanish-American War veteran in the Congress, I am happy to extend my remarks to include a letter Sam Black wrote to the Chicago Tribune and which appeared in the April 26, 1965 edition of that newspaper in the "Voice of the People" column.

Sam Black, a fellow member of mine in Columbia Camp, is the present able, dedicated, and popular commander in chief of the United Spanish War Veterans. The letter follows:

SPANISH-AMERICAN WAR RECALLED

CHICAGO, April 16.—In today's Chicago Tribune there appears an article comparing losses in this undeclared Vietnam war, or whatever one could call it, with losses in the Spanish-American War.

The figures are wrong. The article states that 385 were killed in action and 1,662 were wounded in the period April 21, 1898, to August 1898, the inference being that the war had a duration of just a few days more than 5 months.

Officially, the Government recognizes the period April 21, 1898, to July 4, 1902, as the Spanish-American War, and includes the campaigns in Cuba and Puerto Rico, the Philippine Insurrection, the Boxer Rebellion in 1900. Four hundred and eighty-five thousand men fought these campaigns, and deaths from all causes were 4.3 percent, as nearly as can be ascertained from killed in action, deaths of wounded, and deaths from tropical diseases, such as yellow fever, malaria, dengue fever, and a few others.

The average length of service was 14 months, and 61 percent saw foreign service. The 358,000 men were volunteers. There was no draft in those days.

We were an unprepared nation. Our total Armed Forces consisted of 25,000 men. Yet President McKinley did not hesitate to declare war on the fourth most powerful nation in the world of that time.

Historians for some reason have chosen to ignore the Spanish-American War as a war of no consequence; yet as a result of our war, America became the most powerful nation on earth. Many thousands of World War II veterans are alive today because of the medical lessons learned from our war. None left this country in the 1940's without being given "shots" against the diseases that killed thousands of Spanish war men in Cuba and the jungles of the Philippines.

Poor equipment, poor food, poor transport, antiquated guns, black powder, and no system of medical treatment or hospitals. It is a wonder that our casualties from all causes were not greater than they actually were in these four campaigns of the Spanish-American War.

SAM BLACK,
Commander in Chief,
United Spanish War Veterans.

AGENCY FOR INTERNATIONAL DEVELOPMENT

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

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

There was no objection.

Mr. ERLENBORN. Mr. Speaker, yesterday I addressed the House regarding a report issued by the Comptroller General regarding the Agency for International Development and the Agency's activities concerning Brazil.

You will recall that particular report severely criticized the Agency for International Development for its failure to follow established U.S. policy and public law regarding the use of foreign currency for purchases in Brazil. Instead of using Brazilian moneys the AID—Agency for International Development—used U.S. dollars to pay for the purchases. This resulted in a loss of $3.8 million to the United States.

Today I wish to call the attention of my colleagues to the fact that AID has become noted for its abject failures to follow U.S. policies and public law.

A year ago the Comptroller General issued two scathing reports, deeply critical of the administration of AID.

Briefly I will outline the highlights of these provocative studies.

The first was sent to the Congress in February 1964, and it is entitled "Examination of Certain Economic Development Projects for Assistance to Central Treaty Organization, Agency for International Development."

The projects examined were negotiated by the special representative of the Presi-

dent in conjunction with commitment made to the Baghdad Pact countries, pursuant to Public Law 85–7.

This involves economic development projects for assistance to Central Treaty Organization—CENTO—as administered by the AID, after its inception, and its predecessor agencies, the International Cooperation Administration and Development Loan Fund.

The report tells how more than $8 million were misused in three projects.

The Comptroller General's report states:

Because the availability of local resources was not adequately explored, grant and loan funds aggregating more than $8 million were used for purposes other than those for which they were initially obligated and for financing imports which were not needed or could be produced in the recipient country. Furthermore, the economic feasibility of the three projects for which the funds were obligated was dubious and, as conditions existed at the time of our review, there was no assurance that two of the three projects involved would ever be completed.

The GAO report contains recommendations made to AID, and the Agency's answer regarding the Comptroller General's recommendations. Furthermore, inaccuracies in the Agency's statements and reports, both before and after receiving the Comptroller General's recommendations, are outlined and noted by GAO.

The Comptroller General advises Congress that the annual program presentations from AID, concerning the projects studied, were not complete and did not fully disclose all circumstances involved.

The Comptroller General's report concludes:

The annual program presentations to the Congress on three of the projects did not fully disclose the unusual circumstances and the problems which have attended the projects. Moreover, the presentations were incomplete and inaccurate and indicated that the aid provided to these projects was more effective than was actually the case. We are repeating our recommendation made in previous similar instances, that the Agency make more informative, clear, and accurate disclosure of significant data in annual program presentations.

The second report from GAO concerning AID activities I will comment on today was issued in June 1964.

It is entitled "Ineffective Administration of U.S. Assistance to Children's Hospital in Poland."

The Comptroller General's examination into this activity, for which about $2.2 million in U.S. dollars and the equivalent of about $8.3 million in United States-owned Polish currency has been appropriated, disclosed "an almost complete lack of U.S. Government surveillance of project activities. Consequently, U.S. officials were not aware of certain unfavorable financial and operational factors attending this project."

The Comptroller General found that AID cost estimates were incorrect, AID disbursed more funds to the private sponsor of the hospital than were provided for in the original grant agreement.

The sponsor incurred excessive costs, and, finally, the sponsor continued to incur costs, even after available funds were exhausted.

These indictments are certainly disturbing as are the additional findings of GAO.

Included is the discovery that $2.2 million in funds was requested of the Congress by AID when the then existing prohibition against giving dollar aid to Communist countries was in effect. In requesting the funds, AID failed to present a complete report to the Congress.

GAO advises Congress that the AID report was "incomplete and inaccurate."

The Comptroller General report's conclusion has a familiar ring to it.

Once again GAO is critical of reports issued to the Congress by AID.

The Comptroller General recommends "that future annual foreign aid budget presentations to the Congress describe projects and other significant activities in such clarity and specifics as will facilitate a full and correct understanding by the Congress of their scope, status, and administration."

This may seem like ancient history to delve into past reports from the Comptroller General to the Congress. It is not. Recent studies indicate that the Agency for International Development has gained little from the studies and recommendations of the Comptroller General.

AID continues to operate with disturbing administrational deficiencies, with continued disregard for unnecessary expenditures, with continued apparent disdain for the policies of the United States.

AID's activities are carried on in 85 nations around the globe. The Agency's ineptness warrants investigation by the Congress.

FIFTIETH ANNIVERSARY OF WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM

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

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

There was no objection.

Mr. RYAN. Mr. Speaker, the past half century has witnessed tremendous changes in almost every area of life. Dramatic progress has taken place in the field of science, with the harnessing of the atom and the penetration of outer space. Compared to such technological achievements, the progress in the art and science of living together peacefully sometimes seems small. Science and technology have produced intercontinental missiles bearing thermonuclear warheads, but our methods for keeping peace have not progressed to the point where we can be sure these weapons will not be used.

However, a review of the history of the past 50 years shows that a great deal of progress has been made toward the social goals of peace, freedom, and justice. For example, 50 years ago there did not exist a standing international organization for the consideration of international political and economic problems, but now the United Nations and its family of specialized agencies offer forums in which international negotiations may be undertaken on a regular basis.

Today I would like to pay tribute to an organization which has been a dynamic force in the progress toward peace for the last 50 years, the Women's International League for Peace and Freedom. When the first gathering which led to this organization convened at The Hague on April 28, 1915, women in many countries, including the United States, did not even have the right to vote. The hostilities of the First World War were underway with the result that it was necessary for many of the delegates to travel through mined waters. Undaunted, however, more than a thousand individuals from 12 countries, including 47 from the United States, assembled at the first International Congress of Women, as the group called itself, at The Hague. Before the war broke out it had been planned that the meeting would be an International Suffrage Congress. The war, however, persuaded many women to dedicate their energies to working for a just peace. Consequently, the first Congress concerned itself with the problems of peace and issued a set of principles on which a just peace might be based. President Wilson later told Miss Jane Addams, one of the members of the U.S. delegation, that he used some of the peace proposals of that Congress as a basis for his 14 points.

Four years later, in 1919, the second International Congress of Women met in Zurich. It was this Congress which created the permanent organization of the Women's International League for Peace and Freedom. The constitution adopted provided for national sections and for international congresses held at intervals for the purpose of voting on general policies and programs. Jane Addams was elected president, and Miss Emily Balch became resident secretary-treasurer of the international office in Geneva. Both these distinguished American women were later awarded the Nobel Peace Prize, Miss Addams in 1931 and Miss Balch in 1947. Miss Addams, who had founded Hull House in Chicago, which became a model center of social-welfare work, had been the moving spirit in organizing the energy of women in the cause of peace. Miss Balch, who was Miss Addams' successor as leader of the women's peace movement, was also one of the founders of the Women's Trade Union League of America, and brought to the league her own distinctive qualities of leadership. In addition, in 1937 the Nobel Committee awarded the WILPF 2,000 Norwegian kroner for its work.

Ever since its founding the Women's International League for Peace and Freedom has been courageous and persistent in supporting the policies and goals which it believed were essential to strengthen peace. It was in the vanguard of those recognizing that alleviation of poverty, hunger, and illness were essential for the maintenance of peace. Among the resolutions passed at its Third International Congress held in Vienna in 1921 was one on the need of

"transforming the economic system in the direction of social justice." The next year the book by Jane Addams, "Peace and Bread," foreshadowed such programs as UNRRA and other foreign economic and technical assistance programs. Toward the end of the Second World War the women's organization urged the United States to take the initiative in distributing food on the basis of peace, taking the position that "food should never be used as a political weapon."

The Women's International League for Peace and Freedom has also been among the most unswerving and stanchest supporters of world organizations designed to strengthen the peace. It supported the League of Nations and established its headquarters in Geneva where assistance could be provided to all the national sections of the organization and close contact maintained with international problems. In 1927 the annual meeting of the U.S. section stated its "desire to see the United States enter the League of Nations, providing only that it does so with the understanding that the United States is exempt from any obligation to join in exerting military pressure." Ten years earlier, as the United States entered the First World War, it had urged the United States to work for a League of Nations.

When the San Francisco Conference convened for the purpose of establishing the United Nations, the League sent official observers, and in 1948 it was accorded consultative status with the Economic and Social Council. It was subsequently also given the privilege of having an official representative at UNESCO, FAO, WHO, and the ILO. Mme. Vijaya Pandit, who served a term as the first woman president of the U.N. General Assembly, had been a member of the League for many years and was former president of the Indian section.

The U.S. section also has an accredited U.N. observer who keeps the membership informed. It maintains a committee on the U.N. which suggests action which the membership might take, and community projects which might be undertaken, in support of the United Nations. During the Assembly sessions, it arranges U.N. seminars in New York.

However, perhaps the Women's International League for Peace and Freedom deserves the most commendation for its excellent work in the field of disarmament. Here again the roots of the league's work in this area extend deep into its history. In 1932 the WILPF collected 6 million signatures on a worldwide petition for submission to the Geneva Disarmament Conference. In the United States in 1934, the national section initiated and supported the Nye resolution to investigate the influence of munitions makers. Out of it grew the Committee for World Development and World Disarmament, a now independent organization which seeks to inform the public of the need for and problems of world disarmament and development.

The league has taken an active role in helping to bring about the progress toward arms control and disarmament which has been made in recent years. The U.S. section has been a strong supporter of the Arms Control and Disarmament Agency. Prior to the establishment of the Agency, the league passed a resolution noting with warm approval President Kennedy's recommendation to Congress for such an agency, and urging that the Agency "give priority to study of the organization of the United Nations in order to determine what changes may need to be made in the charter to make possible the development of world law and to facilitate the achievement of universal and total disarmament under United Nations control."

When the authorization for the Agency was again being considered in 1963, Mrs. Aileen Hutchinson testified on behalf of the Women's International League for Peace and Freedom and urged the granting of continuing authorization to the Arms Control and Disarmament Agency. She testified that the league was particularly pleased that the Agency was planning to expand its research operations in the economic field because the league believes that advance planning and preparation for conversion of industries from military to peaceful uses is essential.

This year, when the Arms Control Agency's authorization was again up for consideration, the league again submitted a statement asking that Congress approve the request of the Agency, and that the Agency itself increase its request each year so that it can expand its program. The statement said:

> The Agency sees its role as an integral part of our overall national security policy, but the Women's International League for Peace and Freedom would ask the Congress to look beyond this and see that not only national security is involved here, but world security against atomic war.

The league also gave firm support to the nuclear test ban treaty. In a statement to the Senate Foreign Relations Committee submitted by Miss Caroline Ramsay, the league urged approval of the treaty and said in regard to further disarmament:

> We believe that only a prompt and bold program for universal disarmament under United Nations supervision offers any security in this nuclear age and can release human and physical resources for constructive use.

In addition to these fields most closely related to world peace, the Women's International League for Peace and Freedom has also made notable contributions in other areas which, although seemingly not a part of the international problems of war and peace, form the foundation for the kind of world in which peace will be secure. For example, it has been active in the protection of civil liberties and the rights of minorities. It has a committee on art for world friendship which promotes understanding and friendship among the world's children through the exchange of original art exhibits. It presents annually the Jane Addams Children's Book Award to the author of the book which best promotes the ideals of brotherhood and international understanding.

As it celebrates its 50th anniversary, the Women's International League for Peace and Freedom has members or branches in about 40 countries. The U.S. section last year had some 7,000 members and is seeking to double this number during the anniversary year.

Many eminent American women are associated with the league, and it is impossible to mention them all. However, I would like to note that Marian Anderson and Helen Gahagan Douglas are cochairmen of the 50th anniversary celebration, and that other sponsors include Pearl Buck, Georgia Harkness, Kathleen Norris, Dorothy Day, and Lillian Smith. President of the U.S. section is Dr. Dorothy Hutchinson. Those of us in Congress will especially remember the dedicated and brilliant work of Mrs. Annalee Stewart, for many years legislative secretary here in Washington and now branch liaison. Her able successor in Washington is Dr. Milner Alexander.

Mr. Speaker, because of its half-century of persistent work toward peace, I would like to pay tribute to the Women's International League for Peace and Freedom on its 50th anniversary. It brings together women who want to achieve freedom from fear of war, of want, and of discrimination by nonviolent means so that all people may live in a world of peace and justice. It has played a leading role in channeling the tremendous energy of women and their guardianship of moral values into the field of world affairs. It has courageously stood for justice and peace at times when injustice was widespread and the prospects of peace have seemed remote indeed.

It is my sincere hope that the 50th anniversary of the Women's International League for Peace and Freedom will be but a beginning in the history of women's peace activities, and that this organization and women everywhere will continue to exert all the influence they command in favor of the cause of peace.

ADDRESS BY THE HONORABLE ROBERT F. WAGNER

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

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

There was no objection.

Mr. SCHEUER. Mr. Speaker, it gives me great pleasure to introduce into the RECORD, remarks by the Honorable Robert F. Wagner, mayor of the city of New York, made on February 18, 1965, at the conference for the American Foundation on Automation and Employment, Inc., and the Caribbean Foundation on Employment and Education, in San Juan, P.R.

Mayor Wagner, in his remarks, has made some cogent observations about the poverty program with particular reference to the problems of our Puerto Rican citizens which I believe will be of interest to the Members of the House of Representatives:

> It is a pleasure to be here in San Juan again at this conference. Here I feel very close to New York City, but strangely far, for instance, from Albany.

The relative peace and quiet of San Juan and the softness of the Caribbean air are indeed refreshing. I feel especially grateful to Christopher Columbus for discovering this place, and to former Gov. Luis Muñoz-Marín, incumbent Gov. Roberto Sanchez, and the ineffable Mayoress Dona Felisa for developing Puerto Rico in recent years. Finally, I am grateful to my good friends, John I. Snyder and Ted Kheel, for exploring and claiming Puerto Rico as a permanent meeting place for these annual conferences sponsored by the American Foundation on Automation and Employment.

Where would we all be without the individuals whose names I have just mentioned? The answer to that question comes under the head of idle speculation, and we don't have time for that today. Our schedule is much too crowded.

Very seriously, I turn to the subject matter of this conference, poverty and unemployment—1975. I want to say at this point that my vision isn't very good for 10 years ahead. For some reason or other, my mind keeps focusing on the next 10 months—or is it 9 until November? So let me discuss the present, and I'll leave the future to the prophets and soothsayers who are attending this conference in their professional capacities.

All of us who were here will long remember the first conference 15 months ago. President John F. Kennedy had been dead only a fortnight. We were all quite numb from the traumatic effects of that almost cosmic tragedy. A spirit of hush surrounded this conference—and the Nation and the world.

There was nothing to do but to move onward. So we did. And we have. The forward-looking spirit of President Kennedy still inspires us, as we are led skillfully forward at an ever swifter pace by President Lyndon B. Johnson.

As a general observation I say that even though, as of today, the answers to many of our problems still elude us, the desire to find them has never been greater and the hope of finding them, never higher.

The past 4 years have seen a renewal of hope—and of determination—to solve our problems, even though the problems themselves seem increasingly difficult.

One of the prime influences in this renewal of hope, as it relates to the subject of this conference, has been the national war against poverty. This has had a profoundly stimulating and energizing effect upon national and local attitudes—and also efforts—with regard to poverty and its root causes.

I recall an address I made to that first conference here in which I spoke about the swiftly decreasing employment opportunities for the unskilled and the growing pool of unskilled labor—unskilled, unemployed, and unlettered—in our cities and in our Nation.

In that address I urged that broadscale provision be made in behalf of these unemployed—these human spinoffs from our economy and the growing army of young rejects from our educational systems.

I described some of the social effects and problems resulting from this type of unemployment. I urged, among other steps, that a 10-year Federal public works program be undertaken, especially aimed at employing the unskilled and the semiskilled.

A month later, in an address to the City Council of New York, I proposed that New York City launch a broadscale attack on hardcore poverty in our city—to be aimed at the roots of the problem and its contributory factors.

Immediately some critics asked us to define precisely the poverty we were going to attack. During the ensuing discussion, I felt like saying what Humpty Dumpty said in "Alice in Wonderland":

"When I use a word," Humpty Dumpty said, "it means just what I choose it to mean—neither more nor less."

I think most of us know today what we mean by poverty. The figure used nationally—which we found to fit New York City, too—is one out of every five. In New York City about 1,800,000 individuals, belonging to 389,000 families, live in conditions approximating poverty. Of course, the dictionary definition of poverty—"having little or nothing in the way of wealth, goods, or subsistence" has little practical application to America in 1965. Most of the poor today have some goods, and almost all have or receive some subsistence.

But really, when we speak of the poor, we know whom we are talking about. But the entire range of the poor are hard to define precisely. They range from completely normal and law-abiding New Yorkers to some who have what the experts call a deep social pathology—with a sense of total alienation from existing social institutions as well as from the positive elements in their own communities and neighborhoods.

Most of this latter group have no respect for law and order. They include the drug addicts, the addict pushers, the numbers runners, the petty thieves, the muggers, and others who form a special underworld of the poor—which preys primarily upon the poor.

It is this underworld whose members constitute our greatest single social liability who are the greatest menace to their own communities as well as a source of endless social cost to society as a whole. These elements were responsible for most of the evidence and perpetrated most of the looting in last summer's convulsive riots. This subgroup gives a bad name to Negroes and to Puerto Ricans. It is our city's worst blight.

This is not the true underworld. The underworld I am now defining belongs to the poor. Its denizens come from the poor. They are poor.

It is not generally known, but these criminal poor prey most of all on other poor. The law-abiding poor are the easiest victims. They have the least security for what they own. Their property is the most accessible, and also the most disposable and the least traceable.

This victimization of the poor is one of the main indignities of poverty. Most of the poor think that they get less police protection than others do. In New York City, at least, this is not deliberately so, but it probably works out this way because of the greater difficulty of policing poor neighborhoods.

I dwell on this subject because it often goes unnoticed by those concerned with the problem of poverty. Yet it is a major aspect of the rising crime rate in our cities.

The underworld of poverty, while only a tiny part of the poverty population, plays a major part in the world of the poor, as an ever-present menace and symbol of the degradation of poverty. This underworld must be an object of our special attention in the war on poverty. None of our present programs confront it. It must be confronted.

The basic challenge is to give all the poor the opportunity and the wherewithal to better their economic condition. They must also be given the hope and the desire to do so.

New York City and the Nation have accepted the challenge. The question is: How are we meeting it? What is our plan?

Our plan consists of many parts, in order to meet the many-faceted problem. We intend to do a great many different things, designed to meet the needs of different groups, as well as different factors in the causation of poverty.

Unfortunately, thus far, we have been able to start only a few of the things we must do. We have begun to work on the special programs authorized under the Economic Opportunity Act, the Neighborhood Youth Corps, the Job Corps, and the activities that fall under the community action plan provided under title II of the Economic Opportunity Act.

All these programs are now in the beginning stages of implementation. In New York City our expectation for 1965 is to involve approximately 25,000 people—mostly youth—as direct beneficiaries and participants in the various programs under the Economic Opportunity Act.

Preschool training programs will be provided for approximately 7,000 children from disadvantaged neighborhoods.

Special loans and other aids are to be made to small businesses to enable qualified individuals from these disadvantaged neighborhoods to start and to conduct businesses of their own.

For the aged, there will be basic services including employment opportunities.

Most of these sample programs I have just mentioned will be operated and conducted from the disadvantaged neighborhoods. Except for the professional experts required for training, counseling, and administration, all the personnel required for these programs will be solicited from the neighborhoods.

I want to refer here to the two trailblazing, neighborhood-based poverty programs in New York City which have served as prototypes for others throughout the country: Haryou-Act in central Harlem, and mobilization-for-youth on the Lower East Side.

Although these programs were originally designed to combat juvenile delinquency, experience soon dictated that their scope should be enlarged to include a broad-scale attack upon the conditions underlying poverty.

Much has been learned from these two pioneer undertakings. We, in New York City, are trying to apply what has been learned. Meanwhile, we will continue to support mobilization-for-youth and Haryou-Act with New York City funds. The mobilization-for-youth program is, of course, of special interest in Puerto Rico because one of the major population components in the 67-block area covered by mobilization-for-youth is Puerto Rican.

Now, I want to turn to the special Puerto Rican aspects of our antipoverty program.

You might be interested in a few facts and figures about the Puerto Ricans in New York. Puerto Ricans born in New York get more education than those born in Puerto Rico who come to New York. The average is 2 years more education for Puerto Rican men and 3 years more for women. Nevertheless, compared to the rest of the population, Puerto Ricans are still at a disadvantage. According to the 1960 census, Puerto Ricans 25 years old and older averaged 3 years less education than the comparable figure for the total population of New York City.

Almost 30 percent of Puerto Ricans 25 years old or older had less than 5 years of education, compared to only 9 percent for the entire population of the city. In the same age group, only 10 percent of Puerto Ricans had completed high school, and only 3 percent had gone on to college, compared to 24 and 18 percent for the total population.

The unemployment rate for Puerto Ricans is double that of the city average.

In 1960, 33 percent of all Puerto Rican families in New York City had incomes of less than $3,000, compared with 13 percent of all families in New York City.

Only 3 percent of Puerto Rican families had incomes of $10,000 or more, in contrast to 22 percent for all New York City families.

Even these statistics have their bright side. The fact is that more than 5,000 Puerto Ricans have jobs with the city government.

More than 100 auxiliary teachers, who are completely bilingual, are working for the

board of education. Almost all of them are graduates of the University of Puerto Rico.

More than 6,000 Puerto Ricans own their own businesses.

These are just sample figures which help in drawing a profile.

All the programs to which I have already referred are aimed at expanding the horizons of opportunity and lowering the barriers of discrimination for the benefit of New York City's Puerto Ricans, as well as for Negroes and other disadvantaged groups. In the preschool training program, special emphasis will be given to the language barrier. Bilingual teachers will be employed.

Puerto Ricans from among the ranks of the poor will be trained in subprofessional capacities for service to the poor—as assistants to visiting doctors and nurses, as attendants in hospitals and nursing homes, as itinerant helpers in the households of the aged, as maintenance personnel for apartment houses.

This kind of training can and will be provided in neighborhood centers for the unskilled, untrained, and unlettered.

We plan to mobilize Puerto Rican professionals—or at least Spanish-speaking professionals—to train these subprofessionals.

It is our belief that one of the expanding areas of employment opportunities for the future is in providing increased services to the sick, the disabled, the young, the aged—indeed, to all who need the kind of help which must be furnished by human hands and cannot be automated.

Late last summer a group of Puerto Ricans, acting through an organization called the Puerto Rican Forum, asked me to arrange a financial grant from the city government to enable them to plan a comprehensive anti-poverty program based on the special needs of Puerto Ricans in New York. I approved a $70,000 allocation for this purpose. Additional funds have since been granted. Recently, the Puerto Rican Forum submitted a comprehensive multimillion-dollar program. The proposals of the Puerto Rican Forum, which are complex, are under active study and consideration. Other Puerto Rican groups in New York have submitted alternative proposals. From all these proposals, a program will be worked out which can be fitted into the overall framework of the city's anti-poverty plan and provide an adequate reflection of special Puerto Rican needs.

One of the ideas proposed by the Puerto Rican Forum especially intrigued me. It was proposed to subsidize the maintenance and spread of Puerto Rican culture in New York City through a network of existing Puerto Rican organizations. This is linked up with the war against poverty. Actually, it would be difficult to allocate governmental funds for this purpose. However, we are still studying this approach, and are trying to find a way to get fiscal support for a part of this undertaking.

In any event, I want to tell you that I am determined, as mayor, to insure that the Puerto Ricans of New York receive a full share of the benefits of the poverty program—the share to which they are entitled by virtue of their numbers and by virtue of their need.

The full scope of the powers, authority, and resources of every department of the city government is to be focused on the achievement of this objective.

I would like to underline this point, because I believe that the uniqueness of New York City's poverty program lies in the fact that the entire range of city government resources has been placed, by executive order, within the orbit of the poverty program. To head up the poverty program, I selected one of the highest ranking officials of the City of New York, the president of the city council, Mr. Paul Screvane, who is also one of the most accomplished administrators to come up through the ranks of the city government in my memory.

My purpose was to give the poverty program a top priority among all the programs of the city government. In a real sense, the entire city government is engaged in the poverty program, and deeply committed to it.

I consider each Puerto Rican in New York a New Yorker like other New Yorkers—a New Yorker equal in all respects, in his rights and his claims for privilege and opportunity.

We certainly welcome the Commonwealth and its office in New York as the interpreter, advocate, friend, and defender of the Puerto Ricans in New York. There are, in fact, many individuals and organizations claiming to be the spokesmen of all Puerto Ricans in New York. That is natural. I honor and recognize them all for their efforts. However, I want recognition, too, as one who speaks and works for the interests of the 700,000 Puerto Ricans in the 5 boroughs of New York City.

In this connection, I want to pay tribute to the activities of the Commonwealth in New York City, particularly through its migration division. I want to express my appreciation to Labor Secretary Frank Zorilla, under whom the migration division operates. Secretary Zorilla deserves praise for his supervision of this fine activity. And of course, I want to mention the director of that division, a true friend, although he frequently presses us hard, Joe Monserrat. I was very happy to approve recently the appointment of one of the key employees of the migration division, brilliant young Joe Morales, to one of the top positions on the staff of the anti-poverty operations board.

If I were to summarize the prescription to meet the needs of the war against poverty, it would be a prescription for most of the things that are being done today. But I would prescribe a much bigger scale, with a much broader sweep. And there are many additional programs which cry to be launched.

Emergency actions are needed now to forestall emergency situations later.

We need that public works program I proposed 15 months ago. We need it now more than ever. Of course, the cost would be very great, and the cost of stepping up all the other programs I have been talking about would be very great, too.

Yet the money must be found, as it certainly would be found if we faced a military emergency abroad.

There must be substantially greater Federal grants directly to the localities for education, for training, for housing, for all the programs I have been talking about and that have been discussed at this conference. But the local and State governments must be ready to strain their resources, too. This means more taxes, which is not easy to contemplate and even less to institute. But it must be done. The people must be convinced that it must be done.

Will the sum of all the programs I have discussed cure poverty? Frankly, I don't know. Neither does anybody. I know one thing: we must try everything. We cannot afford to stop.

There are lions in the streets, angry lions, aggrieved lions, lions who had been caged until the cages crumbled. We had better do something about those lions, and when I speak of lions I do not mean individuals. I mean the spirit of the people, those who have been neglected and oppressed, and discriminated against, and misunderstood and forgotten. Some of them now have the spirits of angry lions. We must promptly set about to remedy the conditions which brought them into being. And we have no time. The time is now. It is already after midnight on the clock of history. We can only pray that the clock will stop awhile and give us the breathing space to work our wills in accordance with our consciences, to the best of our abilities.

THE PRESIDENT'S POLICY IN VIETNAM

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

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

There was no objection.

Mr. MORGAN. Mr. Speaker, I rise to commend President Johnson for his course of action in Vietnam and to express my appreciation for his frank and open statement to the American people and to the peoples of the world in explanation of U.S. policy in that area.

Public opinion polls have shown that a vast majority of the American people support the President's policy in Vietnam. After his press conference yesterday, that support should increase, both here and abroad. The President emphasized again that we have learned the lessons afforded by the appeasement of Munich. He could not have been more right when he said that failure to resist in Vietnam would deliver a friendly nation to terror and repression, encourage those who seek to conquer other nations in their reach, and endanger American welfare and freedom.

I am also proud of the restraint being exercised by our President in his determination to provide the maximum amount of deterrent with the minimum cost. The carefully controlled bombings which the President has authorized are coupled with his desire to stop the loss of lives and end the conflict. I was pleased to read his words:

> I do sometimes wonder how some people can be so concerned with our bombing a cold bridge of steel and concrete in North Vietnam but never open their mouth about a bomb being placed in our Embassy in South Vietnam.

President Johnson repeated that our bombings of their bridges, radar stations, and ammunition will cease the moment the North Vietnamese end their aggression. In renewing his offer for unconditional discussions and reemphasizing the firmness of our position, the President not only deserves the fullest support of every American, but that of freedom-loving people everywhere.

TIME FOR A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that various other Members be permitted to extend their remarks in today's RECORD at the end of my remarks on this subject.

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days in which to extend their remarks upon this same subject.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, present developments in various parts of the world, particularly in Vietnam, make the establishment of a Special Committee on the Captive Nations a definite necessity. Let us not forget that the captive people of North Vietnam also have a stake in the outcome of the current crisis there. Despite the eased tensions in Eastern Europe, let us not forget that the various totalitarian Red governments do not represent the underlying captive nations and in a variety of ways continue to oppress and exploit the captive peoples. Let us also not forget that Moscow's deceptive policy of peaceful coexistence cannot conceal the realities of Soviet Russian imperiocolonialism in the captive non-Russian countries of the empire-state called the Soviet Union. And let us not forget that the captive nation of Cuba is still off our shores and is being systematically exploited by Moscow and Peiping alike for Red totalitarian penetration of Latin America.

In short, Mr. Speaker, as our interest and energies are being absorbed by certain particular events, let us not forget the general and basic state of the captive nations in Eastern Europe, Asia, and Latin America. And the best way in not forgetting them at this time is to create now a Special Committee on the Captive Nations. This is the time for such a committee.

A BRIDGE TO TRUE UNDERSTANDING

As Representatives of the American people, we have now a wonderful opportunity to construct a bridge of true understanding between ourselves and the neglected captive nations and peoples. Diplomatic bridges with totalitarian governments in the Red empire are not necessarily bridges with the underlying captive nations. We need more than one type of bridge for the terrain is substantially different between the oppressor and the oppressed, the colonialist and the colonial, the exploiter and the exploited. A Special Committee on the Captive Nations in this Congress would be our bridge of true understanding of, and abiding faith in, the close to 1 billion captive people.

It has been my privilege to introduce the original resolution proposing this bridge of true understanding. Dozens of other similar resolutions have been submitted with the same objective in mind. I cannot thank my esteemed colleagues enough for their forceful expression of the mutual idea and common objectives in the national interest which we share alike. I also express my deep gratitude to many other Members who, though they have not introduced resolutions toward this end, have nonetheless been outspoken in their full support of our proposal.

TEN WHY'S FOR FAVORABLE ACTION

Mr. Speaker, the reasons for establishing this committee have been stated and reiterated on many occasions. Let me cite many of them again.

First, with legislative intent and purpose, this committee would conduct studies and investigations leading to conclusions that would justify recommendations for specific legislative action.

Second, with its unique orientation toward the captive nations in the aggregate, the committee would in reality and function represent no substantial encroachment on any standing committee.

Third, the range and depth of work that this proposed committee would be engaged in, not to say the uncovering of phenomena which have been virtually ignored by existing committees, would require time, effort, and dedicated application that only a special committee could undertake. For example, I ask what standing committee has looked into the plight of all the captive non-Russian nations in the U.S.S.R., some 120 million people, and assessed them in terms of our national interest? The answer is none.

A fourth important reason is that this committee would symbolize the determination of the American people never to forget the hopes for ultimate freedom on the part of all the captive nations and of the Russian people themselves.

Fifth, each of our Presidents in this contemporary period has urged the need for popular studies of all the captive nations and for bridges of understanding with these peoples.

Sixth, in the preceding decade the Congress made historic contributions through its Katyn Massacre Committee and the Select Committee To Investigate Communist Aggression; in this decade, it can make a similar contribution through a Special House Committee on the Captive Nations that would project further the tradition established by the work of those committees.

Seventh, if one reads carefully the 1964 Captive Nations Week proclamation issued by our President and his urging us "to give renewed devotion" to the captive peoples, there can be no more concrete response to this than for us to get on with the unprecedented work of this special committee.

Mr. Speaker, an eighth solid reason for this committee is that its work would be concentrated on Sino-Soviet Russian imperio-colonialism, a combination which has been completely overlooked by our Government. It is sickening for any alert American to read almost every day the egregious accusations by both Moscow and Peiping against American imperialism when facts will show that these are the two last remaining, backward centers of imperio-colonialist conquest.

Ninth, the formation of this committee would be the first concrete implementation by Congress of its own Captive Nations Week resolution passed in 1959, and which every year since both Moscow and Peiping have vehemently opposed.

And the 10th major reason for this committee is that its work and results would contribute heavily to the fundamental cause of a just peace in the world by demonstrating for world opinion the basically insecure foundations of the Sino-Soviet Russian imperia.

These are the 10 whys I submit now for favorable action on this proposal. The distinguished chairman of the Rules Committee has declared his willingness to consider the measure; many members of the committee have publicy stated their support of the resolutions for this special committee; and I entertain no doubt that, once reported out, the measure will be overwhelmingly passed upon by our colleagues. So, why the unnecessary delay? I urge now that immediate and favorable action be taken on this vital measure.

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

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

Mr. DERWINSKI. Mr. Speaker, I am pleased to join my distinguished colleague DAN FLOOD in calling to the attention of the Members of the House the urgent need to create a special House Committee on Captive Nations.

For two consecutive Congresses we have cosponsored House Resolutions 14 and 15 and worked together to obtain Rules Committee approval of the Flood resolution. There is no doubt in my mind that when the Rules Committee approval is obtained, the House as a whole will overwhelmingly vote to establish the special committee.

It is necessary for us to keep in mind the tremendous international interest that surrounds the plight of the captive peoples of communism. As an example, I submit as part of my remarks a resolution passed by the 10th Annual Conference of the Asian Peoples' Anti-Communist League which was held in the city of Taipei, Taiwan, free China, in November of 1964.

RESOLUTION ON SOVIET RUSSIAN COLONIALISM AND THE LIBERATION OF SUBJUGATED PEOPLES

The 10th Conference of the Asian Peoples' Anti-Communist League: Stipulating that in an era when empires are disintegrating into national states, the Russian imperium, consisting of the so-called Soviet Union and its satellite countries, presents a conspicuous example to the contrary.

Noting that the national liberation movements in the Soviet-Russian sphere of influence constitute a decisive factor in the confrontation of Moscow, which is one of the two most important centers of the world communism;

Resolves:

1. To join in the spirit of the Captive Nations Week resolution of the U.S. Congress, and to express its solidarity with the free aspirations of the Estonian, Latvian, Lithuanian, Byelorussian, Ukrainian, Georgian, Armenian, Azerbaijanian, North Caucasian, Cossackian, Turkestanian (Usbekistanian, Nazakstanian, Taobzikistania, Kirgisichstanian, Turkmenistanian), Idel-Uralian, Polish, Slovakian, Czech, Hungarian, Rumanian, Bulgarian, Albanian, and other peoples against Communist tyranny and Russian foreign rule, and to urge reestablishment of their national independence within their ethnographic territories;

2. To speak out also in behalf of the liberation of the Germans, Chinese, Koreans, and Vietnamese, and the reunification of countries and peoples divided by Communist aggression;

3. To warn the Western World against supporting Titoism, which is the Trojan horse of communism, and to support the reestablishment of the freedom and national independence of the Serbians, Croatians, and

Slovenians, who are now condemned to live under Tito's regime of Communist tyranny;

4. To demand a just peace among all the peoples of the world, a peace which presupposes the liquidation of every form of national subjugation and the realization of indivisible freedom the world over;

5. To support the anti-Communist freedom movements everywhere in the world—in Africa, where the people of the Congo (Leopoldville) are fighting against Communist conspiracy, and in Cuba, where the people are fighting dictatorship and seeking the reestablishment of independence and freedom;

6. To urge the establishment of a common front including the peoples subjugated by both Russian and Chinese Communists, and to cooperate with ideologically and politically like-minded forces of the world against the common enemy;

7. To endorse mobilization of anti-Communist forces in the free countries against Russian imperialism and communism, and to promote national liberation revolutions to overthrow the Communist tyranny without nuclear war;

8. To back Members of the U.S. Congress in their efforts to establish a standing committee to deal with the problems of peoples subjugated by Russian imperialism and by communism, and to establish a Freedom Academy to serve the cause of national liberation.

Mr. Speaker, as we note the growing support which the satellite countries of Eastern Europe are providing the North Vietnam Communist regime, and as we take special cognizance of the discontent and suffering of the peoples of the captive nations, the latest example of which is seen in the revolt in Bulgaria that was crushed just a week ago, the need to fully study and review Communist control of the captive nations should be recognized by all.

Mr. Speaker, I believe the creation of a special House committee on captive nations would be a progressive, effective contribution on the part of the House to the foreign policy goals of our Nation and would demonstrate the enlightened interest of the United States in the colonial policies of the Soviet Union and our determination to maintain the great Wilsonian concept of self-determination.

Since the various resolutions have been introduced on a completely bipartisan basis, I urge Members of the House who heretofore have not expressed an opinion on this subject to study the need for the committee as outlined by my distinguished colleague from Pennsylvania and join him in the collective move to obtain Rules Committee approval.

Mr. FLOOD. The gentleman from Illinois is kind. I might add since this has begun he has been at my side. This is entirely a nonpartisan or, if you wish, a bipartisan operation. A copy of my resolution has been introduced by dozens of Members on both sides of the aisle. Both Democrats and Republicans throughout the country have been active in support of this resolution, and certainly no one has been more active than the gentleman from Illinois.

Mr. BROYHILL of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. Mr. Speaker, I rise in support of the gentleman's position, and compliment him on his remarks, and wish to associate myself with him.

Mr. BROYHILL of North Carolina. 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 pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the proposal to create a Special Committee of the House on the Captive Nations has never been more valid and compelling than it is today.

As we battle for the freedom of southeast Asia, in the face of mounting hazards and criticism both abroad and at home, this step is of greater importance than ever before.

All along the Iron and Bamboo Curtains and throughout the lands imprisoned behind them, restive peoples are stirring, awaiting the moment when the odds will favor a bid for independence. These people represent a force of immense strategic importance because they compel the conqueror to deploy vast military and economic resources to keep them down.

The establishment of a Special Committee on the Captive Nations in the U.S. House of Representatives would reinforce their morale and increase our capacity to dramatize Communist oppressions. It also would be a formal expression of America's commitment to the cause of freedom everywhere.

We can and must maintain an all-out offensive against communism on the economic, political, and moral fronts. The Captive Nations Committee would enable us to maintain a continuing focus on the central issue which divides the world—the issue of freedom.

In America, we are closer to the ideal of individual freedom than men have ever been before. People of all nations have come here to seek and find personal fulfillment. Our system, while not perfect, has produced a bounty of intellectual freedom and material comfort unmatched in history.

The means of reform are built into our system and the troubles we have take place openly in full view of all the world. In the same manner, the settlements of these troubles take place at bargaining tables, in the halls of our legislatures, boards, and commissions, in Congress, and in the courts.

As a nation, we are generous to a fault, partly from self-interest but largely from plain charity. We worship as we choose or not at all if that is our choice.

We are a tremendously successful nation whose many roots reach back in time to every land and culture of the past. We have a national conscience that is our greatest moral weapon in the fight against Communist tyranny. No other system has brought so much to so many and no other system has required so much of its citizens to keep it free and functioning.

COMMITTEE BELONGS IN CONGRESS

The Captive Nations Committee would give formal expression to the American conscience in the battle for freedom. The House of Representatives, as the direct voice of all the people, is the best place for it.

Some object to the proposal as an encroachment upon the prerogative of the executive branch, with the Senate, to conduct foreign policy. This has been the position of the past several administrations to comment on the proposal. This fear is not justified.

It is not the purpose of the Captive Nations Committee to conduct foreign policy. It could not do so, even if it wished to try. Its purpose is rather to gather and publish information concerning captive nations and to reassure the peoples of those nations, through a formal body of the American Congress, that their cause is our cause and that they are not forgotten.

There are some, in addition, who oppose the committee because they fear it would aggravate the Communists and annoy them. To that argument we should give no room at all.

Tyranny is our eternal enemy. Today its name is communism. Its goal of world domination is the same. So are its weapons—fear, starvation, torture, government censorship in all the great and petty events of life, bringing in its train informers and spies, arrests in the night, mock trials, and mysterious murder, religious and racial persecutions—indeed, all the evil things that men can do to other men make up the armory of the Communist oppressor.

None of us is safe so long as this tyranny controls any part of the world. The Captive Nations Committee, which we propose today, would be an important part of the battle we fight against tyranny. It would shed light on dark places and maintain a continuing focus on the central issue which divides the world—the issue of freedom.

I urge the House to establish the committee promptly.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Mr. Speaker, I wish to compliment the gentleman for his statement.

Mr. FLOOD. Mr. Speaker, as far as the gentleman from Wisconsin is concerned, I may say that he served with me in the last decade, although he does not look that old, on what we termed the Katyn Forest Committee. It occurs to me in this decade, since we are still living and breathing and, with the good judgment of our constituents, we should in this decade develop a counterpart of that most acceptable weapon that we used against communism in the investigation of the massacre in Katyn Forest.

I understand the gentleman is speaking at a dinner in my district this coming Saturday night. I hope I can be there. If I am not I hope he continues to say nice things about me, as he always does.

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

Mr. FLOOD. I yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, again I would like to compliment my distinguished and able colleague from Pennsylvania for very forcefully advocating a measure which would place the Communists on the defense. Everywhere we go in this country people frequently ask how we can get off the defensive as a nation and as the leader of the free world, and get on the offensive. This is the way. Every time we mention the captive nations in this House it puts the jitters in the Kremlin and in Peiping, and all over the Communist world—I have heard the gentleman say this—that the captive nations are the Achilles heel of the Russian Communists. This is the way to put them on the defensive. Instead of this great country being on the defensive in Cuba, Panama, and in southeast Asia, we need to go to the source of the trouble, which is Russian Communist occupation of Eastern and Central Europe. This is where they are vulnerable. I commend the able gentleman for his courage and foresight and pledge him my cooperation.

Mr. FLOOD. The gentleman sat in about that seat where he is sitting now a few years ago, and alongside of him sat the gentleman from South Carolina [Mr. RIVERS], when this proposal was first made. The gentleman from South Carolina is now the chairman of a distinguished subcommittee of the Committee on Armed Services.

Believe it or not, the joker we were talking about then was Castro and he was in great favor with everybody in the United States. I tried to point out that I had first encountered Castro in Bogotá in 1949 when he was a Communist student with Che Guevara in those massacres, and the gentleman from South Carolina [Mr. RIVERS] and the gentleman from South Carolina who has just spoken, joined with me in vehement protest in trying to take the beard off this clown at this time. But if you live around here long enough, everyone comes around to what they think, I suppose.

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

Mr. FLOOD. I yield to the gentleman from Illinois. This is a happy thing for me to do. I mentioned the gentleman from Wisconsin [Mr. O'KONSKI] served with me on the Katyn Forest Massacre Committee. I might say that the chief cook and bottle washer of the committee in those days, the chief clerk, chief interpreter, and everything else, and the guy who really did the hard, gut work, was the gentleman from Illinois who now asks me to yield [Mr. PUCINSKI]. He later was elected to the House and he has returned to us since. I hope he continues to do so because no one is better versed on the elements of this resolution and its purpose and background than my friend from Illinois.

Mr. PUCINSKI. I thank my friend from Pennsylvania [Mr. FLOOD] for his generous remarks. When that great day comes when the captive nations of this world rejoin the family of free nations, the words of the gentleman in the well, Mr. FLOOD, are going to be emblazoned in gold letters. It was my privilege to know him before I came to Congress, and I am familiar with his tremendous and sincere effort to recognize the plight of the some 120 million who are now held captive against their will under Communist bondage in Europe. Certainly he has been making every effort to win for these people their freedom in a peaceful and dignified manner.

I want to associate myself with the previous remarks here in connection with the Katyn Forest massacre investigation which this Congress conducted in 1952. I will never forget the efforts made in Europe to dissuade this congressional committee from carrying on its investigation. It was the strong and firm voice of the gentleman in the well who at that time told the British in no uncertain terms that we were interested in getting at the truth as to who massacred these 15,000 Polish army officers in the spring of 1940. Everything was being done then to try to play down that investigation. I have admired the gentleman for the courage, determination, and leadership he provided to make sure that the facts and the truth about the Katyn massacre came to the attention of the free world.

I might say this is the 25th anniversary of the Katyn massacre. The distinguished gentleman from Indiana [Mr. MADDEN], who had been the chairman of the select committee, addressed a huge gathering in Chicago on the 25th anniversary. So I hold the highest respect for the gentleman for his efforts in constantly bringing to the attention of the free world the chicanery, the deception, and the deceit of the Communists.

But I should like at this time to congratulate the gentleman from Pennsylvania for his continued effort in establishing this very important committee. The thing that distresses me and disturbs me very seriously is that this is, I believe, about the sixth or seventh year that we see a number of men, like the gentleman in the well, and other Members of this Congress, reintroducing these bills. I have reintroduced a resolution along with the gentleman from Pennsylvania to establish this committee, and it is completely beyond my ken to understand why it is that with so many Members of the Congress pushing for the establishment of this Committee on the Captive Nations that the will of the Congress cannot be done.

I wonder if the gentleman would care to add some light to this and try to explain this mystery. There is no question, as we read the RECORD over the years, that all of us are in agreement and that a great purpose can be served. Certainly, these captive nations continue to look to the United States as their great hope for salvation.

Mr. FLOOD. You know what I think—the same as you think—the striped pants boys are behind this. You know they come out of the woodwork down there at the fourth and fifth level to write the various level papers. I do not mean the top guys. But you have been around here a long time, and so have I, and this is always what happens. We had the same trouble on the Katyn massacre matter. They fought that Katyn massacre resolution until our backs were right to the wall.

Mr. PUCINSKI. That is correct.

Mr. FLOOD. That was in the Rules Committee. Yet, it went through the House here like a dose of salts. This water pollution bill just passed here 396 to nothing. This resolution would pass by the same kind of vote. If we had the captive nations resolution ever to come out of the Committee on Rules, there would not be a vote in the House against it from either side of the aisle. I think most of the members of the Committee on Rules would like to vote it out.

Mr. PUCINSKI. I agree with the gentleman. This is the thing that baffles me—why it is that the elements that have opposed the establishment of this committee in the State Department cannot read the yearnings of these people behind the Iron Curtain. One of the things that amazes me is—here it is 20 years after the end of the war and these people—these captive nations were plunged into Communist bondage 20 years ago and today the spirit of freedom is just as strong in those countries as it was 20 years ago, 100 years ago, and 200 years ago.

Mr. FLOOD. And it always will be. You know this—you remember the conversation I had with former Vice President Nixon. When he returned from his Moscow trip he told me the one thing that would make Khrushchev froth at the mouth—the one thing that drove Khrushchev nuts is our resolution on the captive nations. All you had to do was to bring that up and he took straight off up in the air.

Mr. PUCINSKI. May I say this then to the distinguished author of this resolution with whom I am proud to be associated in cosponsoring this legislation—by golly maybe the time has come when the Members of this Congress ought to start exercising some of the other legislative machinery available to us to get this resolution through and get this committee established if we cannot do it through the normal channels. I am distressed that people in the State Department would have such a profound influence on the normal machinery of this Congress that we cannot bring this resolution to the floor. So I would like to suggest to the distinguished author of this resolution that perhaps the time has come when we ought to start looking at some of the other vehicles that are available to get this resolution through because I agree with the gentleman that if this resolution ever gets to the floor of this House, I doubt strongly that there is going to be a single dissenting vote.

Mr. FLOOD. I have been here since the War Between the States and the last thing in the world that an old timer like me wants to do is to interfere with the jurisdiction of any standing committee. I am against that. I believe in the seniority system. It is like the jury system. There may be a lot of things better than the jury system. Everybody criticizes the jury system.

But there has been no proper substitute offered in English jurisprudence up to this minute. And there has been no substitute for the seniority system here. I

would not put a glove on the prerogatives or the jurisdiction of any standing committee under any circumstances. All I want to do is to help them and propose investigations and make suggestions for them if they see fit to pass a law.

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

Mr. FLOOD. I yield.

Mr. PUCINSKI. Perhaps if enough of us here in the Congress send the message down to the gentlemen who make up these reports which guide the committee that this body is getting restless, because it has been many years in which we have been trying to get such a committee through, and we are not at all convinced by the State Department opposition to this committee——

Mr. FLOOD. And they are opposed to it.

Mr. PUCINSKI. Yes, they are.

Mr. FLOOD. Of course, it is usually those faceless wonders I talked about, whom we cannot put a glove on, at the 4th and 5th levels, who write the position papers.

Mr. PUCINSKI. I suggest that perhaps if we get the message to them they might take another look at this. I would rather have the committee established through the normal legislative process.

Mr. FLOOD. I agree with that.

Mr. PUCINSKI. I must say it has been year in and year out that we have stood here on this floor. We have marveled at the gentleman's efforts to persuade.

Mr. FLOOD. You know, my name is DANIEL JOHN FRANCIS JOSEPH ALOYSIUS FLOOD. This tribe of mine has not quit in a long time.

Mr. PUCINSKI. That is right.

Mr. FLOOD. The Irish were kicked around for about 100 years. Now, thanks be to God, they have their own country. There are a great many in this country who help here.

In the veins of the gentleman from Illinois flows the proud blood of Polish ancestry. There is none prouder or braver or older or more distinguished. The gentleman does not like it. I know why.

Mr. PUCINSKI. I just do not like the long delay. That is why I should like to suggest again that we give serious consideration, if necessary, to using some of the other vehicles around here, when the legislative process is frustrated by the experts in the State Department.

Mr. FLOOD. The gentleman knows Poland as well as I. If anyone wonders why there is not an attack in the line all across East Germany, I ask, can you imagine the line of communications of the Russian Army making a move to the west across Poland? The Poles would take the supply lines apart with their bare hands.

Mr. PUCINSKI. Our greatest allies today are those 180 million unfortunate victims of Communist slavery. Nobody knows this better than the Kremlin. If the Kremlin thought for just 1 second that they could count on these unfortunate victims of communism, imposed upon them against their will—if the Kremlin thought they could count on these captive nations for just 1 second—the strategy and policy in Europe would change overnight. But the Kremlin knows better than the people in our own State Department that our greatest allies today are these people of Poland, Czechoslovakia, Lithuania, Latvia, and Estonia.

Mr. FLOOD. What would happen in the Ukraine? It would blow up overnight, and they know it, and 50 other countries all through the Balkans. That empire would fall apart like the one-horse shay. It is put together with sealing wax and scotch tape. They are kidding the troops.

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

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

Mr. CONTE. I wish to take this opportunity to compliment the gentleman from Pennsylvania for the wonderful message he has given the Congress today. I am quite familiar with his long fight for setting up a Captive Nations Committee here in the Congress. We joined together many years ago on this same issue. I filed a bill every year. Unfortunately, we have not prevailed upon the Rules Committee to bring this to the floor of the House.

I agree with the gentleman when he says that if the bill ever comes to the floor of the House it will be voted unanimously by this body.

I like the terminology used: it will go through here like a dose of salts.

Mr. FLOOD. This is a classic example of what this House is and of what this country is.

In the veins of the distinguished and attractive gentleman from Massachusetts flows the imperial blood of Rome. The gentleman has no quarrel with this problem, but he does not like the situation. That is why the gentleman from Massachusetts [Mr. CONTE] supports this resolution. This is in the best American tradition. You are a long way from Rome to Poland and the Balkans, but you believe in this, that is why you are fighting for it.

Mr. CONTE. Again I compliment the gentleman for the stalwart fight he has made down through the years. I will continue the fight with him.

Mr. FLOOD. I am sure the gentleman will.

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

Mr. FLOOD. I am glad to yield to the gentleman from Alabama.

Mr. BUCHANAN. I thank the gentleman. All of us know of his dedication to the cause of human freedom. He deserves the gratitude of all who respect the inalienable right of the people of the captive nations to life, liberty, and the pursuit of happiness.

It is strange that the gentleman's resolution should require the expenditure of such time and effort as he has given toward its passage. It would seem fitting and proper that this action be taken long hence.

It is passing strange that America could rest content while millions of our fellows are captives of a brutal tyranny. To paraphrase the words of another American who cared about human dignity and human freedom; how can a world survive, half slave, half free?

I want to compliment the gentleman on his remarks and for his sustained and vigorous efforts to establish within this body a Committee on Captive Nations. This is a battle toward American recognition of the basic human rights of the people of such nations as Poland and Hungary.

It is a challenge to this body to act officially to search out the truth about the captive nations and then take whatever action is warranted in the light of such truth. The gentleman deserves and should have the support of all who recognize the elementary fact that men do not choose to become slaves, but are born to be free.

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

Mr. FLOOD. Yes. I am glad to yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Speaker, I would like to associate myself with the remarks made by the gentleman from Pennsylvania.

Mr. Speaker, I believe that one of the most powerful and effective weapons against communism is truth.

By establishing a Special Committee on the Captive Nations, communism would be exposed to the world with that great weapon, which is welcomed by freedom and resisted by tyranny.

No wonder Moscow roared with indignation when a resolution was passed by Congress in 1959, observing Captive Nations Week. Communism has so much to hide:

It does not allow freedom of speech.

It does not allow freedom of the press.

It does not allow freedom of the individual.

It does not allow freedom of enterprise.

And because communism does not recognize the existence of God, it even forbids freedom of worship.

That is why the Soviet Union is violently opposed to creation of a Special Committee on the Captive Nations.

I do not honestly believe that such a committee would result in the sudden freedom of the hundreds of millions subjugated by communism. But I do know that besides exposing communism for the fraud and tyranny it is, this committee would also show the world that the United States has not forgotten the plight of the captive nations, and that this Nation, in peaceful ways, will continue to demonstrate its sympathy and support for independence.

Creation of a Special Committee on the Captive Nations would not produce miracles, but it would give persons behind the Iron Curtain renewed hope for ultimate liberation and independence.

In establishing this committee, the Congress and people of the United States would be saying to the captive nations: "Do not give up hope. We are with you in spirit and we think and care about you. Some day you will be free again."

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

Mr. FLOOD. I am glad to yield to my colleague from New York.

Mr. CAREY. Mr. Speaker, may I state that I am proud to coexist in this Chamber with the distinguished gentleman from Pennsylvania [Mr. FLOOD]. Long years and arduous hours have been spent on behalf of this resolution. I rise as a New Yorker because the Assembly for the Captive Nations is located in New York, adjacent to the United Nations, a great international institution. The captive nations are really not that. If I ever suggest an amendment, with the permission of the gentleman from Pennsylvania, it would probably be to amend the title so that these would not be called captive nations but captive peoples. They have lost their nationalism to an outside influence. They are peoples in captivity. Coexistence is not their own idea. They have no existence as national people. I would suggest that this truly is an apartheid of humanity. Freedom cannot coexist with slavery; liberty cannot coexist with bondage. As long as we tolerate it, we are as much at fault as anyone. I suggest that it is high time that action took the place of words in the Congress, but only the words of the gentleman from Pennsylvania can bring about the action. I summon all the commendation I can command to compliment him for his great work on behalf of this resolution.

Mr. FLOOD. Knowing you as long as and as well as I do, sir, I would expect that.

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

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

Mr. PUCINSKI. I would like to congratulate the gentleman from New York [Mr. CAREY], for bringing about in this RECORD this very important distinction. There is nothing, I think, that does greater damage to the great effort of helping these people than the constant reference in the American communications media to such things as "Communist Poland" or "Communist Hungary" or "Communist Czechoslovakia." Those countries are not Communist. They have never been and will never be. We have pleaded for years with the communications media to identify these nations as Communist-dominated countries.

Mr. FLOOD. You are so right.

Mr. PUCINSKI. So I want to congratulate the gentleman from New York [Mr. CAREY], for bringing this very important distinction to the attention of this House.

Mr. FLOOD. I might say as far as amending it that this is no sacred cow under any circumstances. As a brain child it does not have that status, and any contributions from either side of the aisle that have been made, by the way, from year to year, such as this have great merit.

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

Mr. FLOOD. I am proud to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I thank my friend for yielding. Again I want to compliment him on the work he is doing and which he has done for so many years in this area. There is no one else within my acquaintance who is so knowledgeable, who shows more determination, or who is more effective in all his undertakings than the gentleman from Pennsylvania. All of those, whether individuals or nations, who are unwillingly subjugated by Communist tyranny, owe the gentleman from Pennsylvania a debt of gratitude for his persistence in demanding that something be done about their plight. As a matter of fact, all liberty loving people are indebted to our friend from Pennsylvania. We are so happy that he is in such fine physical fettle again and able to carry on the fight as only he can carry it on.

Mr. FLOOD. The gentleman is very kind, but I am still a little weak in the knees.

Mr. McCARTHY. Mr. Speaker, the phrase captive nations is used to describe those people whose freedom is circumscribed behind the iron and bamboo countries by various Communist regimes. Approximately 35 percent of the world population finds itself in this onerous predicament.

Force and suppression as elements of foreign policy are antithetical to our beliefs as freedom loving people. This mode of dealing in international affairs is completely repugnant to our heritage which was founded in volition and free choice vis-a-vis subjugation by outside influences. Therefore, to be consistent with our traditional beliefs, we must speak out effectively against foreign policy predicated on repression and do everything within our power to assist nations in molding their own destinies.

The idea of subjugation, even if only for an instant, is repulsive to decent sensibilities. With this thought in mind, it must be remembered that many of the captive nations have had their freedom withheld from them for more than 40 years.

In light of recent world developments and thought provoking studies we are becoming increasingly aware that the idea of a Communist monolith is a mere fantasy. Differences of opinion within the Communist world are as rampant as are the divergent objectives pursued by the individual states within it. These developments provide us with the realization that this outside domination might be curtailed and eventually brought to an end by effectively exploiting these existing internal differences.

In order to achieve this goal a significant first step would be the passage of House Resolution 14 and the concomitant establishment of a permanent committee whose interest would be devoted exclusively to the problems of captive nations. Such a committee could maintain continuous touch with the problems of these people. This would enable it to take cognizance of any change in circumstance or viewpoint within the Communist world. When such change occurs the committee would be in a position to recommend the requisite measures.

While this is a needed step we cannot be naive enough to think that by instituting such a committee and giving it permanent standing we will be remedying the problems of these captive people. This measure is only a first step, albeit an effective one. Furthermore, it is a symbol to the world that the United States is firmly opposed to foreign domination and has once again alined itself with those who advocate self-determination of the people of the world.

Mr. McDADE. Mr. Speaker, there is scarcely a schoolboy in America who has not read one of the great sentences spoken by Abraham Lincoln. It is the sentence that says, "We cannot endure as a nation that is half slave and half free." What is true in our Nation is no less true in our world. We cannot endure as a world that is half slave and half free.

For every one of us in this Chamber this afternoon there are roots that lie deep in the soils of other nations. For some the distant roots are in Poland, or Italy, or Ireland. For some the roots are in the rich soil of the Ukraine. For some the roots are in Africa, or in China, or in South America. For all of us it may be said that we do not stand as solitary Americans; we stand upon the shoulders of many traditions, of many cultures from many lands. What is true of us as persons is true also of the intellectual and spiritual life of all America. It has often been noted that we Americans are part of the great Western tradition of culture, taking our immediate culture from Western and Eastern Europe and tracing that culture back through the Greeks, through the Middle East, and even into the distant learning of the Orient. All of us, therefore, represent not only an American culture but indeed a worldwide culture to which we have contributed new learning and new artistry in the short span of America's existence.

We look, therefore, far beyond the shores of America, and we find our own brothers across the seas. It is, unfortunately, a sad truth that while we sit in this citadel of freedom, in this noble lawmaking body, some of our brothers are living in slavery. In China alone there are nearly 700 million of our brothers who labor under the domination of atheist communism. The leaders of that nation are determined to destroy America and all that America represents. They have stated this publicly. They have indeed precipitated a fight within the ranks of Communist states over the issue of how violent the war against us should be. Let us not deceive ourselves. The issue is not whether America is to be thought of as the enemy. The issue is only how will the fight against America be waged?

In Europe there is an arc of nations from the Baltic Sea to the Black Sea still under the domination of communism; there are over 40 million people in the Ukraine alone whose voices cry for freedom from within the borders of the Soviet Union.

The Congress is now being asked by me and by many of my colleagues to form a special Captive Nations Committee. It is my hope and the hope of my colleagues that all of Congress will join in this desire. Do not for a moment believe that our desire to creat a Captive Nations Committee will go unnoticed in

the Kremlin. In 1959 Khrushchev denounced the Congress of the United States for passing Public Law 86-90, calling upon the President to proclaim a Captive Nations Week. If we create the Captive Nations Committee I think I can assure all of my colleagues that we will be denounced with equal vigor by the present occupants of the Kremlin. I can also assure my colleagues that I will cherish that denunciation as a prize memento.

It is, I believe, worthy of note that the Khrushchev who denounced us in 1959 has fallen into a rather low estate in the Soviet Union. It would be interesting to have his opinion on freedom in the Soviet Union today. I am inclined to think there may well be some serious revisions in his attitude.

The creation of a Captive Nations Committee would not be an empty gesture. The world looks to America for leadership in the fight for freedom. We have asserted our leadership in that fight in many ways. It was not so long ago that Winston Churchill remarked that the deterrent power of America's arms was all that stood between the free world and Soviet domination. We have an opportunity to reassert that leadership in the creation of a Captive Nations Committee. If the Congress of the United States forms such a committee, then nearly a billion people on earth will soon learn that the highest lawmaking body in the American citadel of freedom has taken note of their plight and is determined to do something about it.

I am well aware of the opposition to the creation of this committee. It is no secret that the Department of State has opposed the creation of this committee and is still opposed to any such action taken in the direction of the Department of State. But we in Congress must answer to our own consciences; not to the conscience of the Secretary of State. I have agreed with the Secretary on many issues. I disagree strongly on this one. I am, therefore, calling upon my colleagues, all of my colleagues, to consider the creation of the Captive Nations Committee most seriously. It has been talked about in the Congress in the past. It is time, I think, that we should end the talking, that we should bring the bill to create such a committee to the floor of Congress, and that we should enact it finally into law. A billion voices across the whole world will echo the "yeas" of the record vote of such a bill.

Mr. CALLAWAY. Mr. Speaker, in America we are well aware of the suffering people behind the Iron Curtain. We speak of them often, and I daresay that there is not a man present who has not pledged his efforts to their ultimate liberation.

Yet I wonder how often we stop and think of the scope and meaning of our pledge; we who enjoy the freedom won for us by the blood and sacrifice of our forefathers.

Can we fully picture or understand the defiance of human dignity and freedom that has become a way of life within the Communist dominated countries of Eastern Europe? We can, Mr. Speaker, and we must if we are to fulfill the hopes and prayers of these brave people. Yet we cannot fulfill these hopes by giving aid to the Communist oppressors. And we cannot pursue our goal by capitulation to an enemy that has sworn to bury us. We must instead pursue the fight for freedom with strength and firmness of purpose.

Our goal, indeed, is freedom. And we must prove to the captive nations and to the world that not by lipservice, but that by action we intend to reach this goal.

To this end my colleagues have proposed the establishment of a House Committee on the Captive Nations in this 89th Congress. And to this end I join with them today in strongly urging its adoption. The establishment of a Committee on Captive Nations, Mr. Speaker, would symbolize to the world our determination as Americans to pursue our commitment to the ultimate liberation of the captive nations.

Therefore, let us wholeheartedly adopt this excellent proposal. Let us prove to the world that as long as men live under tyranny, as long as peoples are oppressed, Americans—the champions of freedom—will never give in.

Mr. BRAY. Mr. Speaker, I wish to congratulate the gentleman from Pennsylvania [Mr. FLOOD] for again bringing before us this important matter, and to direct the attention of this body once again to the subject of creating a special Committee on the Captive Nations. Resolutions for this purpose have been before the Committee on Rules since 1961, but action has been delayed largely because of the inflexible opposition of the State Department.

In our dealings with the Soviets we repeatedly have failed to use the most potent weapon at our disposal—that is to demand that the people under Communist domination be given the right to freely choose their own governments. We have never made this demand an instrument of national policy, although it has been a stated goal.

Recently, the actions of our Government have led to doubts about our sincerity in backing the peoples of the captive nations. We have even been reluctant to state forcefully that we sympathize with the people under Soviet dominance or that such dominance exists.

A Special Committee on the Captive Nations would focus attention on the plight of these people, and find ways to exploit the problems which any dominating power creates.

It should be remembered that the true facts and the importance of the Katyn massacre were revealed and emphasized by a special committee of the House. As a result of its investigations, the committee in 1952 disclosed that it was the Russians who committed the mass murders of the Polish officers and intellectual leaders in the Katyn Forest near Smolensk. The record of that special committee shows what can be accomplished by such a group.

It is in our interest to keep pointing out that there are several captive nations—sharing alike the tyranny of Communist rulers, bound by the yoke of Soviet imperialism. The Soviets prefer not to talk about the subjugation of the captive nations. The United States should prefer to talk about them and to take every reasonable means to bring them to the attention of the rest of the world.

We should demand that Russia give to the captive nations freedom of choice—allow these peoples to vote for the kind of government they want and to elect the officials they want.

I must refer again to a study that was made for the U.S. Arms Control and Disarmament Agency. While this statement has not been announced as approved policy, still its philosophy is startlingly similar to a line of thinking all too prevalent in the State Department today. I quote from that report:

> Whether we admit it to ourselves or not, we benefit enormously from the capability of the Soviet police system to keep law and order over 200 million odd Russians and many additional millions in the satellite states. The breakup of the Russian Communist empire today would doubtless be conducive to freedom, but would be a good deal more catastrophic for world order than was the breakup of the Austro-Hungarian empire in 1918.

Is that the kind of world order we want? I know that it is not the goal that I want.

The 1964 proclamation of Captive Nations Week by President Lyndon Johnson is striking in its omissions. It makes no reference to Soviet Russia, nor to communism. It refers to captive nations but is too timid to say who holds these nations captive.

The world looks to America for leadership in freedom. We should encourage all others to aspire to it, and should provide an example for them to follow.

One real contribution could be the creation of a Special Committee for the Captive Nations. This committee could reveal to the world the sorry record of the Soviets who must hold their empire together by force.

Mr. DELANEY. Mr. Speaker, I am deeply concerned for the captive nations' 90 million human beings—a group of people which is nearly half the size of the population of the United States. For 25 years these people have lived under Soviet bondage. During that time they have constantly been subjected to a tyranny characterized by repression of individual liberties, suppression of religion, and a systematic campaign to destroy family loyalties and to replace them with a blind obedience to the state.

These enslaved people have many close relatives living in the United States who look to us as the last hope for freedom of these captives. Therefore, I believe that it is singularly appropriate that we establish a Special House Committee on Captive Nations to serve as a forum for discussions which may lead to the eventual liberty of these oppressed people.

I believe that the very existence of such a committee in the Congress may also serve as a reminder to the world—and particularly to these unfortunate captives—that this Nation condemns Soviet colonialism in Eastern Europe, and that we insist that these people have the

God-given right to live under institutions and governments of their own choosing.

Further, I believe that the existence of this special committee will effectively symbolize our belief that it is in our national interest to sustain the spirit of resistance to communism among these people; to maintain their friendship and good will; and to strengthen their orientation toward the West. As they falter in the storm, this committee will shine as a beacon of hope in their hour of need.

Therefore, I support House Resolution 14, introduced by my distinguished colleague from Pennsylvania, and companion proposals introduced by other Members of this House, which would establish a Special House Committee on the Captive Nations.

Mr. GILBERT. Mr. Speaker, Public Law 90 of the 86th Congress established the third week in July of each year as Captive Nations Week. Once again I want to urge my colleagues in the House to join in a reaffirmation of the ideals embodied in Captive Nations Week; that is, to nourish the hopes of enslaved people and contribute to the ultimate goal of a world based on freedom, justice, and peace.

The Soviet Union violated its promises of freedom and independence after World War II to Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. And the U.S.S.R. deprived the captive non-Russian peoples within its own borders of the promise of self-determination and independence.

The meager liberations and concessions by the Soviet in the cultural fields, cultural exchanges, and the extension of East-West trade, have not brought freedom and independence to the Captive Nations. The Soviet bonds of political and economic subservience still exist; the Soviet goal of international communism and world domination has not been abandoned.

We must keep in mind that the captive nations have not lost their desire for freedom and independence. We must not allow the spirit of captive peoples to succumb to despair; we must keep their spirit and hopes alive. With this in mind, I have joined several of my colleagues in the House in introducing a resolution to establish a Special Committee on Captive Nations.

I want to call to the attention of all Members of the Congress my resolution, House Resolution 28, and similar resolutions, and urge the Committee on Rules to consider this proposal as soon as possible.

Mr. GERALD R. FORD. Mr. Speaker, since the passage of the Captive Nations Week resolution in 1959 by the Congress, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations. I believe the United States should increase this knowledge and interest by using the weapons of truth, fact, and ideas. We should help these determined and stouthearted captive nations to win victory in the psychopolitical cold war.

I support the bipartisan effort to establish a Special Committee on Captive Nations, which will find means by which the United States can assist these nations by peaceful processes to regain their national and individual freedoms. The world is watching us and listening to us with studied attention. We must not fail, nor should we falter, in accomplishing this task.

Mr. HELSTOSKI. Mr. Speaker, at the outset I wish to commend the gentleman from Pennsylvania [Mr. FLOOD] and the gentleman from Illinois [Mr. DERWINSKI] in their truly bipartisan efforts to establish a Special House Committee on the Captive Nations.

It is my belief that the creation of such a special committee would do much to show to the world the weakness of the Soviet Empire and their hold over the many European countries which are now under Soviet domination, under the guise of being a part of the Soviet political sphere. Yet, as we know, these nations have been deprived of their national independence and their individual liberties.

The imperialistic and aggressive policies of the Soviet Union have created a situation which presents a threat to the security of the United States and to the free people throughout the world. Nations subjugated by the Soviet look to the United States for hope and the leadership which will bring liberation and independence and help to restore their religious freedoms and individual liberties.

The creation of a Captive Nations Committee to expose the actions of the Soviet leaders in subjugating these small and helpless nations does not meet with the approval of the Soviet leaders. Such a committee would prove to the world the false impression given by the Soviets, that these captive nations have their freedoms and are permitted to continue their everyday life in a normal way.

What a mockery it is to claim that the individuals of Poland, Hungary, Lithuania, the Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Armenia, Georgia, Albania, and others, have the right to express their religious beliefs. How can this be done when the churches and church properties have been confiscated and used for purposes other than church services? When priests have been deprived of their right to conduct religious services, how can they minister to the needs of their religious group?

Freedom of self-government—how can it be achieved when the elections are still held with single governmental lists? There are no opposition candidates, one has to vote the ballot that is handed to him or else it is voided. This is not the type of free elections as we know an election to be.

In industry, one does not work for personal well-being in the form of wages for his everyday purchases. In a subjugated country all is done for the state, with the state deriving the full benefit of industrial production. Yet the Soviet leadership will lead you to believe that the industrial worker shares in this productive field.

Farmers likewise produce for the state on collectivized farms. For their efforts in farm production, the farmer is given a small portion of the entire crop to sustain himself and his family. Only in Poland, have the farmers been able to own their own fields and that action was taken fairly recently, to show that these people have the freedom to own property for their farming efforts.

The creation of a Special Committee on the Captive Nations would bring hope to the subjugated nations who look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties.

We Americans are proud that many refugees from the oppressed countries have found asylum in the United States. The citizens of our country are linked by bonds of family and principle to many of the captive nations people and it is only appropriate and proper that we manifest to the captive nations people our concern over their plight and their determination and just aspirations for freedom and national independence.

We subscribe in full that every human being has the inherent right to self-determination in the conduct of his daily life. Yet, this right of self-determination is denied to millions of people within the sphere of Soviet domination.

Our affirmation that these subjugated nations should have freedom and independence is not enough. This Congress as represenatives of the people of the United States, now has the opportunity to further demonstrate to the people of these captive nations our concern over their plight, by taking action on the resolutions to create this Special Committee on the Captive Nations; so that it can expose the false information spread throughout the world by the Soviet leaders on the status of the Communist dominated nations.

I am in full agreement that this committee should be created as soon as possible so that its findings can be utilized in bringing about the liberation and restoration of freedom to these subjugated nations.

Mr. CUNNINGHAM. Mr. Speaker, it is an honor to join with my colleagues in this discussion of the need to establish a Special House Committee on the Captive Nations.

I am proud to be one of the sponsors of legislation calling for formation of such a committee. I have introduced similar legislation in past Congresses. I think this matter has been put off long enough—it is time this distinguished body take some action on the resolutions that have been introduced.

A Special Committee on the Captive Nations is badly needed to focus attention on the plight of these peoples and find ways to exploit the problems which any dominating power creates. This is, indeed, one of the sad aspects of our foreign policy, where, without doing anything much about it since 1961, we see

before us the yearnings of peoples to have the right to vote for the kind of government they want and elect the officials they wish to represent them, without being hampered by the stringent ties of communism.

Free elections would be the most sound and fair kind of arrangement for the captive nations. It would certainly be superior to any form of treaty and it would serve to keep the desires of freedom-loving people alive. This is only one objective a Committee on Captive Nations could recommend and bring to the attention of the free world.

It is my belief that there can be no peace, no peaceful coexistence with communism. By establishing a Committee on Captive Nations we can put this Nation firmly on record as to our desires and in support of these captive nations.

Mr. BATES. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. FLOOD] for the opportunity to join with him in urging appropriate action by the House to reassure the people in the captive nations of the world that we in the United States are keenly interested in their struggles for liberation and freedom from the chains of despotism.

It is entirely appropriate that such an effort be bipartisan, because all Americans, regardless of political affiliation, sympathize with the oppressed citizens of the so-called captive nations. To achieve the objective, various similar bills are now before the Rules Committee seeking to establish a Special House Committee on the Captive Nations.

I am pleased, therefore, to add my voice in support of this proposal.

Mr. MULTER. Mr. Speaker, today and in the past we have heard many arguments supporting the case for establishing a Special Committee on the Captive Nations, but there is one argument, I believe, that stands out above all others, and thus deserves special emphasis.

This is the argument of colonialism and its relevance to the cause of the captive nations.

We of the West have been castigated over and over again by the propaganda charge that the United States and its allies are imperialists and oppressors of colonial peoples.

Today this charge has special relevance to our position in the world, because a massive third force has been emerging in the past two decades, a political force that can determine the direction and thus the ultimate success or failure of our foreign policy. I am, of course, speaking of the so-called neutralist nations, those nations of Asia and Africa now emerging from their former colonial status into a new era of independence.

Communist propaganda charges against the West have been designed to appeal to those peoples who having suffered from imperialism are now extraordinarily sensitive to the matter of colonialism. It is clear that the Communists are seeking allies in those areas, and one way to do it is to create a climate of political alienation between the newly independent countries and their friends. Of course, the charge that gains the most propaganda credits for the Communists is the charge of Western imperialism and Western colonialism.

I do not doubt that Communists have made considerable gains in these areas, owing to their skillful exploitation of the colonial issue. But their success, if indeed it has been achieved, is derived as much from our failure to counteract effectively Communist charges as it is from the skill of their propoganda apparatus.

I have long felt that the United States has not used to the fullest extent one of its greatest assets in this continuing propaganda war for the loyalties of the emerging peoples. This asset is the truth of Soviet colonialism.

It is an established historical fact that one of the greatest world movements since the end of World War II has been the movement toward liberation of peoples in the former colonial areas. Old empires have collapsed, and from their ruins have arisen new nations whose hopes and expectations are directed toward the fulfillment of their own independent national destiny.

Yet, there has been a powerful countertrend against this movement toward freedom, and that is the expansion of Communist totalitarianism. Wherever the opportunity was presented, the Communists expanded their power until they now hold one-fourth of the world's land area and control one-third of the world's population. Wherever the Communists implanted their flag, they brought with them the total denial of freedom.

Thus, the postwar world has witnessed a new development in the dialectics of history: the expansion of freedom in areas where imperialism and colonialism once dominated; and the expansion of tyranny in the form of a new Communist imperialism and a new Communist colonialism.

It is, of course, the Communists who are the imperialists and colonialists, and not we of the West. It is they who have stifled freedom of choice wherever they brought their power. In this era of dissolving empires and colonial systems, it is they who are busily engaged in building and expanding their own imperial system.

That the Soviet Union is in fact a colonial empire can be demonstrated by the recitation of a few facts. The U.S.S.R. is a prisonhouse of nationalities wherein its millions of peoples are denied the right of self-determination. There are over 100 different subject nations inhabiting this Soviet land, nations who have drastically different cultures, languages, and historical traditions. Over 25 million Moslems inhabit the Soviet Union, a fact not well known in the West. All of these non-Russian peoples were conquered and brought into the Russian Empire in the days of pre-Bolshevik Russia. But, the new Soviet Russia, in its drive to expand communism, rebuilt the old Russian empire and called it the U.S.S.R. Thus, the Soviet Union today, at least in its outer structure, is in form no different from old Russia: that is, both are imperial-colonial systems by the traditional definition of the terms.

Expansion of communism during the postwar years further substantiates the assertion that communism is today the most dangerous, all-pervasive force of imperialism and colonialism. It enveloped all of Eastern Europe and transformed those territories into miniature models of the Soviet Union. It consumed China, enveloped North Korea and now seeks to expand its power throughout southeast Asia.

In a word, communism is a driving, consuming force that seeks total power everywhere in the world. It is a political philosophy that operates on the principle of denying free choice whether it be in the realm of politics, religion, economics, or culture. It seeks total direction of society for ends and objectives that are global.

I am sure that what I have said thus far is obvious to all who are gathered in this great Chamber. Yet, this is a vital message; and regrettably it is a message that does not reach into the areas of the world where it is most needed, in areas where the people have fallen victim to the Communist propaganda charge of American imperialism.

It is for this reason, therefore, that I urge this House to establish a Special Committee on Captive Nations.

We must convey the message to these peoples in the emerging nations that it is the Communists who are the real imperialists and colonialists and not the West.

We must convey the message that communism is not the wave of the future; that it is not the great liberator of mankind; that it is, indeed, a massive historical anachronism that threatens to reverse the course of history as it moves toward progress and human freedom and to thrust mankind back into a new dark age.

To achieve these purposes requires the establishment of the Special Committee on the Captive Nations. Such a committee could serve as a collecting station, so to speak, collating all data on the subject of the captive peoples for dissemination in this country and abroad. Persons who have fled from Communist tyranny could be given the opportunity through public hearings before this committee to tell their story, thus giving a warning to the unwary. Interim reports published by the committee could be circulated abroad and would bear testimony to the tyranny of communism.

Only a congressional committee could effectively undertake such a mission; for the executive branch, whose responsibilities are of a different nature, does not have the freedom of action constitutionally and politically available to Congress.

I, therefore, urge that this Special Committee on the Captive Nations be established.

Mr. FARBSTEIN. Mr. Speaker, the war in Vietnam is escalating—slowly, surely, perceptibly.

Where this escalating crisis will lead us, we do not know: The course ahead is not clear, and unfortunately we are guided more by forces beyond us than by those within our own control. The dialectics of escalation impose a peculiar and compelling logic of its own, denying

to one party and then the other freedom of choice until at last collision may be inevitable. But for us one thing is clear: The Communists must not be allowed to envelop southeast Asia; they must not be allowed to add another territory, another people to their lengthening list of captive nations.

From the crisis in Vietnam we can draw several lessons. First of all, the expansion of communism must be carried forth on the points of bayonets; it is not a process that takes place within a climate of peace and political serenity wherein the peoples have alternative choices. Secondly, Vietnam exposes once again the powerful inner dynamic that lies at the center of communism, a dynamic that propels its believers toward inevitable revolutionary political activity and even military aggression. And finally, Vietnam demonstrates beyond doubt that the most powerful counterforce for freedom in this world and for the thwarting of Communist expansion is the United States.

We Americans have now within our domain the power and the will to check Communist expansion. So long as this power and will remain strong, so long will free peoples be protected from tyranny and those captive nations now imprisoned under communism be given hope for a brighter future in freedom.

Mr. HORTON. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. FLOOD] for reserving this time in order that those of us who feel strongly about the need for Congress to create a Special Committee on the Captive Nations might have this opportunity to present our views.

I am proud to be the sponsor of House Resolution 36 in this 89th Congress. This is a resolution which calls for the creation of a Captive Nations Committee. It is identical to a measure I also sponsored in the last Congress.

My belief is that Congress can do much to win the ultimate freedom of those people in Eastern Europe presently held in slavery by Soviet totalitarianism and the committee being proposed can be an instrument of our action.

Such a committee could study and examine for the benefit of the American people and other free people of the world the present plight of those behind the Iron and Bamboo Curtains. By exposing the depths of deprivation which these many millions are being made to suffer would help to create a climate of outrage in world public opinion. This repugnance of Russian rule would be a powerful tool in forcing the Communist captors to loose their hold on the captive nations.

Further, a Captive Nations Committee in Congress would provide national recognition for the concern of so many Americans whose friends and relatives live in these countries. Because many of my constituents have these ties, I know the degree to which they yearn for this expression of Congress.

We must never forget the valiant determination of the captive peoples to be free. They struggle without letup for individual liberty, self-government, and the rights all of us enjoy as citizens of a democracy. Because freedom is their cause and because freedom is our heritage, we are and must continue to be a source of strength for their aspirations.

America has an opportunity through this great and free legislative body to add significantly to its belief in gaining freedom wherever it is denied. We can do this by creating in Congress a Special Committee on the Captive Nations.

Mr. FEIGHAN. Mr. Speaker, I congratulate our colleagues, the gentleman from Pennsylvania [Mr. FLOOD] and the gentleman from Illinois [Mr. DERWINSKI], for the initiative they have taken to establish a Special House Committee on the Captive Nations. Both have worked tirelessly and with purpose during the previous Congress and in this Congress to accomplish this worthy objective.

I have joined with our colleagues in this cause. I believe we have everything to gain and nothing to lose by establishing a Special House Committee on Captive Nations. It is important that we assure the millions of people held in Communist bondage in the captive nations that we have not forgotten them and that we support their aspirations for freedom and national independence. In doing so we advance the cause of peace. Equally important, such action serves as a deterrent to war because no tyrant or dictator will risk launching a war when he is aware that a majority of the subjugated and captive people will rise up in revolt. War provides the atmosphere for subjugated people to revolt against the tyranny of foreign occupation. We therefore serve our national objectives and interests when we act to keep alive the aspirations of the captive peoples.

I suggest three basic and very current reasons for establishing the special committee:

First. The increasing tempo of worldwide propaganda charging the United States with imperialism, launched by the Russians, Red Chinese, Vietcong, Indonesia, Cambodia, Castro, and other Communist sympathizers.

Second. The absence of a consistent U.S. effort directed at full public exposure of the imperial objectives of communism as demonstrated by its political enslavement of the captive nations of Europe, Asia, and Cuba in the Western Hemisphere.

Third. The wars of guerrilla aggression organized and supported by the Russian imperialists which they are able to propagandize successfully as "national liberation struggles" in the absence of an organized effort to expose the truth about these wars. The present war in Vietnam, where young Americans are now dying, is a case in point.

I am convinced a Special Committee on Captive Nations could put the label of "imperialism" where it properly belongs, that it could expose the true nature of the so-called national liberation wars which Moscow and Peiping are using to destroy the independence of nations and to place them in Communist chains. We need such an effort today to provide moral and psychological support for our efforts to defend freedom in Asia and elsewhere in the world. A House committee concentrating on the captive nations, how they became enslaved and what is happening to the people of those nations, would awaken people to the real issue at stake in Vietnam and elsewhere. We need such an effort here in Congress now to provide support for President Johnson and to promote better public understanding of the stand he has taken in southeast Asia.

I urge the House to act favorably on this matter and to put a Special Committee on Captive Nations to work as soon as possible.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the captive nations of communism are denied the most fundamental of all natural rights, the right of self-determination.

It is from this principle that are derived from all those other rights that insure man his greatest happiness. It is from this principle that flows all the benefits of democracy.

We Americans have enjoyed to the fullest this right of self-determination. And in our desire to perpetuate the ideals of democracy we have done our utmost to assure their permanence in this country and expand them to other lands.

Regrettably, the captive peoples now enslaved by communism have been denied the full benefits of democracy. Gripped in a tyranny more powerful and all-encompassing than the world has ever seen, these captive nations must, by necessity, look to America and other democratic lands for comfort and hope for the future.

All Americans, therefore, are one in a declaration of hope that the captive nations of the world will one day be free.

Mr. WOLFF. Mr. Speaker, on January 26, 1965, I introduced in this 1st session of the 89th Congress a resolution bearing the number House Resolution 144.

The purpose of this resolution was to ask the House of Representatives to establish a committee that would be known as the Special Committee on the Captive Nations. This special committee would be empowered to conduct an inquiry into and a study of all the captive non-Russian nations. This would include those captive peoples in the Soviet Union, both Russian and non-Russian, and the captive peoples in Asia and Eastern Europe.

The primary objective of this select committee would be to focus on the moral and legal status of Communist control over the captive peoples and bring together facts relating to the conditions existing in these nations.

But more than that, the committee would be expected to indicate where possible those means by which the United States could assist the captive peoples peacefully in their present state of servitude, particularly in their aspirations to regain their freedom and national independence.

The question naturally arises, What is the justification for setting up such a special committee?

Let me say, first of all, that the problem of national oppression in Communist countries does exist. It is a reality

of international life that has a direct bearing upon our interest as a nation.

Many Americans and other peoples of the free world have the mistaken notion that Soviet Russia is a geographic area inhabited only by Russians. They do not realize that the Russian population of the Soviet Union, that is, the great Russian people, constitutes a little more than 50 percent of the total population.

The Soviet Union is in reality a multinational state. Over 100 different nationalities reside in the Soviet Union whose cultures, languages, and historical traditions differ radically. It would probably come as a surprise to most Americans to learn that there are more Turks in the Soviet Union than in Turkey, and more Moslems than in the United Arab Republic.

That the peoples of the Soviet Union have been and continue to be ruthlessly suppressed by the Communist regime in Moscow is a truth that has been reiterated many times on this floor of Congress. During World War I many of these peoples had declared their own independence as the old Russian Empire disintegrated. Seizing this momentous opportunity, the Ukranians, Lithuanians, Estonians, Latvians, Armenians, and many others declared their independence and established national republics. For the first time in many decades—and for some it was centuries—they had the chance to assert their own will and define their own national destiny. Their choice was freedom. But, regrettably the power of the Bolsheviks had overwhelmed these freedom-loving peoples, and ultimately only the people of Finland and the Baltic States were able to retain their hard-won independence. But, during the course of World War II the Baltic States were consumed again by the Soviet tyranny.

All of the captive peoples of the Soviet Union are denied the right of self-determination. They are not able to exercise those natural rights of man to which our Nation has been so dedicated. Politically, they are suppressed. In the cultural realm they have no other choice but to submit to the Soviet-imposed cultural norms of communism. Religious freedom is denied them. And in all they must adhere to the principle of total conformity to communism.

But, this is only part of the catalog of oppression under communism. This tyranny of the modern age has enveloped the whole of Eastern Europe. It is true that a certain air of permissiveness now permeates the politcal atmosphere of this area. Tourism is now being encouraged; contacts with the West tolerated; and trade extended. But, the fact remains that Communist tyranny still holds a tight grip over the peoples of Eastern Europe.

And, of course, we do not have to be reminded of the Far Eastern brand of Communist despotism. The crisis in Vietnam stands as a frightening reminder of communism's commitment to territorial expansion and conquest. The Chinese people, the North Koreans, the North Vietnamese—all are suppressed peoples, whose political choice is reduced to accepting the tyranny that bears down upon them.

Thus, the problem of national oppression does exist. It meets us in any direction we may turn.

Accepting this fact, we therefore proceed to the next point in the argument; namely, the necessity of bringing to the attention of the American people the vast dimension of Communist oppression.

According to my resolution, the special committee would conduct an inquiry into and make a study of the plight of the captive nations. The committee would also be directed to make such interim reports to the House of Representatives as it deems proper. In addition the committee would make its first comprehensive report of the results of the inquiry and study together with recommendations not later than January 31, 1966.

To carry out its operations efficiently and effectively, the committee would be authorized to conduct hearings within and outside of the United States. It would be further authorized to require the attendance of witnesses, gather books, papers, and documents, and take such testimony as it would believe advisable in order to fulfill its mission. And, of course, the committee would employ experts, consultants, and other staff that would be needed to undertake the entire project.

I have suggested this procedure because I believe that it is only through Congress, by virtue of its investigating authority and its close relationship with the people, that such a serious problem can be adequately explored. Our constitutional system allows Congress a wide range of independent expression, particularly in the area of foreign policy. We are not bound by the rigid formalities that encumber the executive branch. It is, therefore, understandable that here is a major task for congressional concern.

Finally, in considering this problem we must ask ourselves, Is it in our national interest to explore and expose all the ramifications of oppression in the Communist world?

I will say forthwith, that it is in our national interest.

I do not deny that there are certain risks involved in stirring up deep-rooted feelings of nationalism that exist in a suppressed people. Nationalism has been a force that has plagued the modern era. This, I recognize; but I also recognize that nationalism, restrained and intelligent, has been a force for good in the modern era. Indeed, our own American independence is a product of an evolving American nationalism that demanded severance of its political ties with its imperial parent and the creation of an independent national republic.

I submit that the oppressed peoples of the Soviet Union and those in all other countries under which communism holds sway are the "secret allies" of the United States. They represent a force of erosion within the tyranny that oppresses them.

I also submit that it is the moral duty of all Americans to concern themselves with the oppressed peoples of the world. This is our heritage.

For these reasons, Mr. Speaker, I urge this legislative body to act favorably upon the proposal to establish a Special Committee on the Captive Nations.

Mrs. DWYER. Mr. Speaker, it is a pleasure to join with many of my colleagues this afternoon in discussing the usefulness of the proposed Special House Committee on the Captive Nations.

As a sponsor of a resolution for this purpose, I share the hope expressed here that the Committee on Rules will act soon and favorably on our proposal.

The resolution itself, Mr. Speaker, recites several of the more important reasons for creating the special committee. But I think the substance of our position can be expressed this way: the captive nations, especially those in Eastern Europe are crucial to the future of freedom; they are the major testing ground for determining whether alien political ideologies and systems can be instituted and maintained by force; they constitute a huge refutation of Soviet Russia's anti-imperialist doctrines and stand as solemn warnings against accepting Soviet pretensions at face value; as such, they deserve more formal recognition of their significance in the struggle between freedom and slavery.

Careful attention to developments in the captive nations, Mr. Speaker, can be of great and increasing importance to Congress and the executive branch. A Special Committee on the Captive Nations can help provide that attention in the most useful way.

Mr. RHODES of Pennsylvania. Mr. Speaker, I would like to add my voice in support of the bipartisan effort to establish a Special House Committee on the Captive Nations.

It is true that there have been some welcome changes in the captive nations, and even in the Soviet Union itself which indicate a degree of relaxation in police state rule. There has also been some reduction in Soviet economic denomination of the captive nations, however, the captive nations are still occupied or surrounded by Soviet armies. Their economies are still largely dominated and controlled by the Soviet Union.

The Sino-Soviet dispute has temporarily given the captive nations some degree of bargaining power, and indeed the Soviet Union has made gestures toward giving them some independence. But how deep do the changes really go? This committee would help the Congress and the Nation in keeping abreast of these changes, and would also symbolize to the world that the American people are still aware of the fact that the captive nations are involved in a struggle to free themselves from Soviet imperialism and colonization.

Mr. O'HARA of Illinois. Mr. Speaker, I join with my able and distinguished friend from Pennsylvania [Mr. FLOOD], and others of my colleagues in urging immediate and favorable action on the

resolution creating a Special House Committee on the Captive Nations.

Too long have we delayed the authorization for this committee, the very creation of which would hearten the suffering peoples of the captive nations and which in its hearings and its findings could be expected to bring under the limelight of the world and to the condemnation of all free nations the horrible and intolerable conditions forced upon the captive nations by a captor who knows no mercy and has respect for neither the laws of God nor the rights of men.

There should be no further delay. The creation of the Special Committee on the Captive Nations should be a must on the agenda of every Member of this body, who loves freedom and abhors tyranny.

PROPOSED AMENDMENTS TO THE UNITED NATIONS CHARTER

The SPEAKER pro tempore (Mr. PEPPER). Under previous order of the House, the gentleman from New York [Mr. BINGHAM] is recognized for 45 minutes.

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

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the subject at hand; that is, the proposed United Nations Charter amendments.

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

There was no objection.

Mr. BINGHAM. Mr. Speaker, I want to express my appreciation to the Members for granting me, by unanimous consent, this opportunity to discuss the proposed amendments to the United Nations Charter which the President has submitted to the Senate for ratification. Although these proposals are not before this House for action, I believe it is important for all of us to understand them and the reasons for them.

The Charter of the United Nations was a remarkable job of draftsmanship. Its preamble, one of the great human documents of all time, stands as an inspiring affirmation of mankind's ideals for a world of peace with justice.

It can fairly be stated that, if we were to begin today to write a new charter for an international organization, we could not obtain agreement on provisions that would be nearly as satisfactory from our point of view as those that were formulated in San Francisco 20 years ago.

Like the U.S. Constitution, the present charter has proved remarkably adaptable. Changes have been made, but they have been made through practice, instead of charter amendment. Until 1963 no amendments to the charter were proposed by the General Assembly.

In December 1963, the General Assembly, by far more than the necessary two-thirds vote, adopted resolutions proposing two amendments. The first would increase the membership of the Security Council from 11 to 15 and raise the majority required for adoption of a resolution from 7 to 9 votes. The second amendment would increase the size of the Economic and Social Council from 18 to 27. The Assembly resolutions specified how the elective seats would be distributed geographically.

For these amendments to go into effect, they must be ratified by at least two-thirds of the U.N. members, including all five permanent members of the Security Council. So far 65 states have ratified. That is only 11 short of the necessary 76. But, of the permanent members of the Security Council, only the Soviet Union has so far ratified. In the General Assembly, the Soviet Union had voted no, along with France; the United States and the United Kingdom abstained.

The reason for these proposed amendments is simple: It is the increase in U.N. membership since 1945 from 51 to 114.

For a decade there has been growing pressure within the U.N., particularly from the newer members, for an increase in the membership of the Security Council and the Economic and Social Council. This pressure has come particularly from the newly emerging African and Asian states who felt seriously underrepresented on these two important Councils of the U.N.

At the time the original gentlemen's agreement governing the distribution of the six elective seats on the Security Council was made, there were very few Afro-Asian states in the U.N. That gentlemen's agreement allocated two seats to Latin America—then the largest identifiable group of members—and one seat each to Western Europe, the Commonwealth, the Middle East and Africa combined, and Eastern Europe. Asia was not specifically provided for at all, except for China's permanent seat, and except that some Asian states might—and occasionally did—get elected to the Commonwealth seat.

Under pressure from the Afro-Asian states, this gentlemen's agreement was gradually eroded. Since 1955, the East European seat has in effect been reduced to one-half a seat, through the use of split 2-year terms. On one occasion Western Europe likewise had to settle for half a term. In recent years the Commonwealth seat was given to an Asian or African member of the Commonwealth, until in 1963 the pretense of maintaining a Commonwealth seat as such was abandoned. In that year Ivory Coast was elected to replace Ghana.

Thus, in 1965 the distribution of the six elective seats is one for Western Europe, two for Latin America, 2½ for Afro-Asia and one-half for Eastern Europe.

This distribution is still far from satisfactory to the Afro-Asians. Even if one counts Nationalist China as an Asian state (and many of the Afro-Asians tend to regard Taiwan rather as a satellite of the United States) the Afro-Asians have only 3½ seats out of a total of 11, or slightly less than one-third, whereas they have almost 53 percent of the total U.N. membership. By contrast the Western European states and the Latin American states are considered by the Afro-Asians as being overrepresented.

The same pattern has been true to a large extent in the Economic and Social Council where all 18 seats are elective.

Until this year it was the Soviet Union that was taking most of the heat from the Afro-Asian in their desire for charter amendments on this subject. The reason was that the Soviet Union had stated again and again that it would never agree to any charter amendment so long as Communist China was not occupying China's seat at the U.N.

During that period we, on the U.S. delegation, were in the agreeable position of saying to the Afro-Asians: "We agree that the Council ought to be enlarged somewhat to reflect the changed membership of the U.N. Go talk to the Russians. They are the ones that are holding it up."

For several years the Afro-Asians refrained from trying to push anything through over Soviet objections, but in the fall of 1963 they decided to press ahead. Even those African states, such as Guinea, which favor the Soviet position on Communist China told the Soviets in no uncertain terms that the two issues—enlargement of the Councils and the Communist China issue—were unrelated, and that the Soviets should stop blocking progress.

It is highly significant—and not untypical of the Russians—that they have now reversed their position, in spite of the many formal statements that they would never do so. Having opposed any charter amendment for so long, and having voted against the amendments for council enlargement, they have become the first major power to ratify the amendments.

And so now the shoe is on the other foot. The heat is upon us and upon the other permanent members of the Security Council.

What should we do? In my view, we should promptly ratify the amendments because they are fair and because it is in our national interest to ratify them.

First, let us look at the question of fairness. With the U.N. membership 2¼ times larger than it was in 1945, it seems only right that a modest increase of 36 percent should be made in the Security Council, and of 50 percent in the case of ECOSOC.

Moreover, the amendments would make possible a more equitable distribution of seats than the present setup. In the Security Council, of the 10 elective members, 5 would be from Africa or Asia, 2 from Latin America, 1 from Eastern Europe, and 2 from Western Europe and other nations—mainly the so-called old Commonwealth. These allocations of the elective seats represent

a rough approximation of the proportion of the membership comprised by each group.

The following tables show the percentages under the proposed plan for the Security Council, both exclusive of the permanent members and taking the permanent members into account:

SECURITY COUNCIL

Proposed allocation of 10 elective seats relative to total U.N. membership less 5 permanent members

Group	Number of members	Percent of total (109)	Seats allocated	Percent of total (10)
Afro-Asians	60	55	5	50
Latin Americans	22	20	2	20
Western Europe and other	18	17	2	20
Eastern Europe	9	8	1	10

Proposed allocation of all 15 seats relative to total U.N. membership

Group	Number of members	Percent of total (114)	Seats allocated	Percent of total (15)
Afro-Asians	61	53	6	40
Latin Americans	22	19	2	13
Western Europe and others (includes the United States)	12	18	5	33
Eastern Europe (includes U.S.S.R.)	10	9	2	13

The following table shows the proposed distribution in ECOSOC:

ECONOMIC AND SOCIAL COUNCIL

Proposed allocation of 27 seats relative to total U.N. membership

Group	Number of members	Percent of total (114)	Seats allocated	Percent of total (27)
Afro-Asians	61	53	12	44
Latin Americans	22	19	5	15
Western Europe and other (including the United States)	21	18	7	26
Eastern Europe (including U.S.S.R.)	10	9	3	11

It will be seen from these tables that under the proposed new allocations the Afro-Asian group will remain somewhat underrepresented numerically, but far less so than they are now; the Latin Americans will also be slightly underrepresented, in relation to the total Council memberships; the Eastern European group will have as nearly as possible its proportionate number of seats; still in the most favored position will be the western group, including the United States.

The disproportion that will remain will not be unreasonable, especially since some account is supposed to be taken of the relative contributions made to the U.N. (The charter provides, in article 23, that in the election of members of the Security Council "due regard" shall be "specially paid, in the first instance to the contribution of members of the United Nations to the maintenance of international peace and security and to the other purposes of the organization, and also to equitable geographic distribution.")

Another improvement in the proposal for the Security Council is that it will provide an opportunity for our friends from Canada, Australia and New Zealand to seek and obtain election, an opportunity which they do not now have as a practical matter.

Let us look now at the implications of the proposed amendments from the point of view strictly of the national interest of the United States.

At first blush, it might seem that we have nothing to gain from the amendments and that we do have something to lose, in that our influence on the Security Council and on ECOSOC will be somewhat diluted by the proposed increases.

This is undeniably true to a certain extent, but there are offsetting factors:

If we are concerned about preventing the Security Council from taking action we are opposed to, we still have the veto if we need it. Up to now we have never had to use the veto, partly because we have been able to block objectionable resolutions by mustering five or more no votes or abstentions so as to prevent the sponsors from obtaining the required seven affirmative votes. Under the proposed amendment we would need seven no votes or abstentions to achieve the same end, but this should not be too difficult: it would require our obtaining the support only of the five "western" members and the two Latin Americans.

On the other hand, in order to obtain favorable action from the Security Council, we would have to obtain usually at least two Afro-Asian votes to make up the required nine. This is feasible, since the Afro-Asian group includes some stanchly western-oriented states and many moderates. Indeed, our experience with the Afro-Asian states generally is that they tend to vote with us more often than with the Soviet bloc.

So far as the Economic and Social Council is concerned, there is a positive advantage to having it enlarged. While ECOSOC has tended to be a realistic and constructive body, it has in recent years suffered a decline in influence by very reason of its comparatively small size and the underrepresentation of the newer states. Thus, there has been a tendency among the Afro-Asians to set up specialized and larger committees, bypassing ECOSOC. There is good reason to believe that, with an enlarged and more representative membership, ECOSOC could resume its proper role as the principal overseer of the U.N.'s economic, developmental, and human rights activities.

Finally, there are two strong practical reasons for us to ratify the enlarging amendments: First, if we were to fail to do so, we would be handing the Soviets a major victory in their efforts to woo the Afro-Asians, particularly since the Afro-Asians know the Soviets had to back down from a major policy position in order to ratify. Second, if the Councils are not enlarged there will be a determined effort by the Afro-Asian group to win greater representation on the existing Councils, at the expense of the Western European and Latin American groups. If such an effort were successful, and it might well be, the result would be a reallocation of seats far less favorable, from our point of view, than the allocation proposed in the amendments.

Thus, we do not really have the option of keeping things as they are today. Changes are inevitable, and the question is, what sort of changes. The President has concluded that our interests will be best served if the proposed amendments are accepted, and I applaud his decision.

One final point: If the United States ratifies the amendments, it is important that the other permanent members of the Security Council do so also. If they do not, the damage to the western position would be almost as great as if we had failed to ratify ourselves. The United Kingdom has announced its intention to ratify. Nationalist China voted for the resolution dealing with enlargement of the Security Council (though it abstained on the ECOSOC one) and we may therefore expect that the Chinese will ratify. As for France, we should use whatever influence we may have to persuade the French to ratify also. This may be difficult, for in recent years General de Gaulle's attitude toward the U.N. has been consistently negative. Fortunately, however, France will be under great pressure to accept the amendments from her former African colonies with whom she is anxious to maintain good relations.

If the permanent members all ratify, we can take it for granted that the additional eight ratifications needed to make up two-thirds of the membership will be forthcoming promptly.

Mr. Speaker, at this late hour I do not want to impose upon the House by restating the many reasons why the U.N., in spite of all its limitations and difficulties, is important to us and to the world. Let me just say this: when the League of Nations was 20 years old, it was dying, in obscurity. At the age of 20, the U.N. is far from obscure and it is very much alive. It is in fact an essential part of the machinery of international relations today. There can be no thought of closing it down or withdrawing from it (it would make just as much sense to close down all our embassies and consulates abroad).

The U.N. cannot solve all our problems. But it has a vital role to play—in peacekeeping, in helping to close the dangerous gap that exists between the rich and the poor nations of the world, and in advancing man's quest for the

achievement of his highest ideals. As the richest and most powerful Nation on earth, we have many responsibilities: one of them is to do what we can in the long hard task of strengthening our international organization and making it more effective. If we are successful in that task we shall have earned the gratitude of future generations.

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

Mr. BINGHAM. I am glad to yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, I want to commend the gentleman from New York [Mr. BINGHAM] for securing this time during which the Members of the House can explore the importance of these proposed amendments which the President has sent to the other body for its consent to the ratification.

I want to say also, Mr. Speaker, that the gentleman from New York comes to this House with a record of public service as a member of the U.S. delegation to the United Nations. The gentleman has shown a continuing concern during his service here in Congress to improve the quality of American foreign policy.

Mr. Speaker, although the House will not be called upon directly to vote on these amendments to the United Nations Charter, I strongly agree with the gentleman from New York that we should be familiar with these changes and the effect they will have on our participation in the United Nations and its related organs.

The proposed amendments would enlarge the Security Council and the Economic and Social Council so as to restore the balance that originally existed between the General Assembly and the Council. Over the past 20 years membership in the United Nations has risen from 51 to 114, but the membership on the Councils has remained the same.

It is the Security Council which has primary responsibility, under the charter, for the maintenance of international peace and security. The charter makes the Economic and Social Council responsible for coordinating the technical and developmental work of the whole U.N. system. It is in the clear interest of this country that both Councils be able to carry out these responsibilities. This they cannot do if they are so unrepresentative of the U.N. membership as a whole as to lack the confidence of that membership.

For almost 10 years, pressures to enlarge the Councils have steadily risen as the membership has grown. The new members have made it clear that they do not consider the Councils as presently constituted an adequate reflection of the overall composition of the United Nations. For example, the Latin Americans who now constitute only 20 percent of the membership hold a third of the elective seats on the Security Council, while the Afro-Asian states which now constitute 55 percent of the membership have held on the average over the last 5 years just over 40 percent of the elective seats.

Without enlargement such imbalances as these can only be adjusted at the expense of the old members, thus substituting one inequity for another. For example, were Western Europe to lose its elective seat, it would have no representation except through the permanent members. Solutions such as these are obviously not in the U.S. interest. Without enlargement there is simply an inadequate number of seats to provide an equitable and generally satisfactory distribution of them.

The amendments would increase the membership of the Security Council from 11 to 15 and that of the Economic and Social Council from 18 to 27. With these enlargements, the aspirations of the new members can be met without reducing the representation that the old members have so far enjoyed on the Councils. The pattern for the geographic distribution of seats on the enlarged councils agreed on by the Assembly when it adopted the amendments allows Latin America to retain its two seats on the Security Council, gives Western Europe and "other states" an additional seat, and on the Economic and Social Council, gives both these areas an additional seat. At the same time, the desires of the African and Asian states for greater opportunities of representation is satisfied by the fact that they will hold 50 percent of the elective seats on the Security Council and roughly 45 percent of those on the Economic and Social Council.

These enlargements and the distribution of seats under them have been agreed upon as equitable among the areas concerned. This fact should, as the President pointed out in his message of April 6, serve to "eliminate the contentious problem of sharing an inadequate number of seats—which has led to pressures against existing seats, to disputes over the definition of geographic areas, and to split terms on the Security Council to meet competing claims for representation"—frequently to the detriment of more substantial issues before the General Assembly.

The proposed increase from 7 to 9 in the majority required for Security Council action is a reasonable one both in terms of a council of 15 and in terms of the distribution of seats on that Council. As is already the case, more than a simple majority is required for action, but the majority requirement is not so high as to make favorable action unduly difficult to achieve. At the same time there is no possibility of domination of the Council by any group of members whose policies are not such as to attract substantial support outside the group. The veto power of the five permanent members of the Council remains unchanged.

The Economic and Social Council will continue to act by simple majority vote, while the developing countries will be heavily represented on the enlarged Council, as they believe their vital interest in the work of this Council requires, the position of the developed countries is safeguarded by the fact that the decision whether to accept the recommendations of the Council remains with each of them individually. The Council has no power to make binding decisions.

The Assembly resolution to amend the charter, which was adopted by overwhelming majorities, set the target date of September 1, 1965, for the coming into force of these amendments. Sixty-three countries have now ratified. Seventy-six—two-thirds of the members—ratifications are required, including those of the five permanent members of the Security Council.

The U.S.S.R. has already ratified. The United Kingdom has announced its intention to do so. If the United States fails to ratify by September, it could find itself bearing the exclusive responsibility for preventing the amendments from coming into force in time for the elections to the Councils at the 20th General Assembly next fall. This would be widely resented by our friends in all parts of the world.

Therefore, in order to strengthen the potential of the United Nations by assuring a reasonably satisfactory composition of its major Councils, and to make certain that we do not find ourselves responsible for delaying enlargement, prompt consent to the ratification of these amendments appears of major importance to the long-term U.S. interest in the United Nations.

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

Mr. BINGHAM. I would be happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the gentleman from Minnesota [Mr. FRASER] in expressing my own appreciation to the gentleman from New York for taking this time for this purpose.

Mr. Speaker, the gentleman is performing a real service to the House of Representatives. He is bringing to the House a discussion of matters of the utmost importance to this country and the world—matters which affect the future of the United Nations. He brings this message to the House out of the vast personal experience which he has had in working with the United Nations as an American delegate to that great organization.

Mr. Speaker, I commend the gentleman for taking this time for this purpose and I know that all Members of the House join me in this expression of commendation to the gentleman from New York.

Mr. BINGHAM. I thank the majority leader for those kind words.

I now yield to our distinguished Speaker, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I rise at this time to join with the distinguished majority leader, the gentleman from Oklahoma, CARL ALBERT, in commending our distinguished colleague, the gentleman from New York, Congressman JONATHAN BINGHAM, on his excellent and informative speech on the proposed amendments to the United Nations Charter.

It is of special interest that in the 20 years that the United Nations has been in existence no amendments have been previously proposed. Now the General Assembly has recommended the enlargement of the Security Council and the

Economic and Social Council. This reflects the interest of the membership of the United Nations itself, and the President has recommended that the United States join with the 65 other states which have already ratified.

I am glad that the gentleman from New York [Mr. BINGHAM] has brought this matter to the attention of the House, since it is one that vitally affects the future of the United Nations and is, therefore, one which vitally affects the future of the United States and of the world. The remarks of the gentleman from New York [Mr. BINGHAM] are worthy of deep consideration.

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

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

Mr. SCHEUER. All of us in this Chamber are enormously impressed with any words coming from the gentleman, considering his background and depth in the diplomatic service and your service particularly as an Ambassador representing the United States in the United Nations. I am particularly interested in the comment the gentleman makes, and I am sure all of my colleagues here agree, that more frequently than not the African and Asian nations have supported us in the past in the U.N. as against the Communist-bloc nations.

Can the gentleman give us any specific examples of this out of his own background and his own personal experience? I am sure we will be very much interested to hear from his own experience about typical examples.

Mr. BINGHAM. I thank my colleague from New York. I will be delighted to reply to his question.

I certainly have had experience in 1 year on the Economic and Social Council and 2 years on the Trusteeship Council. Many of the resolutions that are adopted by these bodies do not hit the headlines, they do not attract much attention even though they may be of considerable importance. In both of these, the emphasis in many if not most of the issues was for the Communist cause to be isolated and for the Afro-Asian states to vote with us rather than the Communist countries. I think particularly of the Trusteeship Council, where during the administration of the trust territory, which, as the gentleman knows, is under American administration, the Soviet voted alone of all the members of the Trusteeship Council on, as I recall, 18 different occasions, whereas the Afro-Asian States on that Council voted with us. So I am grateful to my colleague for raising the point.

Mr. SCHEUER. May I thank my colleague for a most interesting set of facts that I am sure many of us on this floor were not fully aware of.

Mr. BINGHAM. I thank the gentleman.

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

Mr. BINGHAM. I am happy to yield to my colleague.

Mr. SCHEUER. I wish to thank my colleague on behalf of all the Members of the House for his very thoughtful and scholarly statement in depth which reflects our colleague's many years of experience and his background at the highest levels of diplomacy having to do with the many complicated affairs confronting the United Nations. I am sure that his statement today gives us reasonable and responsible grounds for the hope that the United Nations will continue to fill an ever enlarging and ever more constructive role in the affairs of mankind. It was a wonderful statement and I know that we are the richer for it.

Mr. BINGHAM. I am very grateful to my colleague from New York for his generous statement.

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

Mr. CLEVENGER. Mr. Speaker, in December 1963 the United Nations General Assembly adopted resolutions proposing that the membership of the Security Council be increased from 11 to 15 and that the Economic and Social Council be expanded from 18 to 27 members. Since these changes require amendment of the United Nations Charter, the increases in the size of the Councils must be ratified by two-thirds of the members of the United Nations, including all the permanent members of the Security Council, if they are to come into effect.

The President of the United States has now requested the advice and consent of the Senate to ratification of these two amendments. Hearings are scheduled to begin in the Senate today, and I sincerely hope the Senate will speedily consent to ratification. Already 63 members of the United Nations, including the Soviet Union have deposited instruments of ratification with the United Nations Secretariat, and the General Assembly resolutions themselves set September 1, 1965 as the deadline for ratification.

The increases in membership on these two United Nations Councils, it seems to me, are both justifiable and indeed necessary in view of the more than doubling of U.N. membership since creation of the world organization in 1945. Expansion of these two important Councils to reflect the increase in membership is only equitable; the increases are not such that the Councils would become unwieldy and ineffective. The recent practice of splitting terms on the Security Council bears witness to the fact that there are simply not enough seats now to go around.

Furthermore, the preponderant role of the great powers in the Security Council will in no way be eroded. The veto power of the permanent members will remain intact. I can see no danger whatsoever to U.S. influence in the Security Council through this increase in Council membership. Our veto right is preserved, and, if we chose, we could exercise it.

I am therefore convinced that an increase in membership on the Security Council and the Economic and Social Council is both timely and beneficial. If the vitality of the United Nations is to be maintained, the organization must adapt to the membership changes which have been placed since 1945. If the effectiveness of the United Nations is to be further developed, the new members as well as the old must be able to participate fully in the work of these two major organs of the United Nations.

STATUTES, REGULATIONS, POLICIES, AND PRACTICES OF SELECTED FOREIGN COUNTRIES PROVIDING FOR PREFERENCES FOR DOMESTIC MATERIALS AND FIRMS IN THE AWARDING OF PUBLIC SUPPLY AND PUBLIC WORKS CONTRACTS

The SPEAKER pro tempore (Mr. PEPPER). Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, under permission previously granted, I am inserting in the CONGRESSIONAL RECORD the second set of documents illustrating the policies adopted by other countries to assure their own industries and workers—at the exclusion of foreigners—of obtaining public works contracts. This philosophy is of course in direct contrast to the practice of the U.S. Federal Government, which procures materials from outside this country without regard to the impact on domestic employment.

I trust that all my colleagues will peruse carefully and keep on file this documented material, for every section of the country is directly affected when a contract is let by the Federal Government for materials and finished products made in an alien land. Whether or not you have a competing industry or plant in your district, your constituency contributes to the Treasury funds used in such purchases. You also are charged with a share of the expenditures for the relief of those Americans who otherwise would be employed if this Government bought and used U.S. products.

Chapter 2 of the series follows:

BENELUX ECONOMIC UNION

Unlike the Treaty of Rome establishing the European Economic Community, the treaty establishing the Economic Union between Belgium, the Netherlands, and Luxembourg (commonly referred to as Benelux) contains specific provisions recognizing that each of the contracting parties has legislative and administrative provisions, policies, and practices which discriminate against foreigners and products of foreign origin in the field of public contracts and providing for their elimination in a manner much more complete than any action heretofore taken or which will be taken in the foreseeable future under the provisions of the Treaty of Rome.

The treaty was signed on February 3, 1958, and entered into force on November 1, 1960. It is accompanied by (1) a convention of transitional provisions which acknowledges "that circumstances require temporary derogations from certain provisions of the treaty" and provides for the progressive abolition of such derogations by joint action, to the end that the full economic union may become effective, and (2) an implementing protocol, which provides for the methods by which certain provisions of the treaty and the convention will be executed. The official texts of the treaty, the convention and the protocol are published in Benelux, Bulletin Trimestriel, annex to No. 4, March 1958.

The treaty was preceded by a number of agreements looking toward full economic union. Moreover, Belgium and Luxembourg had constituted an economic union since 1921 under the provisions of the convention of July 25, 1921. Article 233 of the treaty establishing the European Economic Community and article 202 of the treaty establishing the European Atomic Energy Community permit the creation of the Bene-

lux Union insofar as its objects are not attained by the application of those two treaties.

The purpose of the Union is declared to be the free movement of persons and the free exchange of goods, services, and capital. Internal and external economic, financial, and social policies of the three contracting parties are to be coordinated and imports and exports are subject to a common tariff.

The provisions of the treaty with regard to the elimination of discrimination in the field of public contracts are contained in articles 62 and 63, which are as follows (unofficial translation furnished by the Secretary General of Benelux):

"Article 62: In the field of public contracts and tenders, the authorities of a high contracting party may not discriminate in any way whatsoever in favor of national products or of their nationals and to the detriment of products or nationals of other high contracting parties.

"Article 63: The following are to be considered, for the application of article 62 of the present treaty:

"(A) As public contracts and tenders: All public contracts and tenders for the execution of works or the purchase of goods by the authorities for their own requirements, irrespective of the way the order is given.

"(B) As public institutions:

"(a) all organs of the State;

"(b) all regional and local organs in Belgium and in the Grand Duchy of Luxembourg as well as subordinate authorities of public law in the Netherlands;

"(c) inasmuch as the states effectively influence their public contracts: the 'parastatal' institutions in Belgium and in the Grand Duchy of Luxembourg and the semipublic institutions in the Netherlands."

By reason of the provisions of articles 4, 5, and 37 of the transitory convention, the provisions of articles 62 and 63 of the treaty will not become fully effective until November 1, 1965, the transitory period of 3 years after the entering into force of the treaty foreseen by articles 4 and 5 of the transitory convention having been extended for an additional period of 2 years by the Committee of Ministers pursuant to article 37. Articles 4, 5, and 37 provide as follows (unofficial translation furnished by the Secretary General of Benelux):

"Article 4:

"1. During a period not exceeding 3 years, measures may be taken derogating from the provisions of article 62 of the treaty for the Union, in accordance with the terms of conventions concluded between the high contracting parties, if an important disparity exists between public contracts awarded by the public authorities of one high contracting party to nationals of another high contracting party and public contracts awarded by the public authorities of the latter party to the nationals of the former party.

"2. In the case referred to in the first paragraph of the present article the college of arbitrators, referred to in article 15 of the treaty for the Union, shall decide exclusively ex aequo et bono.

"Article 5: During a period not exceeding 3 years, article 62 of the treaty for the Union shall only be applied to public contracts by public authorities, referred to in article 63, subparagraph B(b) thereof, insofar as the State effectively influences the award of these contracts.

* * * * *

"Article 37: If necessary, the Committee of Ministers may prolong by 2 years the periods of time provided for in the present convention."

Article 2 of the implementing protocol provides that the protocol concerning the national treatment in matters of tenders for works and purchases of goods signed at Brussels on July 6, 1956 (Moniteur Belge, Sept. 4, 1958), shall determine the terms of implementation of articles 62 and 63 of the treaty as well as the safeguarding clause provided for by article 4 of the transitory convention.

Under the provisions of a decision of the Council of Ministers of the Union dated November 3, 1960, the Special Commission for Tenders, which was instituted under the provisions of the 1956 protocol and the existence of which was confirmed by article 29 of the treaty, has responsibility for the application of the safeguarding clause of article 4 of the transitory convention and also serves as an appeal body for firms injured by discriminatory acts of national administrations.

PRINCIPAL SOURCE

Hainaut and Joliet, "Les Contrats de Travaux et de Fournitures de l'Administration dans le Marché Commun" (Public Works and Supply Contracts in the Common Market), volume 2 (Brussels, 1963).

BELGIUM (MEMBER OF BENELUX, EEC, GATT, OECD)

All government contracts are governed (effective January 1, 1965) by the law relating to contracts entered into on behalf of the state of March 4, 1963 (Moniteur Belge, Apr. 3, 1963), as implemented and regulated by the royal decree of October 14, 1964, and by a ministerial decree of the same date which prescribes the general contract conditions (Moniteur Belge, Oct. 17, 1964).

The 1963 law provides for the following methods for the award of government contracts:

1. General public tendering (adjudication publique)—publication of an invitation for competitive bidding in the bulletin published for that purpose and the opening of bids in public.

2. Restricted public tendering (adjudication restreinte)—invitation for competitive bidding (without publication) limited to those entrepreneurs or suppliers whom the Minister concerned decides to consult. Those entrepreneurs and suppliers are the only ones permitted to submit bids and to attend the opening thereof.

3. General invitation for offers (appel d'offres général)—publication of an invitation for competitive bidding in the bulletin published for that purpose.

4. Restricted invitation for offers (appel d'offres, restreint)—invitation for competitive bidding (without publication) limited to only those entrepreneurs or suppliers with whom the Minister concerned decides to consult.

5. Negotiated contract (marché de gré à gré)—negotiation of a contract by the Minister concerned with, and assignment of the contract to, the entrepreneur or supplier whom the Minister selects.

The Minister concerned has complete discretion to designate the method to be used in any case, except that the negotiated contract method may be used only in the 12 cases specified in the law, which include contracts that must be concluded abroad by reason of their nature or their special conditions.

In the case of general or restricted public tendering the Minister concerned is bound to accept the lowest bid (if he accepts any). In the case, however, of general or restricted invitations for offers the Minister concerned has complete discretion to accept the bid which he deems the most advantageous (la plus intéressante) according to objective criteria set out in the law. Moreover, in either case the Minister concerned may decide not to conclude a contract and may order that the procedure be repeated, even in a different manner, if necessary.

The law thus affords ample basis for the exercise of administrative discretion in favor of Belgian nationals and Belgian firms.

Outright discrimination in favor of Belgians and Belgian products is permitted, and in fact encouraged, by Royal Decree No. 204 of October 1, 1935 (Moniteur Belge, Oct. 3, 1935), as implemented and regulated by a second royal decree of the same date (Moniteur Belge, Oct. 3, 1935), which created a Permanent Consultative Commission on Matters of Contracts or Awards. All organs of the Government are required to submit to the Commission contracts for supplies or services "if they involve either the designation of a successful bidder, cocontractor or subcontractor of foreign nationality or recourse to personnel of foreign nationality or the furnishing or use of products or materials other than products or materials of Belgian origin." Copies of unofficial English translations from French of the two royal decrees are attached hereto as schedules A and B, respectively.

The Commission automatically increases offers by foreign bidders by a certain percentage, normally 10 percent. It recommends the granting of the contract to the Belgian bidder whose offer is lower than or the same as the thus increased offer by the foreign bidder. The Minister concerned is, however, not required to accept the recommendation of the Commission.

The Commission is made up of senior civil servants from the various ministries and is presided over by a "Directeur Général." According to Belgian counsel, the role of the Commission is to protect Belgian interests from unfair foreign competition, such as dumping, lack of reciprocity, etc. The factors which the Commission is said to take into account in making its recommendations include: (a) the level of unemployment in Belgium; (b) the interests of the Belgian Treasury; (c) encouragement to those countries which import substantial amounts of Belgian manufactured products; and (d) the interests of the Belgian Customs as to import duties on materials or equipment which it is proposed to import.

Under the provisions of the Decree No. 204 persons of Luxembourg nationality are placed on the same level with Belgians. Products and materials of Luxembourg origin are likewise placed on the same level with products and materials of Belgian origin.

Article 1 of the second royal decree requires that the producer, supplier, and the subcontractors, if any, be of Belgian or Luxembourg nationality and the "Belgian or Luxembourg preponderance of interests they represent must be proven." According to a report from the U.S. Embassy in Brussels, based on a discussion with an official of the Belgian Ministry of Economic Affairs (which is charged with the execution of the decree), companies with more than 30 percent foreign ownership are in effect not considered Belgian (or Luxembourg) nationals. According to the same report, the various Belgian ministries in fact have a tacit understanding that only bona fide Belgian (or Luxembourg) firms with less than 30 percent foreign ownership will be consulted with regard to procurement.

Decree No. 204 has broad application to all Government departments, the provinces, the communes, state corporations, and companies operating under license or concession.

A second statutory discrimination exists in the field of public works contracts. Article 1 of the decree-law of February 3, 1947 (Moniteur Belge, Feb. 12, 1947), as implemented and regulated by the decree of the regent of March 29, 1947, and the ministerial decree of the same date (Moniteur Belge, Mar. 30–31, 1947), expressly limits to Belgian nationals and to companies at least two-thirds of the capital of which is Belgian participation in public works contracts of the state and those which are financed or subsidized by it. A copy of an unofficial English translation from French of the decree-law of February 3, 1947, is attached hereto as schedule C.

The decree-law provides for the creation of an Approval Commission in the Ministry of Public Works with which contractors are listed after approval of their applications. The decree-law requires approval only at the time of the letting of public works contracts; hence, any company, whether Belgian or foreign, may bid on public works projects. Article 8 provides that a ministerial decree, stating the reasons on which it is based, issued upon receipt of an opinion by the Approval Commission, may dispense with any of the requirements of articles 1 through 7, including the nationality requirement. According to reports from the U.S. Embassy in Brussels, the nationality requirement will be thus dispensed with and the contract awarded to a foreign company only if no Belgian contractor is able to execute the proposed work or if the bid of the foreign company is more than 10 percent below that of the nearest domestic competitor.

The decree of the regent provides for the classification by the Approval Commission of contractors according to work categories and the cost of works. The ministerial decree lists the documents which must be attached to requests to the Approval Commission for approval.

By virtue of the convention dated July 25, 1921, between Belgium and Luxembourg, Luxembourg contractors are placed in the same position as Belgian contractors.

Articles 15, 16, and 17 of the royal decree of October 14, 1964, a copy of an unofficial English translation from French of which is attached hereto as schedule D, contains provisions which are designed to facilitate the enforcement of the 1947 decree-law and the 1935 decree and which further evidence the discriminatory nature of Belgian Government procurement. Thus, under section 15, the bidder must state his nationality and, if the bid relates to supplies or materials originating in a foreign country and to which the 1935 decree applies, the bid must state the merchandise of foreign origin which is involved in the bid, the country of origin of the products to be furnished, and the materials to be used and the nationality of subcontractors, if any, and the numbers of personnel employed by the bidder. Moreover, under article 17, the contracting authority can require a foreign bidder to elect a domicile in Belgium and also to furnish security or the guarantee of a Belgian bank.

PRINCIPAL SOURCES

1. Letters dated July 9 and October 27, 1964, from Maitre Etienne Gutt, Avocat à la Cour d'Appel, Brussels, to Cravath, Swaine & Moore, Paris.

2. Letter dated December 6, 1963, from the U.S. Embassy in Brussels to Cravath, Swaine & Moore, Paris.

3. de Grand Ry, "L'Harmonisation des Legislatións au sein du Marché Commun en Matière de Marchés Publics" (The Harmonization of Laws concerning Public Contracts in the Common Market), Revue de Marché Commun (No. 37) pages 247 to 251, (No. 38) pages 282 to 292 (1961).

4. Hainaut and Joliet, "Les Contrats de Travaux et de Fournitures de l'Administration dans le Marché Commun" (Public Works and Supply Contracts in the Common Market), volume 1 (Brussels, 1962), volume 2 (1963).

5. Foreign Service despatch No. 8 dated July 5, 1961, from the U.S. Embassy in Brussels, entitled "Export—Reporting on Construction Projects in Belgium."

6. Foreign Service despatch No. 23 dated July 6, 1961, from the U.S. Embassy in Brussels, entitled "Belgian Government Procurement Policy."

7. U.S. Department of Commerce, "Market for U.S. Products in Belgium" (1963).

SCHEDULE A: BELGIUM

ROYAL DECREE NO. 204 OF OCTOBER 1, 1935, ORGANIZING THE PERMANENT CONSULTATIVE COMMISSION ON CONTRACTS OR AWARDS (MONITEUR BELGE, OCT. 3, 1935)

(Unofficial Translation From French)

Leopold III, King of the Belgians, to all, present and future, greetings:

In view of the law of July 31, 1934, extended and supplemented by the law of December 7 of the same year, as well as by the laws of March 15 and 30, 1935, which confers upon the King certain powers for the purpose of economic and financial reconstruction and the lowering of public burdens;

In view, in particular, of subparagraphs d and h of item III of the first article of the above-mentioned law;

In view of the law of March 5, 1922, which approves the convention entered into between Belgium and the Grand Duchy of Luxembourg, concluded at Brussels on July 25, 1921, for the establishment of an economic union between the two countries;

In view of the protocol of May 23, 1935, dealing with the subject of the system of public awards in the Belgo-Luxembourg economic union;

Upon review of the royal decree of February 28, 1935, which established for the heads of provinces, communes, establishments which are subordinated to them and intercommunal associations certain obligations concerning calls for competitive bidding and acts of awards;

Whereas there is reason to extend, while supplementing them, the provisions of the last decree cited above to all public administrations as well as to institutions or organizations subordinated to them or in favor of which the public powers intervene financially;

Upon proposal by our Council of Ministers, we have decreed and are decreeing as follows:

Article 1. The following are subject to the provisions of this decree:

1. State administrations, the provinces, the communes, the groupings of provinces and communes, the institutions or organizations subordinated to the public powers.

2. The State corporations ["régies"] and companies operating under license where contracts subjected to the control of a public power are involved.

3. Organizations or institutions in favor of which the public powers intervene in one of the following forms:

(a) Where the public powers have a direct interest in the management and in particular where they have financially participated in the creation of the organization or the institution, where they share in the profits or cover possible losses, or further where they have, or may have, a responsibility for interests in the form of dividends or amortization [sic].

(b) Where, through subsidies or in other forms, the public powers intervene continuously in the business costs of the organization or institution.

(c) Where the public powers grant subsidies or grants for a fixed purpose as long as contracts concerning the objects or services to which the subsidies or grants relate are involved.

Article 2. Where the administrations, organizations, or institutions, State corporations or companies operating under license which are subject to the terms and provisions of article 1, in application of this decree, enter into contracts for the rental of services or for work, contractor's services or deliveries, either privately or after a call for competitive bidding, the cocontractor or bidder shall be held to state in the contract or in the bid:

(a) The nationality and actual residence of the cocontractor or bidder and of subcontractors, if any;

(b) The nationality of the staff members employed;

(c) The origin of the products to be furnished or materials to be used.

This article shall, however, not be applicable to contracts for the delivery of objects exclusively intended for education, studies, or scientific research.

Article 3. There shall be established with the Ministry of Economic Affairs a Permanent Consultative Commission on Contracts and Awards.

Its composition, the manner in which its president and its members are appointed, the remunerations to which they may be entitled, and its functioning shall be decreed by the king.

Article 4. The contracts referred to in article 2 and entered into by administrations, organizations, institutions, State corporations, and companies operating under license which are subject to the terms and conditions of article 1 in application of this decree must be notified, within 10 days of their date, to the president of the Permanent Consultative Commission by registered mail if they involve either the designation of a successful bidder, cocontractor, or subcontractor of foreign nationality or recourse to personnel of foreign nationality or the furnishing or use of products or materials other than products or materials of Belgian origin.

Article 5. The president of the Commission shall immediately forward the contract with an opinion by the Commission to the Minister having jurisdiction or to the Minister for Economic Affairs, in accordance with the rules to be established by royal decree.

Article 6. Apart from the application of other legal or regulatory provisions, the contract can only be executed if, within 30 days of mailing by registered mail, as provided in article 4 the Minister, after an opinion was rendered by the Commission, has not raised any objection to such execution.

The time limit of 30 days may be extended to no more than 50 days by decree of the Minister, notified to the contracting parties by registered mail within a period of 30 days.

Article 7. In case delay would imperil the matter, the Minister of Economic Affairs can suspend application of articles 4, 5 and 6.

Article 8. Unless so provided in a new contract drawn up in conformity with the prescriptions of this decree, it is prohibited to the cocontractors or successful bidders to call upon subcontractors or foreign personnel of a nationality other than that indicated, to furnish or use products or materials of foreign origin other than that provided for, or to take any measure which would be of a nature to enlarge the size of foreign factors of the contract.

Article 9. Where information furnished by virtue of article 2 is incorrect or in case of violation of the provisions of articles 6 or 8, the state is entitled to damages and interest equivalent to the value of the faulty delivery or to the amount of salaries paid to improperly employed personnel.

The action shall be instituted and pursued on behalf of the state by the Minister for Economic Affairs.

Article 10. For purposes of application of this decree, persons of Luxembourg nationality are given equal treatment with Belgians.

Article 11. A royal decree shall regulate the execution of this decree.

It shall determine in particular:

1. The terms and conditions on the basis of which products and materials shall be considered, for purposes of the application of this decree, as products and materials of Belgian origin.

2. The terms and conditions on the basis of which products and materials of Luxembourg origin shall be given equal treatment

with products and materials of Belgian origin.

3. The effective date of this decree.

Article 12. The royal decree of February 28, 1935, is hereby repealed.

Article 13. Our Ministers are charged, each one as to what concerns him with the execution of this decree.

Done at Brussels, this 1st of October 1935.

LEOPOLD.

(Here follow the signatures of all the Ministers.)

SCHEDULE B: BELGIUM

ROYAL DECREE NO. 658 OF OCTOBER 1, 1935, REGULATING THE IMPLEMENTATION OF THE ROYAL DECREE OF THE SAME DATE ORGANIZING THE PERMANENT CONSULTATIVE COMMISSION ON MATTERS OF CONTRACTS OR AWARDS (MONITEUR BELGE, OCT. 3, 1935)

(Unofficial Translation From French)

Leopold III, King of the Belgians to all, present and future, greetings:

In view of the royal decree dated of the same date and organizing the Permanent Consultative Commission on Matters of Contracts or Awards and establishing for the heads of public administrations and institutions or organisms which are subordinated to them or in favor of which the public powers intervene financially, certain obligations concerning contracts;

In view of the law of March 5, 1922, which approves the convention concluded at Brussels on July 25, 1921, between Belgium and the Grand Duchy of Luxembourg and establishing an economic union between the two countries;

In view of the protocol of May 23, 1935, dealing with the questions of the system of public awards in the Belgo-Luxembourg Economic Union;

Upon proposal by our Minister for Economic Affairs, we have decreed and are decreeing:

Article 1. With a view to applying the royal decree of this date mentioned above, products or materials shall be considered as of Belgian origin—and the products or materials of Luxembourg origin shall be given equal treatment with them—where they fulfill the following requirements listed below:

1. The producer, supplier and the subcontractors, if any, must be of Belgian or Luxembourg nationality, and the Belgian or Luxembourg preponderance of interests they represent must be proven;

2. The management and working personnel of the producer, supplier and the subcontractors, if any, must be, to the largest extent possible, of Belgian or Luxembourg nationality.

3. The raw materials, products and materials used must be of Belgian, Congolese or Luxembourg origin, except in cases where such raw materials are not found, and such products or materials not manufactured or prepared, in the territory of the Belgo-Luxembourg Union or in the Colony.

Article 2. The interested parties are entitled to file with the Permanent Consultative Commission on Matters of Contracts or Awards requests for information concerning the provisions of article 1 of this decree and subparagraphs (a), (b), and (c) of article 1 of the royal decree of this date mentioned above.

Article 3. The Commission shall render its decision within 15 days from receipt of the files by the President.

The President may decide, where the necessity is felt, that the procedure is urgent; in that case, the Commission shall issue its decision within 8 days.

Article 4. With a view to applying article 5 of the royal decree mentioned above, jurisdiction shall rest with the following:

(a) For contracts entered into by state administrations, the institutions or organizations subordinated to them, the state corporations and companies operating under license controlled by such administrations: the Minister under whose direction those administrations stand.

(b) For contracts entered into by the provinces, the communes, the institutions or organizations which are subordinated to them, the state corporations or companies operating under license controlled by those public powers, the groupings of provinces and of communes: the Minister of the Interior, within the limits of his competence.

(c) For contracts concluded by the public aid commissions: the Minister of Justice.

(d) For contracts concluded by organizations or institutions for the benefit of which public powers intervene financially in one of the forms listed under item 3 of article 1 of the above-mentioned royal decree: the Minister of the Department of the Budget in which the expenses appear, or the Minister under whose direction the public powers which have intervened financially stand.

(e) If one of the rules established in items (a), (b), and (c) applies simultaneously with that of item (d): the Minister having jurisdiction by virtue of items (a), (b), and (c).

(f) Where, by virtue of the rules established above, several Ministers have jurisdiction or where said rules do not apply: the Minister for Economic Affairs.

Article 5. The Minister for Economic Affairs may constitute within the Commission subcommissions with jurisdiction to examine contracts whose value does not exceed 1 million francs.

Article 6. The internal administrative rules of the Commission and the subcommissions shall be established by decree of the Minister of Economic Affairs.

Article 7. The Permanent Consultative Commission on Matters of Contracts or Awards shall have at least 15 members; it shall have a quorum only if at least 9 members are present.

The subcommissions, which shall have at least seven members, will not have a quorum unless a majority of members is present.

Article 8. The Commission may hear, with respect to each matter that is submitted to it, a delegate of the public powers or organizations concerned.

It may likewise hear experts or especially competent persons.

Voting may not take place in the presence of persons not belonging to the Commission.

Article 9. Our Minister for Economic Affairs shall be in charge of the execution of this decree, which shall become effective on the date on which the above-mentioned royal decree of today's date becomes effective.

Done at Brussels, October 1, 1935.

LEOPOLD.

For the King:

PH. VAN ISACKER,
The Minister for Economic Affairs.

SCHEDULE C: BELGIUM

DECREE-LAW OF FEBRUARY 3, 1947, ORGANIZING THE APPROVAL OF ENTREPRENEURS (MONITEUR BELGE, FEB. 12, 1947)

(Unofficial Translation From French)

Charles, etc., in view of articles 1, 3, of the coordinated laws of September 7, 1939, and December 14, 1944, investing the King with extraordinary powers;

Whereas the absence of any limitations for participation in public tenders presents serious problems;

Whereas the needs of the administration of the country, its reconstruction and its reequipment make it imperative not to entrust the execution of public enterprises and enterprises of public utility to persons other than those who are considered able to execute them well;

Whereas to that effect it is necessary and urgent to substitute new provisions for those maintained in effect, until December 31, 1946, by the decree of the regent dated February 14, 1946, with respect to the approval of entrepreneurs charged with the execution of works offered by the state or financed by it in whatever form it may be;

Whereas such approval must be regulated with all desirable guarantees and through a collaboration of the representatives of the state, the entrepreneurs and union representatives concerned;

In view of the law dated May 15, 1846, on accounting of the state;

Upon suggestion of the Minister of Public Works and of the opinion of the Ministers who have deliberated it in council, we have decreed and are decreeing:

Article 1A. Without prejudice to the law dated May 15, 1846, concerning accounting of the state, the execution of works offered by the state, or financed or subsidized by it, under whatever form it may be, can only be entrusted to entrepreneurs who satisfy the following conditions:

They must:

1. Be entered in the commercial register;

2. Be of Belgian nationality. If companies are involved, it is necessary that at least two-thirds of the capital be Belgian;

3(a) Not have been sentenced for a crime or offense against the external safety of the state;

(b) Not have been entered by the military auditor on the list prepared by virtue of article 4 of the decree-law dated September 19, 1945, on civil purification;

(c) Not have been excluded from contracts and bids of the state and not be so excluded in application of the provisions of article 6 of this decree-law.

(B) Furthermore, a special and previous approval shall be required:

1. If, at the time the contract is terminated or in the course of the execution, the total amount of all the works, public or public utility as well as private, executed simultaneously by the entrepreneur exceed a maximum which will be established by royal decree;

2. If the monetary value of the work to be awarded exceeds an amount established by royal decree.

The rules for classification of approved entrepreneurs in various categories of works and in classes by monetary value shall be established by royal decree.

The Minister of Public Works shall determine for each category of works the classes of entrepreneurs authorized to execute them.

Article 2. A Commission established in the Ministry of Public Works and composed as specified in article 3 shall be charged with giving its opinion on requests for approval.

The Commission shall examine the requests and establish by categories of specialties and by classes of monetary value of the enterprise, the list of entrepreneurs which it shall recommend to the Minister of Public Works for approval. The latter shall prepare the list of approved entrepreneurs and publish it for purposes of the administrative services and the para-state organizations.

In order to arrive at its recommendation, the Commission shall take into consideration the technical and financial capacities of the applicant, his organizational means of execution in qualified material and personnel, the volume and monetary value of works previously executed by him, their quality of execution as well as his commercial probity.

Article 3. The Approval Commission shall be composed:

1. Of a president, as "magistrat," and

2. Of an equal number of:

(a) Representatives of the various ministerial departments concerned in the execution of the works under consideration;

(b) Representatives of the professional entrepreneur organizations which are most representative (at least 5);

Representatives from labor union organizations of the construction industry which are the most representative (at least 3):

There shall be for the president, as well as for each incumbent, a substitute who may be seated only in case of the absence of the first.

The President, the incumbent members, the substitute president, and the substitute members shall be appointed and dismissed by royal decree.

A royal decree shall establish the scope of administrative personnel attached to the Commission.

Article 4. The Commission shall establish its internal regulation which shall enter into effect after having been approved by the Minister of Public Works.

Article 5. The Minister of Public Works shall send to every approved entrepreneur a certificate with the number of his entry in the list as to category and class of approval.

The approved entrepreneurs shall be held to indicate to the Commission any changes which may be of a nature to cause it to review its previous recommendations (amendments to the bylaws, the capital, the board of directors, its organic means of execution, etc.).

When bidding on works offered by the State, or financed or subsidized by it, entrepreneurs, whether or not they are approved, affirm implicitly that the total amount of the works, public or of public utility as well as private, simultaneously executed by them does not exceed, or will not exceed in the course of the execution, the maximum established by the royal decree referred to in article 1, (B)(1), and the next to last subparagraph of said article.

Article 6. Declassification, suspension and withdrawal of approval, temporary or final exclusion from contracts offered by the State or financed or subsidized by it may be ordered for the following reasons:

(a) Failure to comply with the terms and conditions of the awarded contracts;

(b) Diminishing of financial or technical guarantees;

(c) Serious mistake in the execution of the works;

(d) Lack of commercial probity;

(e) Failure, false statement or fraud relating to compliance with the obligations deriving from the two last subparagraphs of articles 5 and 7 of this decree law;

(f) Moral unworthiness, particularly in matters of citizenship.

The Approval Commission shall be charged with giving its advice on all records submitted to it by the administrations concerned, the public establishments and parastate organizations in general, which concern approved or nonapproved entrepreneurs who are accused of anything which may justify the application of an administrative penalty to them.

After an entrepreneur has been heard on his grounds for defense, the Commission shall propose to the Minister of Public Works, by reasoned opinion, the penalty to be applied. The Minister shall decide either on declassification, suspension, withdrawal of approval, temporary exclusion for a duration which he may determine or definitive exclusion from contracts or bids for account of the State, the subordinated administrations, public establishments and parastate organizations in general.

These decisions shall be published by the Minister for Public Works for the information of ministerial departments, subordinated administrations, public establishments and parastate organizations in general.

Article 7. Temporary associations of entrepreneurs may be admitted to the execution of works as long as at least one of the associates is approved for the works of the speciality and monetary value of those placed in tender and as long as the others satisfy the general conditions referred to in article 1, section A.

At the time the bid is deposited, details to that effect must be given by the nonapproved associates.

That information shall not weaken and shall not eliminate the liability of the various entrepreneurs concerning the choice of their associates.

Article 8. The Ministers charged with the execution of a budgetary law or who have under their jurisdiction the control of public establishments or parastate organizations to which the works placed in tender relate may, for the latter, after an opinion from the commission and by reasoned decree, decide to waive all or part of the requirements provided in articles 1 and 7.

Article 9. The Minister for Public Works shall be charged with the execution of this decree law which shall enter into effect on January 1, 1947, with the exception of article 1, which shall not become effective until April 1, 1947. In this respect and as a transitory measure, the provisions of article 1 of the decree dated February 22, 1941, shall be maintained in effect until March 31, 1947, inclusive.

Consequently, any decisions taken before January 1, 1947, concerning requests for approval submitted before that date shall remain valid until March 31, 1947, inclusive.

SCHEDULE D: BELGIUM

ROYAL DECREE OF OCTOBER 14, 1964, RELATING TO CONTRACTS ENTERED INTO IN THE NAME OF THE STATE (MONITEUR BELGE, OCT. 17, 1964)

(Unofficial Translation From French)

Article 15, section 1. The bid must indicate:

1. The name, first names, capacity or profession, nationality, and domicile of the bidder or, where the bidder is a company, the firm name or designation, its form, nationality, and business seat;

2. The name and designation of the account of the bidder with the postal checking office;

3. The entry relating to the registration of the bidder in the list of approved enterprises where the work offered in tender requires such approval.

Section 2. If the bid relates to supplies or materials which originate in a foreign country and to which Royal Decree No. 204, dated October 1, 1935, is applicable, it must furthermore indicate:

1. The goods of foreign origin which are involved in the bid, as well as the amount in which they figure therein, reduced by customs duties;

2. The country of origin of the products to be furnished and materials to be used;

3. The nationality of subcontractors, if any, and of members of personnel employed by the bidder;

4. Where products or materials to be finished or worked up in Belgium are involved, the value of the materials and work which will be incorporated into them in Belgium.

Section 3. The documents, models, and samples required by the special order specifications must be attached to the bid, except where said specifications provide otherwise.

Section 4. 1. The bidder who employs personnel subject to the decree law dated December 28, 1944, concerning the social security of workers, must attach to his bid, or produce for the administration before bids are opened, an attestation from the National Office of Social Security stating his standing with respect to that office concerning contributions of social security and of subsistence security as of a date not earlier than 3 months prior to the date of the session at which bids are opened.

2. A bid shall be regarded as irregular and discarded in the following cases:

(a) If the attestation mentioned under section 1 is not furnished within the required time, unless the bidder proves, before the administration allocates the contract, that the delay was not his fault;

(b) If it results from the attestation mentioned under section 1:

Either that the bidder has not sent to the National Office of Social Security all declarations as required up to and including those relating to the last but one quarter elapsed counting from the day of the session at which bids will be opened;

Or that he owes a total amount of contributions exceeding 50,000 francs;

Unless he has been granted term payments for that debt and strictly observes the terms; or

Unless he proves, before the contract is awarded, that he has one or several certain and due credits, with respect to the State or the public services listed in article 9, section 1, last but one subparagraph, of the decree by the regent dated January 16, 1945, concerning the functioning of the National Office of Social Security, for an amount which is at least equivalent to that by which he is in arrears on payment of contributions.

3. The provisions of this section 4 shall not be applicable where the amount of the bid does not exceed 300,000 francs.

It may likewise be waived if none of the bidders fulfill them and the contract has become of urgency.

Article 16. Where a bid relating to a works enterprise is deposited by a company having juridical personality, it shall mention all the information relating to what is prescribed by article 1(A), 2, of the decree-law dated February 3, 1947, organizing approval of entrepreneurs and relating to capital ownership of the company.

Article 17. Section 1. The administration can demand, for a certain date prior to the award of the contract:

1. From any Belgian bidder, a physical person: exhibition of a certificate of good conduct, life and morals.

2. From any Belgian bidder, a juridical person: exhibition of its bylaws or company charter and its latest balance statements as well as all information relating to its directors, commissioners or managers.

3. From any bidder of foreign nationality, whether a physical or juridical person:

(a) the election of domicile in Belgium;

(b) exhibition of an attestation by competent authority certifying that the party concerned is in good standing under the provisions of the social laws of his country.

4. From any foreign bidding company: exhibition of a copy of its bylaws, possibly accompanied by a translation thereof into the language used in the bid, and information on the latest balance statements, approved in accordance with the provisions of those bylaws and the legal provisions in effect.

5. From any bidder in general: all information concerning his manufacturers, suppliers or subcontractors.

Section 2. If the administration so requests, the foreign bidder must, before the opening of the bids, furnish either security in cash or in Government bonds or the guaranty of a Belgian bank.

LUXEMBOURG (MEMBER OF BENELUX, EEC, GATT AND OECD)

The only statutory provision relating to public contracts is article 36 of the law of July 27, 1936, on the accountability of the state (Loi sur la Comptabilité de l'Etat) (Memorial du Grand-Duché de Luxembourg, 1936, p. 1333) which lays down the general principle of closed competitive bidding with public advertisement. That method is employed much more by Luxembourg than by any other member of the European Economic Community. Article 36 provides as follows (unofficial translation from French):

"All works or supplies for the account of the state form the subject of contracts entered into with competition and publicity,

except in one or the other of the following cases:

"1. When the necessity therefor is established by a 'motivated' resolution of the Council of Government;

"2. When the expenses to be incurred do not exceed 30,000 francs [$600];

"3. When in a second invitation for tenders there are no bidders or only unacceptable prices have been offered."

That principle was spelled out and placed in effect by the ministerial decree of December 29, 1956 (Memorial, Jan. 14, 1957), which fixes the terms and conditions generally applicable to the award of public works and supply contracts the effectuation of which calls for public credits. The decree provides for the following methods of awarding contracts:

1. Public invitation for tenders (soumission publique)—public invitation for tenders made by means of the press to an unlimited number of bidders.

2. Restricted invitation for tenders (soumission restreinte)—invitation for tenders made to a restricted number of entrepreneurs (generally between three and seven) selected by the contracting authority.

3. Direct negotiation (marché de gré à gré)—the granting of the execution of a contract in the discretion of the contracting authority and without recourse to publicity.

Article 6 of the 1956 decree provides that the second method may be used only if contracts are concerned the special character or urgency of which requires bidders with particular technical or commercial abilities, or if a public invitation for tenders has not given a satisfactory result. Under the provisions of article 7 the third method may be used only in the cases provided for by article 36 of the 1936 law, supra. Nevertheless, article 7 goes on to provide for six situations in which the approval of the Council will be assumed, thereby leaving the way open for the exercise of considerable discretion by the contracting authorities.

Moreover, article 35 of the decree provides that price alone will not determine the choice of the successful bidder. The selected bidder must possess an establishment permit and be registered in the registry of firms and with the chamber of commerce and must satisfy a number of other prerequisites, including competence, experience, and technical and commercial capability. Accordingly, the way is again left open for the exercise of considerable administrative discretion. Some measure of control is provided, however, by the Tender Commission established by chapter XII of the decree, which exercises broad authority over all aspects of public contracts.

The fifth paragraph of article 3 provides that, except as otherwise provided in international agreements (of which there appear to be none), foreign bidders must satisfy the same requirements as domestic bidders or fulfill conditions deemed to be equivalent by the competent Luxembourg authorities.

Although the municipalities are not governed by any specific statutory provision, they in general follow the principle of closed competitive bidding with public advertisement laid down by article 36 of the 1936 law.

The sixth paragraph of article 3 provides that (unofficial translation from French): "Bidders under the jurisdiction of a country which has not concluded a treaty of reciprocity in matters of public bidding with Luxembourg can be excluded from bidding."

The Treaty of Friendship, Establishment of Navigation between the United States and Luxembourg of February 23, 1962, which entered into force on March 28, 1963 (14 UST 251), does not contain any provisions with respect to public contracts. Accordingly, Luxembourg authorities are free in their discretion to exclude U.S. bidders in any invitation for offers. The quoted provision clearly favors, on the other hand, nationals of Belgium and the Netherlands, since article 3 of the Convention of Economic Union between Belgium and Luxembourg of July 25, 1921, and article 62 of the treaty of February 3, 1958, establishing the Benelux Economic Union both provide for a system of reciprocity.

Article 19 of the 1956 decree also discriminates against U.S. firms and products by providing, in the second paragraph, that (unofficial translation from French): "As a matter of principle products of foreign origin shall not be used if producers of the Netherlands-Belgium-Luxembourg Customs Union are in a position to furnish the same quality at essentially equal prices."

In practice, products of Benelux origin benefit from a preferential margin of 10 percent as against foreign products. The preference is purely a matter of administrative practice which is left to the judgment of the procurement authorities. There appears to be no provision in the treaty between the United States and Luxembourg which precludes the granting of such a preference.

Another obstacle faced by foreign (as well as domestic) bidders is the requirement that public works and supply contracts cannot be awarded to those who do not possess establishment permits, which under the provisions of the law of June 2, 1962 (Memorial, June 19, 1962), are issued by the Minister of Economic Affairs. Article 19 of the 1962 law provides that only those under the jurisdiction of countries which accord reciprocal rights to Luxembourgers may obtain such a permit. Article VI of the treaty between the United States and Luxembourg appears, however, to guarantee such rights to Luxembourgers.

PRINCIPAL SOURCES

1. Letter dated December 5, 1963, from the U.S. Embassy in Luxembourg to Cravath, Swaine & Moore, Paris.

2. de Grand Ry, "L'Harmonisation des Legislatións au sein du Marché Commun en Matière de Marchés Publics" (The Harmonization of Laws concerning Public Contracts in the Common Market), Revue du Marché Commun (No. 37) pages 247–251 (No. 38), pages 282–292 (1961).

3. Hainaut and Joliet, "Les Contrats de Travaux et de Fournitures de l'Administration dans le Marché Commun" (Public Works and Supply Contracts in the Common Market), volume 2 (Brussels, 1963).

NETHERLANDS (MEMBER OF BENELUX, EEC, GATT AND OECD)

Among the six member states of the European Economic Community the Netherlands public contract system is undoubtedly the least organized, the least codified and the one in which the discretionary power of the contracting authorities is the greatest. In fact, the Commission of the Community in its explanatory statement accompanying the draft directive presented to the Council in July 1964 (Document IV/COM (64) 233 final) on the coordination of procedures in awarding public works contracts stated (p. 6) that "in the Netherlands the contracting authority negotiates under the same conditions as a private person." As a result, and because of the total absence of any guarantees of impartiality, there is in principle broad administrative discretion to discriminate against foreign bidders and foreign materials.

The sole legal provision governing public procurement is article 33 of the Comptabiliteitswet (Civil Accountability Act) of July 21, 1927, which lays down the basic rule of public tendering (openbare aanbesteding) in the following terms (unofficial translation from Dutch):

"1. All the works which are not executed by the administration and all supplies entailing an anticipated expenditure of 2,500 guilders [about $650] shall be the subject of public tendering.

"2. Nevertheless, by motivated decree a copy of which is sent to the General Audit Chamber, we may grant deviations from this rule for various cases of the same kind or for each special case.

"3. Contracts amounting to more than 1,000 guilders shall be entered into in writing.

"4. Notice shall be given to the General Audit Chamber of all awards of contracts by public tendering and of all private contracts concluded in writing."

In effect, there are only two methods of letting contracts—public tendering as prescribed by the 1927 law and private contract (rechtstreekse opdracht), although under a variation of the latter termed "onderhandse aanbesteding," which does not have any legal sanction, the letting of the contract is preceded by what amounts to a limited invitation for offers to selected suppliers or contractors on the private list of the particular contracting authority.

Almost all Government departments and agencies have been authorized to use the private contract method in a number of situations very broadly worded. Consequently, public tendering has been almost completely abandoned in the field of public supply contracts. In the field of public works contracts, it is still used, although it does not constitute the dominant method. Contracting authorities prefer, especially in important works, to use the variation of the private contract method (onderhandse aanbesteding) referred to above. According to reports from the U.S. Embassy in The Hague, public works contracts are rarely awarded to foreigners.

In the case of public tendering the law does not define the procedure to be followed or the rules for the awarding of contracts. Those rules have been prescribed for the "Rijkswaterstaat," which is concerned with the construction of highways, bridges, dikes and other hydraulic works, by the "Reglement op de door of vanwege het Departement van Waterstaat te houden openhare aanbestedingen van werken en leveringen" (regulations for inviting public tenders for works and supplies by or on behalf of the Department of Waterstaat) approved by royal decree of August 30, 1932. Most of the other departments do not have similar regulations and they follow, or incorporate by reference in their own regulations, the rules applied by the "Rijkswaterstaat."

Under the Waterstaat Regulations requests for public tenders are to be announced by a notice inserted in the Staatscourant and, if necessary, by any other method prescribed by the competent minister. In principle all interested parties can submit tenders. Nevertheless, the unlimited character of the competition is counterbalanced by the freedom which the contracting authority has as to the choice of contractor, since at the time of the awarding of the contract, the contracting authority can assess the professional and financial qualifications of each of the bidders and eliminate doubtful ones.

Moreover, the following provisions of article 11, paragraph 1, of the Waterstaat Regulations make it clear that there is no obligation either to make any award or to award the contract to the lowest bidder (unofficial translation from Dutch):

"Unless there appear to our Minister reasons for not awarding the contract, the contract is awarded to the bidder whose offer seems the most acceptable [het meest aanemelijk], without any obligation to give any reason for such choice."

The same principle is applied by all other contracting authorities.

As an example of the royal decrees which dispense with the legal requirement of public tendering, the "Rijkswaterstaat" is authorized by Royal Decree No. 15 of December

17, 1949, to conclude contracts by the private contract method under the following circumstances (unofficial translation from Dutch):

"1. When the works or supplies are ordered through the intermediary of the 'Rijksinkoopbureau' [Government Purchasing Office] or by State Enterprises;

"2. If the work or the supply cannot be determined in advance in a manner permitting an exact description;

"3. If the works to be executed or the goods to be furnished are of a nature so special that only one or a few bidders can be expected;

"4. If public tendering has not yielded an acceptable bid and a better result cannot be expected in a second public tendering;

"5. If the urgent character of the contract is incompatible with the time required for public tendering;

"6. If, by reason of special circumstances, it is improbable that an acceptable bid can be obtained by means of public tendering;

"7. If there are valid reasons for assuming that public tendering will be contrary to the financial interest of the Kingdom;

"8. If a work or a supply is so related to a work or a supply already ordered that a separation is not possible or desirable;

"9. If the special requirements connected with the work or the supply cannot be sufficiently taken into consideration in case of public tendering;

"10. If the scantiness of the construction area does not permit simultaneous work by several contractors (or suppliers) or does not permit the profitable use of material already installed;

"11. If the expenditures involved in the contract are so small that they do not justify the work and expense of public tendering."

The "Rijksinkoopbureau" is authorized completely to dispense with the rule of public tendering by royal decree No. 43 of September 16, 1929. That organization is the central purchasing office for the Netherlands Government and all ministries make their purchases of supply through it, except the Ministry of Defense. It is also authorized to do the purchasing for all institutions, etc., which receive a government subsidy and, in addition, the 11 Dutch Provinces and most of the larger municipalities avail themselves of its services.

In addition to the broad administrative discretion which the contracting authorities have to discriminate against foreign bidders and foreign materials, there are also a number of written discriminatory provisions. For example, paragraph 7 of article 7 of the Waterstaat Regulations provides as follows (unofficial translation from Dutch):

"7. If the bidder resides abroad, then domestic [i.e., Netherlands] domicile must be elected and a statement to this effect must be made in the tender."

Almost all government purchasing organizations impose the same requirement, including the "Rijksgebouwendienst" (Government Building Service), the General Contract Specifications[1] of which specifically incorporate the Waterstaat Regulations with exceptions not here pertinent, and the "Rijksinkoopbureau" (Government Purchasing Office).

It should be noted that the Dutch Government and some commentators take the position that the above-quoted provision merely means that, in order to obtain the contract, the bidder must have an address in the Netherlands where he can be reached, more particularly if any difficulties arise at the time of the execution of the contract.

In addition, paragraph 4 of article 4 of the general contract specifications of the "Rijksgebouwendienst" provides as follows (unofficial translation from Dutch):

"4. The contractor is obliged to declare to the administration ('directie') his intention as to the use of building materials or construction components which have their source in foreign countries.

"The administration is empowered to require a certificate of origin concerning the declared materials or construction components.

"If in the judgment of the administration such materials or construction components of domestic manufacture of equally good quality and at a not higher price can be substituted, then the contractor is obliged to do so.

"If on the other hand Netherlands manufacture is prescribed in the specifications, there may be no deviation therefrom."

Prior to 1963, works and supply contracts for the Ministry of Defense were reserved to Netherlands nationals and corporations or partnerships in which the members of the management, or the partners were Dutch nationals. In 1963, however, the Ministry took account of the provisions of the Treaty of Rome and of the treaty establishing the Benelux Economic Union to which reference has already been made, and amended section 9, paragraph 1, of its General Conditions[2] to read as follows (unofficial translation from Dutch):

"1. As contractors are permitted:

"a. Netherlanders according to the law and corporations or partnerships of which, respectively, the members of the management and any 'delegated supervising director' ['gedelegeerde Commissaris,' that is a supervising director with management powers] or the partners of which, are Netherlanders according to the law concerning whose capacity and sufficiency of means to execute the work [which word is defined in a footnote to section 1 to include supplies] and concerning whose dependability no doubt exists to the Minister of Defense.

"b. Foreign contractors which are established in 'partner nations' that have acceded to:

"1. Benelux.

"2. The European Economic Community (for works contracted for after December 31, 1963); provided that with regard to persons specified under (a) or (b) no doubt exists to the Minister of Defense as to their capacity and sufficiency of means to execute the work and their dependability.

"Before an order can be issued to any foreign bidder as to the carrying out of the work in the Netherlands, the interested party must elect domicile in the Netherlands upon a request to that effect of or in the name of the official who invites the tender.

"During the execution of the work the statutory and administrative regulations applicable in the Netherlands with regard to special rules, established for foreigners, remain in full force."

Finally the Vestigingsbesluit Bouwnijverheidsbedrijven 1958 (decree concerning the Establishment of Construction Industry Enterprises) requires that every civil and profit-making construction enterprise obtain an establishment permit under the provisions of the Vestigingswet Bedrijven, 1954 (law concerning the establishment of businesses). The permit is issued by the Chamber of Commerce and Industry, an official organization, in its discretion and may be withdrawn by it after issuance. In order to obtain a permit, it is necessary to satisfy a large number of formalities.

Insofar as the provinces are concerned, there is no legal provision requiring public tendering, although internal regulations apparently require recourse to that procedure. The municipalities are required by the Gemeentewet (municipality law) of June 29, 1851, to resort to public tendering, unless it appears preferable in the interest of the municipality to negotiate a private contract. Such a decision must be approved by the municipal council in public session and approved by the executive committee of the provincial council. In practice, the latter approval is a formality for the larger municipalities.

PRINCIPAL SOURCES

1. Letter dated October 14, 1964, from Jhr. Mr. P. J. W. de Brauw, advocaat (attorney) of The Hague, the Netherlands, to Cravath, Swaine & Moore, New York.

2. Letter dated December 5, 1963, from the U.S. Embassy in The Hague to Cravath, Swaine & More, Paris.

3. Foreign Service despatch No. 641 dated February 29, 1960, from the U.S. Embassy in The Hague, entitled "Procurement Policies and Practices of Netherlands Government."

4. Foreign Service despatch No. 246 dated September 15, 1954, from the U.S. Embassy in The Hague.

5. de Grand Ry, "L'Harmonisation des Législations au sein du Marché Commun en Matière de Marchés Publics" (The Harmonization of Laws Concerning Public Contracts in the Common Market), Revue du Marché Commun (No. 37) pages 247–251, (No. 38) pages 282–292 (1961).

6. Hainaut and Joliet, "Les Contrats de Travaux et de Fournitures de l'Administration dans le Marché Commun (Public Works and Supply Contracts in the Common Market), volume 2 (Brussels 1963).

DUAL DISTRIBUTION—A PROPOSED SOLUTION

The SPEAKER pro tempore (Mr. PEPPER). Under previous order of the House, the gentleman from California [Mr. ROOSEVELT] is recognized for 30 minutes.

Mr. ROOSEVELT. Mr. Speaker, the preservation of competition within our economy is a matter of the deepest concern to each of us. Indeed the role of competition is so central that when we refer to the free enterprise system it might well be said that what is really meant is the competitive free enterprise system.

In the years that have passed since the enactment of those statutes constituting our antitrust laws—the Sherman Act, the Clayton Acts and the Robinson-Patman amendments to the Clayton Act our economy has undergone great changes.

Economic concentration has increased. Recent figures indicate that our 100 largest firms now control over half of the Nation's entire industrial capacity.

Vertical integration—in which the same firm performs a number of successive stages of manufacture, fabrication, and distribution—has also increased sharply. Unfortunately, there are not available data adequate to definitely establish the precise degree of growth in vertical integration. However, it is clear that it has increased enormously since World War II.

A byproduct of vertical integration has been what is usually termed "dual distribution." Dual distribution occurs when a firm's supplier is also its competitor. As an example: An independent

[1] "Algemeene Bepalingen van de bestekken voor werken, welke onder directie van den Rijksgebouwendienst worden uitgevoerd" approved by decision of the Minister of Finance dated Nov. 22, 1933, No. 68.

[2] "Algemene Voorwarden voor de uitvoering van werken voor de Dienst de Genie" approved by decision of the Minister of Defense dated Oct. 11, 1930, as last amended by like decision on June 27, 1963.

tire retailer buys his tires, for resale, from tire manufacturer X. This same manufacturer also maintains its own captive or integrated retail tire outlet a few blocks down the street. Thus, manufacturer X is both supplier and competitor to the independent merchant.

Dual distribution occurs at a number of levels—fabricating, wholesaling, and retailing. While not always harmful, when dual distribution occurs in conjunction with either predatory tactics or substantial market power it can be deadly to small businesses. At its worst it gives the dual distributor control over both the cost of goods to the independent and the sales price received by him, thereby making the independent competitor vulnerable to a price squeeze from both sides.

The subject of dual distribution has been under congressional scrutiny for a number of years. Senate Small Business Subcommittees chaired by Vice President HUMPHREY, while he was a member of the Senate, and Senator RUSSELL LONG conducted studies of its effect in the tire and plate glass industries, respectively.

During the 88th Congress, the Distribution Subcommittee of the Select Committee on Small Business conducted hearings on the effects of dual distribution in 42 different industries.

Many of the small businessmen who appeared as witnesses in these hearings stated that unless a solution is found to the problems posed by dual distribution their future will be both brief and glum. I have received a great number of telegrams and letters urging early passage of legislation to correct this loophole in our antitrust laws. I am submitting a representative group of this correspondence and ask unanimous consent that they appear in the RECORD at the conclusion of these remarks.

The press also reveals the continuing nature of this problem. On Monday of this week, Louis C. Stengel, Jr., president of the Manhattan Shirt Co., in the New York Times deplored the corrosive effect on competition of dual distribution in the men's clothing industry. The lead article in the current issue of Iron Age describes the conflict within the steel industry resulting from dual distribution by the steel mills. My subcommittee will, later in this Congress, be looking into some of these most recent developments.

But investigation and study alone—although useful—are not enough.

Both the Federal Trade Commission and the Department of Justice have stated that dual distribution is not covered by existing antitrust laws.

Clearly, small businessmen are entitled to a remedy for injuries occurring from dual distribution.

To this end, I have today introduced two bills on the subject of dual distribution. One of them is a new bill, H.R. 7706. Its short title is the Antitrust Dual Distribution Amendment of 1965. It is a result of the lengthy hearings held during the 88th Congress on dual distribution and related vertical integration by the Subcommittee on Distribution of the House Small Business Committee. The contents of the bill were contained in the recommendations of the report on those hearings and also in the recommendations of the final report of the full Select Committee on Small Business for the 88th Congress. It is a matter of great pride to me that this bill is also being introduced today in the Senate by Senator RUSSELL B. LONG. Senator LONG's work in this and related fields has earned him an entirely deserved reputation as one of our most perceptive students of the effect of the antitrust laws on small business.

I have also reintroduced another bill on this same subject—the short title of which is the Antitrust Vertical Integration Amendment (H.R. 7705). This bill was first introduced in the 87th Congress by Senator LONG and in the 88th Congress by both Senator LONG and myself. It is, in general, addressed to the same problems as my first bill, but represents a different approach which could be of value either as an alternative or a supplementary method of dealing with dual distributional problems.

Additionally, at the beginning of this Congress, on January 5, I reintroduced the Dual Distribution Reporting Act (H.R. 1578). This bill, too, was first introduced in the 87th Congress by Senator LONG and reintroduced in the 88th Congress by both Senator LONG and myself. The Select Committee on Small Business and my subcommittee have recommended that this bill receive consideration by the appropriate legislative committee.

It is my hope that these bills will be given earnest consideration in the near future by the committee to which they have been referred. No one can conclusively state that any proposed solution is the ultimate answer to this complex problem. These bills do, however, contain specific solutions that reflect the thinking of a number of us who have closely studied the problem.

Many thousands of small businessmen throughout the Nation have expressed the conviction that new legislation is imperative with respect to dual distribution if they are to have equality of opportunity to compete. Indeed, an association of trade associations, the Council on Dual Distribution, based here in Washington, has been formed for the express purpose of securing such legislation. Surely, these small businessmen are entitled to a hearing from the committee which has the power to take legislative action regarding these proposals. It seems difficult to deny their right to an opportunity to submit evidence as to the need for this legislation. It will be their responsibility to show the members of the committee that these bills are needed.

Mr. Speaker, under unanimous consent, I place in the RECORD at this point an analysis of these three bills together with the full text, which is brief, of the antitrust dual distribution amendment:

ANALYSIS

1. Antitrust Dual Distribution Amendment (H.R. 7706):

This bill may also be described as the adequate differential bill. It prohibits price squeezes if their effect may be "substantially to lessen competition or tend to create a monopoly."

The text used is the same language used in section 7 of the Clayton Act, the Celler-Kefauver antimerger statute.

It would be an amendment to the Clayton Act. Thus, since it would be part of the antitrust laws private litigants could use it as a basis for actions for treble damages or injunctive relief, or both.

2. Antitrust Vertical Integration Amendment (H.R. 7705):

This bill may also be described as the equality of supplies bill. It places internal transfers within the purview of the Robinson-Patman Act to the same extent as sales to independent customers. The Robinson-Patman Act requires that sales to competing customers of goods of like grade and quality be on proportionately equal terms. However, it does not, in its present form, apply to transfers to integrated establishments. Thus, a manufacturer may now transfer goods at a lower price to his own integrated wholesale or retail outlet than the price charged to an independent competitor. This bill would make this an illegal price discrimination. Independent customers would be entitled to the same price as that granted the integrated or captive unit.

The defenses and tests for establishing a violation presently found in the Robinson-Patman Act would be retained.

The bill would also require that during times of shortage independent customers receive the same percentage of output sold to them during normal periods. Equal speed of shipments to independents is also required by the bill.

3. Dual Distribution Reporting Act (H.R. 1578):

This bill may also be described as the reporting bill.

The reporting bill would require companies engaged in dual distribution to "publish a separate annual operating statement for each establishment of that company which (1) receives from any other establishment of that company * * * any product of that company distributed by dual distribution, and (ii) is engaged, in any line of commerce, in direct competition with one or more independent establishments, customers of that company, in the sale or resale of that product or any other product derived in whole or in part through the use or consumption of that product."

These annual published statements would identify separately the establishments on which they reported by showing "at least the following information: (1) Total annual net sales of the establishment, with sales or transfers to related establishments and sales to independent establishments itemized in separate subtotals; (2) cost of goods sold, with costs itemized to identify separately (i) cost of products purchased or received from related establishments, (ii) cost of products purchased from independent establishments, and (iii) labor costs, if any (value added within the reporting establishment before addition of markup); (3) operating overhead; and (4) net profit or loss from operations."

The annual statements for each reporting establishment would also have to show the value of benefits received by the establishment but charged to other parts of the company, as well as additions to our subtractions from the capital investment of the company in the establishment.

In addition, this bill would require "every company engaged in dual distribution" (defined in the bill to exclude smaller concerns having no substantial market power) to "publish annually statistical information disclosing, for each product produced by that company and distributed by dual distribution: (1) The aggregate dollar amount of that company's net sales of that product during the year to all independent establishments; and (2) the dollar amounts or values of net sales or transfers of that product from the producer thereof to each related

establishment, identifying the establishments separately by name or other designation and location, and the respective amounts of sales or transfers of the product to each."

H.R. 7706

A bill to amend the Clayton Act to prohibit vertically integrated companies from engaging in anticompetitive pricing practices

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 "Antitrust Dual Distribution Amendment of 1965."

SEC. 2. (a) The Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 730, as amended; 15 U.S.C. 12 et seq.), commonly known as the Clayton Act, is amended by inserting therein, immediately after section 2 thereof, the following new section:

"SEC. 2A. It shall be unlawful for any person engaged in commerce who, in the course of such commerce, engages in competition in the sale of commodities with those to whom he sells such commodities, or a major ingredient or component thereof which is processed by the purchaser into such commodities, to fail to maintain adequate and fair differentials between those prices charged as supplier to such purchasers and those prices charged as a competitor of such purchasers, wherein any line of commerce in any section of the country, the effect of such failure may be substantially to lessen competition, or to tend to create a monopoly."

(b) Sections 11 and 16 of that Act, as amended (15 U.S.C. 21, 26), are amended by striking out the words "sections 2, 3, 7, and 8" wherever they appear therein, and inserting in lieu thereof in each instance the words "sections 2, 2A, 3, 7, and 8".

SEC. 3. The amendment made by this Act shall take effect on the first day of the seventh month beginning after the date of its enactment.

CONFERENCE ON DUAL DISTRIBUTION,
March 15, 1965.

HON. JAMES ROOSEVELT,
House of Representatives,
Old House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: We have read with interest about the forthcoming bill that you will introduce at the 89th Session of Congress relating to the ever-increasing problems of dual distribution.

The Conference on Dual Distribution, based in Washington, D.C., at the Shoreham Building, was organized by independent businessmen from all parts of the country, because these independent business leaders recognized that dual distribution threatens their very existence. Independent business leaders never ask for special favors; independent business leaders only want an opportunity to compete in a modern marketplace.

The Conference on Dual Distribution was organized to enable businessmen to survive the major swallowing program of big business. As the months went by, those of us who are instrumental in the organization of the Conference on Dual Distribution, found that it was like pebbles being thrown into the pond—more and more ripples kept appearing on the surface of the water. Each day, more and more independent business leaders sent letters to the Conference on Dual Distribution asking how they may join and what they can do to help fight the abuses and inequities of dual distribution.

We who have been active in the fight against the evils of dual distribution know that we owe a great deal to you because of your leadership in this area. We also owe a great debt to Congressman JOE L. EVINS, chairman, House Select Committee on Small Business.

We feel that your soon to be introduced bill clearly annunciates the problems faced today by the independent businessmen. We also feel that this is a step in the right direction toward an equitable solution of these problems.

We believe that it is about time that the American public awoke to the fact that unless something is done about the inequities and abuses of dual distribution that independent businessmen will go down the drains. History has also taught us that when independent businessmen are forced out of the economy that dictatorship eventually takes over in that country. It is now a matter of accepted political science thinking that no democracy can exist without a strong middle class and no middle class can exist without a strong, independent business segment of the economy.

It is tragic to report that the president of a major trade association announced at a meeting on the west coast not too long ago that he was being called into office to preside at the funeral of the industry that he loved. He looked out at the people in attendance and stated: "You are here not only as pallbearers but also as corpses-to-be."

We can assure you, Congressman ROOSEVELT, that our members will be writing and wiring their Congressmen indicating their support of your bill. This will take place as soon as your bill is introduced at this session of Congress. We want you to know that we support your bill and we intend to make personal contact with our Congressmen to express our very strong and determined sentiments in this matter.

One of our membership groups have informed us that consideration is being given to the franchised operations. We urge that a day in court be given to this group as well and that policies now in effect for automobile groups be extended to all franchised operations.

We will join you, Congressman ROOSEVELT, in making known to Members of Congress and to the American public our strong conviction that independent business must not be permitted to be swallowed up by hungry and avaricious big business.

Sincerely yours,

LAWRENCE SCHACHT,
National Cochairman.
G. F. BEALL,
National Cochairman.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
San Mateo, Calif., March 11, 1965.

HON. JAMES ROOSEVELT,
Chairman, Subcommittee No. 4, House Small Business Committee, House Office Building, Washington, D.C.

MY DEAR CONGRESSMAN ROOSEVELT: Now that the new Congress is in session the past few months it is our hope that some legislation will be introduced and followed through to correct the ever increasing inroads of manufacturers in key industries in dual distribution.

Hardly a week or so goes by but that someone of the federation members nationwide, all independent business and professional men, all individual members in the 50 States, totaling 200,346 as of January 28, 1965, brings to our attention the unfair competition of their manufacturer suppliers in the retail field.

Most of them are aware of the action of your committee in 1963 and 1964 in the extensive hearings on dual distribution, and the reports, in which it appeared manufacturers in 50 or more industries were charged with such practices. Your committee received testimony from witnesses from all of these industries, which also included our testimony on the opening of the hearings, as reported by our members nationwide.

They now come to us with the plea: "What is going to be done at the earliest possible moment if we are to maintain our respective individual establishments. For example—note the letter received from Mr. George N. Eskra, which is self-explanatory.

It is also to be noted in a 2-page ad in the Washington Star of last night of a major rubber company whose business is reported in excess of $2 billion per year, they announced: "Another store to serve you. Grand opening."

It's hard to believe, but this tire manufacturer's retail store has invaded other major lines of industry—TV, refrigerators, washing machines, dryers, etc., etc.

I believe it will be found that this action of yesterday is following up a similar announcement a little over 30 days ago of a similar store being opened with a great hurrah in the papers.

The advertisement of last night in the Star discloses eight stores in the metropolitan area.

That particular industry has been plagued bitterly with increasing inroads of manufacturers in that industry in dual distribution.

It is interesting to note the trend that in 1926 the independents handled 83.9 percent of the replacement tire business; 1952 reduced to 50 percent (these are all Government findings), and more recently announced by a leading national publication that the independents' position has been reduced in the replacement field to 27 percent.

Bear in mind this is one of Nation's key industries, and there is no end in sight, and the pattern is being followed by other key industries in dual distribution.

If there is going to be any decrease in unemployment something must be done in a legislative move at the earliest possible moment to prevent and prohibit dual distribution in all major lines of industry where it creates an unfair, unjust competitive condition for independents in those industries where it is existing.

Acting in my official capacity for the membership of the federation I am urging appropriate action.

Sincerely,

GEORGE J. BURGER,
Vice President.

RAY WINTHER CO.,
March 9, 1965.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Legislative Office, Washington Building, Washington, D.C.

GENTLEMEN: This letter is prompted by a bulletin from the Refrigeration and Air Conditioning Contractors' Association of Sacramento, Calif., in which they have referred to a valuable suggestion by Walter W. Baldwin, who is an active member of your federation, that we write to you concerning any problems which we have in our businesses. Our company is very active in the selling, installing and servicing of refrigeration and air-conditioning equipment, and one of the things which we face as a very serious problem today and with the prospects of it being worse in the future, is the direct sales by manufacturers of their products to user accounts at prices equal to and sometimes lower than the prices which these same manufacturers will sell to us or any other contractors who are buying for resale.

There are various ways that many of these manufacturers use to distribute their merchandise through various channels at advantages to themselves and which leave the independent contractor in a very difficult and sometimes embarrassing position to deal with his old-line established accounts. The

House Small Business Committee in Washington has been conducting many hearings over the past year or more having to do with these practices, and recently two bills have been introduced having to do with the updating and strengthening of antitrust laws and also the requirements of businesses reporting separately on the facets of their operating having to do with the costs of operating their various methods of distribution. Any support that your federation might give to these bills or anything that your federation might do to remedy these distribution evils would certainly be helpful to the independent business operator.

Sincerely,

GEORGE N. ESKRA,
Executive Vice President.

WASHINGTON, D.C.,
March 15, 1965.

Hon. JAMES ROOSEVELT,
Chairman, Subcommittee on Distribution, House Small Business Committee, House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Association of Wholesalers have followed with great interest your penetrating hearings on dual distribution. Our association is composed of 43 national commodity line wholesale associations which are comprised of over 18,000 wholesale-distributor firms.

Of particular interest was your attention to the Federal laws and regulations which govern the business practices of vertically integrated organizations in contrast to the laws and regulations governing independent levels of distribution. Wholesale distributors and their customers, the independent retail merchants, contractors and service establishments, have long been troubled by certain Federal activities restricting exclusive territories, cooperative advertising of prices, and similar practices. They have long noted that when the manufacturer-wholesaler-retailer levels are under common ownership, the Federal Government permits business practices which would be banned if these levels were independent of each other.

The hearings of the Subcommittee on Distribution have established a clear and comprehensive record now available for study by both the business community and the Congress. Those who are interested in the economic survival of small business will find a wealth of information on federally imposed handicaps on these firms in competing with integrated companies. You are to be commended for providing this information. We look forward to the introduction of legislation which will afford small business greater opportunity to compete.

Sincerely yours,

JOHN T. KIRK,
President.

PAINT & WALLPAPER DEALERS ASSOCIATION OF GREATER NEW YORK, INC.,
March 12, 1965.

Congressman JAMES ROOSEVELT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: Dual distribution represents the most serious problem for small retailers and merchants in the paint and wallpaper industry. We are convinced that legislation is needed to assure equality of opportunity to compete against large manufacturers and suppliers of our industry's products.

We fully support your proposed legislation and hope your position will be sustained by the Congress. The board of directors of the Paint & Wallpaper Dealers Association of Greater New York has adopted a resolution to this effect.

Sincerely yours,

EPHRAIM J. FABER,
Executive Director.

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CHICAGO, ILL.

Hon. JAMES ROOSEVELT,
U.S. House of Representatives,
House Office Building,
Washington, D.C.:

The automotive service industry association, with over 5,000 independent automotive wholesalers, warehouse distributors, parts rebuilders, and manufacturers support your continued interest in the growing economic problem of dual distribution wherein large integrated manufacturers compete with their own customers. We are greatly interested in legislative proposals to correct these abuses.

J. L. WIGGINS,
Executive Vice President, Automotive Service Industry Association.

CLEVELAND, OHIO,

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint as a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

DEMSEY & ASSOCIATES, INC.

LOS ANGELES, CALIF.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to advise you of our interest in and support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We, as an independent fabricator, have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who effectively control the domestic price of our raw material and at the same time compete with us when selling the end product in the marketplace. The spread between the raw materials and finished product as established by the integrated mills does not provide a sufficient profit margin for survival.

H. L. WARNER,
President, P I Steel Corp.

RAHWAY, N.J.

Hon. JAMES ROOSEVELT,
Representative, House Office Building,
Washington, D.C.:

As an independent wire drawer we fully support your bill for fair pricing on dual distribution industries. The price squeeze in the steel wire industry is becoming tighter due to dual distribution position of the integrated steel mills. Independents are having more difficulties each year to survive due to this unfair competition.

REPUBLIC WIRE CORP.,
NORMAN GELLER.

EVERETT, MASS.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

As a small independent manufacturer we heartily support your proposed legislation designed to control the price spread between raw material and finished products furnished by vertically integrated producers. Under the present dual distribution system, the integrated steel industry prices furnished goods at the same or lower prices than the raw material used to produce them where independent competition exists. We feel that the measure of protection afforded by your bill is the minimum necessary for the continued existence of the small independent in the steel industry.

ATLANTIC STEEL & TRADING CO.,
HENRY ROBERTS.

HOUSTON, TEX.

Hon. JAMES ROOSEVELT,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We as a small independent fabricator have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who have effectively controlled the domestic price of our raw materials and at the same time compete with us when selling the end products in the marketplace. The spread between the raw material and finished products, as established by the integrated mills, does not provide a sufficient profit margin for survival.

JOHN R. WEST JOISTS, INC.

WARWICK, R.I.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

Our small independent concrete bar fabricating plant supports passage of your forthcoming bill designed to ease economic problems created by dual distribution. Subjected to tragic price squeezes exerted by the large integrated mills we have on various occasions practically been priced out of the concrete bar market. We sincerely hope that your act cited as "Antitrust Dual Distribution Amendment of 1965" will be favorably enacted by the Senate and House of Representatives of the United States. Copies of this wire are to be sent to Senators PASTORE, PELL, and Representatives FOGARTY and ST GERMAIN, of Rhode Island.

PLANTATIONS STEEL CO.,
ALEXANDER A. DIMARTINO,
President.

LAWRENCE, MASS.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint. As a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

AARON J. NAISULER,
Northeast Aluminum.

JACKSONVILLE, FLA.

Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

We are delighted to hear of your imminent intention to introduce a bill which is designed to correct the problems created by dual distribution. As an independent manufacturer of steel wire products we are at the mercy of the integrated mills who establish the sale price and compete with us in the sale of end products and at same token as a supplier of our raw materials effectively control our spread between the cost of our raw material and the sale price of our finished products. This spread is inadequate and does not provide sufficient margin for survival.

E. DANCIGER,
President, Florida Wire & Cable Co.

CHICAGO, ILL.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We, as a small independent fabricator have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end products in the marketplace. The spread between the raw materials and the finished products as established by the integrated mills does not provide a sufficient profit margin for survival.

JONES & MCKNIGHT, INC.,
G. A. MCKNIGHT, Jr.

DALLAS, TEX.

Congressman JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

As an independent wire fabricator, I heartily endorse your efforts to remedy the injustices of dual distribution. Dual distribution in the wire industries is getting worse every day and the situation of the independents is becoming more precarious. Your bill will do much to strengthen a free marketplace and will make it possible for many small independents to compete against the giants in this industry. I appreciate your concern in this matter.

HALCO FENCE & WIRE CO.,
H. A. LAWRENCE.

KANSAS CITY, MO.

Congressman JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

As an independent wire drawer and fabricator, we support the effort you are making to correct dual distribution ills. The situation in the wire product industries is getting worse with each passing day. Position of the dependent is almost untenable now. Your bill will greatly aid in the establishing of a free healthy market and will allow the independent to compete with the giant. We hope your colleagues will quickly follow your lead.

H. BROSKI BROS., INC.,
S. M. BROSKI, Jr.

CHICAGO, ILL.

Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

Wire Sales Co. is an independent wire fabricator. We want you to know that we heartily endorse your efforts to remedy the many injustices of dual distribution. In the steel wire and wire products industry dual distribution is progressively increasing every day and the situation of the independent wire fabricators is becoming very serious. Even our continued existence is threatened and very precarious. Your bill will do much to strengthen a free marketplace and should permit independent companies like ourselves to fairly compete against the industrial giants. We sincerely appreciate your work in this direction.

F. C. MUNTWYLER,
President, Wire Sales Co.

NEW ORLEANS, LA.

Representative JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint. As a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

SOUTHEAST STEEL & WIRE CORP.

MIAMI, FLA.

Hon. JAMES ROOSEVELT,
House Office Building,
Washington, D.C.:

As a small independent manufacturer we heartily support your proposed legislation designed to control the price spread between raw material and finished products furnished by vertically integrated producers. Under the present dual distribution system the integrated steel industry prices finished goods at the same or lower prices than the raw material used to produce them where independent competition exists. We feel that the measure of protection afforded by your bill is the minimum necessary for the continued existence of the small independent in the steel industry.

FLORIDA WIRE PRODUCTS CORP.,
J. A. REAGAN.

JACKSONVILLE, FLA.

Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems by dual distribution. We, as a small independent fabricator of steel wire reinforcing fabrics, have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who effectively control the domestic price of our raw material in the form of wire rods and at the same time compete with us when selling the end product in the marketplace. The spread between the raw material and finished product as established by the integrated mills does not provide a sufficient profit margin for survival.

J. W. SPOOR,
President, Ivy Steel & Wire Co.

RIVERSIDE, CALIF.

Congressman JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

We greatly appreciate your efforts to straighten out the unfair dual distribution practices of the steel wire and wire products industry. We as an independent cannot long survive without the help of your bill. Keep up the good work.

GENERAL STEEL & WIRE CO.
JAMES E. SMITH.

PHILADELPHIA, PA.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We as a small independent fabricator have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end product in the marketplace. The spread between the raw materials and finished product as established by the integrated mills does not provide a sufficient profit margin for survival.

MICHAEL FLYNN MANUFACTURING CO.,
L. STARR.

NEW ORLEANS, LA.,
March 18, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

As a small independent manufacturer of steel drums, we heartily support your proposed legislation designed to control the price spread between raw material and finished product furnished by vertically integrated producers. Under the present dual distribution system the integrated steel industry prices steel drums to certain users at lower prices than costs to produce them where independent competition exists. We feel that the measure of protection afforded by your bill is the minimum necessary for the continued existence of the small independent in the steel fabrication industry. We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We, as the small independent fabricator, have a vital interest in the success of this registration. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills, who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end product in the marketplace. The spread between the raw material and finished product as established by the integrated mills does not provide a sufficient profit margin for survival. We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished product. This bill is very desirable from our viewpoint. As a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

ROBERT G. EVANS,
President, Evans Cooperage Co., Inc.

MIAMI, FLA.,
March 18, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint as a small manufacturing company. We have been concerned about the problems of dual distribution by the giant integrated producers as this problem has become worse from year to year.

MIAMI WINDOW CORP.,
ROBERT RUSSELL,
President.

BETHLEHEM, PA.,
March 17, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

Bethlehem Fabricators, Inc., enthusiastically supports your forthcoming bill to amend the Clayton Act. The large integrated mills who control the domestic price of our raw materials also compete with us when selling the end product. Your bill, designed to assure a definite price spread between the raw material and the finished product, is necessary to provide a sufficient profit margin for survival of small independent companies. May you be successful in

your efforts to correct some of the economic problems created by dual distribution.

BETHLEHEM FABRICATORS, INC.,
PARKE W. MUSSELMAN.

YOUNGSTOWN, OHIO,
March 17, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint. As a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

THE AEROLITE EXTRUSION CO.,
THOMAS E. HUTCH,
President.

NEW YORK, N.Y.,
March 17, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We enthusiastically support the legislation wherein you intend to introduce a bill which will give some measure of protection to small independent firms providing that vertically integrated companies must maintain definite price spread between prices at which they sell raw material and finished products. This bill is very desirable from our viewpoint. As a small manufacturing company we have been concerned about the problem of dual distribution by the giant integrated producers as this problem has become worse from year to year.

CAPITOL STEEL CORP.

HILLSIDE, N.J.,
March 15, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We as a small independent fabricator have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end product in the marketplace. The spread between the raw materials and finished product as established by the integrated mills does not provide a sufficient profit margin for survival.

SCHACHT STEEL CONSTRUCTION, INC.,
LAWRENCE SCHACHT, *President.*

NEW YORK, N.Y.,
March 12, 1965.

Congressman JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

Understand you are about to introduce legislation on dual distribution. Your continued interest in this area of our economies is essential to continuing prosperity of not only our membership but the Nation as a whole. Wish to assure you of support of legislation dealing with dual distribution. Would appreciate advance copies of suggested bills for distribution to membership for support.

DONN H. BYRNE BEAUTY & BARBER SUPPLY INSTITUTE.

WASHINGTON, D.C.,
March 10, 1965.

Congressman JAMES ROOSEVELT,
House Office Building,
Washington, D.C.:

The Independent Wire Drawers Association fully supports your bill to provide for preservation of fair market conditions in dual distribution industries free from squeeze tactics and monopolistic sharp shooting.

INDEPENDENT WIRE DRAWERS ASSOCIATION.

WASHINGTON, D.C.,
March 12, 1965.

Hon. JAMES ROOSEVELT,
Chairman, Subcommittee on Distribution of the House Small Business Committee, House Office Building, Washington, D.C.:

We appreciate your subcommittee's extensive investigation of the impact upon small business of dual distribution and we look forward to introduction of legislation that will correct the abuses of dual distribution.

HAROLD O. SMITH, JR.,
Executive Vice President, United States Wholesale Grocers Association.

TAUNTON, MASS., *March 15, 1965.*

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We, as a small independent fabricator, have a vital interest in the success of this legislation. The independent fabricator is the victim of a price squeeze exerted by the large integrated mills, who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end product in the marketplace. The spread between raw materials and finished product as established by the integrated mills does not provide a sufficient profit margin for survival.

EDWIN ROSENBERG,
President, Royce Aluminum Corp.

MINEOLA, N.Y.,
March 15, 1965.

Hon. JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.:

We wish to offer our support for your forthcoming bill designed to correct some of the economic problems created by dual distribution. We as a small independent aluminum extruder have a vital interest in the success of legislation. The independent extruder is the victim of a price squeeze exerted by the large integrated primary aluminum producers who effectively control the domestic price of our raw materials and at the same time compete with us when selling the end product in the marketplace. The spread between the raw materials and the finished product as established by the integrated prime aluminum producers does not provide a sufficient profit margin for survival.

U.S. EXTRUSIONS CORP.,
ARMAND M. KNOFF.

WASHINGTON, D.C.,
March 12, 1965.

Congressman JAMES ROOSEVELT,
House Office Building,
Washington, D.C.:

The candy wholesaling industry and our membership of approximately 1,000 wholesalers is indebted to you and Subcommittee No. 4 of the House Small Business Committee for your thorough investigation of the dual distribution practices in the confectionery and other fields and we shall await with interest your legislative proposals to remedy the faults of this system of distribution, particularly in the area of price differentials where businesses compete with their customers in the market place.

C. M. MCMILLAN,
Executive Secretary, National Candy Wholesalers Association, Inc.

DUNDALK, MD.,
March 10, 1965.

Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.:

Your committee's vigorous action against dual distribution policies as practiced by integrated steel mills among others receives our unequivocal and appreciative support. Our company one of many independent wire and steel fabricators who make up small but important segment of small business now at mercy of administered pricing policies of big steel oligopoly.

H. C. YOUNGEN,
President, National Wire Products Corp.

HOUSTON, TEX., *March 11, 1965.*

Representative JAMES ROOSEVELT,
House Office Building,
Washington, D.C.:

We strongly support the legislation you intend to introduce requiring the major integrated mills to maintain a price spread between their selling price of raw material and the finished product. We are constantly faced with the situation of being offered raw material from the major mills at a price just below the price at which they are selling the finished product which both they and we manufacture from the raw material. The situation has been worsening over the years and the small independent mills are being slowly squeezed out of business. We sincerely appreciate your support.

H. M. CRAFT,
Vice President, Texas Steel Fabrics, Inc.

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, during the 88th Congress, it was my pleasure to serve as a member of the Subcommitte on Distribution of the House Small Business Committee. This subcommittee, which was ably served by my friend and colleague, the Honorable JAMES ROOSEVELT, received testimony from small business representatives from over 40 industries.

The record so compiled clearly established that dual distribution in many instances presents problems of a most serious nature to many small businessmen throughout the Nation. In my opinion, it is of the utmost importance that equal opportunity to compete be assured small businessmen confronted with price squeezes and other byproducts of dual distribution.

It is my hope that the bills introduced on this subject by Congressman ROOSEVELT will receive an early hearing and that this body will have an opportunity to favorably vote upon them. Congressman ROOSEVELT is to be commended for the diligence which he has shown in exploring these dual distributive problems and for placing these possible solutions before us for our consideration.

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. STEED] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. STEED. Mr. Speaker, as a Member during the 88th Congress and of the Subcommittee on Distribution of the House Small Business Committee, I know from hearing the testimony of witnesses from a great number of industries, the importance of finding a workable solution to the problems posed to small businesses by dual distribution. These hearings covered over 40 industries. As a result of the testimony and evidence received, I am convinced that in many instances dual distribution has had a most serious impact upon the small business sector of our economy.

The bills introduced by my distinguished colleague, the Honorable JAMES ROOSEVELT, deserve an early hearing and the most serious consideration by this body. Congressman ROOSEVELT is to be commended for the considerable time and effort which he has expended in investigating dual distribution problems in placing these bills which represent possible solutions before us.

ALLEGED VOTING IRREGULARITIES IN ARKANSAS

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. LAIRD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LAIRD. Mr. Speaker, I request that following my remarks several articles dealing with the alleged voting irregularities in the State of Arkansas be included in the RECORD.

Particularly interesting is the record of Governor Faubus' home county of Madison which reportedly in 1954 gave the Governor the votes of 100.4 percent of the eligible poll tax holders.

One article reveals that in 1961, voters in predominantly Republican Venus Township showed up at the polls to find no ballot box, no poll books, and no tally sheets, among other missing items. Evidently some of them managed to vote in neighboring townships, but one Republican official was quoted as mourning the overall loss by saying, "60 votes may not seem much, but they mean a lot in Madison County."

A number of these news stories recount the frustration of Republican officials in their efforts to copy the voting records following last fall's election. Three attempts were made in November, but the Madison County clerk, Charles Whorton, refused the Republicans each time. On November 25, a suit was filed in Madison County chancery court to produce the records. After two postponements, the suit was heard on December 9 and a writ of mandamus issued. Immediately after the hearing the records were requested, and the request was repeated 5 days later. Then, Whorton appealed the court's decision to the State supreme court.

Republicans filed suit again, and again there were two postponements before it was finally heard on January 6. Republicans lost the suit as Chancellor Thomas Butt ruled that the party had not supplied sufficient evidence to prove the records had been denied. So, a formal request, in writing, was made on January 8. Three days later, Republican officials returned to the clerk's office, and one of them allegedly was struck on the side of the head when he asked to see the clerk.

Relying on chivalry, as one reporter put it, four Republican women went to the clerk's office the next day and were refused in their request to see the records. On January 13, these same women tried in vain to see the Governor himself. That night all of the voting records were stolen from the clerk's office. A short time later, a reward of $1,000 was made for information leading to the arrest of the thieves, which prompted the Marked Tree Tribune to comment:

> Somehow we don't think the reward is the highest bid offered for those records, and we don't look for them to turn up anytime soon as a result of that offer.

An editorial in the Arkansas Gazette summarized the situation by stating:

> Public records ought by any rational standard to be available for copying as well as for inspection. The reason they are public records is so that interested parties can make inquiry into public business. If an election is not public business, nothing is. If Republicans are not interested parties in a general election, no one is.

Mr. Speaker, I cannot vouch for the validity of all of these charges. But I do feel that when such a volley of accusations is made by reputable persons and papers, they should be brought to the attention of the House for possible investigation by one of the committees. Certainly it is an appropriate matter for the Congress to look into while it is considering the voting rights bill.

The articles and editorials referred to follow:

[From the Arkansas Gazette, June 28, 1961]

ELECTION TROUBLE IN MADISON COUNTY: REPUBLICAN VOTERS FIND NO BALLOTS

HUNTSVILLE, June 27.—Voters in Madison County's predominantly Republican Venus Township showed up at the polls this morning only to find there were no election materials and no ballot box.

By late this afternoon election judges and clerks from the township still were unable to locate the materials and voters were having to vote in neighboring townships.

There seemed to be no explanation as to why the materials were missing or where they were—or why additional materials could not be obtained. There also was some concern among Republicans over whether it was legal for Venus Township voters to ballot in other precincts.

There are about 70 eligible voters in the township, Republican officials said, and about 60 of these are Republicans.

The GOP ran a writein candidate, Essie Barker, of Hindville, against Governor Faubus' son, Farrell, in the Madison County representative race today. Returns tonight showed Farrell Faubus way ahead.

Madison County is Mr. Faubus' home county. About half the county's voters are Republican.

"Those 60 votes may not seem much but they mean a lot in Madison County," a Republican spokesman said.

Sheriff Noah Leathem, a Democrat, said the Venus Township voters were voting in Bowen Township.

"There wasn't enough interest to hold an election at Venus," he said.

J. Dwight Steele, of Huntsville, Republican county chairman, said on hearing Leathem's statement, "No interest, huh?" He laughed, then said, "I'll have to reserve my comment on that."

Steele said that if the polling place had been changed he had not been notified. He said several voters, two election judges, and a clerk appeared at the polling place this morning.

The sequence of events in Venus Township, pieced together by telephone calls to Steele and others at Huntsville went something like this:

When the voters and the election officials, two of whom were Republicans, found no ballot box and no election materials (poll books, blank certificates, tally sheets and envelopes) they contacted Steele and asked him if he knew where the materials were.

The officials were told to check with Sheriff Leatherm and County Judge Clarence Watson. Both of these men said they knew nothing about the situation. Steele said Venue election officials were led to believe the election materials had been given to an election judge—Dewey Reynolds (a Democrat) to take to the polls.

Reynolds, who had not appeared at the polling place was found at his home. He told the officials that he had informed the county election commission he would not serve as a judge and said he didn't have any idea where the materials were.

Steele said the officials then returned to the courthouse at Huntsville and "contacted two or three people but nobody seemed to know where they (the election materials) were."

Some of the Republicans asked Judge Watson and Sheriff Leatherm how they could get additional election forms and a ballot box to open the polls in the Venus precinct.

"The sheriff said he didn't know anything about it." Steele said, "and the judge said it wasn't any of his business."

The Republicans then contacted the party's general counsel, Graham Hall of Little Rock, and asked him what to do about the matter.

Hall told them that as far as he was able to determine, the voters who were unable to secure ballots in their own precinct should vote in neighboring precincts or at the county clerk's office.

[From the Union Labor Bulletin, Arkansas AFL–CIO publication]

VOTING SCANDALS IN ARKANSAS POINT TO NEED FOR NEW LAW

Only about a third of Arkansans 21 and over vote in the most exciting of State elections, but some persons make up for the poor showing.

They vote two and three times. Some vote without knowing it. Some vote in two States at the same time. Some rise from the grave to cast a ballot.

In Stone County, for instance, 310 of the 3,441 residents who paid their poll taxes last fall, aren't on the poll tax list in the county clerk's office.

It's just a matter of honest error, Sheriff Cullen Jake Storey says of the 9-percent discrepancy between the list and the poll taxes sold.

"I've never seen a list yet that checked out 100 percent. There's always going to be some

names left off—by the collector, the clerk, or the printer."

Sheriff Storey, who is running for reelection, managed to sell poll taxes to 92.5 percent of the Stone County residents listed as 21 and over by the Federal census in 1960. Since the Stone County population dropped by 173 between 1940 and 1950 and by 433 between 1950 and 1960, it can be assumed that the percentage of adults who bought poll taxes last fall should be even higher than 92.5. Sheriff Storey did a remarkable job of selling poll taxes considering that, in the State as a whole, only 60.7 percent of the adults counted in the 1960 census paid the tax.

NOT UNUSUAL

There is some evidence to show that the Sheriff is right when he says errors in the poll tax list are in no way unusual.

In Lafayette County, Jack McClendon was astonished to find in 1962 the name of one of his employees, a Negro woman named Mrs. Margarine Turner, listed twice as "Margarine Turner" and "Margene Turner." Mrs. Turner was equally astonished.

They turned to another page in the book and Mrs. Turner spotted the names of her seven brothers and one sister. She said they had no business in the poll tax book because none of them had paid the poll tax. One of the brothers had lived in Texas 15 years and the sister had lived there 7 years.

The prosecuting attorney, Royce Weisenberger, of Hope, later found two affidavits to which someone had signed Mrs. Turner's name. The affidavits were used to buy poll tax receipts in her name through the mail. But Mrs. Turner didn't use the mail to pay her poll tax; she paid it in person at the courthouse.

On June 27, 1961, in Madison County, voter's showed up in the predominantly Republican Venus Township at the polls and found no election materials and no ballot box. By late afternoon of the election day, the judges and clerks were still unable to locate the materials and voters were having to vote in neighboring townships.

About 60 of the 70 eligible voters in the township were Republican.

"Those 60 votes may not seem much but they mean a lot in Madison County," a Republican spokesman said.

In December 1961 the Women's Emergency Committee for Public Schools learned from precinct workers that the returns for precinct C of the Third Ward should have been 191 votes for Ted Lamb and 21 for Dr. James G. Stuckey. The returns had given Ted Lamb 95 votes and Dr. Stuckey 96.

On May 8, 1964, Dale D. Swain resigned from the Morrilton City Council, charging that democracy in Morrilton, Conway County, and Arkansas had failed.

In a letter to the council, Swain said that he had "watched in helpless disgust as the needs of the citizens of Morrilton have been bypassed and ignored in favor of the demands of the few. * * * Thus has democracy in Morrilton, Conway County, and Arkansas faltered and finally failed."

The Lonoke County grand jury returned no indictments after investigating the August 1960 Democratic runoff primary for State senator, but concluded "there were many irregularities if not criminal acts committed, but they were of such a general and inconclusive nature that we did not feel any one or few persons could be singled out * * *."

One of the recommendations the grand jury made was that a voter list and certificate of judges and clerks should be posted at each polling place.

At Texarkana, a department store manager was indicted for altering ballots in the July 1960 Democratic primary.

The permanent voter registration law now being sought wouldn't eliminate all the election fraud in Arkansas. But it would help.

Each voter would have to appear in person before the county clerk to register. He would sign his own name in the registration book and the signatures would be checked when he went to vote.

No longer could poll taxes be bought for persons not present and without their knowledge.

EIGHTY CASES REPORTED OF SHODDY, ILLEGAL ELECTION PRACTICES

Illegal and shoddy election practices were reported across the State in this summer's primaries and are cause for alarm the director of the new Election Research Council, Inc., said Monday.

John H. Haley, a Little Rock lawyer who directs the group founded recently to make a detailed study of Arkansas election procedures, said some 80 reports of violations had been received from election officials, voters, poll watchers and legislators.

"Many of the reports have been confirmed," Haley said, "and I must say that our election process is in a sorry state."

He said he intended to forward reports of more flagant violations to the prosecuting attorneys for investigation.

Haley listed seven of the most common election violations of State law reported to the organization:

1. Lack of voting booths in nearly every precinct in the State, even though voting booths are required by law.
2. Widespread double voting.
3. Shoddy and haphazard counting of ballots.
4. Electioneering so close to the polls as to violate the law.
5. Failure to post voting results.
6. Illegal issuance of poll tax receipts.
7. Allowing unauthorized persons to aid in counting ballots.

"Perhaps most disturbing, because most common," Haley said, "is the obvious indifferent attitude of a number of election officials—indifference to what the law is, and indifference to that trust with which they are charged, that of seeing that the wishes of a free electorate may be expressed."

STATEWIDE REPORTS

Haley said reports have come from all over the State by mail, telephone and through personal contacts.

"By and large," he said, "the majority of reports about election irregularities point to the fact that there is slipshod administration."

Haley said that so long as there is disregard for the conduct of elections efforts to study and codify the laws will serve no purpose.

He said that lawyers, working with the council, are preparing a series of brief weekly articles illustrating violations of the law with actual examples observed at the polls this summer.

Haley also strenuously denied that the Election Research Council, Inc., is associated with any political candidate. He said an editorial in Monday's Gazette that indicated the belief that Winthrop Rockefeller had some role in setting up the council is in error.

"There is no money in this organization other than contributed by the board of directors," Haley said. "We have not received a dime from any candidate for political office."

He said that private individuals have indicated a desire to contribute, and are in the process of doing so.

The board, besides Haley, includes State Representative Hardy W. Croxton, of Benton County; Mrs. E. E. Elkins of Fort Smith, State president of the League of Women Voters; former State Senator Sam Levine of Pine Bluff, and Field Wasson, a lawyer and vice president of the Bratt-Wasson Bank at Siloam Springs.

Haley said the council welcomed inquiries and recommendations, which may be addressed to Post Office Box 1385, Little Rock.

[From the Arkansas Gazette, Aug. 20, 1964]

ABSENTEE BALLOTING MADE TO ORDER FOR ELECTION CROOKS

(By Karr Shannon)

It is easily possible for illegal absent ballots to be of sufficient number to win an election—in county, district, or State. In fact, the State's laws setting forth the ways and means of absentee voting couldn't be more appropriate for election crooks if they had been designed solely for the purpose of vote stealing.

Section 3.1110 of the Arkansas statutes reads as follows: "Any person who expects to be absent from his voting precinct on the day of such election, or primary, may appear before the county clerk, cast his vote and seal the same. Said voter shall execute an affidavit stating, among other things, his residence, if in town or city, as accurately as the same may be done; said affidavit to be made on a form prepared by the county clerk and attached to said ballot, declaring the same to be his ballot, and said ballot and said affidavit signed by the voter."

Section 3.1111 adds: "Any person not in the Armed Forces being absent from his or her regular voting place, and in or out of the State of Arkansas, may apply by letter to the county clerk for a ballot, as provided herein, and it shall be the duty of said clerk to forward said person a ballot for the purpose of voting, and accompany the same with a statement that they are necessarily away from home, and will not vote again in the primary. Any person in the Armed Forces, being absent from his or her regular voting place, and in or out of the State of Arkansas, may apply by letter to the county clerk for a ballot, as provided herein, or any member of the family of said person or persons in the Armed Forces may apply to the county clerk for a ballot, and it shall be the duty of said clerk to forward said person a ballot for the purpose of voting, and accompanying the same with the statement that they are necessarily away from home, and will not vote again in the primary * * *."

WHAT ABOUT POLL TAX?

This law, passed in 1927, does not require the clerk to mark or stamp the voters' poll tax receipt, as is required of a judge at each precinct voting place; it doesn't even require the clerk to ascertain that the voter has a poll tax receipt. It doesn't require a man or woman writing the clerk for an absentee ballot to prove possession of a poll tax receipt. (The State constitution was amended in 1944 to permit those serving in the Armed Forces to vote without having paid a poll tax.)

There is little but a moral code and conscience to prevent an absentee voter from voting again, on the day of election, at a precinct voting place. His poll tax receipt does not show that he has voted an absentee ballot. Fact is, hundreds of unscrupulous persons may vote absentee ballots—and never leave town; they vote again on election day. There has been ample evidence to prove that people living outside the county, with established residence, still vote absentee ballots in the home county. Some have lived for years outside the State and are no longer citizens of Arkansas, but they still vote "back home" via absentee ballot. They must sign an oath, but a false oath means nothing to a person unscrupulous enough to knowingly cast an illegal vote.

RESPONSIBLES DUCK

Since the clerk is not required to make investigations of an applicant's voter qualifications, even to finding out whether or not he or she has a poll tax receipt, our absentee

ballot system is wide open for graveyard voting, multiple voting, and even to the voting of persons who never existed.

Absentee balloting seems to grow more corrupt with each election. The steady increase in the number of absentee ballots cast, especially in sparsely populated counties, apparently arouses no suspicion, no interest. Grand juries do nothing about it. Sheriffs and other law-enforcement officers do nothing. Prosecuting attorneys register no alarm, certainly no aggressiveness. When such matters are brought to the attention of the State's attorney general he invariably finds some way to sidetrack or duck the issue. When the Governor is approached he seems to be vitally unconcerned.

Our absentee balloting system, as it functions, is the core of election corruption. The very laws are so designed as to invite and encourage corruption. The laws should be made stricter; the penalties for violation should be more severe; enforcement agencies should be alerted to action. If this cannot be done, then next year's legislature should repeal—in toto—the absentee ballot laws.

[From the Arkansas Gazette, Nov. 7, 1962]

FBI GETS SEVERAL COMPLAINTS ABOUT IRREGULARITIES IN VOTING

The FBI said last night that it had received several complaints of voting irregularities in yesterday's general election in Arkansas, and would forward them to the Justice Department in Washington for a decision on whether to make an investigation.

A spokesman for the Little Rock FBI office said that most of the complaints concerned the handling of absentee ballots and the alleged refusal of some election officials to allow poll watchers inside the polling places. The spokesman declined to say what counties the complaints came from.

After the July 29 Democratic primary, complaints were received by the FBI that poll watchers were denied access to polling places in Conway and Mississippi Counties. A report on the matter was sent to the Justice Department, where it died, presumably because no violation of Federal election laws was involved.

U.S. Attorney Robert D. Smith, of Little Rock, said after the July 29 primary that Federal election laws dealt primarily with fraud—anything that would deprive an elector of his right to vote or of an honest count of his ballot—but did not cover matters that had no direct bearing on the results of the election.

The question of whether poll watchers may be present in a polling place during the time of the voting is one for interpretation by the State supreme court, Smith said, since it involves State election laws. There is considerable difference of opinion among Arkansas election officials about whether poll watchers for a candidate may be in the polling place during the day, or only while the ballots are being counted.

[From the Gazette State News Service, Dec. 2, 1964]

HEARING DELAYED IN GOP VOTE SUIT

HUNTSVILLE.—Chancellor Thomas Butt of Fayetteville has continued until 10 a.m. next Monday a hearing on a suit asking that Madison County Clerk Charles Whorton, Jr., be ordered to allow Republican workers to copy the county's voter lists.

The suit was filed last week by Joe Gaspard, of Fayetteville, a fieldworker for the State Republican Committee. A hearing was to have been held Monday but Whorton's attorney was out of town.

Gaspard said that Whorton allowed Republican workers to look at the voter lists last week but that Whorton said he wasn't required to allow the workers to copy them.

[From the Times Echo, Eureka Springs, Ark., Dec. 3, 1964]

HEARING DELAYED IN GOP VOTE SUIT

Chancellor Thomas Butt, of Fayetteville, has continued until 10 a.m. next Monday, a hearing on a suit asking that Madison County Clerk Charles Whorton, Jr., be ordered to allow Republican workers to copy the county's voter lists.

The suit was filed last week by Joe Gaspard of Fayetteville, a field worker for the State Republican committee. A hearing was to have been held Monday but Whorton's attorney was out of town.

Gaspard said that Whorton allowed Republican workers to look at the voter lists last week but that Whorton said he wasn't required to allow the workers to copy them.

[From the Arkansas Gazette, Dec. 11, 1964]

ODD CONTEST

It is an odd contest Democrats and Republicans are waging in Madison County. At stake is not office, honor or any other generally accepted political prize. The Democrats, in the person of County Clerk Charles Whorton, Jr., instead require the Republicans to contest for the very public records of more conventional competitions.

The Republicans finally got the Democrats into court last week, and procured an order permitting them to copy county voter lists. Even after the order had been issued, Mr. Whorton denied the Republicans access to the lists, explaining that he was planning to appeal the judge's order. The Republicans also asked to copy absentee ballot applications, and were denied permission to do so. They'll go back to court in quest of this permission.

There appears slight legal question in the case: Public records ought by any rational standard to be available for copying as well as for inspection. The reason they are public records is so that interested parties can make inquiry into public business. If an election is not public business, nothing is. If Republicans are not interested parties in a general election, no one is.

In the nature of things, a county clerk ought to be primarily an administrative officer who keeps records and performs other essentially nonpolitical functions. Democracy is in a sorry state when a county clerk has to be taken to court before he will furnish his political opposition full access to election records.

[From the Arkansas Gazette, Dec. 23, 1964]

MADISON CLERK APPEALS ORDER TO OPEN LISTS

HUNTSVILLE.—Madison County Clerk Charles Whorton, Jr., has filed notice that he intends to appeal a chancery court order telling him to allow Republican field workers to copy the voter lists for the November 3 election.

Whorton filed a notice of appeal to the State supreme court and posted a supersedeas bond Thursday, and Tuesday a State Republican official charged that the appeal was simply a delaying tactic.

Joe Gaspard and Otto Smith, the field workers, filed suit after the election, asking for a writ of mandamus to order Whorton to allow them to copy the records. Chancellor Thomas F. Butt issued the order December 9.

Whorton's appeal will mean that the order is suspended until the State supreme court rules on the validity of the order.

Odell Pollard, counsel for the Arkansas Republican State Committee, issued a statement saying that the appeal was "simply a delay tactic that could prevent Gaspard from copying the lists for as long as 7 months if the county clerk asks for and receives a time extension."

State law requires that voters lists be kept for only 6 months after the election. After that, the records may be destroyed.

Pollard demanded an explanation for what he called the secrecy of Whorton and a few other clerks who had denied Republicans copies of voter lists.

Whorton denied that the appeal was a delaying tactic. He said he had made voter lists and other records available to the Republicans and that they had examined them. But he said he would not let them photograph the records.

"I don't know whether they can do this under the law, so I decided to let the courts decide," the Associated Press quoted Whorton as saying.

"I have not refused them anything," he said. "I have shown them everything they asked to see. This is just harassment."

Bob Scott of Rogers, attorney for Gaspard and Smith, said that Whorton had denied the Republicans even the chance to look at the records several times before the lawsuit was filed. After that, he said, Whorton allowed them to look at the records but not to photocopy them.

Scott said that the chancery court order authorized them to make photocopies of the records.

[From the Arkansas Gazette, Jan. 15, 1965]

MADISON PROBE ASKED OF BAR—COUNTY SITUATION BLASTED BY HALEY

"Madison County has not become the laughingstock but has made itself the concern of the entire State," Chairman John H. Haley of the Election Research Council wrote Thursday night.

In a letter to Bruce Bullion of Little Rock, president of the Arkansas Bar Association, he commended to the bar a study and investigation of the "disgraceful situation" in Madison County.

He reviewed the efforts that he personally, and other organizations, including the Republican Party, have made in efforts to examine the November 3 voting records in Madison County, all to no avail thus far.

Now the records have been stolen. "The theft appears to have but one purpose: To conceal from the public the crimes which a study of the records would have revealed," Haley wrote.

He said the Election Research Council had evidence in the form of affidavits that nonresidents of Madison County voted with illegal absentee ballots in the November election.

[From the Arkansas Democrat, Jan. 11, 1965]

IN MADISON COUNTY: REPUBLICAN WORKER SLUGGED, SHOVED, SPOKESMAN CLAIMS

A Republican fieldman was reported slugged today as he sought to ask Madison County Clerk Charles Whorton, Jr., questions about voting records.

Truman Altebaumer, executive director of the Arkansas Republican Party, said that Carl White of Springdale, a GOP fieldman, was shoved and hit by an unidentified man in the Madison County clerk's office.

Legal action "is being contemplated" in connection with the incident, Altenbaumer said.

Four GOP fieldmen have made hourly calls in Whorton's office since Friday in an effort to ask his permission to copy public voting records, Altenbaumer said.

The four began the around-the-clock vigil after repeated unsuccessful attempts to contact Whorton, according to officials.

Altenbaumer said that the Madison County sheriff was in the hallway nearby during the incident this morning but refused to take any action.

White quoted the sheriff as saying: "I didn't see a thing.

The Republicans set up their seige Friday but Whorton was not in his office. He was on his chicken farm near Huntsville repairing a watering system.

"We're pretty busy today we have chancery and probate court," Whorton said today.

Chancery Judge Thomas Butt dismissed the GOP suit last week, saying the Republicans had not proved that they had been denied permission to photograph the absentee records.

Earlier, Butt had ruled for the Republicans in a suit in which they asked permission to photograph county voter lists. Whortion appealed Butt's ruling to the Arkansas Supreme Court. He said he wanted a final court decision on whether it is legal to photograph voter records.

"All I want is a ruling," Whorton said today. "I'm not trying to be snotty about it. I think I'm entitled to a ruling."

Whorton has been Madison County clerk for 10 years, "I'm the best little county clerk we've got in this county," he said jokingly. "My people think so, too. The local Republicans think so, too."

Of the Republican fieldmen, Whorton said, "Every time I talk to them they're either suing me or telling the newspapers a lie."

The Republicans said they left a written request to photograph the records last Friday, but Whorton said today he had not seen any request.

[From the Arkansas Gazette, Jan. 9, 1965]

REPUBLICANS WAIT TO GET PHOTOS OF VOTE RECORDS AS CLERK TENDS CHICKENS

HUNTSVILLE.—Four Republican Party fieldmen waited outside the Madison County clerk's office Friday, trying to photograph voting records while the clerk worked to repair a watering system for his chickens.

The Republicans were continuing their battle to photograph voting records in Governor Faubus' home county. They have twice taken the case to court, winning once and losing once. The county had the highest percentage of absentee voting of the State's 75 counties in the general election.

County Clerk Charles Whorton, Jr., was at his farm outside Huntsville. He said he was working on the watering system for his broilers. He said he was unaware of the presence of the Republicans until contacted by newsmen by telephone.

Whorton said he did not know when he would go to the office.

The Republicans vowed to wait throughout the day and return Monday morning until they could catch Whorton.

Chancellor Thomas F. Butt dismissed a GOP suit Wednesday seeking a court order to photograph absentee voter records. Judge Butt said the Republicans had not shown that they had been refused permission to see the records.

Earlier, Judge Butt had ordered Whorton to allow the GOP fieldmen to photograph voter lists, but Whorton appealed to the Arkansas Supreme Court, saying he wanted a final court ruling on whether such records could be photographed.

Truman Altenbaumer, executive director of the Republican State Committee, said Friday that the four fieldmen went to Whorton's office to make a formal request to photograph the absentee records, subject of the dismissed suit.

Whorton was not there, and Harrell Hughes, one of the fieldmen, said he left a written request.

Then Hughes and Otto Smith, Joe Gaspard, and Carl White took up posts outside the clerk's office, waiting in shifts of two for Whorton to appear.

[From the Commercial Appeal, Dec. 25, 1965]

EFFORTS MAPPED FOR VOTER LISTS—ARKANSAS GOP DETERMINED TO GET MADISON COUNTY PUBLIC RECORDS

(By Carl Crawford)

LITTLE ROCK, Dec. 22.—State Republicans said Tuesday they will "exhaust all remedies—civil and criminal" in courts to get access to public records in Gov. Orval Faubus' home county of Madison.

The State GOP office here lambasted County Clerk Charles Whorton, Jr., at Huntsville for denying Republicans the right to photograph voter lists there.

Governor Faubus' executive secretary, Clarence Thornbrough, said, "We'll have no comment on that—that's Republican business."

Joe Gaspard, a GOP fieldman, said he was denied access to the records at Huntsville. Madison was one of three Arkansas counties which registered more voters this fall than the 1960 Federal census showed there were citizens of voting age.

Republicans emphasized they were not asking to see anybody's vote, just a look at the official list of persons registered to vote and the list of those who voted or applied for an absentee ballot.

"Those lists are public records and have been available for copying in many other counties," the GOP State committee said. "However, in Madison and a few other counties this privilege has been denied—for reasons not yet revealed by the officials who made the denials."

Republicans took Mr. Whorton to court a few weeks ago and, after a short delay, obtained an order forcing him to open the voter lists. However, the Madison County clerk posted bond and appealed to the State supreme court.

"This is simply a delay tactic that could prevent copying the lists for as long as 7 months," said Odell Pollard, of Searcy, State GOP legal counsel.

"We need the lists of voters to aid us in making a detailed analysis of the last general election," Mr. Pollard said. "This will help us prepare a more effective program for reaching the general public with our principles of government."

Winthrop Rockefeller, defeated by Governor Faubus November 3, has pledged to run again in 1966.

[From the Arkansas Democrat, Jan. 12, 1965]

MADISON DOOR SHUT IN WOMEN'S FACES BY DEPUTY CLERK

Four women representing the Arkansas Republican Party arrived in Huntsville today in an attempt to see the county clerk and the door was slammed in their faces.

The four's journey into Madison County was the latest effort by the State Republicans to gain permission to copy or photograph absentee voting records.

The deputy county clerk, Mrs. Rena Stewart, saw them coming and shut the door in their faces.

The women knocked on the door and Mrs. Stewart opened the office.

"I know who you are and what you're doing here," Mrs. Stewart told the visitors.

One of the Republican women, Mrs. Mildred Norman, of Little Rock, told the deputy clerk, "This (courthouse) is a public place and we're here on public business.

The four women planned to remain at the courthouse until it closed today. It was not known whether they will remain in the area and try again Wednesday.

This information was called into the GOP headquarters at Little Rock by the women. Truman Altenbaumer, executive director of the State Republican Party, released it to the Democrat.

The other three women on the trip are Mrs. Leona Troxell of Rose Bud (White County), Mrs. Marta Mathews of Heber Springs, and Mrs. Verna Cobb, of North Little Rock. All four volunteered to make the trip.

The Arkansas Republican Party has been trying to copy or photograph the Madsion County absentee voting records since the middle of November and Charles Whorton, Jr., county clerk, recently received a court order to turn over one set of records but has appealed the order to the Arkansas Supreme Court.

Mrs. Troxell, president of the Arkansas Federation of Republican Women, volunteered for the Huntsville mission, saying, "Surely they won't attack a woman."

The Republicans did not want to send their male field representatives back to Huntsville without police protection.

White said he was struck in the county clerk's office by an unidentified man as he approached Whorton to ask permission to see the voting records. He said the man pushed him, hit him with his fists, and picked up a paperweight and threatened him.

A Republican official at Little Rock said legal action is being considered in connection with the assault on White.

FAUBUS REFUSES TO SEE GOP WOMEN WHO WANT MADISON VOTE RECORDS

The four Republican women who say that absentee voting records in Madison County were denied them went to the Capitol Wednesday to complain to Governor Faubus.

Mr. Faubus said he regarded the visit as a publicity stunt and refused to see them.

Furthermore, he said, county controversies are not a part of the responsibilities of a State administration.

The Governor said in a prepared statement: "If you had contacted me in a proper manner, I would have conferred with you. I do not wish to be a part of a publicity stunt, as you invited the press and appeared here before I knew anything of your presence."

The statement was distributed to Mrs. Mildred Norman and Mrs. Verna Cobb, both of North Little Rock, Mrs. Leona Troxell of Rose Bud (White County), president of the Arkansas Federation of Republican Women, and Mrs. Marta Mathews of Heber Springs, by C. R. Thornbrough, the Governor's executive secretary.

The Governor remained in his private office a few feet away behind a closed door. Mr. Faubus was holding a staff conference with his department heads when the women arrived.

The State Republican Party office notified news media that the women were enroute to the Capitol. Thornbrough noted this although he avoided saying point-blank who called the press.

"We didn't," declared Mrs. Norman. "We understood the Governor is available to the public. I heard him say on television that he is available to see any citizen at any time."

"Shameful," commented Mrs. Cobb after she read the Governor's statement.

Mrs. Norman said the group wanted to see Mr. Faubus because he was from Madison County and his influence could get the absentee voting records open to them for inspection. They also want to photograph the records, which they say are public and should be open to all.

[From the Araknsas Democrat, Jan. 17, 1965]

HERE'S LONG STORY BEFORE MADISON'S VOTE LISTS VANISHED

A step-by-step account of Republican efforts to copy Madison County voting records has been released by GOP officials.

The effort began in November. Last Thursday, the records vanished from the courthouse at Huntsville. The sheriff said they had been stolen.

Following is the chronological summary of events in the continuing controversy:

"November 4, 1964: John Haley, chairman of the Board of the Election Research Council and two colleagues went to Huntsville to check absentee ballots. Haley talked with County Clerk Charles Whorton and asked him to let him see the absentee ballot applications for the county. Whorton replied that they were locked up and that he did

not want to open the safe with so many people around. When Haley insisted, the men allegedly were threatened and told to leave town.

"November 16: Dotson Collins, Madison County chairman for the Republican Party, went to the county clerk's office and requested permission to copy the absentee voters' list. He was told that he could see the list, but couldn't make a copy.

"November 23: Joe Gaspard and Otto Smith, GOP fieldmen, went to the county clerk's office to ask for: 1, access to list of voters in November 3 general election: 2, list of persons applying for absentee ballots, and 3, applications for these absentee ballots. After the first request, they were told by the county clerk that they could have no records.

"November 25: Gaspard and Smith filed suit in Madison County chancery court for writ of mandamus (which is an order from the court requiring the county clerk to produce the records). A hearing was set for 10 a.m. November 30.

"November 30: Arrived for hearing to find that Whorton's attorney was out of town. Case was postponed and rescheduled for December 7.

"December 7: Gaspard and Smith with Attorney Bob Scott (of Rogers), and witnesses arrived for hearing. The case was postponed on a technicality and rescheduled for December 9.

"December 9: The suit was heard and a writ of mandamus issued, requiring county clerk to show the voters' list. Judge Thomas Butt refused to act on the other two points, saying that they had not been a part of the original request. Immediately after the hearing Smith and Carl White, a national committeeman fieldman, requested the other records.

"December 14: Gaspard and White again requested the same records in writing.

"December 16: The first case was appealed by County Clerk Whorton to the State supreme court.

"December 17: The second suit was filed and set for hearing at 10 a.m. December 23.

"December 23: The suit was reset after the sheriff said he couldn't find Whorton in time to serve the summons 2 days before the hearing.

"December 30: Whorton did not appear for the hearing. His attorney reported that he was ill, and after Scott's insistence presented a doctor's statement. Hearing was postponed until January 6.

"January 6, 1965: Chancellor Thomas Butt ruled that the Republican Party had failed to provide sufficient evidence that the county clerk had denied access to the records.

"January 8: A formal request, in writing, was made and left with Mrs. Rema Stewart in the county clerk's office by Harrel Hughes, a GOP fieldman. Whorton was not there, but the county judge, the sheriff, and the county assessor were present. The county judge told Mrs. Stewart: 'You haven't heard a word he (Hughes) said.' Hughes and three others with him, (Smith, Gaspard, and White), turned to leave, and the judge said 'You're going to have a * * * long wait.'

"January 11: The four fieldmen (Gaspard, Hughes, Smith, and White) returned to the clerk's office. When White asked permission to see the clerk, after the men had been ignored for approximately 45 minutes, he was hit on the side of the head by an unidentified assailant.

"January 12: Four volunteer GOP workers, Mrs. Leona Troxell, of Rosebud, Mrs. Martha Mathews, of Heber Springs, Mrs. Verna Cobb and Mrs. Mildred Norman, both of North Little Rock, went to the county clerk's office to request the records and were refused.

"January 13: These women went to the Governor's office to enlist his aid and were refused audience.

"January 14: Announcement came that the records had been stolen from the county clerk's office sometime during the night of January 13."

[From the Arkansas Gazette, Dec. 8, 1964]

VOTER LISTS

A hearing on an effort by Republicans to copy Madison County voter lists has been postponed by Chancellor Butt, of Fayetteville. The lawyer for Charles Whorton, Jr., the Madison County clerk, was out of town Monday, the date the hearing had been scheduled. It has been reset for tomorrow.

We do not pretend to be versed in the law but it seems outlandish that any sort of court action should be required to permit Republicans, or any other interested parties, to make copies of official voter lists.

If election records such as voter lists and absentee ballot applications are not now fully public records, corrective legislation should be an early order of business in the next legislature. The stake, after all, is the right of citizens and political parties to inquire into the conduct of elections.

[From the Arkansas Gazette, Apr. 14, 1965]

THE MADISON RECORDS

Charles Whorton, Jr., the Madison County clerk, has told the State supreme court there's no reason to rush a decision on whether absentee voting records can be viewed and photocopied by interested citizens.

Whorton noted that the records Republicans want to photocopy have disappeared; which they sure have, from the unlocked vault in Whorton's office and out an unlocked back door to the courthouse. They disappeared while Mr. Whorton was contesting in court the right of Republicans and other citizens who wanted to see the records had been put off by Mr. Whorton, threatened with jailing by county officials, threatened with violence by courthouse hangers-on and, in the case of one Republican hired hand, clouted on the ear.

Mr. Whorton suggests that the supreme court take its time in deliberating his appeal, and pledges that if the voting records are recovered he will notify the supreme court at once. Jolly of him but we hope the supreme court will move with all deliberate dispatch to establish the right of citizens and taxpayers to view and copy public records. We are no more hopeful than we take Mr. Whorton to be that the Madison County records will turn up but a supreme court decision early on could prevent another protracted court fight in some other county—during which burglars might conceivably strike again.

[From the Arkansas Gazette, Jan. 13, 1965]

RESORT TO CHIVALRY

By a more or less natural progression, the right to full access to public records in the Madison County courthouse has come to hinge on the presumed chivalric constancy of the courthouse's distinctly shaggy habitants.

The Republican position is that the courthouse crew would never hit a lady, not even if failure to do so should imperil the secrecy of the legally public absentee voting records that the Republicans want to examine.

A Republican hired man who entered the courthouse Monday to petition for a look at the records alleges that he received a clout on the ear.

There were no disinterested witnesses to the alleged slugging: One of the troubles with Madison County is that a disinterested witness is as rare there as a gentleman of the western school in the horde of Ogotai Khan. The "furrin" press was not on hand, having itself been repulsed by threats of violence on its last known visitation, election day, November 3.

The appeal to chivalry may solve the problem and win the Republicans a chance to look at the records but we continue at least mildly skeptical. A Republican or any other enemy agent trying to find out how a Madison County election has been conducted runs essentially the same risks as a Negro trying to register to vote in Mississippi, with the difference that the Federal Department of Justice is not maintaining even sporadic oversight over the performance of the courthouse ring and its hangers-on at Huntsville.

That no more prosaic remedy than the appeal to chivalry suggests itself is a measure of how encompassing the ring has proved to be. A grand jury inquiry? Heh! An appeal to the Governor for State troopers to keep the peace and insure the physical safety of visitors to the courthouse? Heh! Heh! Heh!

We admire the Republican ladies immensely, and wish them all the best in their storming of the courthouse. While their faith in Madison County chivalry is surely not misplaced, they may wish to couple some discretion with their faith, and go decked in crash helmets.

[From the Arkansas Gazette, Jan. 15, 1965]

QUIET, PLEASE

Restrain, faithful reader, those dark sniggers about the burglary of the Madison County Courthouse. It was shockingly inefficient of the Madison County management to leave the back door of the courthouse and the door to the county clerk's vault both unlocked. But there is good reason to believe that the burglary itself stemmed from the purest of humanitarian motives. It was, we suspect, committed by gentle souls whose sole motive was the avoidance of bloodshed. It was an outside job, in the spirit of the Mahatma.

One of the things that became clear early on in the Republican inquiry into the Madison County general election was that somebody could easily get bad hurt, and maybe even killed, if the Republicans and the other snoopers didn't go away and let Madison County's Democratic courthouse ring rest quiet on its triumph of November 3. Indeed, by Monday, a GOP fieldman already had suffered what he alleged was a clout on the ear while standing watch at the courthouse in an effort to intercept the county clerk, and thus lay the groundwork for further legal proceedings. Much earlier, there had been stern cautions from Madison's county officials and cruder warnings from courthouse hangers-on.

Whoever carried off the election records Wednesday night they might have saved the courthouse Democrats one embarrassment or another, but he may also have saved some poor Republican's life. We trust that the humanitarian aspect of the mission will be borne in mind when, as surely will happen, the Madison sheriff's office and the Arkansas State Police have tracked down the malefactors and they stand before the bar of justice, naked to the harsh punishments which this State traditionally imposes upon those who defile democracy at its source.

EXPLANATION

After one of the more eloquent silences in his career, Governor Faubus got around Friday to discussing the theft of election records from the Madison County courthouse.

He explained that Republican inquiries into absentee balloting in the State are a scheme to build Winthrop Rockefeller a list of out-of-State voters for 1966.

As Mr. Faubus said, compilation of such a list would be "a pretty smart move."

We have no information on whether the Republicans are looking for vote fraud in the course of compiling a list or compiling a list in the course of looking for vote fraud. What we do know is that they by now have quite a list of absentee voters, along with quite a list of irregularities in absentee and other balloting. Nor does burglarizing a

courthouse to frustrate Republican politicking go down more than marginally better than burglarizing a courthouse to frustrate Republican inquiries into vote fraud.

[From the Arkansas Gazette, Jan. 15, 1965]

GOVERNOR HAS NOTHING TO SAY

Governor Faubus wouldn't comment Thursday on the disappearance from a vault in the Madison County courthouse of some voter lists that Republicans want to see.

Mr. Faubus, whose home is in Madison County, attributed the repeated failure of Republican workers to see the lists as sheer stubbornness on the part of county Democratic officials.

As for the disappearance of the records and the effect this might have on the county image, Mr. Faubus had no comment. He said he wanted to avail himself of the facts before he made any statement.

He promised a statement later.

[From the Marked Tree Tribune]

THE HIGHEST BIDDER

There's a flyer out these day's offering a $1,000 reward for information leading to the arrest and conviction of the party or parties responsible for the theft of the voter records in Madison County, Ark. Somehow we don't think the reward is the highest bid offered for those records and we don't look for them to turn up anytime soon as a result of that offer.

Apparently much was at stake in that tawdry development. It must have been, if the Governor of the State would refuse to see a delegation of women protesting the Madison County clerk's refusal to make the records public—and if a circuit judge would refuse to back up a court order he had given to make those records public—and if another court would dawdle along about an obviously unnecessary ruling on whether the law forces the clerk to make those records public.

The Madison County story ranks alongside the Conway County story in its involvement of the justice of the courts with the fortunes of political machines, at both county and State levels. We'd call both real horror tales when viewed in the perspective of the democratic processes.

Obviously $1,000 is peanuts when compared to the control of a county, much less a State. Any concrete evidence that might rock the pleasure boats of the men in positions of power has to be concealed—or discredited through the use of some agency of government, including the courts if they are available for such perversion.

It might be well to keep in mind that what is being bid for here is a vestige of our freedom and our rights as citizens in a State that supposedly operates on democratic principles. To allow such precedents to go unchallenged is dangerous business.

It is time the responsible citizens of Arkansas entered their own bid in this deadly game. Their elected representatives in the general assembly should be flooded with protests. You can johnny well bet that if some professor in a State educational institution were accused of Communist leanings, the legislature would jump at the chance to investigate him—why not an investigation of practices that smack of demagoguery in the lowest Communist or Fascistic tradition?

We realize that such an investigation is not forthcoming at the moment because it would be a real political liability for any man to lead it, in view of the current State administration. But the people represented in the legislature, who care about retaining a semblance of integrity and democratic action in our State, could make it a political liability not to act.

These citizens could outbid both the Democratic Party's administration in this State and the Republican Party with a bunch of 5-cent stamps and phone calls in the interest of some precious commodities called individual freedom and fair and impartial justice.

[From the NLR Times, July 1, 1964]

THE FEAR OF VOTING BOOTHS

Why are people scared of voting booths? Mayor Laman said he thought they were a great idea. An ordinance was drawn up to appropriate $2,438 to build 50 of them. The city council has been considering it for a month but they still haven't taken any action on it. The mayor, who, apparently, has cooled off a bit on the idea, said that he can't even get an alderman to introduce the ordinance. Little Rock's city officials turned thumbs down, saying they'd rather spend their money on voting machines, which are other things that politicians also are afraid of. Then there's the Pulaski County Election Commission. It was one of their group, Dr. Wayne Babbitt, of North Little Rock, who came up with the idea in the first place. Excellent suggestion, said the other election commissioners when they heard about it, and they posed for pictures alongside a pilot model of the booth.

What's wrong? What's the holdup? Well, one excuse is that booths might delay the voting process even more. But this is ridiculous since the voters wouldn't have to use the booths if they got tired of waiting; they could take their ballots over to the windowsill, or rest them on the fender of a firetruck just as they've been doing all these years. And there's another reason—one that people don't like to talk about. Dr. Babbitt is a (don't look now) Republican. Any ideas advanced by Republicans are even less popular with incumbent Democratic politicians than those put forward by women, college professors, and editorial writers. Then, there's the problem of money. The political parties, who are responsible for the primary elections, have said that they certainly won't foot the bill. The city thinks the election commission ought to pay. But the election commission doesn't have any money. So if the county pays, it'll have to be paid by the county judge, and the election commission is afraid he won't like this. The only thing really clear about this is the law:

"All officers upon whom the law imposes the duty of designating polling places shall provide in each room designated by them as a polling place one booth, or compartment, for each 100 electors, or fraction of 100, voting there at the last preceding election, and furnish the same with a table, shelf, or desk for the convenience of electors in preparing their ballots."

Some people—those who are tired of people looking over their shoulders when they vote, tired of politicians' refusing to do anything to improve election procedures and turning their backs on carelessness and law violations—would like to know what happens next. If anything.

[From the Pine Bluff Commercial Appeal, July 1, 1964]

NEW LIFE AND OLD LAW

Jefferson County Clerk E. Allen Sheppard has refused to let a Republican field worker take a look at the list of voters who cast ballots in last year's general election.

The Republican, Marion R. Farmer, quoted the law to back up his request. Mr. Farmer cited Act 353 of 1947:

In every election held in this State, the two clerks * * * in each precinct * * * shall, each, make and keep an accurate list, in duplicate, of all persons voting in such precincts * * *. The original of such list filed with the county clerk shall be kept on file by said clerk in his office and shall be a public record subject to inspection by any candidate or any other person interested therein, but no candidate or other person shall be permitted to take the same out of the clerk's office.

Mr. Sheppard did not take issue with Mr. Farmer's law, but the county clerk felt that the request was too unusual to be granted without a court order.

Said Mr. Sheppard: "I'd rather be on the safe side * * * I never had anyone in 16 years ask to see the list that was made at each precinct at the time the voters went in to vote." So Mr. Sheppard suggested that Mr. Farmer get a court order.

If the Republican Party continues to grow in what has been a one-party State for so long, then a number of political practices that are now unusual may become commonplace—like checking the list of voters in separate precincts to see if anyone voted twice.

According to Mr. Farmer, checking the completed list would "help us determine if one person has voted in more than one box, more than one county, and even in more than one State."

One indictment of the hold that one-party politics has on this State is that a simple check like this one, specifically authorized by law, should be unusual enough to require a court order.

In this instance, the one-party system has led to keeping public records private until a court says otherwise. Being on the safe side, in this instance, has come to mean not obeying the law until the court says so.

The county clerk's hesitation in this case is understandable. The State has had a one-party system for so long that a request from the Republican Party for a look at the voting list ranks alongside the sight of a dinosaur grazing on Barraque Street.

One advantage of a two-party system would be to inject new life into some voting safeguards too often followed only in the lawbooks.

[From the Pine Bluff Commercial Appeal, Aug. 19, 1964]

THOSE IRREGULARITIES

The genteel call them election irregularities. Legislators pass laws against them. The Governor has snubbed them as unworthy of his attention.

But they still keep appearing. This time in Hot Springs, according to Prosecutor David Whittington. Mr. Whittington says he was turned up two cases of fraudulent voting in the Democratic primary runoff last Tuesday.

Election procedure is the basis of effective government in a republic—that is a truth as obvious as it is ignored by the present State administration, which has persistently refused to investigate charges of ballot box fraud in Conway County.

Now the blight has appeared in Hot Springs, according to both Prosecutor Whittington and the chairman of the Democratic Central Committee in Garland County.

This ought to be grist for the newly formed Election Research Council. Incentives for better voting laws abound in the State of Arkansas. The voter registration law on the November ballot represents one needed reform. The research council may not have to do extensive research to come up with more. Like a politician-proof secret ballot, for instance.

Certainly action is needed from some quarter. In the past, the State administration has adopted a policy of incredible patience toward violations of the law in Garland County. To quote the words of a ballad the Rockefeller people are singing:

"I'm a rovin' gambler,
I've gambled all around;
And for nine long Faubus years
Hot Springs has been my town."

It would be equally farcical if the State waited as long to act in this matter.

What this State needs is a Governor who can manage to get around to enforcing the law before the statute of limitations becomes a factor in the case.

Orval Faubus says he is "a little suspicious" that the Election Research Council is connected with Winthrop Rockefeller.

The Governor has a point: The Election Research Council says that it is in favor of honest elections. Winthrop Rockefeller says that he is in favor of honest elections.

Mr. Rockefeller actually has gone on record in favor of the concept: "I believe that honest elections are essential to the preservation of a democratic society, and that conduct which interferes with this process should be prosecuted to the full extent of the law. I will do all in my power to eliminate election frauds and abuses in Arkansas, so that the true 'will of the people' shall govern our State in the best tradition of democracy."

That suggests that the newly formed Election Research Council is in cahoots with Mr. Rockefeller. It proves that the council is engaged in an open conspiracy, together with every citizen of the State who believes in fair and honest elections, to prevent election frauds in Arkansas.

No one could make this charge stick against Orval Faubus, who has steadfastly refused to investigate those election irregularities in Conway County.

The Governor has gone so far as to assure citizens that the crime of double voting is at an absolute minimum.

That may say a good deal more about Orval Faubus' tolerance than it does about what constitutes an absolute minimum.

[From the Pine Bluff (Ark.) Commercial Appeal, Aug. 20, 1964]

OFFICIAL SAYS VIOLATIONS NECESSARY TO SPEED VOTE

(By Brenda Tirey)

The chairman of the Jefferson County Election Commission said yesterday that certain violation of election laws are necessary and practiced to speed vote tallying.

Garland (Pete) Brewster, Jr., commission chairman and also chairman of the Jefferson County Democratic Central Committee, told a reporter for the Commercial there were violations but defended them.

Brewster also said he thought the election laws ought to be overhauled so that they could be complied with more easily.

The reporter's interview was prompted by a report released by the Election Research Council, a nonpartisan organization of Little Rock. The report said there had been gross violations of the laws in the recent Democratic primary.

John Haley, director of the council, said that the more flagrant violations around the State were lack of voting booths, double voting, counting ballots in a way to invite miscounts, electioneering around the polls, illegal issuance of poll tax receipts and use of unauthorized persons to help count ballots.

Brewster said there were no real voting booths used in Jefferson County, but that there were tables with partitions to separate the voters at all polling places.

The law requires three judges and two clerks at each polling place. When the votes are counted one judge is to read the results from a ballot while a clerk writes them down. Then a second judge reads the results and a second clerk is to write them down. The third judge verifies the vote.

"If we used such a procedure at elections, which are held on Tuesday, we'd still be there Thursday," Brewster said.

In Jefferson County, the ballots are divided equally among the election officials and each counts the votes by himself, Brewster said. Any judge or clerk has a right to challenge the results, he said.

"It would be impossible to get judges and clerks if you had to count like that (according to law)," Brewster contended.

Are any unauthorized persons used to count ballots?

Brewster said that sometimes when there had been a heavy vote, he had sworn in two or three persons at 6:30 p.m. to help count ballots at the heaviest boxes.

"All I care about is that the candidates and issues get an honest count," he said.

He said the caliber of people who were used as judges and clerks here insured that there would be honest counts.

"I have never known of an instance of double voting or use of an unauthorized poll tax here," Brewster said.

He said he doubted that many changes would be made in the election procedures because of the council's study.

The council said it had six fieldmen to watch the polls during last month's primaries. Brewster said he didn't know if any of them were here.

[From the Arkansas Gazette, Aug. 23, 1964]

THE LITTLE THINGS

Nothing is more natural than that a man who had once received the votes of 100.4 percent of eligible poll-tax holders should have his own rather specialized view of minor election irregularities. Governor Faubus, who got that kind of a vote in the Madison County runoff primary in 1954 (while Francis Cherry was getting another 1.6 percent), suggested on Tuesday that while double voting was intolerable such minor violations of the law as failure to post the count at the polling place and electioneering too close to the polls must be viewed, if we understood him, philosophically.

"These things don't influence the outcome of the election or question the honesty of election officials or the correctness of the vote," the Governor explained.

Well, no, we don't suppose they do, except maybe once in a while. But an election judge who was planning to run himself up a revised set of returns on the long drive to the courthouse would be a pure fool to leave an unrevised set of returns on the wall of the polling place, now wouldn't he? And maybe that's one reason posting of returns outside the polling place is required by law. The problem with forgetfulness on the point is that it raises the suspicion of fraud. Nor does it seem to us that this kind of an irregularity ought to be so terribly difficult to correct. The count does eventually get to the courthouse in just about every case, along with the ballot box and the other paraphernalia of the election. It oughtn't be a terrible strain on precinct election officials to make sure that the posted copy just as surely finds its way onto the wall of the polling place. But we can expect that some election judges and clerks will go on forgetting this precaution so long as the State's Governor suggests that it ought not to be taken very seriously.

Passing out campaign literature too close to the polling place is another of those little things that can be presumed to count. The prohibited area around the polling place—100 feet in all directions—is of course arbitrary. But without rigid observance of such an arbitrary restriction, what is to keep electioneering and campaign materials from being passed out in the polling place itself—perhaps by the judges and clerks, as is alleged to have been the case with stickers for a write-in candidate for Congress in an election of relatively recent memory.

In running off honest elections, it's those little things, along with the big ones, that count.

[From the Pine Bluff (Ark.) Commercial Appeal, Oct. 16, 1964]

WHO NEEDS POLL WATCHERS?

James L. Bland, who is managing Orval Faubus' sixth campaign for Governor, stopped in Pine Bluff Tuesday night to deliver a campaign speech.

Mr. Bland whiles away the time between campaigns as director of the State employment security division. This sort of biennial migration from the State capital to the campaign trail is an accepted, if not acceptable, practice among the men Orval Faubus has appointed to high office in the State.

Another of the Governor's campaigners, J. Orville Cheney, acts as State revenue commissioner during the off-season.

That such blatant conflicts of interest inspire little criticism indicates (1) the enormity of the Governor's indiscretions that do draw criticism; and (2) the apathy that 10 years of Faubusism has encouraged.

But back to Mr. Bland and Tuesday night: In a gesture of largesse befitting the Faubus machine, Mr. Bland announced that the Democrats were not going to use poll watchers in November.

The machine's performance in some Arkansas counties may explain why. Madison County, for example: In the second primary of 1954, Orval Faubus received the vote of more than 100 percent of all poll tax holders in the county. Who needs poll watchers with a response like that?

Lest anyone think that this display can be explained away by the enthusiasm of Madison County for a home-grown product, there is the case of Stone County, where a grand total of 3,441 poll taxes have been sold. Which is pretty impressive when one considers that the county's poll tax list contains only 3,131 names.

[From the Arkansas Gazette, Little Rock (Ark.), Feb. 28, 1965]

LEGISLATIVE SOLUTION FOR ELECTION PROBES

The legislature has finally acknowledged the diligence of the Election Research Council and the Republican Party in inquiring into election irregularities.

Too predictably, the legislative response is to seek to hamstring further inquiries of the kind.

House bill 575 by Representative Hilburn of Lawrence County, would prevent public inspection of voting records, limiting such inspection to people involved in election contests.

Mr. Hilburn is sometimes more candid than perhaps he realizes. His bill would, he says, prevent troubles such as have occurred in Madison County and Howard County.

In Madison County, trouble took the form of a burglary, wherein election records were carried out of an unlocked vault and then through the unlocked back door of the courthouse. The Republicans who had been trying to get a look at them never did, and now presumably never will.

In Howard County, the Election Research Council claimed last weekend, signatures have been forged on seven absentee ballot applications, and on other absentee voting papers.

The Election Research Council has since been the target of bitter criticism in the State senate and the ERC chairman, John Haley, has made an appearance before the Howard County Grand Jury. There have been conflicting accounts of what Mr. Haley told the grand jury. The grand jury has branded the charges of election irregularity as false and has alleged that they were politically inspired. Yet it has not explicitly denied the Election Research Council's central allegation, that voting forms were signed by people other than the voter, in violation of the law.

One of the questions unanswered is how the grand jury discovered, in its session with Mr. Haley, that his organization was politically animated. An even larger question is what difference this should make. It would be far better if factfinding on election irregularities could be performed by groups and individuals without political bias, and our belief is that the Election Research Council is acting without political bias. But what matters is that the elections be cleaned

up, and in any irregularity in any field the most likely complainant is the aggrieved party. In the field of voting, that is the defeated candidate or the "out" party.

In proposing that examination of election records be permitted only in election contests, Representative Hilburn is really proposing that election conduct be left in the condition it was in before the Republicans developed serious pretensions as a second party and before the Election Research Council came into existence. This condition does not strike us as satisfactory and we are dubious that it strikes most Arkansans as satisfactory. Election irregularities are not something dreamed up by the Republicans and the Election Research Council. They are presumed to exist by virtually every Arkansan of our acquaintance; they are one of the richest sources of reminiscences by veteran politicians; they are abundantly confirmed by the factfinding the Election Research Council and the Republican Party have done in the past 6 months.

We do not call to mind a single grand jury investigation or election contest in court that has not produced incontrovertible evidence of irregularity.

Nor is there any mystery why the irregularities have continued: Their perpetrators have not been prosecuted.

In the Sceeton-Gunter contest of 1960, diverse and massive irregularities were found to have occurred in both Prairie and Lonoke Counties. Yet only two election officials were ever convicted—and these two for having bet on the election.

The Election Research Council's inquiries into last November's election have produced only embarrassed silence on the part of prosecutor after prosecutor.

In Jefferson County, the Pine Bluff Commercial conducted its own investigation, and alleged that a number of absentee ballot applications and other documents had been forged. The Commercial published some of its evidence—in the form of photostats of the documents. But there has been no action even to inquire into the charges.

The pattern will, we think, continue for a while—perhaps until prosecutors are called upon, in their campaigns for reelection, to explain their inertia.

But we don't think Arkansans will stand for clapping a lid on election inquiries by the Republicans and the Election Research Council. Let the legislature try it, and it may take more irregularities than can be dreamt of to get the same bunch back in 1967.

[From the Morrilton (Ark.) Democrat, Mar. 4, 1965]

FAULKNER JUDGE TELLS GOP: GO!

Faulkner County Judge T. D. Reedy has ordered Republican Party representatives to refrain from copying election records from the November general election.

Gene Young, of Morrilton, a GOP representative, had gone to the Faulkner County courthouse Monday and obtained permission to copy the records from County Clerk L. J. Merritt.

Young and a friend were almost through copying the absentee applications when Reedy appeared and ordered him to get out and take his equipment with him.

"There'll be no picture taking in this courthouse without the permission of the county chairman. I'm the county judge so just bow out now until you hear from me," Reedy was quoted as saying.

Reedy also told Young: "I'm going to see a lawyer about what you're doing."

The GOP has experienced some difficulty in copying the public records in some counties since the November 3 election. In Madison County, for example, a GOP representative was assaulted and the records were reported "stolen" by the county officials.

A SMALL STEP FORWARD

(NOTE.—In the wake of a Poinsett County Grand Jury investigation of alleged voting irregularities in the county, the Marked Tree Tribune had this to say.)

Poinsett County took a small step forward toward honest elections last week when a grand jury saw fit to stay in session over a week considering evidence regarding voting irregularities.

It was obviously a bit disappointing to those persons who had spent countless hours gathering evidence regarding those obvious irregularities that the grand jury's report turned out to be only a vague wrist slap rather than a call for more vigorous action in the courts.

But we have to view even the mild action of the grand jury as a real bit of progress in this county, where for so long there has been absolutely no check on the manner in which elections were conducted, either in the primaries or in the general election.

After all, a grand jury did look into the matter. It even went so far as to admit in its report that evidence of voting irregularities existed and that "there was evidence indicating the possibility of forgery and making false statements."

So a small step has been taken. The grand jury handed the ball back to the electorate to be sure, when in its admission of evidence of irregularities it preferred not to indict but to leave "corrective action for problems of this nature" * * * to the "responsibility of the electorate."

There is nothing to keep responsible members of the electorate from picking up that challenge on a nonpartisan basis. Reams of evidence exist for them to examine in meetings if they choose to do so. We suggest the formation of an organization for this purpose and are quite willing to share all the information at our disposal with persons interested in such an undertaking.

Corrective action on the part of the electorate is possible but it must organize before such action can become a reality.

A BOON TO INDUSTRY: A STATE TECHNICAL SERVICES ACT OF 1965

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CONTE. Mr. Speaker, earlier this year I introduced legislation which would promote progress and scholarship in the humanities and the arts through the establishment of a National Humanities Foundation. I would now like to call the attention of my colleagues to a bill that I have introduced today which would promote the economic growth of this Nation, and Massachusetts, by supporting State and regional centers under a State Technical Services Act. These centers would place the findings of science and technology usefully in the hands of American businessmen, particularly small businessmen who are often unable to meet the pressing problems which they face because of a lack of funds, or simply because they do not know where to turn. My bill is identical to one introduced earlier this year by my colleague, the Member from Arkansas [Mr. HARRIS].

It is axiomatic that wider diffusion and more effective application of science and technology in industry and business is essential to the growth of the American economy and that of the several States. It is necessary if we are to maintain and increase present levels of employment. It is necessary if we are to successfully compete for world markets. And the time has come when it is necessary that the benefits of federally financed research, as well as other financed research, be placed effectively in the hands of American businessmen and American enterprises. To insure the most effective operation of this plan, and the most effective diffusion of this research and knowledge, it is imperative that this plan be one which is developed on a State or regional level. The States, through cooperation with their universities, communities, and industries, can best determine the needs of their industries and how the modern developments in science and technology can be most effectively applied to meet the needs of both new and old industries, to meet the needs of both large and small industries.

Mr. Speaker, in the Commonwealth of Massachusetts alone there are approximately 8,800 small industries, and I am happy to say that most of them are profitable. In this group, business is good and increasing. Profit is fine, cash flow excellent, and their aggressive managements believe that they can meet and master the competitive situation, and that the plant has kept pace with the technical improvements in machines, processes, and materials.

However, Mr. Speaker, I have personally observed the death of many firms in my district and in my State. A textile firm, successful for 50 years was forced to close its doors. A papermill was also forced to shut down its operations. I believe that if technical help had been available to these firms of the nature envisioned under the provisions of my bill, the story would have been different and the loss to the community and the families living in them could have been avoided. I am certain that many of you have also seen similar closing and similar losses suffered in your districts and in your States.

Essentially, under the provisions of this bill, an institution within a State or region would prepare a 5-year program outlining the economic and technological situation in the State or region, the State's industrial problems, and the means that could be used to solve them. The designated institution would also prepare an annual technical services program covering the objectives for the first year, and also prepare a budget. Up to $25,000 per year for each of the first 3 years may be paid to the designated institution to assist it in preparing the first 5-year plan and the initial annual program. The maximum annual payment for any program will be limited by a formula to be established by the Secretary of Commerce under three criteria: first, population according to the last census; second, industrial and economic

development and productive efficiency; and third, technical resources. The formula to be used would be weighted to provide funds to States where there has been a lag in industrial development, or where technical resources are weak.

One of the most important provisions of the bill is that one which provides that the program would be planned locally and administered locally where the problems of economic growth and development are best realized and best met.

Once in operation, there are a great variety of technical services that might be offered by the institutions participating in the program. To give you an example, a technology diffusion program oriented to the needs and problems of a specific industry might offer workshops, seminars, and demonstrations in order to bring existing technology within the State and to the business leaders of the State.

Another service that might be provided could be a technology dissemination and referral center which could offer two types of services; one, technical reports, abstracts, bibliographies, reviews, microfilm, computer tapes, and similar services; and the second, referral to sources of scientific and engineering expertise in the fields of interest to the local industries. Such a center would be in continuous interaction with local business and industry so that its services would be pertinent to the needs of the local economy.

Another attractive feature of this bill is its low cost to the taxpayer. We have, in recent weeks, seen the passage of bills designed to promote economic growth that will cost billions of dollars. Here is one which would greatly aid local industries and economies, not through Federal intervention in local affairs, but through the utilization of State institutions, and which would cost far less than any economic expansion program passed this session of the Congress. The estimated cost during the first year is between $5 and $10 million. And it is to be remembered that these funds would be an investment in promoting the economic growth and industrial development of the entire Nation, not just one region or area.

Therefore, I urge that the support of all the Members of this House, both Republican and Democrat, be given to this legislation which would accomplish so much for local industries, at a local level.

TANZANIA'S FIRST ANNIVERSARY

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CEDERBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CEDERBERG. Mr. Speaker, April 26 marked the first anniversary of the establishment of the United Republic of Tanzania. I wish to extend my congratulations to that rising young African nation, to its President, Mwalimu Julius K. Nyerere, and to the people of Tanzania.

One year ago, the two new nations of Tanganyika and Zanzibar embarked upon the enormous project of combining their two countries into a single nation. Tanzania is rich in resources with which to build their new nation: a vigorous people, a society deeply imbedded with important values and traditions, mineral and agricultural resources with developmental potential and excellent tourist possibilities. With these endowments, Tanzanians have begun working out for themselves the physical, political, and cultural foundations for their new nation. They, and they alone, have the heavy responsibility for deciding their real future.

I join with my fellow Americans in expressing our friendship for the peoples of Tanzania as they strive to create a unified and prosperous nation.

FEDERAL WATER QUALITY ACT OF 1965

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. TUPPER. Mr. Speaker, the Congress today has the opportunity to make a splendid addition to the record of the 88th and 89th Congresses by passing the Federal Water Quality Act of 1965. The Congressman from Minnesota [Mr. BLATNIK] deserves our greatest thanks for the untiring and able manner in which he has led the fight for the protection and restoration of the country's waters.

As a former conservation official in my own State of Maine, I fully realize the problems and potential threats that polluted water present.

Maine is a traditional vacation area and has had to deal swiftly with threats to her water resources and only prompt local action has deterred catastrophic conditions.

This problem has become too great and too urgent to have stopgap programs and emergency measures enacted by individual States.

One provision missing from the bill that we shall vote on today, is of the utmost importance—the development of Federal standards for water quality.

One of the problems in fighting pollution, one which I have heard both local and Federal officials complain of, is not knowing where to begin. Do you start trying to clean up the dirtiest streams first, fearing that when you have finished, the rivers that used to be clean will have become degraded? Or do you start with the easier tasks, the rivers that are only slightly less than pure, and allow the rankest rivers to remain eyesores?

Another problem encountered in conducting a pollution control program is that once industries and municipalities have been allowed to start discharging wastes into streams, it is very difficult to make them stop. To build a waste disposal system into an old plant is expensive, much more so than if it had been designed into the plant in the first place. On the other hand, as long as older industries are permitted to discharge untreated wastes, newer plants will not see the justice in their being required to install waste treatment.

Systems of standards for water quality are designed to answer problems like these. Properly administered standards could be, as President Johnson suggested in his message on conservation, used to protect clean water, to abate pollution before it happens. Standards would be invaluable in creating comprehensive plans for pollution abatement and guaranteeing that they would be administered fairly. Perhaps most important, such standards could and would serve as incentives to the States and localities to supply their own high standards for clean water.

We take so many different kinds of standards for granted in our daily life that it is hard to understand why we have none yet for water. We have standards for foods, for meat, for drugs, for advertising, for utilities, for pesticides, for working conditions. In general, Americans welcome the use of quality standards to protect the consumer from dangerous or inferior goods. Yet stream pollution is growing daily, depriving American consumers of many favorite recreations and water sports, depriving fish of their habitat, threatening our drinking water supplies, and, in many cases, creating outright health hazards.

There is little time left for lengthy jurisdictional debates if we are going to save these waters. A peculiar characteristic of rivers and lakes is that they do not respect jurisdiction. Water flows, and with it goes its waste load, and State boundaries affect the flow of a river surprisingly little. A factory or a town may own the land alongside the river, and contain all its buildings and population within the land it owns, but if it discharges waste into the river, it is trespassing. Its wastes will inevitably be carried to its downstream neighbors, and to their neighbors, and so on. Where rivers are concerned, it is certain that no man is an island.

Attempts to establish standards at a State or local level have been helpful, but on the whole have not succeeded in cleaning up our major rivers, most of which are interstate. Interstate compacts, intended to deal with just such problems, are usually without the legal authority or the immunity from pressure needed to set firm standards and enforce them. The progress that has been made in cleaning up pollution—such as on the Columbia and Potomac, where bacterial contamination at least has been controlled, or in the Colorado River Basin, where dangerous radioactivity has been ended, or in the Menominee River, where pulp and paper discharges will soon be treated, or in the lower Mississippi, where one important source of pesticide discharges has been reduced—has been pri-

marily due to Federal pressure. Under the present procedures of the Federal Water Pollution Control Act, this pressure is limited to those cases in which an enforcement action is initiated.

The Federal program would be much improved if, without going so far as to initiate enforcement proceedings, the Secretary of Health, Education, and Welfare, consulting and cooperating with the State and local officials and interested parties, could promulgate standards for the upgrading of water quality. A standard-setting procedure would enable the Department to take action not only on severely polluted rivers, but on clean rivers threatened with pollution from new industries or towns, on small rivers that could not claim the extended attention required by an enforcement case, and on special problems, in which one type of pollutant requiring only limited remedial action is the problem. Discharges in violation of the standards would be subject to enforcement actions under regular procedures of the Federal Water Pollution Control Act.

According to the Department of Health, Education, and Welfare there are approximately 200 interstate streams which already have some pollution problems. No matter what the increased pace and staffing of the Federal pollution control program, there will be no time for enforcement action on all of these in the near future. Lacking any other course, must the Department wait for their turn to come up 20 years hence, by which time mild pollution problems will have become severe and severe ones irremediable?

Water pollution is too big a problem to be solved by taking only one case at a time and relying on only one method. With the authority to set water quality standards I believe that the Department of Health, Education, and Welfare could begin now a much more flexible, inclusive, and rapid program of pollution control. It would be a program more helpful to the States than the present reliance entirely on enforcement action, and it would be a program designed to deal specifically with the particular problems of each region, basin, and river as effectively as possible. For these reasons it is my hope that the Federal Water Quality Act of 1965 will include a strong provision for water quality standards.

COMMUNISTS IN CIVIL RIGHTS MOVEMENT

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDWARDS. Mr. Speaker, I am continuing my effort to point out the active participation of Communists in the civil rights movement and in all other areas where they can stir up trouble. One of the primary targets seems to be the college campus. It is impossible to carry on a responsible college program with continuous strife created by those who are not interested in legitimate goals, but only in destroying the fiber of this Nation. The New York Times of April 28, 1965, reports on the problem presently involving Howard University here in Washington, D.C. Dr. James M. Nabrit, Jr., president of Howard University, has forthrightly spoken out on this subject. Under unanimous consent, I include at the end of my remarks the story as it appears in the New York Times:

HEAD OF HOWARD UNIVERSITY WARNS COMMUNISTS

(By Ben A. Franklin)

WASHINGTON, April 27.—Dr. James M. Nabrit, Jr., president of Howard University, said today that Communists had joined a student protest group on the campus of the predominantly Negro college here in an effort to "disrupt our fight for justice."

He said that in the interests of freedom of speech and academic freedom they would be tolerated as long as they do not break the rules.

But he was plainly issuing a warning to civil rights groups on the campus that radicals of the extreme left were seeking to cloak themselves in the mantle of civil righters and plot and plan in secret to disrupt our fight for justice and full citizenship.

Many students and faculty members at Howard have been leaders in national civil rights organizations. The university has 7,800 students and is the largest predominantly Negro campus in the country.

In a statement read to a student assembly and later at a news conference, Dr. Nabrit said, "We must beware of people who come to us like Greeks bearing gifts. They do not care about the Negro people. They do not love Howard. They do not believe in civil rights for anyone.

"They thrive on dissension," he continued. "They create mythical evils and invent issues but do not want solutions to problems. They are children of lawlessness and disciples of destruction. They must be unmasked for the frauds they are. They must be fought in every arena and they must not be permitted to prevail."

The 64-year-old Negro lawyer and educator told reporters that a handful of students and outsiders had given evidence of a lack of respect for duly constituted authority and growing signs of open defiance of law and order.

He said he would not interfere with peaceful picketing or with demonstrations against administration decisions that did not interfere with normal operations of the university.

He declared that students must realize, however, that the responsibility for determination of university policy rests with the faculties, administration, and board of trustees.

He said he was giving notice that interference with classes, with passage, with entrance or use of any facilities will be dealt with promptly and firmly.

Dr. Nabrit's statement was approved by the university's board of trustees at a meeting this morning.

The need for it arose, he said, because a campus group called Students for Academic Freedom had been showing increasing militancy in demonstrations against alleged infringement of the academic freedom of students and faculty, against compulsory student participation in the Reserve Officers Training Corps and against university rules concerning the attire of students.

He said the student group had made "contrived and false" statements.

Dr. Nabrit said, "I know there are at least two Communists here because I saw them last Friday, handing out leaflets and stickers at a demonstration."

Asked how he could identify the two as Communists, the former law school dean said: "I know them, I defended one of them myself as an attorney." He emphasized that he was not saying that this student group is organized by Communists.

"I cannot document it," he told reporters, "but I think that in the incidents at Berkeley these people established a beachhead.

"Now they want to do it here in the East. And they have picked Howard because it is an institution predominantly for Negroes. They want to cloak it in the mantle of civil rights."

Student demonstrations at the University of California's Berkeley campus last year led to nearly 800 arrests.

CONGRESSMAN CURTIS CALLS FOR NEW EFFORTS IN INTERNATIONAL MONETARY FIELD

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, in light of the passage yesterday of the new authorization for the International Monetary Fund participation by the United States, I think it very timely to call attention to an excellent letter, appearing in the April 15, 1965, edition of the New York Times, by my friend and colleague, the gentleman from Missouri, Congressman THOMAS B. CURTIS.

As the gentleman from Missouri [Mr. CURTIS] points out, the temporary relief through voluntary capital controls has begun to demonstrate the possibility of a problem in international liquidity as our deficits cease to supply the new liquidity necessary for sustained world economic growth. With remarkable foresight, he suggests that the visit by England's Prime Minister Harold Wilson could be used as a starting point to the necessary dialog among free world nations. Newspaper reports following Mr. Wilson's subsequent visit indicate that the President and the Prime Minister reasoned together on this area of concern.

What is needed now is the continuation of this dialog on a broader scale. Members from both sides of the aisle expressed their concern yesterday over our continuing payments problem and the problems of the international monetary system. I would suggest that an effective way to implement this concern would be for Congress to consider and act favorably upon the resolutions introduced by minority members of the Joint Economic Committee, including Congressman CURTIS and myself, and Senator JAVITS of New York, which would request an international conference on these problems. In his letter, Congressman CURTIS has outlined both the need for and the purpose of this monetary conference.

The letter to the New York Times follows:

TOWARD A STRONG WORLD MONETARY SYSTEM

To the EDITOR:

Evidence is accumulating that the administration's voluntary controls on U.S. foreign loans and investments have tightened European capital supplies. A Times correspondent in Europe recently pointed out that the program "is working in the direction intended. It is greatly reducing and perhaps temporarily drying up, the flow of dollars to Europe."

Further evidence is the quieting of European bankers' demands that the United States raise its interest rates to curb the dollar outflow. These sentiments had been informally expressed as recently as March at the American Bankers Association international monetary conference.

The broad significance of the tightening of credit in European capital markets is its meaning for the international monetary system. Europeans have begun to experience the effects of our balance-of-payments deficits, as these deficits cease to supply the new liquidity that steady growth in world trade and payments demands.

Therefore, while the administration's controls over capital are clearly harmful to long-run U.S. interests, they may serve the short-run purpose of dramatically demonstrating the need for reform of the world monetary system, perhaps helping to break the inertia that has too long characterized the attitude both of key European governments and of our own.

FOR DECISIVE ACTION

The Republican members of the Joint Economic Committee unanimously stated in their recent views on the 1965 economic report of the President and the Council of Economic Advisers that "reform of the existing international monetary system is urgently needed." We felt that "because liquidity for the existing system is largely supplied by U.S. balance-of-payments deficits, the system could break down when the United States finally eliminates its chronic deficit." The time for decisive action is now at hand. It should not await the final solution to our balance-of-payments problem.

Leadership of the kind required is not to be gained by mere tinkering with the present system, however valuable it has proved itself in the past. The resolution to increase the International Monetary Fund quotas approved in March by the IMF executive directors make modest innovations in the ways gold will be used to back new quotas. One wonders with the London Economist whether this will be the last increase in fund resources made under the present largely anachronistic accounting mechanism, which works reasonably enough when the dollar and sterling happen to be strong but in present circumstances makes the Fund heavily dependent on bilateral credits agreed through the Paris Club.

Many international economists will argue that international liquidity is now great enough to continue for several years to serve the requirements of world trade. Others, such as Dr. Walter Salant, of the Brookings Institution, feel that recent developments are already bringing the liquidity problem to a head.

TO CONVOKE CONFERENCE

Concurrent resolutions introduced in both the Senate and House, and sponsored by Republican members of the Joint Economic Committee, request the Executive to convoke a well-planned international conference to find solutions to the weaknesses of the world monetary system.

Such a conference would consider the correct role for the IMF or other appropriate international organizations in the management of international credit, would consider how to supply credit to deficit countries in time to correct threatening imbalances and how to increase the availability of long-term, low-cost credit to developing nations.

U.S. leadership in creating a suitable world monetary system is long overdue. The President must provide that leadership now. Prime Minister Harold Wilson's visit to the United States provides a unique opportunity to demonstrate that leadership.

THOMAS B. CURTIS,
Member of Congress,
Second District, Missouri.

WASHINGTON, *April 12, 1965.*

THE MERAMEC BASIN—THE NEED FOR ACTION

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, the city of St. Louis has made significant progress during the last decade in solving some of the major problems that were hindering its development. The result has been a revitalization of the metropolitan area. The spirit of rebirth is portrayed graphically in the construction of the new stainless steel arch now being erected on the riverfront. This structure symbolizes the city as "The Gateway to the West."

Despite the meritorious progress in most areas, there is one area in which progress has not been made. Today the St. Louis area is more remote from waters suitable for recreational use than almost any other major city in the United States. This situation is a serious drawback in the city's efforts to attract new industry. St. Louis has not remained complacent over this problem. Local groups, in conjunction with the State and Federal Governments, have joined to produce a solution and to provide the citizens of St. Louis and southern Missouri and Illinois with adequate water recreational facilities. A plan has been made to develop the Meramec River Basin for such use. The basin extends from St. Louis into the Ozark Mountains for approximately a hundred miles. The river flows through some of the most scenic, most rugged, and least populated areas in the eastern United States. The plan provides for the construction of 31 dams to create lakes with a shoreline approaching 800 miles—adequate room for fishing, water skiing, and boating activities. The Meramec River Basin project will also be useful for flood control and soil conservation as well as to improve quality of water available for drinking purposes.

There are three distinct phases to the design of this project, the first to be completed within 15 years after the starting date of 1967. The cost of the project is too great to be assumed entirely by local and State resources; therefore, Federal assistance is needed. The Corps of Engineers has recommended $236,228,000 to develop the basin. The Federal funds used by the project would be paid back over a period of years at a moderate rate of interest. The Corps of Engineers, in recommending the above sum, has determined that favorable cost-benefit ratios exist on the various projects making up the entire Meramec River Basin program.

One of the main advantages of the Meramec Basin project as I pointed out before, is its proximity to the St. Louis area. Since it is so close it will be used by more people. As we progress through the next few decades it appears that the number of man-hours worked by the average individual will decrease but that the amount of spendable income and time for travel and leisure available to the individual will go up; therefore, as time goes on, the project will most likely be used by increasing numbers of people for increasing periods of time. A report written by Washington University of St. Louis has estimated that up to 35 million visitor-days could be spent in the project areas. Certainly the use of the facilities of the Meramec River Basin project by this many people would be a tremendous stimulus to the economy of the people of southern and eastern Missouri.

This project involves the combined efforts of all levels of government as well as the efforts of many private citizens and groups. Local people will be especially concerned with zoning and access regulations to prevent shoddy development and to keep the area open to as many people as possible. This is a project for the benefit of the entire American public, not just to promote the interests of a few selfish individuals.

Mr. Speaker, I have been disturbed to learn that the Army Engineers will not have the Meramec Basin report forwarded from the St. Louis office until June 1965.

As I understand it, the procedure being followed by the Engineers will almost certainly prevent the report from being included this year in an omnibus bill for authorization. This also means, apparently, that we will have lost 2 years—presuming that the usual procedure is followed, and that there will be no omnibus bill until 1967.

Because of the urgency of the problem to the people of the Metropolitan St. Louis area, I would like to call to the attention of the Congress the need for more speed on this project so that the basin project may be started as soon as possible. To explain further the benefits and details of the project I would like to insert in the RECORD a recent speech made by Mr. Herbert W. Sayers, president of the Sayers Printing Co., St. Louis, Mo., before a group of business and labor leaders in Clayton, Mo. Mr. Sayers very coherently explains why this program should be given high priority; therefore, Mr. Speaker, I include his remarks in the CONGRESSIONAL RECORD at this point:

ADDRESS BY MR. SAYERS

Let's talk about our hometown, St. Louis. Let's talk briefly about her past, her present, and the challenge of her future; specifically, and at greater length, the part water, good old H_2O, will play in that challenge.

Forty years ago, I was a member of a well-known team called the Meramec River Patrol. We did lifeguard duty on St. Louis'

most popular outing stream. Glencoe, Jedberg, Castlewood, Fern Glen, and Peerless Landing at Valley Park—those were all typical places on the Meramec to which thousands of St. Louisans commuted on weekends, enjoying the superb, clearwater swimming, canoeing and sightseeing in the beautiful and rugged Ozark hill land.

Those were the days when St. Louis was still fourth in population in these United States, and "Meet me in St. Louie, Louie, meet me at the Fair" was still an international byword. Our chamber of commerce, slogan, "Ship From the Center, Not the Rim," carried a real meaningful wallop and competitive advantage. A great river town, second largest rail center and important truckline hub, we were a proud and self-sufficient manufacturing city with a diversification of industry, which was the envy of the Nation.

We were first in booze, first in shoes, and, of course, last in the American League. We were complacent, secure, and rather satisfied with our position. We had become a great educational center, a great medical center, and a great cultural center. We were the city of big parks. Our Forest Park Muny Opera achieved a national reputation in the entertainment field. So much for the past.

All this time the old Mississippi, at our back door, has just "kept rolling along." I say back door, because during the post-World War II years, our city kept pushing farther and farther westward. The population explosion of the late forties and fifties with more—and still more—people, more households—and still more households—created a situation that finally left our core city in dire need of a facelifting. Thanks to the vision of a civic-minded group of St. Louis industrial leaders, our grand old city, celebrating her 200th birthday, is lifting herself out of a self-imposed complacency. Neither a great fire nor a devastating earthquake sparked this great rebuilding program. Literally, by her own bootstraps, the lovely old lady of the Mississippi is lifting her outer face to maintain her vitally important position as the strategic "center of America," and I might add, "potential space capital of the world."

Yes, today, St. Louis is on the way back—and in a big way. Our new spirit is reflected graphically in the building of our great, new stainless steel arch, symbolizing St. Louis as the "Gateway to the West." This masterpiece of construction is the new trademark of St. Louis; just as the Eiffel Tower typifies Paris and Washington's monument reflects our Nation's Capital.

Speaking facetiously, a lot of water has gone under Eads Bridge in the last 40 years. Speaking seriously, automation, more leisure time, and more and more people have aggravated a chronic condition that steadily has been deteriorating. It has always been a thorn in our side. St. Louis bankers will tell you it has cost us many a new industry. Time and again, given a choice, new firms and new people have shied away from St. Louis. Why should this be? We have lacked near-at-hand usable recreational waters—waters that could make St. Louisans feel they live in the midst of a vacation land.

Today, we in St. Louis are more remote from suitable recreational waters than any other large city in the United States, with the possible exception of Pittsburgh.

A report published in 1962 by the Outdoor Recreation Resources Commission stated, "As pressure continues to mount for St. Louis' recreational water facilities, the failure to act, and act quickly, could be crucial. St. Louis might well find itself defined as an area undesirable in which to live, work, and play."

However, we St. Louisans don't take things lying down. You know today the tremendous job being done in our core city. What you may or may not know is that great things are in store for our water recreational future.

After years and years of research, planning, many controversies, tomato-throwing meetings, more research and more planning, the development plan of the Meramec River Basin has finally been resolved. The plan is especially unique, in that, for the first time, Federal, State, and local groups have combined their efforts to produce an areawide workable program.

A whopping $236,228,000 Federal investment has been recommended by the Corps of Engineers to improve our Meramec Basin; extending from the St. Louis suburbs out into the Ozarks for over 100 miles, embracing one of the most forested, rugged, scenic, and least populated areas of the entire Eastern United States. We're going to use that clear mountain spring water, fish in it, sail, canoe, and water-ski on it before it gets muddied up with the old Mississippi on its way down to the Gulf of Mexico.

The master plan is a honey; including 31 dams, which will back up waters providing nearly 800 miles of shoreline, all within an approximate 1 or 2 hours drive from St. Louis.

Yes, the old Meramec River we enjoyed so much in a small way a generation ago is about to get a much-needed working over. Erosion and flooding will succumb to the power of man, who, literally, will move mountains with Caterpillars.

Specifically, the project is separated into a three-phase program. Phase I includes 4 large main stream lakes designated as Pine Ford, Irondale, Meramec Park, and Union; 3 intermediate reservoirs, 6 headwater reservoirs, 21 angler-use sites, and 5 levee protection projects. These are to be completed within 15 years with a probable dirt-moving start in 1967.

Phase II includes three large main stream lakes designated as Virginia Mines, Washington Park, and Salem; two intermediate reservoirs, three headwater reservoirs and three angler-use sites. These are to be completed following phase I.

Phase III includes seven intermediate reservoirs and three headwater reservoirs, plus two angler-use sites to be completed following phase II.

You can readily see this is a gigantic project, which most of us will be indeed fortunate to see through phase II.

Our Meramec Basin water development program clearly should not be looked upon as some miracle coming out of the Federal Treasury. To be successful, it will be because local organizations with the help of the State government assume and maintain a proportionate share of the cost of the job; receiving from the Federal Government that additional assistance which is beyond their technical and financial capacities.

We all know, or should know, there are actually no Federal handouts. You and I pay for every bit of Federal assistance we get in some form of tax bite. In our Meramec Basin, admittedly, the job to be done is far too great costwise for local organizations, or even at the State level. The Federal Government has funds available to be invested at low interest rates for projects such as ours, but these moneys must be paid back over a period of years. The Corps of Engineers has determined favorable cost-benefit ratios on the various individual projects which make up the water development program for the Meramec Basin.

The challenge we St. Louisans face is to make certain this enormous investment is expended in the best interests of the community, ourselves, our children, and our children's children.

There is a lot of work still to be done before any construction gets underway. It concerns local people and local interests. As typical examples, there are questions such as public access to lakes and rivers, and the zoning of land near the water so that shoddy development is avoided. This is essentially a citizen's job; possibly a conservancy district enactment, patterned after the successful Muskingum Valley project in Ohio.

The tremendous results achieved to date have required over 6 years of intensive citizen work, with an expenditure of $430,000—a good portion of which has been recovered through local and regional individual and corporate contributions.

Washington University, together with a small group of local and basin men, have been dedicated to this undertaking. Their work goes on.

I would like to quote from an inspiring address made by Gen. Walter K. Wilson, Jr., Chief of Engineers of the U.S. Army:

"What this country needs now, and needs badly, is a full realization of the great scope and size of the water development task confronting it, and an absorbing dedication to an all-out, generation-long water development effort.

"What we are dealing with involves the total future welfare of our Nation. Water resources development must be undertaken not merely because it is profitable, or that we may live more comfortably. It must be undertaken to preserve our national economy, our security, and our way of life. It is one of the foundation stones of national defense, and of our country's future greatness. No task is more urgent. It is a challenge to us all."

For St. Louisans, the development of the Meramec Basin will be our contribution to that great challenge. It is our privilege, and our duty to leave that bit of superscenic mid-America, not degraded by the exploitation of too many people, and selfish interests, but preserved and enhanced that all may benefit and enjoy her clear waters tomorrow—and for the many tomorrows to follow.

PRESIDENT JOHNSON'S POSITION ON POLL TAX

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. YOUNGER. Mr. Speaker, in the interest of historical accuracy, I rise to correct certain observations which President Lyndon B. Johnson made in his press conference of yesterday relating to his position on the poll tax.

The question asked at Mr. Johnson's press conference was:

Your voting rights bill is moving toward completion in the Senate this week. Do you think that the proposal—the amendment to abolish the poll tax—would make this unconstitutional? Do you think it would damage the passage of the bill in the House? And what do you think about it generally?

And the Presidential response was:

I think that that is being worked out in conferences they're having today and they will have in the next few weeks. I have always opposed the poll tax. I am opposed to it now. I have been advised by constitutional lawyers that we have a problem in repealing the poll tax by statute.

For that reason, while a Member of Congress, I initiated and supported a constitutional amendment to repeal the poll tax in Federal elections. I think the bill as now

drawn will not permit the poll tax to be used to discriminate against voters, and I think the administration will have adequate authority to prevent its use for that purpose.

I have asked the Attorney General, however, to meet with the various Members of the House and Senate who are interested in this phase of it and, if possible, take every step that he can within constitutional bounds to see that the poll tax is not used as a discrimination against any voter, anywhere.

Yes, Mr. Johnson says he has "always" opposed the poll tax. In fact, Mr. Johnson had 14 opportunities to vote directly or indirectly on the matter of the poll tax while he was in the Congress. On 12 of these votes—every one down to 1960—he voted against repeal. In 1949, while participating in a filibuster on the floor of the Senate, he made his position quite clear, saying:

I believe that the proposed antipoll-tax measures * * * is (sic) wholly unconstitutional and violates the rights of the States guaranteed by section 2 of article I of the Constitution. Believing that, I think I have the right to use my freedom to speak and stand on the floor of the Senate as long as I have the will, the determination, and the breadth to oppose such a measure.

I grant that the proposal in each case in which Mr. Johnson voted against the repeal of the poll tax was to achieve the result by statute, rather than by constitutional amendment.

But Mr. Johnson did not show enthusiasm to end the poll tax by amending the Constitution. In spite of his statement yesterday that he "initiated" the constitutional amendment to abolish the poll tax when he was in Congress, one has only to look at the record to find that not until 1959 did Senator Johnson joint 60 other Senators in cosponsoring Senator HOLLAND'S constitutional amendment. That measure had been introduced in every Congress since 1949 without his cosponsorship.

In the great tradition of George Orwell, the President has now started rewriting the CONGRESSIONAL RECORD.

I am appending to these remarks a table recording how President Johnson voted each time repeal of the poll tax was under consideration while he was a Member of the Congress. This table also shows total vote by party of the Members of the Chamber in which Mr. Johnson was serving. The table shows that 91 percent of the Republican votes on these 13 rollcalls were cast against the poll tax whereas only 53 percent of the votes on the Democrat side were against the poll tax.

Lyndon Johnson's voting record on poll tax legislation

Date	Chamber	Johnson position	Republicans		Democrats	
			For poll tax repeal	Against poll tax repeal	For poll tax repeal	Against poll tax repeal
Substantive votes:						
Dec. 12, 1942	House	Against	131	3	120	81
May 25, 1943	House	Against	168	16	93	94
June 12, 1945	House	Against	131	19	118	86
July 21, 1947	House	Against (paired)	216	14	73	98
Jan. 18, 1950	Senate	Against	17	15	0	44
Aug. 1, 1955	Senate	Against (paired)	7	32	15	24
Feb. 2, 1960	Senate	For (constitutional amendment).	29	3	43	13
Feb. 2, 1960	Senate	Against	15	18	22	32
Feb. 2, 1960	Senate	For (constitutional amendment).	27	6	43	12
Procedural votes:						
Oct. 12, 1942	House	Against (motion to discharge poll tax bill from Rules Committee).	125	3	123	82
Oct. 12, 1942	House	Against (motion to consider poll tax bill).	123	3	124	81
May 24, 1943	House	Against (motion to discharge poll tax bill from Rules Committee).	176	10	88	100
May 24, 1943	House	Against (motion to consider poll tax bill).	176	10	85	95
July 21, 1947	House	Paired against (motion to adjourn before considering poll tax bill).	221	0	77	85
Total			1,565	149	1,034	917
Percentage			91	9	53	47

BUD SILVERMAN ENDS 35 YEARS WITH CLEVELAND PLAIN DEALER

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MINSHALL. Mr. Speaker, my good friend, Bud Silverman, is ending 35 years with the Cleveland Plain Dealer this week.

It is hard to believe that his by-line, "Alvin M. Silverman," will no longer be seen heading up some of the sharpest reporting and political analysis to come out of Washington, D.C.

Bud grew up with the Plain Dealer. He cut his cub-reporting teeth while attending East High School in Cleveland and continued as a sports reporter during his years at Western Reserve University. Later, there was not any phase of city-room work Bud was not assigned: schools, city hall, general politics, legislative correspondent, and day city editor. He became Washington's bureau chief in 1957.

All of us are going to miss Bud Silverman, but particularly the Minshalls to whom he was more than an impersonal newspaperman with Congress on his beat. He has been a loyal friend right from the start and we are delighted that he has elected to launch his public relations career in the Nation's Capital. Bud has become a partner in the Pearl-Silverman Agency at 815 16th Street NW.

The Minshall family and staff join with his countless Washington and Cleveland friends in wishing him well.

NEW YORK CITY IN CRISIS—PART LII

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article which continues the discussion of New York City's housing problems.

The article is part of the series on New York City in Crisis and appeared in the New York Herald Tribune on March 9, 1965.

The article follows:

NEW YORK CITY IN CRISIS—WHAT CONDITIONS ARE LIKE ON A TYPICAL DAY IN HOUSING COURT

(By Alfonso Narvaez of the Herald Tribune staff)

On almost any day of the week, the corridor outside room 216 at 52 Chambers Street is crowded with well-dressed men and women.

Many of them just sit on wooden benches, nervously rubbing their hands, but others stand around and talk excitedly with quiet, self-assured companions.

The nervous ones invariably are landlords, and they are waiting for part 6B of criminal court—housing court—to begin.

The quiet ones with them, who appear self-assured and confident, invariably are their lawyers.

They are in housing court to answer summonses for violations of the multiple-dwelling laws and other laws designed to protect the citizens of New York.

On a normal day the number of cases on the court docket can range between 40 and 60, but on some days it runs as high as 200 to 300. All the defendants are required to appear at 9:30 a.m. and the corridor is usually jammed with persons waiting for their cases to be called.

Each case can be for as little as 1 violation or as many as 50, for almost every type of nuisance—broken windows, faulty plumbing, lack of heat or hot water, rat and vermin infestation.

Although the buildings and health departments list some of the violations as hazardous to the lives and health of the men, women, and children who live in the buildings concerned, the landlords do not consider themselves criminals.

What is more important, however, is that the courts and the judges themselves do not consider them criminals, nor their acts more serious than many parking violations.

Despite the fact that the penalty for conviction for a housing misdemeanor can run as high as a $500 fine and 30 days in jail, it rarely does. In fact, many violators con-

tinue to find it far less expensive to pay their fines than to fix their houses.

In 1964 there were a total of 20,613 convictions in housing court and of these, 19,718 were fined a total of $332,498—an average of $16.86 per case. In January of this year, 957 cases were reported as convictions and 892 persons were fined $17,220, an average of $10.90 per case.

To put the court's attitude toward housing violations and the slumlords into proper perspective, one need look no further than traffic court, where the standard fine for parking a car in a restricted area is $15.

Even the amount of the fines in housing court is not an accurate barometer for measuring the punishment of housing violators. The average fine per case does not take into consideration the total number of violations per case.

In many instances, the fine averages out to no more than $4 a violation. For this reason, it is not difficult to see why many landlords find it far more economical to pay a small fine rather than have the violation fixed before the matter falls into the jurisdiction of the housing court. In some cases, landlords even save money by paying the fine.

For instance, yesterday one of the landlords convicted for failure to provide heat for 2 days to his 60-family apartment house in Manhattan was fined $25.

After paying his fine he told a reporter that the boiler was broken for the 2 days, but that during that time he saved almost 5,000 gallons of fuel, at 6 cents a gallon—$300.

Despite the high percentage of convictions—more than 90 percent—the criminal prosecution of housing code violators does not function as a deterrent to continued abuse. Landlords plead guilty to violations, but then appear at another time to make the plea to other charges.

The procedures of the court do not usually help the tenant who must endure the violation while the court action is taken.

At present there are often delays of as long as 3 months between the time an inspector makes a recommendation for court action and the first appearance of the violator in court. The matter does not usually end there, because in many cases there are continued adjournments and it may be a year before the case is finally settled.

For many landlords, housing court has taken on the flavor of traffic court, where, despite a person's feeling that he is not guilty, he will often plead guilty and pay a fine. If he were to plead not guilty, he would then have to appear on another day for trial, and even then he could not be sure the city would be ready with its case. If his time is more valuable, he pleads guilty and is finished with it.

However, the "operators"—landlords who buy and sell slum buildings for profit, and who milk them for every penny they can get out of them—will often "shop around" for a more lenient judge and will plead not guilty on a day when a strict judge is on the bench. On the day for trial, before the lenient judge, they will change their plea to guilty and accept the low fine imposed.

The "operators" also manage to avoid having their names sullied with convictions by having the name of a corporation substituted on the court records.

Another factor that works against the administration of justice in housing cases is that in the cases of flagrant violators, it is often difficult to find out who is the legal owner of the building.

Although "managing agents" usually collect the rent, when it comes time to appear in court for a series of violations they are frequently "fired" and no longer work for the owner.

The department issuing the summons for the violation must then try to find the true owner of the property. This is often more difficult than it may seem. The person who is held legally responsible for the building often maintains that he is still not the owner.

In these cases, the true owner hides behind a facade of corporation names and post office box numbers, or uses a telephone answering service so that he can screen his calls. In this way he "cannot be contacted" for the service of summonses or for complaints to be registered with him.

A typical day in housing court begins with the crowded corridor and the usual press of bodies trying to get into the courtroom.

Yesterday there were 44 cases on the docket and the courtroom was half empty. The court clerk—the "Bridgeman"—called off the name of a defendant, who would approach the bench. The clerk would ask if he was acquainted with the charges, rattle off the defendant's rights and then ask for a plea.

It was a bad day for the defendants.

In 20 cases, they pleaded guilty and were fined an average of $32 a case. One defendant paid $110 for four cases involving a total of 16 violations—or an average of $6 per violation.

Another landlord paid a $50 fine for a violation consisting of a faulty elevator.

Another claimed his tenant refused to allow his apartment to be painted and that an inspector issued a summons anyway. He received a $10 suspended sentence.

Of the rest of the cases, 20 were adjourned for trial. In the four others, warrants were issued for the defendants' arrest for failure to appear in court.

When the name of the landlord for 286 Fort Washington Avenue was called, 16 people rose and approached the bench. They were the landlord, his attorney, and 14 tenants from the building.

After pleading guilty, without an explanation, the landlord, W. Genuth, of 273 Havemeyer Street, Brooklyn, was fined $25 for failure to provide heat in the 60-apartment building. As the judge pronounced sentence, the tenants walked out quickly—obviously not satisfied.

Outside the courtroom they got into an argument with Mr. Genuth because they claimed that he had harassed them.

John Churko, a spokesman for the tenants, claimed that for the last 4 years they have had trouble with him. He said that the landlord had continually refused to make repairs or to paint the apartments. He said that for a period of 7 weeks early this year, the tenants had to walk to their apartments in the six-story building because the elevator was not working.

Mr. Genuth denied the charges of harassment but admitted that the elevator was not working for that length of time.

"Vandals broke the control panel on the elevator," he said, "and it took 7 weeks to the day to have it repaired. It cost me more than $7,000, but they don't want to listen to me."

As for the no-heat violation, Mr. Genuth agreed that the building was without heat for 2 days but said someone had broken the boiler. He showed a bill for $900 for repairs to the boiler, and for rusted bolts that allowed the water to seep out.

He blamed labor troubles for the "vandals" who had destroyed his property.

"It cost me more than $12,000 for all the work on the building so far this year," he said. "I try but I just can't keep up with it all. I have tenants in the building who are paying $65 a month for six rooms under rent control. They should have rent controls but they should make it like $25 a room instead of about $19. For me it's an investment, but I can't make money on this."

A half hour later, at 12:20, another day in housing court had drawn to a close. Judge Maurice Downing, graying and reserved, refused to talk with a reporter and left immediately.

Long criticized by civic groups for many reasons, the housing court and its judge remain unchanged.

Not too long ago, a city official, who is deeply concerned about the dual failure of the housing code and the housing court to bring about a solution to the problem of slumlords, brought up the topic with a criminal court judge, who sits on housing court.

According to the city official, the judge maintained that he just didn't feel that most housing violations were true criminal acts. According to this judge, most housing problems should be settled by the tenants and the landlords, not by the criminal courts.

As long as judges feel this way—and more than one certainly does—the housing court will continue to offer little relief to the thousands of New Yorkers being victimized daily by landlords who operate freely as slumlords within the framework of the law.

NEW YORK CITY IN CRISIS—PART LIII

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, the following article on New York City's slumlords appeared in the New York Herald Tribune on March 10, 1965.

The article is part of the series on "New York City in Crisis" and follows:

NEW YORK CITY IN CRISIS—CITY ARMED WITH POPGUNS IN ITS WAR ON SLUMLORDS

(NOTE.—In the greatest city in the world, perhaps the basic ill is slum housing. As part of the Herald Tribune's continuing investigative series, "New York City in Crisis," Reporters Martin J. Steadman and Alfonso Narvaez have spent 1 month intensively examining the problems of the slumlords and the dwellers. Today, in the fourth article, the Tribune offers possible—and vitally necessary—solutions.)

(By Martin J. Steadman, of the Herald Tribune staff)

The New York City Buildings Department is fighting the growing slum problem with one hand tied behind its back.

A month-long Herald Tribune investigation found that loopholes in the law, lenient judges, and an outmanned buildings department let hard-core slumlords milk old-law tenements at the expense of the tenants.

Here are some of the problems the buildings department faces:

No legal staff. Cases against slumlords are prepared by clerks.

Delays of as long as 3 months from the time court action is recommended and the scheduled court appearance of the defendant.

Penalties imposed on landlords by judges in housing court are extremely lenient. Rarely does a slumlord go to jail. The average fine last year was $16.86, far less than what it would cost a landlord to make the repairs demanded by the buildings department.

Only eight process servers are available to try to track down the hard-core slumlords. The buildings department is forced to resort to service of summons by mail, a dubious legal maneuver. Result: There are now 1,500 cases pending where the landlord has not appeared in court following mailed service of

the summons. The backlog of cases is growing.

The department tried to hire a private process service agency last year, paying first $1.50, then $2.50, per summons. But the agency found it unprofitable and notified the city that it would not do the job any longer.

The buildings department does not have statutory power to subpena witnesses, take testimony under oath, and compel the production of books and records of slumlords. Each year since 1960, a bill has been introduced in the legislature to give the department these powers. Each year the bill has died in committee.

The receivership program, which allows the city to seize a slum tenement, fix it up and collect rents until the job is paid for, is just limping along. To date, only 74 buildings have gone into receivership. The buildings department considers receivership a potent weapon in code enforcement. The mere threat of seizure has brought compliance by reluctant landlords in 154 buildings. But the staff for this highly touted program numbers only 17 people, with just 1 attorney, borrowed from another department. The entire receivership staff boasts three clerks, two typists, a stenographer, eight inspectors, and two process servers.

Overlapping jurisdiction. Lack-of-heat violations come under the jurisdiction of the health department. Lack-of-hot-water violations come under the jurisdiction of buildings. Usually both violations are traceable to a defective boiler. Though civic groups have clamored for consolidation of housing enforcement agencies for years, New York City still clings to the old way of doing things.

The shortcomings in budget and staff of the buildings department were recently pointed up by the Community Service Society, a quietly effective nonprofit civic group which keeps a close watch on housing problems. The agency wrote:

"No substantial improvement in code enforcement can be expected until the Department of Buildings receives a budget commensurate with its responsibilities."

CSS also took the occasion to criticize the courts. "Until fines are greater than the cost of repairs, it is not likely that this method of enforcement will be as effective as it should be."

The buildings department has been shaken by scandals many times over the years. Inspectors have been dismissed and jailed over taking graft. After the last grand jury report, in 1959, Mayor Wagner reached out for a cop to head the department. He got Harold Birns, a former assistant district attorney in Frank Hogan's rackets squad.

Since then the buildings department has been functioning in relative quiet. Commissioner Birns has fired 30 inspectors summarily, but no major scandal, or charges of organized graft collecting have disturbed his administration. As for enforcement of the housing code by the buildings department, statistics indicate it is doing a greater amount of enforcement each year.

Inspectors reported 425,526 housing violations on 30,562 buildings in 1964. The previous record high, in 1963, was 307,715. That figure was considerably higher than the 195,585 violations reported in 1962.

Most of the increased inspection activity was caused by the "cycle survey," a cellar-to-roof inspection of every building in a slum neighborhood, instituted July 15, 1963. The cycle survey teams do not wait for tenant complaints.

To date, cycle survey teams have visited 30,105 buildings, containing 157,209 apartments. When the program began, 40,208 violations were pending on those buildings. The inspectors handed out an additional 227,925 violations.

All this inspection activity shows up in housing court, of course. There were 22,441 cases brought by the buildings department in 1964, up from the 16,086 in 1963. More than 90 percent of the cases end in convictions, and last year 20,613 landlords paid $332,498 in fines.

The last figure is disturbing to civic groups as well as law enforcement officials. The average fine in 1960 was $26.67. Each year since, it has declined, until last year the landlords were walking out of housing court with average fines of less than $17.

In 1964, only 10 landlords went to jail. In 1963, only seven jail terms were handed down.

But many observers feel that even with the increased activity, the buildings department is losing the fight against spreading slums.

City Councilman J. Raymond Jones, speaking at a budget hearing last December, remarked: "We give the buildings department a teacup and expect it to stop the Hudson from flowing into the bay."

The buildings department budget for this fiscal year is $10.2 million. Commissioner Birns is asking $15 million for next year.

Almost the entire buildings department budget goes for the salaries of 1,642 employees, including 866 building and housing inspectors. The payroll amounts to $9.9 million of the $10.2 million budget.

The budget for the executive staff of the buildings department has always been rather niggardly compared to the plush budgets for other city departments.

There are only 20 lines in the budget, including the commissioner and two deputies, for the administration of a central office and five borough offices. Two of the lines are unfilled, which means two of the officials are doubling in their jobs. There is no public relations officer attached to the buildings department, perhaps the only major city department without one.

There are 43,000 old-law tenements on the city streets. Built before the turn of the century, many of these buildings would have been ordered boarded up long ago if there weren't a housing shortage in the city.

The vacancy ratio at present—the key figure in determining just how much leeway the city has in getting tough with landlords who do not comply with the law—is now at a very low 1.7 percent. In effect, this means that even if the city wanted to vacate a bad building, vacancy ratio figures insist that officials must go slow—there is no place to move the ousted tenants.

The vacate order is the ultimate weapon against the slumlord. His tenants are ordered out and the premises boarded up. But because there is no place to put the tenants, the buildings department could close only 27 old-law tenements in 1962, 34 in 1963, and 51 in 1964. In the 4 years between 1934 and 1937, the city boarded up over 2,000 slum buildings, an average of over 500 a year.

But it was easier for Mayor La Guardia, brandishing a hatchet or a flit gun, to order a slum building boarded up immediately. The vacancy ratio in the 1930's ran well up to between 12 and 17 percent. Adding to the enormity of the problem faced by Mayor Wagner and his building department is the simple fact that these tenements are now 30 years older than when Mr. La Guardia was crusading against them.

Last May, the city commissioned a study of the present housing code by the Columbia University Legislative Drafting Research Fund. Headed by Prof. Frank Grad, the study team is expected to take 3 years, at a cost of $255,000, to analyze the deficiencies in the present code, and return recommendations.

Professor Grad said yesterday that he filed a preliminary report on consolidation of housing enforcement agencies several months ago, but the city has not yet released his recommendations.

The professor declined to discuss his findings, but it was learned that he urged consolidation as a long-overdue measure.

Reforms in the tenements come in fits and starts. In 1901, the legislature passed the sweeping tenement house law, outlawing any more construction of the dingy, unsafe buildings. Toilets were moved into the houses from the backyards.

In 1929, the legislature mandated fire-retarding of cellars and halls, and in 1955, the multiple dwelling code was amended to require central heating in every apartment house.

This could be the year for greater tenement-house reform—perhaps a tightened multiple dwelling law and city housing code. If the people and their elected officers want it.

DAVID G. OSTERER RECEIVES THE ELOY ALFARO GRAND CROSS AND DIPLOMA IN RECOGNITION OF HIS DISTINGUISHED SERVICE TO MANKIND

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

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, under leave to extend my remarks, I am privileged to insert the highlights of the decoration ceremony, held on November 19, 1964, at the Westchester Country Club, when the Eloy Alfaro Grand Cross and Diploma of the Fundacion Internacional Eloy Alfaro of the Republic of Panama was conferred upon the Honorable David G. Osterer. This honor was given Mr. Osterer in recognition of his distinguished service to humanity, charity, ethical conduct in the business world, comparative religions, and in further recognition of his efforts toward the establishment of international peace.

The ceremony was opened by an outstanding address delivered by Dr. Herman A. Bayern, of Yonkers, N.Y., the American provost of the Eloy Alfaro International Foundation. In his speech, Dr. Bayern set forth the aims and purposes of the foundation and explained why Mr. Osterer was unanimously voted to receive this high honor, as well as setting forth the achievements and accomplishments of Eloy Alfaro, President of Ecuador from 1895 to 1901 and 1906 to 1911 and promoter of hemispheric solidarity.

Mr. Speaker, I present the investiture speech delivered by the Honorable Albert Conway, Justice of the Supreme Court of the State of New York:

INVESTITURE SPEECH OF THE HONORABLE ALBERT CONWAY

Judge McCullough, my colleague and toastmaster, Dr. Bayern, and the fine committee that has put in many hours to arrange this affair, guests and friends. This is a meaningful occasion. The purpose of making awards is not merely to honor an individual or reward him for his service, but to encourage others to follow by example.

Briefly, I would like to talk to you about David Osterer and the nature of this man. His friends at first suggested an elaborate dinner affair, which he refused because he felt it would place a tariff on people to see

him honored, since it was not for a cause to which funds would go. He accepted the idea of public presentation when it was suggested to him that the purpose of a public presentation was to encourage others by example, whereas anonymity would not.

As a matter of fact, he has any number of honors he even refused to refer to. Our honored guest is known nationally and internationally in certain circles and is beloved, admired, and respected by many because of his charitable and civic activities. The place he has won in the business world alone—because of his ethics and principles—merits this high honor.

The board of dignitaries of the Eloy Alfaro International Foundation were very happy to unanimously vote him its highest honor—the Eloy Alfaro Foundation Grand Cross—and he now joins those famous Americans who likewise distinguished themselves in the service of humanity. Briefly, to delve into Mr. Osterer's background, I discovered that he is a dynamo.

He was not born on the East Side. However, he was a product of New York public schools, graduated from Brooklyn Law School (LL.B. cum laude). It is also interesting to note that while attending law school, Mr. Osterer worked 10 to 12 hours a day in the State of New Jersey, attended Brooklyn Law School and lived in the Bronx.

He engaged in the general practice of law until the early forties, at which time he became active in industry. He participated in the organization of the Induction Heating Corp. Subsequently, he became chairman of the board and executive vice president. He is one of the founders of Hydra-Power Corp. Later, while president of New Rochelle Precision Grinding Corp., he conceived of and was one of the founders of New Rochelle Termatool Corp., which is now a subsidiary of American Machine & Foundry.

It is interesting to note that while under his stewardship the Induction Heating Corp. received the Army and Navy E for its outstanding contribution to the war effort and the Termatool Corp. the E Award for its contribution to international trade.

Mr. Osterer has been the recipient of a number of testimonials from employees, and lectures from time to time on personnel and management policies, among other honors, he holds the Humanitarian Award from the United Cerebral Palsy Association of Westchester County, N.Y. He is currently a member of the board of the Harrison Community Center and a member of the board of the St. Agnes Association—as well as having been "entrusted" with the key of the city of New Orleans while being made an honorary citizen.

During his military career he rose from the rank of private to major in the New York Guard. The man who can testify to this is Colonel Lopaus, who is with us tonight.

Mr. Osterer has always demonstrated the quality of leadership and devotion to public service. His belief in man has been practiced with success. He has been "stiff necked" and rebellious against following the beaten paths in business and has been equally "stiff necked" and rebellious when pursuing the course of principle. A picture of Mr. Osterer can be derived not only from his activities, but from his writings and sayings which reflect a concern for the dignity of man. For example, he has written * * * "There is more potential drive in man than horsepower in machines."

This evening, we signally honor a man who knows a depth of concern for his fellow man and who, because of this concern, has led an exemplary life. His unwavering faith in the ideals of mankind and his tireless effort in the advancement of charitable service and humanity richly merits the honor he receives tonight.

On behalf of the Eloy Alfaro International Foundation, of which I have been an earlier recipient and in the language of the foundation's board of dignitaries * * * "In recognition of his distinguished service to humanity, charity, outstanding ethics in the business world, comparative religion, and in further recognition of his efforts toward the establishment of international peace" * * * I am honored to confer this diploma and Grand Cross on an outstanding citizen and a friend of all, the Honorable David G. Osterer.

Judge Conway then conferred the Eloy Alfaro Grand Cross and diploma upon the Honorable David G. Osterer, assisted by American Provost Dr. Herman A. Bayern.

The Honorable David G. Osterer then acknowledged the receipt of this award, as follows:

"Judge Conway, Judge McCullough, Reverend Clergy, Dr. Bayern, Mr. Gerner, ladies and gentlemen, I hope you will not consider the nature of my acceptance of this distinguished decoration as a display of immodest modesty.

"I cannot bring myself to believe, however, that I was chosen by a process of competitive elimination. I know and you know that there are thousands of Americans who have devoted themselves to the service of community and humanity and who are equally, if not more deserving than I am for such recognition. It is just that I was lucky enough to be noticed.

"So it is with a feeling of gratitude—mingled with a sense of being lucky, and as symbolic of all those who serve, that I accept this decoration.

"I feel it important to make further comment. If there is any basis to the concept of the true partnership of marriage, then any moneys I have expended, any service I have rendered, any anxieties I have experienced (and there is anxiety entailed in the service of causes), all has been equally shared in the giving of my wife, Marti.

"This Foundation, which bears his name, was decreed by the President of Panama in order to perpetuate the philosophies and purposes to which Gen. Eloy Alfaro devoted his life. I think it is only fitting and proper that I make expression relative to the purposes of the Foundation, which constitute my beliefs as well.

"The history of mankind reveals that the caveman's community of concern was his cave, his mate, his offspring, and the surrounding elements and animals he had to contend with in order to survive. He did not know, nor did he care about what was happening on the other side of his mountain.

"When man evolved to the tribe his community of concern was not only the tribe and its welfare, but the surrounding tribes, their problems, their weaknesses, their strengths, their purposes and their intentions.

"And so evolution continued until today. Man's community of concern is global, and happenings anywhere in the world (particularly with instantaneous communication and almost immediate impact) affects man in his community of residence, wherever in the world that may be.

"We are today confronted with a truism that we must recognize and deal with.

"That there is no area—whether it be in the community of our residence (city, State, or country—take Harlem for instance), or whether it be in a far distant land, that has not proved to be an area fertile for the growth of the root and the weed of destruction.

"I thank you, Msgr. James T. McDonnell, Rabbi Aaron Singer, Rev. Alfred S. Powell, for gracing this dais. I thank John Mann, president of the United Cerebral Palsy Association of Westchester County, N.Y., and my colleagues for your courtesies. I thank Dr. Herman S. Bayern in the name of the foundation for the recognition that you have extended to me, and to Henry M. Gerner, a member of the foundation. I thank Judge Frank McCollough, whom I have known both as a legislator and as a judge, as one who has never turned his back on causes he deemed right, for your good offices as chairman. And I thank Judge Albert Conway upon whom the State of New York has conferred its highest judicial honor—chief judge of the court of appeals—for the deference that you have shown me tonight.

"I thank the committee, whose generosity—more so graciousness—has made tonight possible.

"To you, my friends, who have so honored me with your presence tonight, I extend my deep gratitude."

Finally, Mr. Speaker, I insert an editorial which appeared in the Gannett newspapers in the State of New York. The following editorial appeared in the Daily Argus, Mount Vernon, N.Y., on Monday, November 23, 1964:

AN HONOR FOR MR. OSTERER

Chances are that few in Westchester are familiar with the Eloy Alfaro International Foundation of the Republic of Panama or that they even knew it existed until Thursday night when it honored David G. Osterer of Harrison with its Grand Cross and diploma.

But there are a great many people in Westchester who know and admire David Osterer and there are many more who are better off because he is the man he is.

The foundation, named after a former President of Ecuador, works toward improving the health of the peoples of the world and promoting the establishment of peace. It has numbered individuals among those chosen for its honor.

Its citation of Mr. Osterer reads: "In recognition of his distinguished services to humanity, charity, ethical conduct in the business world, comparative religions and in further recognition of his efforts toward the establishment of international peace."

Mr. Osterer is a man of deep religious conviction, close family ties, and wide charitable instincts.

Out of the regard for his own fine and healthy children and his conviction that man does not exist to serve himself alone, he came to accept the presidency of the United Cerebral Palsy Association of Westchester some years ago, when it had fallen on bad times.

Badly disorganized, perhaps because it was caught up so in the emotional problems of the parents of the afflicted children who tried to keep it afloat, the association was given a firm hand and strong leadership. Mr. Osterer brought into it many distinguished and influential Westchester people and put their talents to work. The result has been an ever-widening and increasing beneficial program for those stricken with cerebral palsy.

Mr. Osterer is an industrialist, and a successful businessman. The NBC is only one phase of the variety of activities which capture his energetic attention, but he is summed up to those who know him in the philosophy with which he approached the challenge of raising and disbursing funds for the UCP. "The public dollar is a public trust" is his slogan and he never let his colleagues forget it. His award is well deserved.

PROPOSAL FOR PEACE IN VIETNAM

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend

his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PEPPER. Mr. Speaker, the situation in Vietnam is one of such critical character that I am sure we all are glad to see outstanding and dedicated Americans earnestly thinking about the problem and offering their ideas as to what would contribute toward the solution of the problem in a way consistent with the interest of freedom of the people of Vietnam. I submit for the daily CONGRESSIONAL RECORD, for the consideration of my colleagues and fellow countrymen suggestions which I believe to be worthy of note which have been made upon the subject by Mr. John Bethea, an instructor in the Department of Social Science at the University of Miami, and together with the proposal of Mr. Bethea, an article by Mr. Clarke Ash, associate editor of the Miami News, commending the plan which Mr. Bethea proposes.

THE ECONOMIC DEVELOPMENT OF PUERTO RICO

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

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

There was no objection.

Mr. PEPPER. Mr. Speaker, it is with a great deal of pleasure that I submit for the reading of my colleagues an address by the distinguished Resident Commissioner of Puerto Rico, the Honorable SANTIAGO POLANCO-ABREU, and the well deserved introduction by Mr. Roy Vallance, president of the Inter-American Bar Association, delivered before Inter-American Bar Association and the District of Columbia Bar Committee on Inter-American Relations, at the National Lawyer Clubs of Washington, D.C., on April 27, 1965.

Mr. Speaker, the introduction and address of our colleague are as follows:

SANTIAGO POLANCO-ABREU

Born October 30, 1920, in Bayamón, P.R. Attended elementary and high school in Isabela, P.R. Bachelor of arts and LL.B., University of Puerto Rico, 1943. President of the student council. Popular Democrat. Practiced law in Isabela and San Juan. Appointed legal adviser to the tax court of Puerto Rico, August 1943. Married Viola Orsini, 1944; no children. Elected to the House of Representatives, Commonwealth of Puerto Rico, 1948, 1952, 1956, 1960. Member of the constitutional convention of Puerto Rico, 1951–52. Chairman, committee on finance; vice chairman, committees on interior government, appointments, and impeachment proceedings, and member of the committee of rules and calendar. Appointed speaker of the house, January 17, 1963. Member of the American Bar Association, Bar Association of Puerto Rico, Puerto Rican Atheneum, Association of American Writers, Lions' Club, and Pan-American Gun Club. Advocates economic and social change in Latin America and in this respect believes Puerto Rico has a fundamental role to fulfill. Has traveled in Europe, North America, and in most Latin American Republics. Elected November 3, 1964, for a 4-year term as Resident Commissioner.

THE ECONOMIC DEVELOPMENT OF PUERTO RICO

(Address by SANTIAGO POLANCO-ABRÉU, Resident Commissioner of the Commonwealth of Puerto Rico)

I am greatly honored by the invitation of the Inter-American Bar Association and the D.C. Bar Committee on Inter-American Relations to join with them here today to speak on the economic development of Puerto Rico. It is extremely rewarding to me that this distinguished group is interested in the problems of Puerto Rico and how we are handling them. And, with your permission, I would like to look at the Commonwealth against the larger backdrop of the two-thirds of the world which lives in deep poverty.

Certainly all of us are perturbed by the enormous gulf which separates the "have" from the "have not" nations, and even more perturbed by the fact that this gulf seems to be growing, rather than diminishing.

Happily, there have been some noteworthy exceptions to this trend of the rich getting richer, while the poor get poorer or barely hold their own. The rates of economic growth in Japan, Israel, and Puerto Rico, for example, are now much higher than the growth rates of more highly developed countries. In contrast with most underdeveloped countries, moreover, their growth has been nothing short of spectacular. Today, Japan, Israel, and Puerto Rico are on the other side of the fence, sending their technicians and providing technical assistance to their less fortunate neighbors.

Recognizing that Puerto Rico is no more a typical case than Japan or Israel, it is nevertheless worthwhile, I believe, to understand something of its economic development history in order to see more clearly some of the problems characteristic of underdeveloped countries and some of the solutions that have proved workable in Puerto Rico.

In 1898, when Puerto Rico was ceded by Spain to the United States, the island was indeed underdeveloped. Most people lived in poverty on small subsistence farms. Families were large and few children could be educated. Coffee was the only important export, and the total volume of oversea trade was small, indeed. The beginning of a modernized Puerto Rican economy was the development of sugar as a major export industry.

Growth of the sugar industry provided a necessary base for the more diversified economic development that was to come much later. The method of its development, however, was most damaging to the people of Puerto Rico. The sugar industry, largely owned by U.S. interests, took out from Puerto Rico far more in profits than the amount it invested or reinvested.

The depression of the 1930's hit Puerto Rico with great severity. Sugar and coffee prices tumbled to ruinous levels. Many coffee plantations, which had been severely damaged by hurricanes in 1928 and 1932, were not replanted. Everywhere there was deep social and political unrest. Puerto Rico was on the brink of revolution. Federal relief programs, although substantial in size, were not sufficient to offset the collapse in the economy.

When it did come in 1940, the revolution was a peaceful one. A newly formed political party, led by Luis Muñoz Marín, won a slim victory at the polls. Muñoz had campaigned, not on the traditional basis of Puerto Rico's political status, but on immediate and pressing economic and social issues. He promised bread for the hungry; land for the landless peasant; and freedom from political domination by the absentee sugar companies. His victory brought hope to a people that had for many years been mired in hopelessness.

During the war years, Muñoz and his new Popular Party administration laid the groundwork for the economic and social development programs which were later to be put into high gear. They also had a revenue windfall of $160 million from countervailing excise taxes on rum, which sold in large quantities in the United States during the war. And although this was badly needed for public assistance and a score of urgent, immediate problems, the government made the decision to invest this revenue in a number of public corporations intended to spearhead Puerto Rico's economic development.

Included among these publicly owned corporations were utility companies in the fields of power, water supply, transportation, and communications. There were five others that had specific economic development objectives—the Government Development Bank, the Industrial Development Co., the Land Authority, and the Agricultural Co. Today, there are 22 public corporations in operation. Most of the larger ones are self-financing and today their assets total well over a billion dollars. Their establishment early in the program and their continued record of sound and constructive management have been major factors in the success of the development program as a whole.

To appreciate the strategy of the development program that was being planned and started in the 1940's, one needs to know something about Puerto Rico and its resources. The island is only about 100 miles long and 36 miles wide. We have sunshine, beaches, and the sea, mountains, a tropical rain forest.

Coffee and tobacco, and fruits and vegetables are grown in the mountains; and we have a rapidly expanding livestock and poultry industry, which produces about as much farm income as sugarcane, our traditional crop.

It began to be clear even in the 1940's that Puerto Rican economy could not depend primarily on agriculture. The entire surface of the island has less than an acre of land per person and only about a third of it is suitable for crops of any kind. Even forestry is limited by the rugged terrain and by the great variety of trees and undergrowth typical of forests in the tropics. Prospecting for minerals started years ago and continues actively, but none has yet proved exploitable.

With limited land and no commercial resources of fuel or minerals, industrial development has had to be the key element in Puerto Rico's economic development program. But there were many people in the 1940's, including some of the experts, who believed that an industrial program was doomed to failure in a small agricultural country with such limited physical resources. In any case, it seemed quite clear that private investors would not initially undertake so rash a venture unless the Government functioned as a very active catalyst.

At first the Government constructed and operated five factories, but it soon became evident that it would be impossible for the Industrial Development Co. to create jobs for Puerto Rico's rapidly rising population by this method. Some way had to be found to enlist private capital on a large scale in the industrial program. A sound program of tax exemption, which was legislated in 1948, has proved to be the key incentive necessary for the development of private industrial enterprise in Puerto Rico.

Puerto Rico's program of tax incentives and assistance to private industry rests on two basic elements in Puerto Rican-United States relations. In accordance with its association with the United States, Federal taxes (with minor exceptions) do not apply in Puerto Rico and there are no tariffs or other restrictions on the flow of trade and money between the two areas. Since most

Federal taxes, including the Federal corporate income tax, do not apply in Puerto Rico, the Puerto Rican Government, by exempting a corporation from its own taxes, is able to grant complete tax freedom. Under present legislation, it does so for manufacturing and hotel enterprises for a period which ranges from 10 years of tax exemption in the San Juan metropolitan area to 17 years in less-developed parts of the island.

Free trade with the United States, the other key element in United States-Puerto Rican relations, meant that a manufacturing operation in postwar Puerto Rico was not limited to what was then a very small local market. A plant, efficient enough to compete with U.S. producers and also able to pay ocean frieght costs, was in a position to sell without any other restrictions in what was, and is, the world's largest common market.

Our promotion efforts were at first slow in yielding results. By 1950 only about 80 new, privately operated plants had been promoted, and most of them were relatively small. By 1955, 300 new privately owned factories had been established. Today, 10 years later, there are more than a thousand new, privately owned factories operating in Puerto Rico. Most of them are affiliates of U.S. manufacturing concerns.

These factories produce over 300 different products. Apparel, textiles, electronics, machinery and petrochemicals are among the largest and fastest growing of the new Puerto Rican industries. About three-quarters of their output is exported, mostly to the United States. Last year (1963–64), exports of the new industries totaled $556 million, more than three times the value of our shipments of sugar and other agricultural products. Manufacturing industries now employ 105,000 workers at an average wage of $1.15 an hour.

Puerto Rico is no longer a one-crop agricultural economy, moreover. Agricultural production has continued to expand and diversify. The value of livestock and poultry products, for example, is now about equal to sugar. But even with a growing total of agricultural production, manufacturing is today more than twice as important as agriculture as a source of income and as a stimulus to the general economy.

To develop manufacturing to the point it has already reached has taken considerably more than tax exemption, free trade, and promotion. The Puerto Rico Economic Development Administration and our vocacational education system have had to train thousands of workers and supervisors. Many manufacturers have needed and have received marketing, engineering and other forms of technical assistance, as well as laboratory and testing services. For nearly a decade, the Industrial Development Co. has maintained a stock of about 50 new factory buildings throughout the island ready for immediate occupancy. The company and the Government Development Bank stand ready to participate in almost any kind of financing arrangement that seems mutually beneficial to the prospective manufacturer and to the people of Puerto Rico.

Tourism development was another logical target for Puerto Rico. The island's kind climate, its golden beaches, and its beautiful scenery provided the natural resources on which a major tourist industry could be built. Nevertheless, tourism was a relatively slow starter.

But in the past 7 years the growth of Puerto Rican tourism has been spectacular. We have about 7,000 hotel rooms, two-thirds of which have been built within this 7-year period.

Primarily because of the swift expansion of manufacturing and tourism, the growth of the Puerto Rican economy as a whole has been among the most rapid anywhere in the world. Discounting price increases, the increase in real Commonwealth gross product during the past 5 years was 58 percent, an average of 9.5 percent, compounded annually. The largest gains in real gross product or real national income recorded elsewhere by the United Nations were 9.6 percent for Israel between 1952 and 1960, and 9.5 percent for Japan between 1954 and 1960.

It is, of course, a great flow of capital investment that accounts for Puerto Rico's record, or near-record rate of economic expansion. For 7 years, gross investment in fixed capital has been 20 percent or more of Commonwealth gross product. Last year it was 24.6 percent. Such a high rate of investment is characteristic of highly-developed countries like Holland, Sweden, Canada, and the United States but not of underdeveloped countries where capital is ordinarily very scarce.

Recognizing the high productivity of new investment in our economy, Puerto Rico has not only welcomed but actively promoted the investment of outside capital. As a result, about half of the funds invested in Puerto Rico have come from external sources, mainly the United States. There are three principal channels through which these funds flow in: First, direct investment, mainly in factories, hotels, and commercial establishments; second, the sale of bonds and other obligations of the Commonwealth and municipal governments and of the public corporations; and third, the purchase of Federal Housing Administration guaranteed mortgages by the Federal National Mortgage Association (called Fanny May) and other investors outside Puerto Rico.

Direct investment of externally-owned funds in Puerto Rican factories already exceeds half a billion dollars. Outstanding obligations of the Commonwealth and municipal governments and of Puerto Rico's public corporations total nearly a billion. Nearly two-thirds of this is accounted for by the public corporations, of which the Water Resources Authority is the largest.

I have been speaking in economic abstractions. Now let me translate this into human terms. In 1940, Puerto Rico's per capita income was $121. By 1950 it had inched up to $279. In 1964 it reached $832, almost triple the figure of 14 years earlier. Even allowing for price increases, this meant that real per capita income had more than doubled in the past 14 years. In 1950, per capita income in Puerto Rico was barely 18 percent of the U.S. average, but by 1960, it had risen to 30 percent. So even in comparison with the United States, the gap has been closing rapidly. These per capita figures have, of course, deep human meaning. They mean that a man who was worried about being able to afford a pair of shoes 25 years ago, now worries about finding parking space for his Chevrolet; and that the woman who then wondered if she could feed her children, now is concerned with providing them with high school or college education.

Let me cite some revealing indexes of this new, relative prosperity. In only six years, the people of Puerto Rico raised their per capita consumption of animal proteins from 54 percent of the United States average to 82 percent. In these same six years, the registration of motor vehicles increased two-fold, while the number of telephones has doubled in only 3 years. University enrollment is twice that of 9 years ago, and per capita expenditures for public health are now about the same in Puerto Rico as in the United States. One of the most dramatic results is that a Puerto Rican baby at birth can now expect to live to 70 years.

All these are impressive gains, but it is certainly logical to ask how much of Puerto Rico's experience has any relevance to the needs of other developing areas, and how much is peculiar to its own special conditions. Primary among these, of course, is the special economic-political relation with the United States.

Let it be said from the outset that Puerto Rico's spectacular growth could never have been achieved without its special relationship to the United States. But it is equally true that this relationship did not automatically give Puerto Rico a passport to prosperity. The fiscal and trade relations with the United States which exist today are almost precisely the same as those which existed from 1898 to 1940. Yet prior to 1940, the economic situation of Puerto Rico was desperate. The great change in productivity and per capita income has taken place only in recent years, and despite the fact that the economic intrinsics have not changed. "Why?" you may ask.

And here let me say frankly that I will give you a personal opinion, rather than a scientific evaluation. I believe that the heart of Puerto Rico's spectacular growth lies in the very high quality and notable stability of its government; in its true, genuine concern for social as well as economic development, and in its constant consideration of the human element.

Puerto Rico has been fortunate in having a stable, dedicated, democratic local government, whose chief executive and leading figure was Governor Luis Muñoz Marin until his retirement this year. It has been a government characterized by unfaltering devotion to the public welfare, by noteworthy sentiment of honesty, and by the tireless participation of a number of men of unusual competence and imagination.

Secondly, the Puerto Rican Government never lost sight of the fact that its economic development programs were for people, and that they had to be translated into social and economic benefits for people as rapidly as possible. The people, in turn, having confidence that the government was deeply responsive to their needs and hopes, were willing to make necessary sacrifices over many years while the development programs were getting slowly underway. It was essentially a political challenge and, in all developing areas, one of the most critical and most difficult—to provide inspiration and hope of the type which unleashes a sustained, creative outpouring of energy, even when early, visible returns are meager. Providing this kind of inspiration was one of the outstanding accomplishments of Governor Muñoz and his government.

Finally, both in government and in other fields, there has been an extraordinarily rapid accumulation of education, of expertise, and of skills. Barely 15 years ago, there were virtually no industrial skills or tradition in Puerto Rico, for example. Today, most of the highly sophisticated industrial plants have Puerto Rican managers, to say nothing of Puerto Rican engineers and technicians. A whole new generation of industrial and commercial entrepreneurs has sprung up with astonishing speed. This is only one facet of Puerto Rico's vast effort in education.

In sum, the basic reason for Puerto Rico's rapid growth has been good government, a genuine concern for people, and a passion for education. Stirred together, these have accounted for the explosion of energy which has allowed Puerto Rico to tackle successfully a job which many regarded as impossible.

Indeed, it is fair to say that the economic benefits of Puerto Rico's special relationship with the United States have barely compensated for its dearth of raw materials, lack of local market, and its former lack of industrial tradition or capital. These special benefits merely gave Puerto Rico a fighting chance. Many other developing countries have, on balance, a far more promising pattern of intrinsic circumstances than Puerto Rico has, even today.

In final analysis, which countries succeed and which ones flounder, usually reduces itself to the human element. The great natural riches of any country, in the absence of good government, are only a mockery. Yet basically poor countries can, with good government, achieve remarkable feats, seemingly in defiance of the laws of economic gravity.

Although perhaps the case of Puerto Rico is unusual, this, in my opinion, is the really important lesson of Puerto Rico's development. There are, of course, a number of specific Puerto Rican techniques and experiences which could be studied—and are studied—by other developing countries. I refer, for example, to Puerto Rico's highly effective promotional techniques for attracting maximum amounts of investments and tourists, and the mechanisms of the Economic Development Administration for translating these into income and jobs at an accelerated rate. But in essence, these techniques are meaningless unless there is honesty, dedication, and competence in government, to provide overall planning and leadership. Alongside such prime requirement, all else pales into insignificance.

While the Puerto Rico experience merits the study of underdeveloped countries, in my belief, it also illustrates a very valuable lesson for developed countries. It is these countries which are asked, through various channels, to help finance the development of the poorer countries. For them to do so willingly and enthusiastically it is useful to be able to appeal to their self-interest, as well as to their conscience.

For years the theory of development has been that, once an area was well on the way to higher income, it would become a sufficiently attractive market that the countries contributing to its development would profit economically, as well as morally and politically. Here Puerto Rico has become a telling example.

In 1940, when its per capita income was only $121, Puerto Rico's outside purchases were negligible; it bought an insignificant $107 million a year from the United States. But in 1964, as a direct result of its growing prosperity, Puerto Rico purchased nearly one and a quarter billion dollars from the continental United States—an increase of more than 10 times.

This level of purchases makes Puerto Rico one of the most important U.S. markets in the world, moreover. Though it is difficult to believe, little Puerto Rico—with only 2,500,000 people—now is a more important market for U.S. products than 17 European nations combined. It buys more from the United States than all 44 countries of the African continent. It purchases more than all the east coast countries of South America, including Brazil and Argentina, plus all the Caribbean Islands combined—a total of 14 countries.

In the entire world, only Canada and Japan buy substantially more from the United States than Puerto Rico; Great Britain and West Germany purchase slightly more. But on a per capita basis, Puerto Rico is far ahead of all these important markets, buying $490 per capita per year of U.S. products.

This has become an important factor in the economy of 47 States and there are now 150,000 jobs in the continental United States which are dependent on Puerto Rico's high level of purchases.

In sum, a formerly poor area was an insignificant market. As a direct result of its rapid economic development, however, it has become one of the really important world markets, despite its small size and population. This suggests that, if other underdeveloped countries could also increase their per capita income, even at a much more modest rate, the growth in new and profitable markets for the developed nations could become almost staggering in scale.

I would like to end on a frankly political note. In the Caribbean, historically, Cuba has been a rich island, happily endowed with great expanses of fertile fields, raw materials, and other natural blessings. Puerto Rico has been the poor cousin, whose heavy population pressure against scarce natural resources is one of the most unfavorable in the world. Yet in the 5 years since Castro has ruled rich Cuba, its per capita income has declined by 15 percent. During these same 5 years, Puerto Rico's per capita income has risen by more than 50 percent. I can think of few statistics which are more sobering. And, for developing areas, I can think of none that are more meaningful.

THE LATE WILLIAM BRUNNER

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

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

There was no objection.

Mr. ADDABBO. Mr. Speaker, Queens County, N.Y., has lost a distinguished citizen, a former Member of this body, the Honorable William F. Brunner.

Mr. Brunner gave a lifetime of service to his community, State, and Nation. This man will be sorely missed, and I extend my heartfelt sympathies to his loved ones.

Following is the article outlining the life and service to his fellow man of Mr. Brunner as it appeared in the Long Island Daily Press:

WILLIAM BRUNNER FUNERAL TUESDAY

Former Representative William F. Brunner, of Neponsit, is dead at 77.

He died yesterday in Peninsula General Hospital, Edgemere.

Mass will be offered Tuesday at 10 a.m. in St. Francis de Sales Catholic Church, Belle Harbor.

Burial will follow in St. John's Cemetery, Middle Village.

Mr. Brunner died yesterday at 1:45 p.m. in the hospital which he served as president of the board of trustees for the last 19 years. He relinquished the presidency earlier this month.

Already a patient in the hospital, Mr. Brunner left his hospital bed to attend a dinner in his honor on April 12 when he announced his retirement as president. He was named president emeritus and was presented with a plaque.

The plaque has been set up in the hospital's lobby. The next day, Mr. Brunner was back in his hospital bed.

Mr. Brunner was born in Woodhaven, September 15, 1887, and moved with his parents to Rockaway Beach in 1908.

Throughout his lifetime, his major interest was the Rockaways.

He married the former Theresa Poggi in 1919, and they have a son, William Brunner, Jr., and four grandchildren. Mr. Brunner lived at 145 Bch. 145th Street.

Mr. Brunner graduated from Public School 44, Rockaway Beach in 1902, and attended Far Rockaway High School until 1905. He then attended St. Leonard's Academy and graduated from Packard Commercial School.

At the age of 13 he delivered bread and rolls at 4 a.m. before school, and then again after school for his parent's bakery. He managed and played with the New York Nationals, one of the outstanding professional teams of the era. In 1912 the team, traveling between New York and Minneapolis, won 42 of 45 games. Three years later the team compiled a 45-to-1 record and played at the San Francisco World's Fair.

Before World War I, he engaged in general contracting, trucking, and the ice business under the name of Consolidated Ice & Trucking Corp. He served for 18 months in the Navy during World War I and saw duty abroad the flagship, U.S.S. *Seattle*.

After his discharge he started a sightseeing bus route between Rockaway Park and Rockaway Point.

While driving a bus, his friends talked him into entering politics. Brunner was elected to the assembly as a Democrat for seven terms beginning in 1922.

As an assemblyman he had legislation passed creating a new municipal court district for the Rockaways and Broad Channel. He cosponsored a bill creating a new city court judge for Queens and additional supreme court and county court judges. He sponsored legislation making possible Cross Bay Boulevard, beach protection, and the 7-mile long Rockaway boardwalk.

He was elected to Congress in 1928. While a Congressman for four terms, he was a member of the Post Office Committee. He was responsible for legislation benefiting postal employees and was made an honorary member of the National Post Office Clerks Association.

In 1933 he helped to obtain funds for many new buildings and improvements in Queens, including the Far Rockaway and Flushing Post Office. He was cosponsor of the Home Owners Loan Act which enabled more than 1,500 Queens homeowners, faced with foreclosure, to keep their homes.

Mr. Brunner resigned from Congress in 1935 and was elected Queens Sheriff in 1936. Later that year he resigned to be elected president of the Board of Aldermen.

The last president of New York City's Historic Board of Aldermen, served until 1938 when the board was abolished and the present city council created.

In 1941 he was named by the late Borough President George U. Harvey to serve as commissioner of borough works.

A real estate appraiser, realtor, and insurance broker with offices at 215 Beach 116th Street, Rockaway Park, Brunner kept busy with community affairs.

He was instrumental in advancing the protection of the beach front through the erection of jetties, the building of the 7-mile boardwalk, and the extension of the city's transit system to the Rockaways.

Mr. Brunner served as president of Rockaway Beach Hospital for 14 years and as president of the institution for the past 5 years under its new name of Peninsula General Hospital.

During his administration he spearheaded the campaign to build the new 200-bed, $5 million building which opened in June 1960, and the $500,000 nurses and interns residence and auditorium opened this year.

He was presidential chairman of the board of the Rockaway Chamber of Commerce serving as president in 1940, 1941, 1962, and 1963, and as board chairman in 1964 and 1965.

He was a past president of the Rockaway Rotary Club and the Rockaway Park Businessmen's Association, and was a director of the Neponsit Property Owners Association.

Mr. Brunner was past president of the Long Island Real Estate Appraisers; a member of the Long Island Real Estate Board, the New York State Real Estate Board, the National Real Estate Board, and the New York State Real Estate Appraisers, and was a director of the Lawrence-Cedarhurst Federal Savings & Loan Association.

He was also a director of the Queens American Red Cross chapter, the Queens Society for the Prevention of Cruelty to Children, and the Queens Division of the United Hospital Fund.

Mr. Brunner served as Queens chairman for the World War II bond drive, the Greater

New York fund and the United Hospital fund.

He was a life member of the Queensboro Elks Lodge and the Daniel M. O'Connell American Legion Post. He was also a member of the Rockaway Council of the Knights of Columbus, the Holy Name Society of St. Francis de Sales Catholic Church, the Hempstead Golf Club, and the Old Timers Basketball Association.

The funeral is under the direction of the Dennis S. O'Connor Funeral Home, 9105 Beach Channel Drive, Rockaway Beach.

END OF THE ROAD WITH SOCIALIZED MEDICINE

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

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

There was no objection.

Mr. HERLONG. Mr. Speaker, under leave to extend my remarks, I offer here a letter received recently by a doctor in this country from Americans now living in Germany.

I think this is another example of the end of the road with socialized medicine:

MUNICH, GERMANY.

DEAR DR. ———: I am sitting around the house recuperating from an appendectomy and naturally our conversation has been related to things medical and eventually we got around to discussing you and medical practices in the States. Therefore, I thought I would take this opportunity, since I have the time, to bring you up to date on the adventures of ——— clan in Germany.

As you probably remember, almost 3 years ago, my wife transferred over here in a pregnant condition. How, I understand, but why, I will never know. To say that she was emotionally distraught by the situation would be an understatement. She had visions of torture chambers and SS doctors experimenting on her. She refused to even see a doctor for the first 7 months. I think we both sort of hoped that if we ignored her condition long enough it might possibly go away. We finally faced the facts and she collected names of several doctors from our English-speaking friends.

The first one we tried had an office in an old building straight out of a Charles Adams cartoon. The doctor himself fit the part. He was shorter than my wife but when he met her he clicked his heels, bowed low, and kissed her hand. There was no physical examination. Just information as to what hospital and the revelation that she would probably not see him again until after the baby was born since a midwife at the hospital took care of all this nasty stuff. As you may well imagine, this just about did it. I was now searching for a competent psychiatrist as well as an O.B.

The second doctor we tried was recommended by a German friend. She was a "Frauen Arzt" who spoke limited English. She was highly recommended as a surgeon and an O.B. Her office downtown was very modern even by stateside standards. She turned out to be quite a character. Her practice was most "privat" which means she had to be good since the Deutschers would never spend their own money for something they could get free from the socialized doctors. She made frequent trips to the States for research and is supposed to be quite famous for a plastic surgery operation on the uterus. She gave my wife an examination and put her on calcium pills. She also gave her the address of a gymnasium where she was supposed to take exercises to prepare her for a "natural childbirth." She promised that she would be at the hospital even though the hospital had an around-the-clock midwife for such things. Claire decided to string along with her since she was the best we had found. That is, everything except the gymnasium.

As it turned out, Claire never really convinced herself that she was going to have this baby in Deutschland. She was 3 weeks late when Dr. ——— put her in the hospital to induce labor. It didn't work and several days later it started itself. I took her to the hospital and into the labor room. They are quite democratic about things like that in a "privat" hospital. In fact I could have spent the afternoon watching the whole show if I so desired.

Her labor was in bed with a pillow. When Claire asked Dr. ——— when they were going to the delivery room she answered that the baby would be delivered right where she was. "What, in a bed?" "Of course," Dr. ——— answered, "where else would you expect a baby to be delivered?" When Claire told her that all previous babies had been delivered on an operating table she answered, "How horrible." Of course this was no ordinary bed since the foot eventually broke away and there were fittings for stirrups.

All did not go well, however, since Alexander "Der Gross" not only had knotted his cord but also had it wrapped around his neck. It was impossible to knock Claire out completely since every bit of oxygen they could get was needed. He was quite blue when he was finally delivered but fortunately he survived with no ill effects. Dr. ——— explained that Claire had an emotional block that prevented her from delivering the baby on schedule. She said the sac was loaded with excess calcium.

The hospital for a "privat" patient is run quite similar to a hotel. The door is kept closed and nurses come in only for the bare essentials. Visiting is unlimited day or night. No water is ever provided the patients since they are very down on drinking water over here. Claire could have all the beer and champagne she wanted, but no water. "Sekt macht Milch." You ought to try that on your patients if you could run it by the AA.

The price of this "privat" room was about $9 (United States) a day. In winter they have a Heizung charge of about 75 cents they add on to this. The use of the nursery and the delivery room was about the same or a little cheaper than the States. My Travelers insurance paid for everything except about $17 of the total bill. Dr. ——— charged $200 for her fee. This you must realize is about top price here since most people use the government facilities.

We have lived over here almost 3 years and I think I have seen enough to say a few competent words regarding socialized medicine. I feel that Germany is not only 50 years behind but I can't see how they can ever catch up under the present system. The first thing that strikes you is the great number of amputees you see. At first I thought this was due to the war but it suddenly dawned on me one day that most of these people were young and born after the war. The cause of this, and German doctors I have spoken to about it have admitted the same, is that doctors do not have the time, for reasons I'll explain later. They can only go so far and then they amputate. They get so much money for each patient and they cannot let a single patient monopolize their time. They must see an average of 60 patients a day to make a living. About 95 percent of these amputations would be unnecessary by stateside standards. I know of a German family of eight who periodically go to the doctor with imaginary aches and pains because he will prescribe tea for them. They then get their tea free from the government. If you multiply the millions of tea drinkers by the number of people who clutter the doctor's office for aspirin, bandaids, eyewash, cotton, etc., it is easy to see why a patient who really needs medical aid cannot get it. The doctor is the middleman in this governmental dispensary but he does not discourage it. He needs the 60 signed yellow slips each day to make a living.

A patient entering a hospital has no doctor responsible for him but is subject to every doctor working in the hospital. A doctor treating a patient in the hospital may find that when he returns the next day, another doctor may have amputated on the patient he was treating. I heard one young doctor complaining that on a "privat" patient no one could do anything unless he had the permission of the doctor in charge of the patient. He said it prevented him from doing a lot of things he wanted to do. All I could do was to whisper, "Thank God."

The Deutscher of today is still not a free-thinking individual. The stigma of the "police state" is still stamped somewhere in the back of his brain. He would rather be legal than right. He derives maximum security from the multitude of laws and stamped legal documents he must carry for ordinary living. The "Stempel" is his God. Because of this ingrained characteristic he feels that this grist mill they call medicine emanating from the "Bund" is the best they can expect. They accept it without complaint because they have been conditioned for it and chalk up the loss of an arm or a leg as "ungluck."

My appendicitis began about 5 weeks ago in Berlin. After about 24 hours of a pain in my side I came back to Munich. Claire drove me to the emergency ward of the public hospital to get a blood count. I was taken to a small room by the intern and given two flat thermometers. I was instructed to crawl up on a narrow table and take my temperatures. The intern then left the room. How these Deutschers can balance on that narrow table and rectally take their own temperature while holding another thermometer in their armpit is an acrobatic feat I will never master. I think I established medical history by having the same temperature at both ends. I now know that if you hold a thermometer under each armpit they will both read 37.5° C. and surprise the doctor.

I finally got the blood count and it registered 11,000. I didn't know if that was high or not but they did want to operate right away. I stalled them and got in touch with Dr. ——— who recommended a surgeon. I entered the hospital on a Sunday evening. I met the doctor and talked to him for about 2 minutes. I was later given a stomach shave and an enema. The next morning I was given a sedative and wheeled to the operating room. There was no physical examination or past history interrogation. I could have been a born bleeder or subject to coronary attacks but the doctor would have never known it. The only information they had on me was my address and that I was a "privat" patient. I was told later that since they don't have the time to do these things with the government patients that most doctors have also eliminated it from their private patients.

It will be 5 weeks tomorrow since the operation and I am still not back to work. I had actually gone to Berlin last Monday to resume flying but I was seized with pains every time I breathed, running from the scar up to the base of my right rib cage. I had to come back to Munich. I saw the doctor yesterday and he explained "auf Deutsch" that my "Blinddarm" was on the wrong side of my liver and they had quite a bit of trouble getting it out. He prescribed "spaziern and frische Luft."

Well, enough of this ranting. I just thought that maybe you would be interested

in our experience on this medical frontier. Claire said that she may possibly add something so I will close. If you ever possibly tear yourself away and decide to aggravate the outflow of gold by taking a European vacation, we would love to have you stay with us. Give our best to everyone.

Best regards,

———— ————.

POPULAR SUPPORT FOR A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

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

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

There was no objection.

Mr. DULSKI. Mr. Speaker, as one who also has introduced a resolution calling for a Special Committee on the Captive Nations, I join my colleagues today to request early consideration of this most important measure. Favorable action on this is long overdue. Popular support for it has been long established, particularly as shown every Captive Nations Week observance. Our Presidents have expressed the need for intensive study of the captive nations; our esteemed Speaker is personally for such a committee; many prominent members of the Rules Committee are also on record in favor of it. Yet there seems to have been some mysterious hand delaying positive action on it.

SINO-SOVIET RUSSIAN IMPERIOCOLONIALISM

During the past 3 months we have heard a great deal about American imperialism in South Vietnam. The major accusers are Moscow and Peiping, with every other totalitarian Communist capital piping in. Havana, Belgrade, Warsaw, Bucharest play this tune. It is significant how all of these Red totalitarian regimes band together when a firm position is taken against their plans for world conquest. The supreme irony of all this is that the two main centers of colonialism and imperialism in our time are Warsaw and Peiping. In fact, they are the last, remaining sources of this historical scourge.

Mr. Speaker, this fundamental phenomenon would be a prime target for the Special Committee on the Captive Nations. There is much to uncover here for legislative, educational, and political purposes. As yet, we have not met successfully the false arguments and accusations of these imperiocolonialist centers, particularly in the arena of what is called world opinion. We can make significant contributions on this subject by forming this special committee in this session. With such a committee we would serve the interests of our people as those of the free world by counteracting Moscow's and Peiping's lies and fabrications with facts and truths about Sino-Soviet Russian imperiocolonialism.

No recent development in Eastern Europe, Asia, or Latin America has qualified or erased the basic reality of this imperiocolonialism. New methods of power influence and dictation are not substantive changes of this determining reality. It cannot be emphasized too strongly that one of the paramount purposes of a special committee on captive nations would be to focus a steady factual and objective spotlight on Moscow's and Peiping's colonialism and imperialism in the captive nations. No such spotlight of factfinding for legislative action or, for that matter, other forms of action exists.

Mr. Speaker, it is noteworthy that all major national organizations directly concerned with the captive nations and their importance to our national interest are on record in support of this committee. Thousands of letters have underscored the necessity of it. Articles, editorials, and commentaries in scores of organs have stressed the need to concentrate on Moscow's and Peiping's imperiocolonialist enterprises. We, as the people's representatives, have a remarkable opportunity today to do just this. The lull in our relations with Moscow should not lull us into ignoring this opportunity.

BOOK-BURNING IN UKRAINE AND CENTRAL ASIA

I feel certain most of our people are unaware of what is going on among the captive nations in the U.S.S.R. News accounts generated in Moscow are of little value in this respect. For example, Mr. Speaker, I have here the text of a clandestine pamphlet that has circulated in the U.S.S.R. and presents information about planned book-burning in the national libraries of Ukraine and Turkestan. This is only one example among many that would attract the attention of a Special Committee on the Captive Nations. Poor and false images of the U.S.S.R. certainly are not sound bases for effective legislation and executive policy. Because of its highly illuminating contents, I request that the full text of this pamphlet be printed at this point in my remarks:

ON OCCASION OF POHRUZHALSKY'S TRIAL

(NOTE.—Complete text of a clandestine pamphlet written in and distributed throughout the Ukrainian S.S.R. and the U.S.S.R., a copy of which has been obtained by the Secretariate-General for Foreign Affairs of the Supreme Ukrainian Liberation Council (UHVR) (translation from Ukrainian).)

On May 24, 1964, there took place in Kiev, "capital" of the Ukraine, an event rarely duplicated in the history of world culture: The largest Ukrainian library, the Kiev Public Library of the Academy of Sciences of the Ukrainian S.S.R. was set on fire and burned.

How could the largest scientific library, located in the heart of a capital city burn down? As is well known, the firefighting techniques today are so efficient that large fires in cities are practically excluded, and even when they do occur, they are put out quickly. Things are so organized in libraries of the world today that not a single document can burn, let alone whole library possessions. World culture, during recent centuries knew of no case of the burning down of a national library, not in London, Paris, Stockholm, nor in Moscow (after 1812). And yet, the greatest Ukrainian library was burned down in 1964—in the era of the cosmos, the atom, and cybernetics.

Moreover, the huge crowd of people that gathered, by the sound of the silent anxiety, at the place of the horrible crime, witnessed how sluggishly the work of firefighting was proceeding. They could not get their rescue operations started at all for 2 hours because there was no water in the entire ward; the hydrants did not work. The fire was finally put out on the third day, only after the entire Ukrainian department of the library was completely burned.

It so happened that only the Ukrainiana burned—including old prints, rare books, manuscripts, archives (for instance, the archives of B. Hrinchenko, of "Kievskaya Staryna," of the Central Rada and others). A portion of those archives was not even yet cataloged nor categorized so that no one knows what there was and exactly what burned. They are lost forever to history. Also burned were special possessions of Ukrainiana through the year 1932 which had been collected on instructions of M. Skrypnyk after whose deposition they were classified as "secret" as was the entire Ukrainian history. The records burned also so that it is impossible to restore the index of books destroyed. Mention was made at the trial of 600,000 volumes. One can imagine how many books actually did burn.

Therefore, there was burned a part of Ukrainian history, a part of Ukrainian culture. Great spiritual treasures are lost forever. For thousands and millions of people, for generations of youth access was cut off to many spiritual sources, to books and documents, many of which have vanished forever; and others, if their duplicates do exist somewhere, are unavailable to the reader. At the present, even in Kiev itself there is no longer a place to work for the scholar, the aspirant, or the student, particularly if he is interested in the past of the Ukraine.

How could this unbelievable tragedy take place? Why? Under what circumstances? By whose hands and in what manner was it done? For what purpose?

The answers to all these questions were to be given at the trial of the individual who was caught redhandedly at the place of the crime—the library employee Pohruzhalsky. The trial took place in Kiev in late August of this year, in a small hall of the People's Court on Volodarska Street.

But from the very beginning the trial took on a very strange character. Anything which in any way would suggest the political nature of the crime, of its direction against Ukrainian culture, was meticulously eluded. Instead, everyone, the procurator, the judge, the defenders, the defendant himself, and the witnesses, coached in advance, were in contest with each other to prove that the defendant was simply of bad character and it was not surprising that he set the library on fire out of vengeance against the director who had offended him. Such "important" questions as how many wives the defendant had, how he met them and why they were divorced, what flowers he brought them and how the property was settled when they parted were discussed in a drawn-out and boring manner. The defense counsel dived deep into the psychology of the oft-times married man and explained how various injustices heaped on him by his coworkers led this tenderly organized character to the idea of burning the Ukrainian books. The defendant himself touchingly told that when he ignited the books he was not seeing the books but only the hated face of the director. In his concluding statement he even read a patriotic poem which started with the words: "Forgive me, my motherland; forgive me, my native country." (Translator's comment: These lines are in Russian language.)

Pohruzhalsky—is an official patriot. He wrote poems in which he praised Khrushchev, and then he burned down the library. At the trial he felt like a hero, and it was obvious from all indications that he would not be punished severely. And indeed, he was sentenced to 10 years in prison. The "humane" Soviet law this time showed a

compassion for the sentimental adventures of "this morally injured human being." A human being, we may add, who graduated from two higher educational institutions, and from the University of Marxism-Leninism, and who knew very well what he was doing and why he was doing it.

Of course, if Pohruzhalsky were to be sentenced to death by shooting this would not have restored the library. However, a few logical questions arise.

Why was there not a single word mentioned about the magnesium bands and phosphorus cones? As is well known, it was not easy to put out the fire. This is explained by the fact that books were packed with magnesium strips and phosphorus cones. There was not a single word about this at the trial. And Pohruzhalsky explained willingly that he did it all with a box of matches.

How could such a doubtful character have worked in the library for 10 years when the KGB takes interest even in the readers?

Why did no one raise the question about the lack of proper firefighting equipment in the largest library of the Republic? At the same time, for instance, such contemporary libraries as the Saltykov-Shchedrin in Leningrad are so thoroughly equipped that any fire can be put out immediately with the help of an automatic firefighting system (indicators, shielding, etc.).

Why were such valuable archieves-documents not kept in safes but instead in piles? Why did the court drag down to the level of just another adventure of the many times married man, Pohruzhalsky, the tragedy of the Ukrainian people known by now to the whole world?

Why did the judge make such strenuous efforts to prevent anyone from taking notes in the courtroom ("What are you writing there?" "Where do you work?" etc.)? (N.B.: The two questions are written in Russian.)

Finally, the main thing: If it was all the same to the incendiary what he was setting on fire, why did he set fire to the Ukrainian departments instead of, let us say, the department of Marxism-Leninism where he worked? Why, out of seven floors did only one burn down—the one where Ukrainian books were stored? Why did the court slur over this fact with phrases about "damage to Russian and Ukrainian literature"?

These and other questions (and there can be many of them) were not asked at the trial. How could they be asked when the KGB was in charge of the whole trial, which even "prepared" witnesses in advance, and obtained signed statements from the library employees to the effect that they would not "bring up the irrelevant." (Translator's comment: the quotation is in Russian—"boltat' lishneye.")

However, there were some new disclosures made at the trial. For example, that for many years now Ukrainian books are being removed from libraries en masse and destroyed. Pohruzhalsky made this statement in his defense implying that I am not such a villain since books were being destroyed in an organized manner prior to the fire set by me. This was, so to speak, a judicial counterattack by Pohruzhalsky. The judge found an answer to that also: the books were destroyed legally because there is a bylaw concerning the liquidation of "ideologically and scientifically antiquated books." The question is: why then was poor Pohruzhalsky tried? He merely applied the above-mentioned formula. And didn't the offended incendiary have the same thing in mind when he recited in his closing poetic monologue (also in Russian—Translator):

> "The enemies of culture are free
> Into prison they put only me?"

Besides, Pohruzhalsky's fate will be decided by his accomplices and adherents. We should consider the conclusions which ensue from this affair.

After having starved millions of Ukrainians in 1933, after having murdered the finer representatives of our intelligentsia, oppressing even the slightest effort to think, they have turned us into obedient slaves. Giving to the state all our strength and the fruits of our efforts, we haven't even the time to think: Who are we? Why are we living? Where are we being led?

We have been spat in the face many times. This year we have been spat at particularly impudently. They burned the largest Ukrainian library. They demolished the bridge between our past and present.

If this spit doesn't bring us to our senses and we submissively close our eyes, then what else are we but "slaves, footstools, the mud of Moscow"? (Translator's comment: The quotation is from Shevchenko.)

How can the Ukrainian people be frightened? How can they be destroyed? Even Stalin was not strong enough to do that?

Can they be robbed? But each year they give away everything they have! Take away the language? That is being done every day. In cities its status has been on the level of a domestic servant and in the villages it is being mutilated like a collective farmwoman's hands chapped from working by the beets.

Destroy the monuments of culture? They demolished the oldest Desiatynna Church, destroyed the Mykhaylivskyy and Uspenskyy Cathedrals, and currently they are destroying ancient churches in the villages.

History feeds the immortal heart of the Ukraine. History gave birth to Shevchenko and thousands of national heroes and they can again be resurrected in every young boy and girl. That is why they have hidden the history of the Ukraine from us and have started to burn it out with a "hot iron." (Quotation is in Russian—Translator.)

In school our children learn about the history of Russian czars and their generals, the smotherers. Children are given false notions about their forefathers. But in the archives, like dynamite, there lie books, facts. Only jailers have access to them. However, even behind seven locks they bothered somebody.

Ukrainian books have been burned. A strange history will someday be written about how these books passed through Russian and Austrian censorship. But even that which could be tolerated by white monarchistic chauvinism could not be borne by the red chauvinism. It (red chauvinism) turned mad with fury that one day these books might break out into freedom. They survived Stalin's terror, they survived Hitler's occupation. Then they were taken away for wastepaper as "ideologically antiquated." In one of seven floors of the library they found shelter on wooden shelves and awaited further "purging." They lie scattered about, being torn, rotting in millions, wallow in bulks in monasteries. But the Russian blackguard movement is intolerant, it does not want to wait, it is militant.

Ukrainians. Do you know what they have burned down? A part of your mind and soul has been burned. Not the one which Stalin's terror brought to bay, spat upon, drove into the heels, but the one which was to be resurrected in our children and grandchildren. They have burned the temple in which a soul becomes resurrected.

Russian great-power chauvinism, like antisemitism, has been rehabilitated long ago in the colonial empire called the U.S.S.R. The attack is being deployed on a wide front not only against Ukraine, but also against Belorussia, the Baltic countries, the Transcaucasus, and Central Asia. Attacks come not only officially but also in the same manner as Pohruzhalsky and those who stand behind his shoulders. There were fires in the national libraries of Turkmenia (Ashkhabad) and of Uzbekistan (Samarkand). Is this not another link in the same blackguard chain?

The chauvinism is everywhere—in leading positions and in secret decrees, but it is forbidden to mention it, as though it didn't exist at all. Instead, at every crossing they shout "Ukrainian bourgeois nationalism." Chauvinism strangles you but you bow to its international uniform. It ridicules you, and you swear by the love for the "great Russian people."

The chauvinism is powerful because it feels official support behind its back. In the eyes of our subjugators, those people who understand the great tragedy of the Ukraine, are state criminals. But we would not be afraid to place signatures under what we have written above if they would try us in an open public trial and punish us the way Pohruzhalsky was punished for the destruction of the Ukrainian academic library. However, along with you, we live in a country where for a word of truth people are being criminally destroyed without any trial.

Did they not conduct a wild retribution a few years ago against a group of Kiev and Lvov lawyers who wanted to bring before the Supreme Soviet and the United Nations the question about colonial oppression in the Ukraine and the ignoring of even the scanty Stalinist Constitution? A secret "trial," and execution by shooting—this is the response to any efforts to raise a voice for the rights of a subjugated nation. And to prevent descendants from learning about this, all documents regarding the investigation and the court proceedings were destroyed. * * *

And at a time when there are acts being performed which might be envied even by the mediaeval inquisitors, there is the classic claim from all tribunes that there are no political prisoners in our country and that "the dictatorship of proletariat" grew over into an all-people democratic state. If a gag in your mouth and secret destruction of political adversaries is democracy, then what is fascism?

It is quite indicative that the library was set on fire on the 24th of May, at the time of the Shevchenko celebrations. It gives a particularly ill-omened feature to the event. Perhaps not everyone is aware of how much has been done in 1963–64 to exclude everything Shevchenkovian from these celebrations. Outwardly Taras (Shevchenko) is seemingly glorified. Because what else is to be done with him? In reality there is a great war going on against Shevchenko. His greatest political poems ("Osiya Hlava XIX," "I Mertvym i zhyvym," "Rozryta Mohyla" and others) are being suppressed. There is a special instruction that all Shevchenko concerts and evenings be closely surveilled to be sure they are conducted on a "gopak" level, because otherwise, God forbid, the sincere bard's word might influence someone, awaken in someone a thought about the Ukraine, about "our, yet not our own soil." And how much material and poems and articles about Shevchenko in which the watchdog saw "a hint" about the present status of the Ukraine, were barred from magazines and newspapers by the censors!

Shevchenko was feared by the czar. Our party-czarists also fear him, why else did they bring in a mass of the soldiers and police, plus plainclothes KGBists to the hill in Kaniv on the anniversary date. And were there any people there? People were admitted to see Shevchenko only by permit. * * *

But the climax of all this was reached by the events that took place on the 22d of May in Kiev. On that day, the anniversary of the transfer of Shevchenko's remains from St. Petersburg for burial in Kaniv, is traditionally observed. People usually gather around the Shevchenko monument and sing songs. That is how it was in recent years. This year, however, fulfilling the general plan of work "on Shevchenko," the authorities decided to prevent this. On the eve, a group

of young people, considered to be initiators of this affair, were called to the CC of the LKMSU (Young Communist League) and told that this was not permitted. Why? "Because such manifestations mean an offense to the great Russian people." That is literally how it was said: "an offense to the great Russian people."

Absurd, but consistent. Later deans and party organizers ran around in auditoriums and warned students that anyone seen near the Shevchenko monument on May 22 will be automatically expelled from the higher educational institution. Unbelievable? Ask the students of universities, the Pedagogical Institute, the Medical Institute, ask employees of the Institute of Literature, Folklore, and Ethnography, of the Derzhlitvydav (State Publishing House of Literature) and of other publishing houses. They all received telephone calls even from secretaries of the Central Committee on Komsomol of the Ukraine and were severely warned by them.

Despite all that, on the evening of May 22, a huge crowd of young people gathered around the monument. They were filmed and now are being "dragged around." Some were fired from their jobs. Others were to be fired but instructions from Moscow were received "not to inflate the incident."

That is how they fear Shevchenko. And that is how they fight against him. The war with Shevchenko is only part of the war against Ukrainian culture and the Ukrainian people. The burning down of Ukrainiana in the public library is also a part of this war. * * * Taras Shevchenko called us to "Learn, my brothers, think, and read."

Think. * * *

We know that the nation is immortal, it cannot be strangled, its spirit cannot be burned. Provided, of course, a spirit of struggle does exist. When it lacks a fighting spirit—it dies. Let us not console ourselves with eternal truth about immortality of a nation—its life depends on our readiness to stand up for ourselves.

(Unsigned.)

(The original document is hand printed and measures 6½ by 4¾ inches, unfolded or about 3¼ by 4¾ inches when folded.)

PICKETING OF CONSTRUCTION SITES

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the April 1965 issue of the Carpenter, the monthly publication of the United Brotherhood of Carpenters & Joiners of America, carried an analysis of the purposes of H.R. 6363, introduced by the distinguished gentleman from New Jersey [Mr. THOMPSON].

As the article points out, the bill is designed to restore to the building trades unions the right to picket an unfair construction site.

Mr. Speaker, I commend the article to the attention of our colleagues and include it at this point in the RECORD:

ACTION ON CONSTRUCTION-SITE PICKETING

A bill (H.R. 6363) has been introduced in the House of Representatives by Congressman FRANK THOMPSON, Jr., of New Jersey, which, if passed, would restore, to the building trades in organized labor, the right to picket an unfair construction site.

The bill was introduced by Representative THOMPSON after the building trades department and the industrial union department of the AFL–CIO reached an agreement which assured the latter that the building trades unions would not use the right to picket such sites as a weapon against industrial union department affiliated unions.

Some industrial union department affiliates have feared that building and construction trades department unions might picket them if certain industrial union department affiliates performed inplant construction work which, ordinarily, might be considered as building and construction trades department work. An example might be new or alteration construction work on the property of some industry by its regular work force, which is organized and affiliated with the industrial union department.

A keystone clause in the agreement, hailed as one of the most important intralabor pacts since ratification of the no-raiding agreement which led to the AFL and CIO merger, declares that the settlement does not cover any strike "which arises from a dispute over work assignments as between AFL-CIO affiliated organizations."

The agreement was reached only after months of discussions. The statement of principles which emerged from the talks affirms:

1. The trade union obligation of all affiliates to refuse to perform struck work.

2. The trade union obligation of all union members to refuse, to the legal extent permissible, to cross the picket lines of another union.

3. The resolve of the affiliates to refrain from any action that adversely affects the position of a union on strike.

The statement also provides a working arrangement to handle any questions or complaints which may arise. Those that do arise will first be submitted to the presidents of the International Unions involved for resolution. In the event that agreement is not reached, they will then be submitted to a committee composed of the president of the AFL–CIO and the presidents of the building trades department and industrial union department for consideration, fact-finding and a recommendation to the parties for a solution designed to achieve maximum trade union solidarity.

This agreement "within the house of labor" cleared the way for Representative THOMPSON's latest legislative move to amend the Taft-Hartley law's provisions which, at the present time, bar picketing at the site of a construction project when only part of the operation is nonunion.

Actually, there has been some picketing of an informational nature at construction projects from time to time and from place to place during the past 14 years. However, every individual instance of picketing has been subject to legal interpretation by judges. Liberal judges have allowed certain informational picketings while, in other instances, injunctions issued by judges who were not so liberal have forbidden picketing of any nature. In such instances, aggrieved unions have been forced to carry on picketing of construction contractors and subcontractors in the vicinity of their own business premises, far-removed from the site of construction. Such picketing is not effective inasmuch as the work force affected does not come in contact with the pickets.

Passage of the Thompson bill would restore to organized labor its traditional right to consider every construction job as an integral unit where, in the interests of labor solidarity, "an injustice to one is an injustice to all."

"Situs picketing" was barred by the Denver Building Site decision of the NLRB in 1951. The historic case had its beginning in 1947 when Doose & Lintner, a general contractor, was awarded a contract for a new building in Denver. It gave the subcontract for electrical work to Gould & Preisner, a firm with a 20-year record of nonunion activity. The firm's workers proved to be the only nonunion men on the building site and the Building Trades Council of Denver picketed the job. All workers except the nonunion electricians walked off the job. After awhile, the general contractor told the nonunion electrical contractor to get his nonunion men off the job so they could get the other union men to work. Gould & Preisner filed NLRB charges alleging an unfair secondary strike according to the provisions of the Taft-Hartley law. The pertinent provision is contained in section 8(b)(4)(A), which states: "It shall be an unfair labor practice for a labor organization * * * to engage in * * * a strike * * * where an object thereof is: (A) forcing or requiring * * * an employer or other person * * * to cease doing business with any other person * * *."

There have been many efforts made to remedy the injustice brought about by this strained interpretation of the language of the Taft-Hartley Act. President Eisenhower, in his message to Congress in 1954, pointed out that the act should be remedied, saying: "The true secondary boycott is indefensible and must not be permitted.

"The act must not, however, prohibit legitimate concerted activities against other than innocent parties. I recommend that the act be clarified by making it explicit that concerted action against * * * an employer on a construction project, who together with other employers, is engaged in work on the site of the project, will not be treated as a secondary boycott. The Senate Labor Committee ruled favorably on a bill to carry out President Eisenhower's recommendation but it was bottled up by the House Labor Committee. Another bill was introduced in 1955 but neither House acted. Eisenhower never considered as a wild-eyed liberal, repeated his recommendation in his 1958 message to Congress and still again in 1959 but nothing happened. Senator J. F. Kennedy introduced a bill to amend the law in 1959 but, shortly thereafter, some industrial union withdrew vitally needed support of the proposal. Representative THOMPSON was a cosponsor of the matching 1959 legislation in the House of Representatives. This measure died and Representative THOMPSON introduced legislation again in 1961. Again, it died.

Now, with the unified support of organized labor, it is hoped that the long legislative history of the proposal to amend the Taft-Hartley law will be successfully completed and the same right of picketing which is available to nonbuilding unions will again rightfully be available to construction workers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RESNICK (at the request of Mr. ALBERT), for April 28–30, on account of illness.

Mr. TUPPER (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of death in family.

Mr. STRATTON for April 29 and April 30, on account of official business as a member of the U.S. Naval Academy Board of Visitors.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders

heretofore entered, was granted to Mr. SAYLOR, for 1 hour, on tomorrow; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

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

Mr. STALBAUM.

Mr. ROOSEVELT and to include extraneous matter in his special order of today.

Mr. ALBERT his remarks made on the subject of the President's press conference on yesterday and to include a copy of the press conference of the President of the United States.

Mr. O'KONSKI and to include extraneous matter.

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

Mr. SPRINGER.

Mr. AYRES.

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

Mr. CELLER.

Mr. MURPHY of New York.

Mr. CAREY in two instances.

Mr. MCVICKER.

Mr. PUCINSKI.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p.m.) the House adjourned until tomorrow, Thursday, April 29, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1009. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes; to the Committee on Armed Services.

1010. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the loan of naval vessels to friendly foreign countries, and for other purposes; to the Committee on Armed Services.

1011. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the loan of naval vessels to friendly foreign countries; to the Committee on Armed Services.

1012. A letter from the Director, U.S. Information Agency, transmitting the 22d semiannual report of the Agency for period January 1 to June 30, 1964, pursuant to section 1008 of Public Law 80–402; to the Committee on Foreign Affairs.

1013. A letter from the Comptroller General of the United States, transmitting a report of failure to modify pallets to avoid unnecessary procurements, Defense Supply Agency, Department of Defense; to the Committee on Government Operations.

1014. A letter from the Comptroller General of the United States, transmitting a report of failure to use available warehouse platform trailers to avoid unnecessary procurements of similar equipment, Department of Defense; to the Committee on Government Operations.

1015. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the annual report of tort claims paid by the Department during calendar year 1964, pursuant to 28 U.S.C. 2673; to the Committee on the Judiciary.

1016. A letter from the director, Legislative Commission, the American Legion, transmitting a report of financial condition of the American Legion as of December 31, 1964, and the related statements of income, expense, and surplus for the year, pursuant to Public Law 66–47; to the Committee on Veterans' Affairs.

1017. A letter from the Attorney General, transmitting a report of the use of administrative debarments of contractors by Government agencies under the Federal Procurement Regulations, pursuant to section 10(c) of the Small Business Act of 1958, as amended; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 7181. A bill to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes; without amendment (Rept. No. 265). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 355. Resolution for the consideration of H.R. 2984, a bill to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes; without amendment (Rept. No. 266). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 356. Resolution for the consideration of H.R. 2985, a bill to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers; without amendment (Rept. No. 267). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 357. Resolution for the consideration of H.R. 2986, a bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes; without amendment (Rept. No. 268). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 358. Resolution for the consideration of H.R. 5401, a bill to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes; without amendment (Rept. No. 269). Referred to the House Calendar.

Mr. MAHON: Committee of conference. H.R. 7091. A bill making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes (Rept. No. 270). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ROOSEVELT:

H.R. 7705. A bill to amend the Clayton Act to prohibit vertically integrated companies from engaging in discriminatory practices against independent producers and distributors; to the Committee on the Judiciary.

H.R. 7706. A bill to amend the Clayton Act to prohibit vertically integrated companies from engaging in anticompetitive pricing practices; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 7707. A bill to authorize the appointment of crier-law clerks by district judges; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 7708. A bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise; to the Committee on Interstate and Foreign Commerce.

By Mr. CUNNINGHAM:

H.R. 7709. A bill to prohibit the use of the device of mail covers and the maintenance of lists of addresses receiving Communist political propaganda; to the Committee on Post Office and Civil Service.

By Mr. DANIELS:

H.R. 7710. A bill to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee; to the Committee on Post Office and Civil Service.

By Mr. DIGGS:

H.R. 7711. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

By Mr. EVERETT (by request):

H.R. 7712. A bill to establish the veterans reopened insurance fund in the Treasury and to authorize initial capital to operate insurance programs under 38 U.S.C. 725; to the Committee on Veterans' Affairs.

By Mr. GRABOWSKI:

H.R. 7713. A bill to require that packages of cigarettes shipped in commerce bear a warning that they may be dangerous to health; to the Committee on Interstate and Foreign Commerce.

H.R. 7714. A bill to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination of the tax on communication services; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 7715. A bill to amend the Communications Act of 1934 to establish a national television policy and to provide a method by which rules of the Federal Communications Commission with regard to community antenna television systems may be reviewed by the Congress before they become effective; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 7716. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

By Mr. MILLER:

H.R. 7717. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MONAGAN:
H.R. 7718. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. TUNNEY:
H.R. 7719. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in years 1966 and 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

By Mr. DENT:
H.R. 7720. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit the participation of retired employees of employers, employees of certain labor organizations, and employees of certain trust funds, as well as certain self-employed persons to participate as beneficiaries of welfare and pension trust funds; to the Committee on Education and Labor.

By Mr. DERWINSKI:
H.R. 7721. A bill to provide for the issuance of a special postage stamp to commemorate the 25th anniversary of the Katyn Forest massacre; to the Committee on Post Office and Civil Service.

By Mr. HENDERSON:
H.R. 7722. A bill to promote the public interest, improve aviation safety, and develop greater efficiency in Federal civilian air traffic control activities by providing certain employment benefits for Federal civilian employees engaged in such activities who are found no longer qualified to perform the duties thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING of California:
H.R. 7723. A bill to amend the tariff schedules of the United States to suspend the duty on certain tropical hardwoods; to the Committee on Ways and Means.

By Mr. McMILLAN (by request):
H.R. 7724. A bill to amend section 4 of the District of Columbia Income and Franchise Tax Act of 1947; to the Committee on the District of Columbia.

By Mr. McVICKER:
H.R. 7725. A bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. SWEENEY:
H.R. 7726. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 7727. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas (by request):
H.R. 7728. A bill to assure adequate and complete medical care for veterans by providing for participation by the Veterans' Administration in medical community planning and for the sharing of advanced medical technology and equipment between the Veterans' Administration and other public and private hospitals; to the Committee on Veterans' Affairs.

By Mr. DIGGS:
H.J. Res. 432. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. GRAY:
H.J. Res. 433. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHEUER:
H.J. Res. 434. Joint resolution to provide for the honorary designation of St. Ann's churchyard in the city of New York as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. ZABLOCKI:
H.J. Res. 435. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

By Mr. LONG of Maryland:
H. Con. Res. 401. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. JOELSON:
H. Res. 351. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. ST GERMAIN:
H. Res. 352. Resolution to disapprove Reorganization Plan No. 1; to the Committee on Government Operations.

By Mr. CLEVELAND:
H. Res. 353. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. FASCELL:
H. Res. 354. Resolution authorizing the printing of additional copies of the report of the Committee on Foreign Affairs entitled "Oversea Programs of Private Nonprofit American Organizations"; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

225. By Mr. TUPPER: Joint resolution to extend the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent; to the Committee on Public Works.

226. Also, joint resolution of the 102d Maine Legislature to promote the protection of our gold reserves; to the Committee on Ways and Means.

227. By the SPEAKER: Memorial of the Legislature of the State of Iowa, relative to making daylight saving time uniform throughout all of the States; to the Committee on Interstate and Foreign Commerce.

228. Also, memorial of the Legislature of the State of North Dakota, urging the Congress to propose an amendment to the Constitution of the United States, relating to apportionment; to the Committee on the Judiciary.

229. Also, memorial of the Legislature of the State of Rhode Island, relative to urging immediate action to abolish the quota restriction on the import of residual oil; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:
H.R. 7729. A bill for the relief of Horace W. Sessing; to the Committee on the Judiciary.

By Mr. BARRETT:
H.R. 7730. A bill for the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Philadelphia Naval Shipyard, Philadelphia, Pa.; to the Committee on the Judiciary.

By Mr. BINGHAM:
H.R. 7731. A bill for the relief of Ivor Orlando Dwyer; to the Committee on the Judiciary.

By Mr. DONOHUE:
H.R. 7732. A bill for the relief of Francis X. Tuson; to the Committee on the Judiciary.

By Mr. GALLAGHER:
H.R. 7733. A bill for the relief of Antonio Crincoli; to the Committee on the Judiciary.

By Mr. MURPHY of New York:
H.R. 7734. A bill for the relief of Robert Conkling, John Fox, Theodore Kachelriess, Joseph Logomarsino, William McCormick, Henry McDermott, Sabato Messina, Edward J. Miller, Henry J. Miller, Joseph Ostrowski, Albert Thorsen, Salvatore Vernaci, William Wein, and Preston York; to the Committee on the Judiciary.

By Mr. PATTEN:
H.R. 7735. A bill for the relief of Vincent Esposito; to the Committee on the Judiciary.

By Mr. POFF:
H.R. 7736. A bill for the relief of Jay H. Seay; to the Committee on the Judiciary.

By Mr. RONAN:
H.R. 7737. A bill for the relief of Spyros Kallapodis; to the Committee on the Judiciary.

By Mr. RYAN:
H.R. 7738. A bill for the relief of Mrs. Sadie Brimberg; to the Committee on the Judiciary.

By Mr. YATES:
H.R. 7739. A bill for the relief of Bing Yee Wu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

189. By Mr. BARING: Resolution of board of commissioners, city of Las Vegas, Nev., memorializing Congress to provide for Federal participation funds in order to facilitate an adequate supply of water into the Las Vegas Valley; to the Committee on Interior and Insular Affairs.

190. By the SPEAKER: Petition of the Legion of Estonian Liberation, Inc., New York, N.Y., supporting the military and political actions taken by the President of the United States to prevent South Vietnam from falling to the aggressive forces of communism and supporting any future measures for that purpose; to the Committee on Foreign Affairs.

191. Also, petition of assistant mayor of Nishihara-son, Okinawa, requesting early passage of the prepeace treaty claims bill; to the Committee on Foreign Affairs.

192. Also, petition of Council of the City of Alexandria, Va., endorsing House Joint Resolution 350 which authorizes and requests the President to proclaim the week beginning the first Sunday in August of each year as "National Volunteer Fireman's Week"; to the Committee on the Judiciary.

193. Also, petition of Council of City of North Olmstead, Ohio, relative to supporting the past efforts of the House Un-American Activities Committee and urging the continuation of the duties and responsibilities being performed so ably by this valuable congressional committee and declaring an emergency; to the Committee on Un-American Activities.