Col. Colin Francis Vorder Bruegge, O26958, Medical Corps, U.S. Army.

Col. George Joseph Hayes, O57388, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

The following-named officer for appointment in the Regular Army of the United States, to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306;

To be brigadier general, Veterinary Corps

Col. George Anson Kuhn, O84813, Veterinary Corps, U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Hamilton Hawkins Howze, O18088, Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Dwight Edward Beach, O18747, Army of the United States (major general, U.S. Army), in the grade indicated.

U.S. NAVY

To be vice admiral

Rear Adm. Luther C. Heinz, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

IN THE AIR FORCE

The nominations beginning Vaughn E. Hill to be captain, and ending Michael A. Zoeller to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 1, 1965.

IN THE ARMY

The nominations beginning Joseph N. Acinapura to be first lieutenant, and ending Ralph R. Young to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 13, 1965.

IN THE NAVY AND MARINE CORPS

The nominations beginning James T. Abbey to be ensign in the Navy, and ending Richard E. Waters to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 1, 1965.

IN THE MARINE CORPS

The nominations beginning Nels E. Anderson to be colonel, and ending Michael G. Wystrach to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 13, 1965.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 3, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of the Scriptures: Malachi 3: 17: *And they shall be mine, saith the Lord of hosts, in that day when I make up my jewels.*

Almighty God, in the midst of the tragic unrest of our day we are encouraged to turn our wavering and wandering minds and hearts to Thee in prayer.

May we daily walk without fear knowing that in dark ways Thou art our light and in dim paths Thou art our guide for Thou hearest the cry of every contrite and humble spirit.

Grant that we may always be blessed with ears that hear and hearts to heed Thy voice seeking to set us free and cause the hidden beauty and splendor within to blossom and bear fruit for Thy glory.

Inspire our storm-tossed humanity with a more passionate yearning to lay hold of Thee with a profound and vivid sense of Thy healing presence for Thy infinite power is equal to our many needs.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 29, 1965, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 22, 1965:

H.R. 4778. An act to increase the amounts authorized for Indian adult vocational education.

On April 30, 1965:

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

On May 1, 1965:

H.R. 2594. An act to clarify the application of certain annuity increase legislation.

MESSAGE FROM THE SENATE

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

H.R. 3043. An act to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes.

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

S. 627. An act to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource; and

S. 1856. An act to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication, which was read by the Clerk:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 30, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on April 29, 1965, the Clerk received from the Secretary of the Senate today, the following messages:

That the Senate passed House Concurrent Resolution 349, entitled "Concurrent resolution welcoming to the United States the Inter-American Bar Association during its 14th conference to be held in Puerto Rico";

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments to the bill H.R. 7091 entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes";

That the Senate agree to the amendments of the House of Representatives to Senate amendments Nos. 3, 27, and 29 to the above-entitled bill; and

That the Senate recede from its amendments Nos. 6, 10, 11, and 15 to the above-entitled bill.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

HOUSE BILL ENROLLED

Mr. BURLESON, from the Committee on House Administration, reported that on April 30, 1965, that committee had examined and found truly enrolled 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.

SIGNING OF ENROLLED BILL

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, April 20, 1965, he did on April 30, 1965, sign the following enrolled bill of the House:

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

WATERSHED PROTECTION AND FLOOD PROTECTION ACT

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS,
CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 28, 1965.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

Iowa: Badger Creek watershed (supplemental); Executive Communication No. 714; committee approval, April 28, 1965.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Alabama: Ketchepedrakee Creek watershed; Executive Communication No. 714; committee approval, April 28, 1965.

Indiana: Twin-Rush Creek watershed; Executive Communication No. 714; committee approval, April 28, 1965.

Iowa: Walter's Creek watershed; Executive Communication No. 714; committee approval, April 28, 1965.

Sincerely yours,

GEORGE H. FALLON,
Chairman, Committee on Public Works.

ANNUAL REPORT ON THE FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95)

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

To the Congress of the United States:

I am pleased to transmit the annual report on the foreign assistance program of the United States for fiscal year 1964. It demonstrates that our program of international assistance is fulfilling its promise to the world and to America.

We are engaged in this great effort for many reasons. We seek to alleviate poverty, starvation, and disease. We seek also to resist aggression and to promote independence and self-determination for the people of other nations.

In these pursuits there is no conflict between "humanitarian" goals and "national" goals. Our own security rests on the security of others. Their good health is our good health. As they prosper we prosper. Our concern must—and does—transcend national borders.

Neither is there conflict between "economic" goals and "military" goals. Neither purpose is sufficient by itself. Military security without economic and political development brings no lasting benefits; economic help to people vulnerable to aggression would largely be wasted.

In promoting the growth of free nations, the United States must serve both as partner and leader. We travel a difficult road. On the basis of our experience in recent years, I am persuaded that we are on the right road.

The Agency for International Development is successfully applying a hard test of where and how our limited resources will yield the greatest rewards—

By enlisting America's private resources in what is increasingly a joint endeavor. AID specific risk guarantees of American private investment in the less-developed countries, for instance, reached a record of nearly $1.4 billion in fiscal 1964, an amount almost triple that of the previous year;

By centering AID's effort in those countries, relatively few in number, which are able to follow the disciplined and arduous path to progress;

By concentrating more on long-term development which fosters self-sustaining growth and an eventual end to the need for external aid.

In fiscal year 1964, more than 45 percent of the total AID program was in the form of development assistance. This compares to 25 percent 3 years ago.

At the same time, AID was able to make savings of more than $9 million by introducing increasingly higher standards of operating efficiency into its administrative structure and by reducing direct-hire employment by more than 1,100.

Statistics cannot tell the whole story. Recipient countries increasingly understand that we are engaged in a common enterprise. The relatively small measure of resources that the United States can provide must largely serve only as a catalyst for their own efforts. Many nations, accustomed to tradition, are finding solutions to modern problems through new techniques: increased savings, effective land reform, efficient tax systems, and other steps toward progress.

Nothing gives me greater satisfaction than the progress of the Alliance for Progress, which with strong U.S. participation is bringing significant changes in Latin America:

In Ecuador, a 146-mile, all-weather highway has been completed connecting the capital city, Quito, and the coastal city of Quevedo. The road traverses some of the most difficult mountain terrain in the world. It has opened up rich coastal land to settlers.

In Chile, a $5 million loan to assist the Central Savings & Loan Bank has supported a nationwide system of new private savings and loan associations. Twenty-two such associations are now operating. These thrift institutions had financed the construction of more than 10,000 homes by the end of 1963, and 10,000 more were to be built in 1964.

In Brazil, an AID agreement is helping improve the living standards of 25 million people in the northeast, one of Latin America's major underdeveloped areas and politically one of the most vulnerable to Communist influence. A total of 270 health units has been constructed or renovated. Water supply units are under construction in 70 cities and towns. Electricity has come to 73 towns. Altogether 2,290 new homes and 2,900 classrooms have been built. Twenty-four teacher-training and supervisory centers have been established. An additional 14,000 classrooms are under construction. Agreements for the training of 28,000 teachers have been made; 4,700 have actually completed their courses.

AID's story extends to many other parts of the world:

In West Pakistan, a development loan to expand the capacity of the railway system helped the Pakistan Western Railway to handle the increasing transportation load for the first time in several years.

In India, an intensive effort to streamline the teaching of science and mathematics in order to develop higher skills among Indian youth was conducted with U.S. assistance. AID financed 44 6-week institutes at 34 locations in which 80 U.S. college and high school educators demonstrated modern teaching techniques to some 1,700 Indian teachers.

In Israel, work was completed on the modernization of Lod International Airport, near Tev Aviv, which is used by a dozen international airlines. A local currency loan made earlier by the United States financed the installation of American-made navigation, communications and radar equipment to improve efficiency and safety at the airport.

In Afghanistan, a U.S. firm of industrial consultants under AID contract is investigating the development possibilities of a variety of local private industries which could produce goods for export or to replace imports, thus strengthening that country's balance-of-payments position.

In Iran, a project conducted by the Iranian Army with the assistance of the U.S. AID Mission and the U.S. Military Assistance Advisory Group, provides training for soldiers in nine vocational fields.

In Taiwan, the Shihmen multipurpose dam was completed in June 1964 with AID assistance. The project includes a 436-foot dam, a 256,000-acre-foot reservoir, two 45,000-kilowatt generators, a new irrigation canal system, and a public water supply system. Besides providing the new power source, the dam project will irrigate about 145,000 acres of double-crop paddy fields and reduce flood damage in the Taipei area.

In Korea, 30 new diesel electric locomotives financed by a U.S. loan are now in operation. Because of greater efficiency and load capacity, they are expected to save more than $1 million a year in foreign exchange expenditures for fuel.

In the Philippines, a new coconut processing system which could revolutionize this food industry was developed in a research project directed by the Armour Research Institute, working with the National Science Foundation under an AID contract.

In Nigeria, AID-sponsored projects at the University of Nigeria and at the Aijetoro and Port Harcourt comprehensive schools are revolutionizing secondary and higher education, adapting it more closely to that country's development needs.

Slowly, but I believe steadily, all these efforts are leading nations to greater economic prosperity and social stability. Countries such as Greece, Taiwan, and Israel, long recipients of our economic support and encouragement, are emerging to a stage of progress where they no longer need our economic assistance. Other nations, poised at the crossroads of political decisions, are watching. We must not—and we will not—falter in building this bridge to a more peaceful future.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 3, 1965.*

DOMINICAN SITUATION

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, our country faces a grave challenge in the Dominican Republic—a challenge to safeguard the lives of our fellow citizens and other foreign nationals in the tragic breakdown of law and order in that country; a challenge also to assure—in cooperation with the other American Republics—that the Dominican people are free to work out their own destiny and are not enslaved by international communism which is busily at work trying to control the course of the uprising.

Our President made this abundantly clear last night; we all owe his strong leadership our support in this national crisis. We do not want in any way to interfere with the Dominican people's destiny, and we wish them well in their search for a stable and democratic government. We do want to protect American lives and the lives of other foreigners. We have evacuated over 3,000 and there are thousands more to come. We want to be sure that international communism does not seize and stifle the legitimate desires of the Dominicans for freedom and progress. We know that there are scores of foreign trained Communist agitators at work. We hope that Dominicans of all factions will repudiate them and work peacefully for their country. That is our aim. That is the aim of all the American Republics.

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

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

Mr. BOGGS. Mr. Speaker, I would like to subscribe to the statement just made by the majority leader. I think this Nation and the free world owe a debt of gratitude to President Johnson for acting with dispatch. The word came last week about the utter chaos then prevailing in the Dominican Republic. President Johnson moved expeditiously, and I think we can say today that there are several thousand Americans alive who might not have been alive had he and our Armed Forces not acted. It is the hope of everybody in this country that a repetition of what happened in Cuba has been prevented by the dispatch with which the President acted.

Mr. ALBERT. I thank the gentleman from Louisiana for his comments, and I now yield to the distinguished Republican whip.

Mr. ARENDS. Mr. Speaker, I would like to add to what the gentleman from Oklahoma, the majority leader, has said. All of us in the Congress forget partisanship in these all-important matters and we wholeheartedly support the President of the United States in the firm position that he has taken and which he continues to take not only in the situation in Vietnam but in the speedy and direct action he took last week relative to the Dominican Republic. I trust the President will understand and know that we, too, are as interested in the national welfare as he is and we wholeheartedly support him in his endeavors and purposes in these two trouble spots in our world. I feel that I can say for our minority leader, the gentleman from Michigan [Mr. FORD], and other Members of this side of the political aisle, that we applaud the President for his firm stands already taken.

Mr. ALBERT. Mr. Speaker, I thank the very distinguished gentleman from Illinois whose cooperation and support of American foreign policy as against any partisan foreign policy has been evident throughout this entire crisis. Of course, that has also been true of the distinguished Republican leader of the House, the gentleman from Michigan [Mr. FORD], and of the overwhelming majority of Members on both sides of the aisle. The action of the minority leadership in connection with this matter has manifested constructive statesmanship of the highest order.

Mr. WHITENER. 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 North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, the action of the President in seeking to restore order in the Dominican Republic is commendable. This forthright approach to the threat to democracy in Latin America will, in my judgment, prove to be one of the most fruitful decisions by our Government in this generation in international relations.

We have seen the tragedy of the establishment of a Communist beachhead in Cuba. The same Communist conspiracy was at work in the Dominican Republic. The situation demanded immediate action if our Nation was to meet its obligation to repel further Communist expansion in our hemisphere.

All thoughtful Americans deplore the necessity for the action that our Government has so wisely taken. We all regret the necessary exposure of our military personnel to the snipers' bullets. As much as we regret the necessity for these happenings, we can take pride in the fact that our military people under the direction of firm civilian leadership were ready, willing, and able to fulfill their assigned role in this crisis.

There will be those in the United States who disagree with the action taken by our Government. Some of them will be sincere in their disagreement as is true in virtually every situation where such positive action is necessarily carried out. There will be many in the United States who will disagree with this policy because of their disapproval of our overall philosophy of democratic government. This latter group will make themselves heard in the usual disorderly fashion. We must be able to identify the actions and the sources of this latter element and warn our people of the rationale of the insincere adversaries of our American system.

Mr. Speaker, it is my fervent hope that the President will have the support of the American people in this great undertaking for humanity. If all of us support him in his aggressive leadership in meeting the problems confronting free people in the Dominican Republic, I am sure that the cause of mankind will have been well served.

In this time of travail, let us all pray that the right solution to the grave problems of the Dominican people will be forthcoming without further bloodshed.

Mr. DORN. Mr. Speaker, I have just returned from speaking engagements in Charleston, S.C., Fort Pulaski in Savannah, Ga., and from a visit—with my distinguished friend the gentleman from South Carolina [Mr. RIVERS], chairman of the House Armed Services Committee—to the Marine base at Parris Island.

I want to report to you, Mr. Speaker, and to the House that the people approve of the prompt and decisive action of the President in Santo Domingo. Our people are holding up their heads and are proud to be Americans. They are backing the President in his efforts to forestall Communist aggression in the form of infiltration, sabotage, and violence.

Santo Domingo is of worldwide strategic importance. It controls the windward passages—these great sealanes which are so vital to the Western World. We cannot afford and we cannot tolerate another Castro Cuba. Make no mistake about it, Castro's agents are in Santo Domingo and all of the Republics of South and Central America. These Red agents of aggression are exploiting any situation to seize power and establish a base of aggression. Violence and bloodshed in Santo Domingo is a cold calculated move by the Castro Communists to capture another strategic base in the Western Hemisphere. The President acted in the nick of time. He acted in the interest of freedom and the security of the West. The President's swift and determined reaction to this grave threat further serves notice to the Kremlin, to Hanoi, and to Peiping, that the United States will stand firm for freedom throughout this world.

Mr. Speaker, I am introducing a House concurrent resolution today commending the President for his timely and forthright action.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

BENEFITS FOR DISABILITY IN LINE OF DUTY

The Clerk called the bill (H.R. 3413) to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans' benefits.

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

Mr. HALL. Mr. Speaker, reserving the right to object, there was colloquy on this floor April 26, 1965, concerning this proposed legislation and it was at that time put over without prejudice.

Mr. Speaker, I understand the gentleman who requested this legislation, the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], is on the floor today and is very much interested in this bill and

would like to make a statement with reference thereto.

Mr. Speaker, I continue to be concerned because of the precedent established by this single legislative action concerning an individual, on the Veterans' Preferance Act insofar as preference in future like cases, is concerned, despite the unfortunate circumstances involved in this particular case. He is getting veterans care—although he is not in fact a veteran—since he has never been inducted and he has received no type of discharge.

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

Mr. HALL. I would be delighted to yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I thank the gentleman. I want to share his concern with reference to the protection of the Veterans' Preference Act. I do feel, however, that there are mitigating circumstances here that justify—as a matter of fact that require—special dispensation.

I would like to say to the gentleman from Missouri that in the first place I would not consider this as a precedent. I would hope it would not be considered as such. I believe that as a matter of fact equity and justice sometimes should be the prevailing and motivating reasons behind our actions and not be considered as precedent for general legislation.

Further, Mr. Speaker, I would like to say to the gentleman from Missouri and to the Members of the House that this would affect a constituent of mine, a distinguished gentleman who lives in my district, and a lifelong friend of the gentleman from Texas [Mr. TEAGUE], chairman of the Committee on Veterans' Affairs. He is a former State senator of our State; served as speaker of the house of representatives.

He moved to California where he lived for several years, during which time he served in the position of postmaster in California. He came back to our State and recently there was a vacancy in the position of postmaster in the city of Mena, Ark. I designated him as the acting postmaster.

During the war he was about to be inducted, and on his way in a Government vehicle with a number of other boys who were going to be inducted. Unfortunately, there was an accident that occurred to this vehicle. This party was permanently injured in that accident.

Under the veterans law he was awarded service-connected disability, and he has been drawing service-connected disability since. However, in view of the fact he had not served 90 days, or had actual service of 90 days, though he was entitled to disability, and received it, he is prevented from receiving the veterans preference in the examination for this position.

It is a well-known fact that several other veterans who have taken the examination perhaps would have an advantage, and we think it is just an inequity under the present situation that could not be helped. It is just one of those things, and we seek to correct the inequity. I believe the inequity overrides the matter of it being considered as a precedent. For that reason we are trying to give him the same preference only, to do justice and equity under the circumstances, and I believe it is right.

Mr. HALL. I want to thank the gentleman, especially for delving into the matter of equity and justice being regarded as a precedent. There is not the slightest question but what this might be a place where a particular incident or a particularly deserving individual, even though actually inducted under one code, would receive veterans benefits. He has been receiving hospitalization when needed.

Mr. HARRIS. That is true.

Mr. HALL. And also he deservedly receives VA medical assistance. That might well be and is properly considered by this Government, but it does not have anything to do with the question of precedent in the case. I have never had the privilege of appointing a postmaster or recommending one. That does not bother me a bit as sometimes I think it is a blessing. But the fact remains we have two different rules and regulations, two different opinions. The Veterans' Administration has more or less washed its hands in this case, and defers to the Veterans' Preference Act as administered by the Civil Service Commission.

For the benefit of the record, the Commission says:

> We believe that this should continue to be the primary criterion.

Namely, preference under that act being contingent upon separation from the armed services of the United States.

Continuing:

> To accord preference for reasons other than that would be contrary to the intent of the Veterans' Preference Act and would weaken the original benefit granted by Congress.

And, parenthetically, these veterans benefits are a gratuity of a grateful nation. They are not a right under the law.

Continuing:

> Moreover, this legislation is inequitable. It would have the effect of granting persons who never saw active duty in the Armed Forces an advantage over most of those who did. This is because persons coming under the purview of this legislation would be considered service-connected disabled ex-servicemen, and would thus be accorded five more points than nondisabled ex-servicemen on earned ratings—

Who had served—

> and late-filing privileges for examinations.

Therefore the Commission does not favor enactment of this legislation, and it comes back to my fear of a precedent.

Then I would like to ask one other question. In addition to that, would it not be better to allow this man to have just a 5-point preference, if we are going to "bridge the gap" rather than a full 10 points? Or would this upset the appointing mechanism?

Mr. HARRIS. It would make some difference because if, for example, there are three other disabled applicants who are receiving service-connected disability as this man is receiving service-connected disability, then they would go to the top of the list even though they made the lowest score.

Mr. HALL. But the fact of the matter is, if the chairman will bear with me just a little further on this reservation of objection, there are not three with service-connected disability—there are three who have taken the same examination and are on the civil service registry with non-service-connected disabilities. Therefore, they have 5 points of preference and this would automatically put the man over them when he is given 10 points of preference but no induction or military service. Is that true or is it not?

Mr. HARRIS. I do not know how many have taken the examination. It has already been called for but I do not believe it has actually been held. Just how many will show up to take the examination I do not know, but there will be several who will be taking the examination.

Mr. HALL. I was under the impression that the registry had already been established in this particular instance.

Mr. HARRIS. I do believe that the Civil Service Commission's position should be prevailing. They are talking about the general application, and I would agree that if there is going to be a general application, from the best information we have, this just happens to be a particular situation. It would be a very rare thing if anyone else would come under this kind of situation.

Mr. HALL. But last week the chairman of the Committee on Veterans' affairs and this week the gentleman who is now in the well of the House admits that it might well be used as a precedent. Because of the fact that it does establish a precedent objected to by the Civil Service Commission and also provide for 10 points of preference instead of 5 points, even though it may be a most deserving case, I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice once again.

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

There was no objection.

PROVIDING FOR THE REAPPOINTMENT OF ROBERT V. FLEMING AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the joint resolution (H.J. Res. 324) to provide for the reappointment of Robert V. Fleming as Citizen Regent of the Board of Regents of the Smithsonian Institution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 324

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Robert V. Fleming, of

Washington, District of Columbia, on July 23, 1965, be filled by the reappointment of the present incumbent for the statutory term of six years.

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

EXPRESSING THE SENSE OF THE CONGRESS WITH RESPECT TO THE DESIGNATION OF A GROVE OF REDWOOD TREES AS A MEMORIAL TO THE LATE DAG HAMMARSKJOLD

The Clerk called the concurrent resolution (H. Con. Res. 305) expressing the sense of the Congress with respect to the designation of a grove of redwood trees as a memorial to the late Dag Hammarskjold.

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. 305

Whereas the Dag Hammarskjold International Foundation, the American Association for the United Nations, the State of California Dag Hammarskjold Memorial Grove Committee and numerous cooperating groups including the Save-the-Redwoods League are carrying forward the proposal for a Dag Hammarskjold Memorial Redwood Grove; and

Whereas the life of Dag Hammarskjold was in concordance with the deep and pervading majesty of the redwoods, among which we find spiritual refuge and gain a more profound realization of his own thought that "we each have within us a center of stillness surrounded by silence," and

Whereas Dag Hammarskjold, until his death on September 17, 1961, served eight years as Secretary-General of the United Nations, carrying on his widely significant and courageous search for world peace; and

Whereas by their very grandeur the giant redwoods imbue us with a stronger realization of human dignity, tolerance, and stateliness so characteristic of Dag Hammarskjold's life: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that it is appropriate to designate a grove of redwood trees as selected by the State of California, as the Dag Hammarskjold Memorial Redwood Grove.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR SECRET SERVICE AGENTS TO MAKE ARRESTS

The Clerk called the bill (H.R. 6294) to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the proper people on this committee, realizing that it was opposed by the Comptroller General in the 88th Congress, whether or not that opposition still stands?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield, I believe the gentleman is misinformed as to that. We have no record of the Comptroller General making any objection to this.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection, and have at hand the wrong numbered calendar bill.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask why this authority was not given the Secret Service many years ago?

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

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

Mr. ASHMORE. I have wondered about that myself. None of us know of any real reason why they were not given this authority many years ago. This matter was brought to a head and was given great emphasis during the investigation by the President's Commission on the Assassination of President Kennedy and they made this recommendation. It is just something that never really came to the attention of the Congress, I suppose, or that no emphasis was placed on it. The need is now recognized by all of us.

Mr. GROSS. I assume if this bill becomes law that this would then entitle Secret Service agents to make arrests in such cases as the recent carryings-on on the sidewalks in front of the White House and that sort of thing?

This would give them authority to make arrests in those instances as well as others; would it not?

Mr. ASHMORE. If the gentleman will yield further, I would say that this bill bears identical language to the law which now permits FBI agents and U.S. marshals to make arrests. I quote from the report: "committed in their presence or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony."

Mr. GROSS. So if there is any violation of law on the sidewalks around the White House, they could arrest those individuals with the same facility that a U.S. marshal could arrest a citizen in Selma, Ala.?

Mr. ASHMORE. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. HALL. Mr. Speaker, further reserving the right to object, I now have the correct calendar bill. I notice that the report does not include a report from the Department of Justice, nor does a statement about that appear in the committee report. Does the Department of Justice approve this proposal?

Mr. ASHMORE. It cleared the Bureau of the Budget as an executive communication.

Mr. HALL. Yes. I am asking about the Department of Justice, if the gentleman will answer further. There is no report of the Department of Justice, nor does that appear in the committee report. I have the information here that the other requirements for Consent Calendar bills have been met by the Treasury Department and the Bureau of the Budget and the committee.

Mr. ASHMORE. It had to clear the Department of Justice, or else the Bureau of the Budget would not have cleared the executive communication of the Treasury Department. It had to do so.

Mr. HALL. I thank the gentleman. Now further, how important are the words "without warrant"? I am a little sensitive to that, in view of the recent disclosure of search and seizure of mail without warrant by the Internal Revenue Service and the Postmaster General. I wonder how important those words "without warrant" are, and if this merely conforms to authority given to other law enforcement agencies to make arrests on suspicion of a felony being committed.

Mr. ASHMORE. It is very important, because without a warrant, heretofore, they could not make an arrest even though they saw the crime being committed.

Mr. HALL. I have one other question of the distinguished gentleman from the Carolinas.

Would this allow due process and all constitutional safeguards of the individual, including a right to contact an attorney after such an arrest? Would it preclude Federal hospitalization, without due process and judicial determination of being of unsound mind, in one of the medical centers of the Department of Justice hospital system, in accordance with existing law or proposed law, without violating constitutional rights in such an apprehension?

Mr. ASHMORE. In my opinion, it would not violate an individual's constitutional rights, as to being sent to a hospital.

Mr. HALL. The gentleman believes the individual would be safeguarded under this change?

Mr. ASHMORE. Yes.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I should like to further interrogate the gentleman.

Will the Secret Service agents, as a result of this legislation, now become what is known as officers of the law?

Mr. ASHMORE. In common parlance they probably would. I do not know exactly the complete meaning that term might carry. I believe it is a relative term. Some people would call a justice of the peace or a constable an officer of the law. Someone else might not.

Mr. JOHNSON of Pennsylvania. Will they become commissioned officers? Will they get commissions as officers in the Secret Service entitled to make arrests without warrant, like any other police officer?

Mr. ASHMORE. Does the gentleman mean, Would that be included in the commission? Would that specific right be included?

Mr. JOHNSON of Pennsylvania. Yes.

Mr. ASHMORE. I do not believe it would. If this bill is passed and it becomes a law, the statute would cover it. It would not be necessary to put that in the commission.

Mr. JOHNSON of Pennsylvania. As a result of this enlarged power to make

arrests without warrant, would they have to post a bond to guarantee judgments against them for false arrests?

Mr. ASHMORE. It is my opinion that the bond that they now have, whatever that might be, would certainly cover this. Any act committed by an officer as a law enforcement officer, that is. In my opinion, he would be covered by the bond.

Mr. JOHNSON of Pennsylvania. You feel they will become officers and if there is a bond protecting officers of the law, in making a false arrest they would come within the protection of that bond so that they could respond to a judgment for false arrest if one were had against them?

Mr. ASHMORE. I am satisfied they would, It would depend on the terminology of the particular bond they have. It should be in it, and I think it would be.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I withdraw my objection.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 6294

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That title 18, United States Code, section 3056, is amended as follows—

(1) By inserting the following sentence immediately preceding the last sentence thereof: "In the performance of their duties under this section, the Chief, Deputy Chief, Assistant Chief, inspectors, and agents of the Secret Service are authorized to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony."; and

(2) By striking out "508 and 509" and inserting in lieu thereof "508, 509, and 871".

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

CERTAIN RETIRED OFFICERS OF THE ARMY, NAVY, AND AIR FORCE

The Clerk called the bill (H.R. 3349) for the relief of certain retired officers of the Army, Navy, and Air Force.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I will redirect my question to the gentleman from South Carolina. I now have the correctly numbered Consent Calendar bill. Is the Comptroller General still opposed, as he was in a prior letter in a prior Congress, to the enactment of this legislation?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield, I must say that the Comptroller General is still opposed. However, this bill, despite the opposition to it, passed the House in the last session of Congress. It is not unusual for the Comptroller General to oppose such a matter as this legislation on a strictly legal basis where legislative relief is sought as a matter of equity as it is in this case.

Mr. HALL. I want to make it clear to the gentleman that I am not making this reservation, in order to have the matter put over. In fact, I very strongly favor this particular piece of legislation not only because it passed the last Congress but because there are only 125 officers involved and less than a total of a quarter of a million dollars, in order to adjust and make comparable the retirement of these officers brought about by factors over which they had no control. They were ordered back to duty in the early part of World War II, during which time the gentleman speaking had much to do with mobilizing the Reserve Forces and the Guard Forces. These men were then physically rejected from the Army and sent back with only a certain limitation of time in which they could act. It has been open to them since that time, and I do believe the gentleman's statement is correct that in the interest of equity and justice an exception could be made by the Congress even though the Comptroller General and the General Accounting Office (creatures of the Congress), are still in opposition.

Mr. ASHMORE. Of course, the Comptroller General and the General Accounting Office are compelled by their oath of office and in carrying out the duties of that office to object to something that is not quite correct from a strictly legal standpoint. We do realize that this is a matter of equity.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. HALL. I will be glad to yield to the gentleman from Colorado.

Mr. ASPINALL. Under the rules of procedure which the Committee on Objectors has agreed upon, it is only necessary for us to ask that a departmental report be received and printed in the committee's report. We do not ask that the report be favorable to the piece of legislation under consideration. If there is much controversy, it would be difficult for us to properly debate the matter in the few minutes at our disposal, under current calendar procedures, and it would be necessary to carry such legislation over. However, there is nothing in the rules of procedure that we are operating under that would necessitate a favorable report in the matter now under consideration.

Mr. HALL. I appreciate the remarks of the gentleman, and I think he would agree that such reports should at least be current in this Congress.

Mr. ASPINALL. Yes.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 3349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation of time prescribed by the Act of October 9, 1940 (54 Stat. 1061; 31 U.S.C. 237), is hereby waived with respect to claims for increased retired pay by any retired officer of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service, if (1) he served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918; (2) he was retired under any provision of law prior to June 1, 1942, and was subsequently called to active duty; and (3) he was returned to an inactive status on a retired list after May 31, 1942: *Provided,* That a claim for such retired pay shall be filed with the General Accounting Office by each such officer or by his designated beneficiary, within one year following the date of enactment of this Act.

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

TORT CLAIMS ARISING IN FOREIGN COUNTRIES

The Clerk called the bill (H.R. 5167) to amend title 38 of the United States Code to authorize the administrative settlement of tort claims arising in foreign countries, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 5167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter III of chapter 3 of title 38, United States Code, is amended by adding a new section 236 as follows:

"§ 236. Administrative settlement of tort claims arising in foreign countries

"The Administrator may pay tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, when such claims arise in foreign countries in connection with Veterans' Administration operations abroad."

(b) The analysis of chapter 3 of such title 38, is amended by adding at the end thereof the following:

"236. Administrative settlement of tort claims arising in foreign countries."

(c) Section 235 of title 38, United States Code, is amended to read as follows: "The Administrator may, under such rules and regulations as may be prescribed by the President or his designee, provide to personnel of the Veterans' Administration who are United States citizens and are assigned by the Administrator to the Veterans' Administration offices in the Republic of the Philippines or to the Veterans' Administration office in Europe, established pursuant to section 230(c) of this title, allowances and benefits similar to those provided by the following provisions of law:

"(1) Section 1131 of title 22 (relating to allowances to provide for the proper representation of the United States).

"(2) Section 1136 (1), (2), (3), (4), (5), and (7) of title 22 (relating to travel expenses).

"(3) Section 1138 of title 22 (relating to transportation of automobiles).

"(4) Section 1148 of title 22 (relating to the return of personnel to the United States on leave of absence).

"(5) Section 1156 of title 22 (relating to payments by the United States of expenses for treating illness or injury of officers or employees and dependents requiring hospitalization).

"The foregoing authority supplements, but is not in lieu of, other allowances and benefits provided by titles 5 and 22."

(d) All delegations of authority, orders, regulations, directives, or other official actions, with respect to the benefits and allowances provided by such section 235 of title 38, United States Code, shall continue in full force and effect until modified, amended, superseded, or revoked.

With the following committee amendments:

On page 2, line 2, after the word "abroad.", insert "A claim may not be allowed under this section unless it is presented in writing to the Administrator or his designee within two years after the claim accrues."

On page 3, line 6, after the word "benefits", insert "for overseas employees of the Veterans' Administration."

The amendments were agreed to.

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

JUDGES OF THE U.S. DISTRICT COURT, ALASKA

The Clerk called the bill (H.R. 5283) to provide for the inclusion of years of service as judge of the district court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska.

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

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to inquire how much of an increase in monthly annuity and/or other benefits would this particular individual judge receive as a result of this bill.

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

Mr. PELLY. I yield to the gentleman.

Mr. ASHMORE. There will be no increase in annuities under the terms of this bill. This simply provides for the inclusion of a judge's service while he was serving as a judge in the Territory of Alaska before it became a State. It puts persons who served as judges of the territorial court in Alaska in the same category as those who served in the State of Hawaii at the time when Hawaii became a State. For some reason this was neglected in the case of Alaska.

Mr. PELLY. I would like to inquire further whether this legislation would not simply qualify this individual for retirement under the System? Is that the purpose of the legislation?

Mr. ASHMORE. I do not know, as a matter of fact, whether it would qualify him. But, of course, as a matter of logic I should think that would probably have something to do with the reason for the bill being here. It simply puts him in the same category from the standpoint of retirement as he would have been in had he served in a Federal district court in the United States rather than having served in the Territory.

Mr. PELLY. How about other judges now serving in Alaska? Will this legislation have any effect on them?

Mr. ASHMORE. This, so far as I know, affects only one judge.

Mr. PELLY. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 5283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, any service as a judge of the District Court for the Territory of Alaska shall be included in computing under sections 371 and 372 of title 28, United States Code, the aggregate years of judicial service of a United States district judge for the district of Alaska.

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

PORT OF PORTLAND, OREG.

The Clerk called the bill (H.R. 5184) for the relief of the port of Portland, Oreg.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I only want to observe that apparently someone in the Federal Government did not do a very good job of homework in looking up the law of the State of Oregon, in view of the fact that the U.S. Government said it would not pay royalties on this operation and then it was compelled by the Supreme Court of the State of Oregon to pay a royalty. I should think someone, some Federal attorney somewhere who represented the Government in this case might well have his knuckles rapped for entering into contract and being made to back down by reason of State law which ought to have been taken into consideration in the first place.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 5184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of the port of Portland (Oregon) on account of payment of a judgment plus interest to the State of Oregon, pursuant to a decision of the Circuit Court of Multnomah County (Oregon), representing a royalty on certain material supplied to the Department of the Army by the port under a negotiated contract, order numbered 40–71921, dated January 28, 1959, and to allow in full and final settlement of the claim a sum not to exceed $6,226.80. There is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $6,226.80 for the payment of said claim.

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

JURY COMMISSIONS FOR U.S. DISTRICT COURTS

The Clerk called the bill (H.R. 5640) to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

VALIDATE PAYMENTS TO EMPLOYEES OF THE FOREST SERVICE

The Clerk called the bill (H.R. 6691) to validate certain payments made to employees of the Forest Service, U.S. Department of Agriculture.

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

Mr. HALL. Mr. Speaker, reserving the right to object, this is about the same proposition that we were up against in prior Congresses with regard to relieving accountability and responsibility of disbursing officers. I understand that this is an unusual situation. I understand that remedial steps have been taken to avoid a recurrence of these special overpayments to deserving firefighters who have been transported long distances, and particularly these fine Indian and/or Spanish-American firefighters who formed teams of their own and who are paid by their "head man" after being recruited from the pueblos et cetera. Why do we not try to penalize the paymaster rather than using a legislative remedy to correct these excessive payments and these errors in handling the public moneys?

Is there any top limit in the amount that we will allow them relief from?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield, did the gentleman ask for the amount involved?

Mr. HALL. I understand all of the amounts are between a few dollars and $99.84. I ask two questions. One, is there any top limit in the amounts that the paymaster may be relieved from overpaying in this bill; and then I ask the question, why we do not penalize the paymaster instead of just granting largess and relief for all of these overpayments?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield further, the answer to the first question is "No."

Mr. HALL. I can't believe that. If they—paymaster—overpay $1,000 and still could prove that there was no collusion, under this bill in a future similar incident they would be allowed to go scot free?

Mr. ASHMORE. No, no. The gentleman has the wrong impression. This bill does not cover any future instances of this kind. It just takes care of the inequity provided for in this particular case and these few firefighters involved. The lowest sum involved for any person here is $3.10 and the maximum is $99.84.

Mr. HALL. Does not the gentleman agree that this would set a precedent for future firefighting teams and relief of the paymasters thereof?

Mr. ASHMORE. It could set a precedent in a sense, in view of the fact that this type case was taken care of, but we hope this will not arise again in the future. We hope they will make provision to avoid such a situation as this and I believe they surely will. It is simply a matter of wage rates between firefighters who came from the State of Arizona in one case and from New Mexico in another case. It is hoped that they will take care of this inequity or this difference in the wages that these Indians are paid when they are called upon to fight a fire.

Mr. HALL. I certainly join the gentleman from South Carolina in his hope and I pray that there will not be a recurrence of this and that it is remedied.

I still feel, as he and I have discussed the matter the past year re: relief of paymasters, be they in military service or elsewhere; that perhaps we should not completely relieve them of responsibility and accountability even in rare and separate instances.

Mr. ASHMORE. I agree with the gentleman.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 6691

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled, That overpayments made by the Forest Service, United States Department of Agriculture, during the forest fire seasons, 1961, 1962, and 1963 to employee-members of southwestern firefighter crews from New Mexico and Arizona, whose services were used in fighting forest fires in Idaho, Nevada, California, Colorado, and Wyoming, and payments for traveltime in excess of eight hours a day and for traveltime prior to actual start of travel, are hereby validated.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying and disbursing officers of the Forest Service, United States Department of Agriculture, from accountability or responsibility for any payments described in section 1 of this Act, and shall allow credits in the settlement of the accounts of those officers for payments which are found to be free from fraud and collusion.

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

IMPARTING OF FALSE INFORMATION

The Clerk called the bill (H.R. 6848) to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information.

There being no objection, the Clerk read the bill, as follows:

H.R. 6848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 35 of title 18 of the United States Code is amended to read as follows:

"(a) Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by this chapter or chapter 97 or chapter 111 of this title shall be subject to a civil penalty of not more than $1,000 which shall be recoverable in a civil action brought in the name of the United States."

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

TRAVEL IN AID OF ARSON

The Clerk called the bill (H.R. 6507) to make section 1952 of title 18, United States Code, applicable to travel in aid of arson.

There being no objection, the Clerk read the bill, as follows:

H.R. 6507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b)(2) of section 1952 of title 18, United States Code, is amended to read as follows:

"(2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States."

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

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

NEZ PERCE NATIONAL HISTORICAL PARK, IDAHO

Mr. RIVERS of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 908) to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes, as amended.

The Clerk read as follows:

H.R. 908

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

SEC 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided,* That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further the purpose of this Act.

SEC. 4. (a) Indian trust land may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner. States in Federal ownership under the administrative jurisdiction of other Government agencies may likewise be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. Not more than one thousand and five hundred acres overall shall be designated pursuant to the foregoing provisions of this subsection. The Secretary of the Interior may cooperate with the Nez Perce Tribe or the administering agency, as the case may be, in research into and interpretation of the significance of any site so designated and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site and in conservation of the scenic and other resources thereof.

(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of this Act, may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 6 (a) In order to carry out the purpose of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 7. There are hereby authorized to be appropriated the sums of not more than $630,000 for the acquisition of lands and interests in land and not more than $1,337,000 for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act.

The SPEAKER. Is a second demanded?

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

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

Mr. RIVERS of Alaska. Mr. Speaker, I yield 6 minutes to the gentleman from Colorado, chairman of the full committee [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, the Committee on Interior and Insular Affairs is bringing up for debate today two of the seven bills that have come out of its Subcommittee on National Parks and Recreation so far this year.

Within the last few weeks we took care, on the Consent Calendar, of H.R. 881, a bill by the gentleman from Texas [Mr. ROGERS] to provide for the establishment of the Alibates Flint Quarries National Monument, and H.R. 3165, a bill by the gentleman from New Mexico [Mr. MORRIS] to provide for the establishment of the Pecos National Monument.

Today we have H.R. 908 by the gentleman from Idaho [Mr. WHITE] to establish the Nez Perce National Historical Park, and H.R. 500 by the gentleman from Nebraska [Mr. MARTIN] to provide for the establishment of the Agate Fossil Beds National Monument.

Next time the Consent Calendar is called, we will have H.R. 681 by the gentleman from Kansas [Mr. SKUBITZ] to provide for the commemoration of a number of historical events that happened in his part of the country.

Then, as soon as we can move them out of our committee and through the Rules Committee, we will have H.R. 89 by the gentleman from Pennsylvania [Mr. SAYLOR] to establish the Tocks Island—or, as we prefer, the Delaware Valley—National Recreation Area and H.R. 797 by the gentleman from California [Mr. JOHNSON] to establish the Whiskeytown-Shasta-Trinity National Recreation Area.

Still others will be coming along later, but I am not prepared to say at this time what they will be.

As Members can see from the list I have just given the House, the projects that our National Parks and Recreation Subcommittee is dealing with come from all over the country. They are being reported without regard to the political affiliations of their sponsors. And they cover quite a variety of interests.

We have outdoor recreation represented by the Tocks Island and Whiskeytown-Shasta-Trinity bills. We have prehistoric natural life represented by agate fossil beds. We have the American Indian remembered in Alibates and Pecos and Nez Perce. We have the Civil War and pre-Civil War period in Mr. SKUBITZ' Fort Scott bill.

Sometimes we are approached with a plea for a certain park bill on the ground that such and such an area has nothing in the national park system and therefore the bill ought to be passed. Mr. Speaker, such a plea falls on deaf ears. Our concern is not to see that each and every part of the country has a national park system installation. It is to see that all areas of national significance which are worthy of preservation because of their scenery, their historical associations, their recreational opportunities, or their scientific interest are preserved. This calls for careful screening—otherwise we would lose sight of the high standards which our national park system has generally maintained. It is such screening that our colleagues downtown in the National Park Service and the Bureau of Outdoor Recreation have to to do in the first instance, that the Advisory Board on National Parks has to do next, and that we here on the Hill have to do thereafter.

Now, let us look at the Nez Perce bill in the light of these comments. In spite of its being in the newest part of the New World, the Panhandle of Idaho is old country. Men have lived there for at least 10,000 years. What H.R. 908 proposes is that we set aside about 3,000 acres of land, and mark a number of other spots, some in Federal, some in non-Federal ownership, so that we and our descendants can remind ourselves from time to time of what happened here—remind ourselves at the Weis Rockshelter that this is the way people lived in 5500 B.C.; remind ourselves at the Heart of the Monster and at Coyote's Fishnet of the beliefs of the Nez Perce people about their origins and their mythical ancestor, coyote; remind ourselves along the Lolo Trail and at Weippe Prairie and other sites that this is country that was crossed and explored by Lewis and Clark 150 or more years ago; remind ourselves at White Bird Battlefield and Clearwater that less than 100 years ago Indians and white men were fighting each other and that it was not always the white man who was right; and remind ourselves at such places as the Henry Spalding Mission and at St. Joseph's Mission that there were brave men of religion who went into the wilderness of their day to teach what they honestly and thoroughly believed.

I shall not detain the House any longer with details. Our colleague the gentleman from Idaho [Mr. WHITE] will be able to supply them better than I can. Let me merely close by saying that the estimated cost of land acquisition and development under this legislation is about $1,900,000. This is not an insignificant sum, I realize, but it is a price worth paying for preserving and making available to the public these remnants of our history.

Mr. Speaker, I commend H.R. 908 to the House and recommend its enactment.

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

Mr. ASPINALL. I am glad to yield to my colleague, the gentleman from Iowa.

Mr. GROSS. Do I understand that this bill calls for the acquiring of some 1,500 acres of land; that is, the purchase of 1,500 acres of land at a cost of $630,000? If so, it seems to me this would figure out at a total of $420 an acre which is a pretty high price for some Idaho land that I have seen.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. RIVERS of Alaska. To respond to the gentleman, we have the figures on page 4 of the report where it says the estimated cost of acquiring the land and scenic easements that have been described is $630,000 and the development costs for a visitors' center and interpretative centers, restoration work, and the like, are estimated to be $1,287,000 and the cost of providing markers and exhibits at various scattered sites is $50,000. In other words, the estimated cost of acquiring the land and scenic easements is $630,000, there being involved title to about 1,500 acres and scenic easements to about 1,500 acres for a total of about 3,000 acres.

Mr. ASPINALL. This brings to my mind an item of additional cost. The cost for the additional easements, the scenic easements in the area, those areas that cannot be used for other than the purposes under the provisions of the scenic agreement agreed before. Such costs are also included in the total acquisition cost.

Mr. GROSS. Even so, if you figure this at 3,000 acres for the purchase of land and easements for 1,500 acres, this still runs to a cost of around $210 an acre. Is this land being bought at the fair market value? Is it being bought on a tax appraisal basis? Let us take the 1,500-acre figure—you can give me any figure you want, but it is going to be a higher figure for land in the mountains out there, I would think.

Mr. ASPINALL. Of course, this land is not what you might call nonproductive land although it is in the mountains. It is land along the highways and presently is being used for agriculture and other purposes, as far as that is concerned.

Mr. GROSS. Is it productive agricultural land?

Mr. ASPINALL. Some of it is very productive agricultural land—yes; there is no question about that. It is a limited amount of land. The land will be purchased, if my colleague will permit me to say, if it has to be purchased or condemned it will be acquired only after fair values have been determined by established appraisal procedures. Condemnation proceedings would naturally take the case into the courts.

Mr. GROSS. But the report says nothing about a fair market value or anything else. I would like to see a provision here for the land to be purchased at the fair market value. But there is no such language in the report that I can find anywhere.

Mr. ASPINALL. All I can say to my colleague is that if it has to be purchased, it will be purchased at the fair market value. There is not going to be any blown up cost under any of these authorizations.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SKUBITZ. Mr. Speaker, I yield 5 minutes to my colleague, the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker and Members of the House, I commend the statement which the gentleman from Colorado [Mr. ASPINALL], chairman of the Committee on Interior and Insular Affairs, has made with regard to the bills which will be brought before this session of Congress from our committee to create new national parks, historical monuments and recreation areas.

To my colleague, the gentleman from Iowa [Mr. GROSS], I wish to say that it has been the policy of the House Committee on Interior and Insular Affairs ever since I have been a Member—and I am sure long before that time—to insist that all properties purchased by the

Park Service for inclusion in national parks or monuments be acquired at not more than the fair market value. This is done by means of appraisals. We like to negotiate and we do not like to use the right of condemnation, but on occasion, when people have tried to ask outlandish prices or prices which could not be sustained on the basis of fair market value, our committee has authorized the Park Service to use the right of condemnation.

I feel certain that in regard to this bill and the others which will be considered during this session any land which may be acquired will be acquired after proper appraisal and at not more than fair market value.

This area which is being designated today as the Nez Perce National Historical Park is unusual in that it is not a compact unit. It is divided at the present time into four areas which have been designated by the Park Service as the most outstanding examples of the history of the Nez Perce people.

I have visited these areas. I am satisfied that they should be preserved.

Members will note that one of the important amendments adopted by the committee is that the land which belongs to the Nez Perce Indians, while included in the bill, will not be included in the National Historical Park unless the Nez Perce Indians themselves consent.

I urge that the rules be suspended and that the bill be passed.

Mr. RIVERS of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Speaker, this bill was introduced, as the chairman of the full committee explained, to provide for the Nez Perce National Historical Park in the State of Idaho.

For the clarification of Members of the House, I believe it would be well to point out that this covers a large area, and it is a new concept in national parks. Instead of acquiring all the land in the area, we will acquire only the points of historical significance. It will be spread over several hundred miles and it will have 3 sites—1 administrative site and 2 interpretive sites—as well as 19 other centers which will be used to show the history of the Nez Perce Indians, the history of the Lewis and Clark Expedition, the history of the early missionaries who went into Idaho, and the history of the gold mining which started the initial settlement of the State.

It is with a great deal of pride that I ask my colleagues' support for H.R. 908, which would authorize the establishment of the Nez Perce National Historical Park in north-central Idaho. This bill was born of the realization by Idahoans that the march of time and progress might obliterate the physical evidence of Northwest history, which has been traced back 10,000 years and was first discovered 160 years ago by the famous Lewis and Clark Expedition.

This evidence includes the culture of the Nez Perce Indian Nation and the valiant fight the tribe waged to hold its land from the advance of civilization that followed Lewis and Clark into north-central Idaho. Also included are imprints left on the land by the missionaries and the gold miners who came later to this vast and beautiful territory.

Fully aware that history and progress can be partners, Idaho is asking that these remnants of history be preserved and interpreted for the Nation under a new concept of national park development.

Rather than seal off the entire region by Federal acquisition of land, the Nez Perce National Historical Park would be composed of 22 scattered sites of historical significance.

The 22 sites would be interpreted at administrative centers. No large land areas would be involved and Idaho's commerce would continue to expand, unhindered by the past.

The park would facilitate the protection of and provide accurate, detailed public information on the various historic sites through cooperative agreements and understandings among State, Federal, and private agencies and individual landowners.

It is a new concept in national park development, and it has received the enthusiastic support of nearly every individual and responsible organization in Idaho.

H.R. 908 is a truly remarkable proposal for a coordinated effort by Federal, State, and community governments and by many nongovernmental interests to develop a project of national significance.

Its importance can be seen by a study of the history of north-central Idaho. I believe many of us are familiar with Chief Joseph and his historic retreat before the might of U.S. cavalry. The Nez Perce is the only Indian tribe that ever took up the use of animal husbandry and through their efforts was developed the Apaloosa horse, one of the major breeds in the United States today.

I would like to say to the gentleman from Iowa that the lands to be acquired in fee lie in three principal areas. One is at the confluence of Lapwai Creek and the Clearwater River, which joins the Snake River several miles downstream at Lewiston, Idaho. This melon-producing land is adjacent to Spalding State Park, which will be acquired without any remuneration to the State. The Nez Perce Tribe is acquiring the lands at the present time to prevent speculators from profiting by purchases based on hopes of selling back at prices more than what may be the fair market value. An additional area included in the site at Spalding would be condemned if this is necessary. This is land which has a value of over $500 an acre. At Kamiah, Idaho, another acquisition is to be made within the confines of the community. It is occupied land which is worth well over $500 an acre.

The third major site is the White Bird Battlefield. This land is now the center of a cattle ranch. There will be some severance consideration involved in this taking.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. RIVERS of Alaska. Mr. Speaker, I yield the gentleman 2 additional minutes.

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

Mr. WHITE of Idaho. I would be glad to yield to the gentleman.

Mr. GROSS. I thank the gentleman for his explanation. I would like to make this suggestion to the committee and to my friend from Colorado, the chairman of the House Committee on Interior and Insular Affairs. In the future, with respect to these bills where land is to be acquired for this purpose, the bill should contain the language that the land is to be acquired at a fair market value. Either the bill or the report should contain this language. This will help those of us who are on the outside and it would resolve doubts in my mind if this language were even inserted in the report stating that the land to be acquired is to be acquired at fair market value.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. WHITE of Idaho. I yield to the gentleman.

Mr. ASPINALL. I think the suggestion is a good one. We follow this as far as our procedures are concerned in making the legislative history. I think it would be well to follow it in the report and place it in the report or the legislation itself, as we do in many of our public land bills.

Mr. WHITE of Idaho. Mr. Speaker, I would like to say one last thing to the gentleman from Iowa. The basic idea of this bill is to keep land acquisition costs down. That is why it is proposed to acquire the land in small parcels rather than acquiring huge parcels.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may desire to my colleague from Idaho [Mr. HANSEN].

Mr. HANSEN of Idaho. Mr. Speaker, I rise in support of H.R. 908, a bill to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho. I believe the extent of my support can be measured by the fact that I have introduced an identical bill—H.R. 5395.

Although most of the work on this legislation was accomplished prior to my election to the Congress, I have not been unaware of the great interest of the people of Idaho in designating the Nez Perce National Historical Park in the State of Idaho.

There is no opposition, insofar as I have been able to determine, to the establishment of this park, either locally or at the national level. This, I believe, speaks extremely well for all the local people—Idaho Governor Robert E. Smylie, Idaho State officials, church, civic and local groups, and the Nez Perce Tribal Council—who helped initiate this proposal and who played a great part in creating the original interest in it. Such unanimity of opinion on legislative proposals is rare today.

I would like at this time to commend these people and these groups for the outstanding work they have done. I am sure that all Idahoans join us today in backing this bill which does three essential things: First, it protects and preserves a historic landmark; second, it opens to all the world a new vista of an

almost forgotten frontier; and third, it envisions a new high in cooperative efforts between Government and private interests to depict a wide variety of significant phases in the development and preservation of the American West of which we are so proud.

I strongly urge, Mr. Speaker, that this legislation do pass.

The SPEAKER pro tempore. The question is, will the House suspend the rules and pass the bill (H.R. 908) as amended.

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

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 60 to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes, a similar bill to the one the House just passed.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

S. 60

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining, and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

SEC. 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided,* That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further the purpose of this Act.

SEC. 4. (a) Indian trust lands and sites in Federal ownership under the administrative jurisdiction of other Government agencies, not to exceed one thousand five hundred acres overall, may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner or agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. The Secretary of the Interior may cooperate with the administering agency in research into and interpretation of the significance of the site and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site, and in conservation of the scenic and other resources thereof.

(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which under the provisions of this Act may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 6. (a) In order to carry out the purposes of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless as to whether title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 7. There are hereby authorized to be appropriated not to exceed $630,000 for the acquisition of land and interests in land pursuant to this Act.

AMENDMENT OFFERED BY MR. RIVERS OF ALASKA

Mr. RIVERS of Alaska. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of Alaska: Strike out all after the enacting clause of the bill (S. 60) and insert the provisions of the bill H.R. 908, as passed:

"That it is the purpose of this Act to facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

"SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

"SEC. 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided,* That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further the purpose of this Act.

"SEC. 4. (a) Indian trust land may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner. Sites in Federal ownership under the administrative jurisdiction of other Government agencies may likewise be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. Not more than one thousand and five hundred acres overall shall be designated pursuant to the foregoing provisions of this subsection. The Secretary of the Interior may cooperate with the Nez Perce Tribe or the administering agency, as the case may be, in research into and interpretation of the significance of any site so designated and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site and in conservation of the scenic and other resources thereof.

"(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of this Act, may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provision that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

"SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

"SEC. 6. (a) In order to carry out the purpose of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general

fund of the Treasury unless or until Congress has appropriated money for such purpose.

"(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes' (49 Stat. 666).

"SEC. 7. There are hereby authorized to be appropriated the sums of not more than $630,000 for the acquisition of lands and interests in land and not more than $1,337,000 for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 908) was laid on the table.

AGATE FOSSIL BEDS NATIONAL MONUMENT, NEBR.

Mr. RIVERS of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 500) to provide for the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes.

The Clerk read as follows:

H.R. 500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than three thousand one hundred and fifty acres of land in township 28 north, range 55 west, sixth principal meridian, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site and the monument lands lying in section 3 or 10 of the said township and range.

SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an initially administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.

SEC. 3. The Agate Fossil Beds National Monument shall be administered by the Secretary of the Interior pursuant to the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 4. There are hereby authorized to be appropriated the sums of not more than $301,150 for acquisition of lands and interests in land and not more than $1,842,000 for development in connection with the Agate Fossil Beds National Monument under this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, when we were discussing the Nez Perce bill a little while ago, I spoke of the variety of National Park units our Subcommittee on National Parks and Recreation deals with. Here, in H.R. 500, we have a proposal to establish the Agate Fossil Beds National Monument, and I dare say that in the years to come it will be one of the most instructive and educational units that the system will have.

I am reminded by this proposal of a remark attributed to the late Senator Millikin of Colorado. He was being importuned, I am told, to save the Dinosaur National Monument from invasion and his answer was to this effect: Why bother about these old bones? Anybody who wants to see fossils should come to our next national convention.

But, seriously, what we are engaged in today is dealing with the preservation for posterity of an area which has great scientific importance. Take the whole time that has elapsed since Columbus discovered the New World. That was a little less than 500 years ago. To get back to the time when the animals whose bones were found in the Agate Fossil Beds were roaming around we have to multiply 500 by 30,000. This is more than an exercise in arithmetic; it is an exercise in imagination of a staggering sort.

I said that this area is of great scientific importance. From it have come already to the great museums of the country a large number of fine specimens of the animals that roamed this part of the country millions of years ago—a double-horned rhinoceros the size of a Shetland pony; another beast known as the Moropus with the head of a horse, the body of a tapir, the front legs of a rhinoceros, the rear legs of a bear, and the neck of a giraffe; still another, the "Terrible Pig," was over 7 feet tall and 10 feet long. There were others, too, but these will serve as examples.

Even though excavations have been conducted here for many years, the area is far from exhausted. It has been estimated that perhaps only 25 percent of the remains have been taken out. The other 75 percent are still in place. This means that we have an opportunity not only to continue excavations under controlled conditions but also that we can teach ourselves how this important work is conducted, for the plan is to construct an on-site museum so that everyone can see the remains in place and how scientists go about removing them.

Mr. Speaker, before I close I want to pay tribute to Mrs. Harold J. Cook. It is because of her interest and the interest of her late husband and her father-in-law in this area that it has been kept as it has for so many years. Not only that, but Mrs. Cook has agreed to donate her husband's very valuable library of paleontology and his collection of Indian artifacts and historical materials to the Government. These gifts will undoubtedly enhance the value of the Agate Fossil Beds National Monument to the Nation.

I also want to express my appreciation and the appreciation of the committee to Dr. Malcolm McKenna, of the American Museum of Natural History in New York, and to Dr. C. C. Black, of the Carnegie Museum in Pittsburgh. Their very enlightening testimony before our committee did much to give us an awareness of the importance of the step we are about to take to set aside this area for the national good.

The estimated cost of acquiring the 3,150 acres of land which the Agate Fossil Beds National Monument will embrace is $301,150, and the cost of the development program is $1,842,000. The latter will include museums, a visitors center, and necessary road construction.

Mr. Speaker, I recommend enactment of H.R. 500.

Mr. Speaker, I believe that this is a good piece of legislation and deserves the support of the Congress.

Mr. SKUBITZ. Mr. Speaker, I yield to my colleague, the gentleman from Nebraska [Mr. MARTIN] such time as he may consume.

Mr. MARTIN of Nebraska. Mr. Speaker, the Agate Springs Fossil Quarries site located in Sioux County, Nebr., is world renowned for its rich concentrations of the fossile remains of mammals that lived 15 million years ago.

A study of this site was made by the Midwest Region, National Park Service, in the fall of 1960 and a preliminary report prepared. In May of 1961 the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recommended to the Secretary of the Interior the establishment of the site as a National Monument. I shall confine myself to the history and the value of these fossil beds which paleontologists state are some of the finest in the entire world.

The proposed Agate Fossil Beds National Monument is located in northwestern Nebraska 20 miles south of Harrison and about 40 miles north of Scottsbluff, Nebr. The proposal encompasses 3,150 acres about 4 miles east and west and varies in width from three-fourths to almost 2 miles. Nebraska State Highway 29 runs through the area and is very close to the former ranch home of Capt. James H. Cook. This is the proposed site of the headquarters and vistors center.

The economy of this area is ranching. The land which would be purchased is grassland. Present owners have indicated a willingness to sell for the purpose of establishing a national monument. Two ranch headquarters would be involved and 3,150 acres. Estimated cost of the land is approximately $301,150.

In addition, the Park Service estimates an expenditure over the next 5 years of approximately $1,842,000 to properly develop the area.

Capt. James H. Cook, the noted Indian scout, friend, and confidant of the Sioux Indians, paleontologist and author, discovered these fossil beds in 1878. He was a great-grandson of Capt. James Cook, the famed English explorer who circumnavigated the globe from 1768 to 1771, explored New Zealand, the east coast of Australia, and led the search for a Pacific-Atlantic passage through North America. Captain Cook purchased this ranch in 1887 from his father-in-law, Dr. E. B. Graham.

Because of Captain Cook's great interest in paleontology, he interested many of his friends in this field in the fossil beds. As a result, leading paleontologists from Carnegie Institute, the American Museum of Natural History, the Chicago Natural History Museum, the Smithsonian Institute, the Colorado Museum of Natural History, Amherst College, the Universities of Chicago, Kansas, Michigan, Princeton, Yale, Nebraska, and many other scientific institutions have excavated and studied at the site. These deposits have been described by the renowned paleontologist, the late Henry Fairfield Osborn, president American Museum, as the most remarkable deposits of mammalian remains of the Tertiary age ever found anywhere in the world.

Capt. James Cook willed the ranch and these important fossil beds to his son, Harold J. Cook, upon his death in 1942. Harold Cook inherited the keen interest and knowledge of his father in these beds and preserved them for scientific research. This was Harold Cook's home all of his life, and he won an international reputation in the field of paleontology. Throughout his life he contributed a great deal to this science by writing scholarly technical papers and by awakening public interest in this field—especially among schoolchildren—by leading tours to the Agate quarries. After his death in 1962, Mrs. Margaret C. Cook, his widow, has continued his interest in preserving these important fossil beds as a national monument. She has offered to donate the valuable artifacts and Indian collection which Dr. James Cook accumulated.

Although the site has been worked off and on for many years, it is estimated that 75 percent of the fossils still remain in the area. One slab quarried with an area of 44 square feet contained 4,300 separate bones and skulls. The National Park Service has estimated that by the time the area is fully developed, in about 5 years, the visitors will number 120,000 and possibly 200,000 per year.

The Agate fossil beds are nationally significant because of their numerous, concentrated, well-preserved Miocene mammal fossils which represent an important chapter in the history of life, one that is not now adequately represented in the national park system. This site is significant too because of the important contributions made here by the early pioneers of scientific research in the West. The area also meets suitability and feasibility requirements for a national monument.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I want to commend the gentleman from Colorado [Mr. ASPINALL], chairman of the Committee on Interior and Insular Affairs, for his interest in this legislation and also the gentleman from Aslaska [Mr. RIVERS] who brings the bill to the floor of the House today.

Mr. Speaker, I compliment the author of the bill, my colleague, the gentleman from Nebraska [Mr. MARTIN] on this legislation.

Mr. Speaker, this particular legislation will mean a great deal to the future generations of this country. There is nothing like this area in the world.

Mr. Speaker, this section lies in northwest Nebraska in the beautiful so-called San Hills area, adjacent to the Wyoming line and not too far from historic Fort Robinson. These fossils have been unearthed by various universities and other agencies interested in prehistoric animals and mammals.

So, Mr. Speaker, I am very delighted to support this legislation and urge its adoption.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Alaska [Mr. RIVERS] that the House suspend the rules and pass the bill H.R. 500.

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

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 339 to provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes, a bill similar to the one just passed.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 339

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than 3,150 acres of land in township 28 north, range 55 west, 6th principal meridian, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site, and the monument lands lying in section 3 or 10 of said township and range.

SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.

SEC. 3. The Agate Fossil Beds National Monument shall be administered by the Secretary of the Interior pursuant to the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 4. There is hereby authorized to be appropriated not more than $315,000 for the acquisition of land and interests in land pursuant to this Act.

AMENDMENT OFFERED BY MR. RIVERS OF ALASKA

Mr. RIVERS of Alaska. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of Alaska: Strike out after the enacting clause of S. 339 and insert the provisions of H.R. 500, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

GOVERNMENT EMPLOYEES' LIFE INSURANCE PROGRAM

Mr. OLSEN of Montana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6926) to strengthen the financial condition of the Employees' Life Insurance Fund created by the Federal Employees' Group Life Insurance Act of 1954, to provide certain adjustments in amounts of group life and group accidental death and dismemberment insurance under such act, and for other purposes.

The Clerk read as follows:

H.R. 6926

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2094(b)), is amended to read as follows:

"(b) For each period in which an employee is insured under a policy of insurance purchased by the Commission as authorized in section 7 of this Act, there shall be contributed from the respective appropriation or fund which is used for payment of his salary, wage, or other compensation (or, in the case of an elected official, from such appropriation or funds as may be available for payment of other salaries of the same office or establishment) a sum computed at a rate determined by the Commission, but not to exceed the amount withheld from the employee under this section."

SEC. 2. Section 3(a) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2092 (a)), is amended to read as follows:

"(a) Each employee to whom this Act applies shall be eligible to be insured for an

amount of group life insurance approximating his annual compensation not exceeding $30,000 plus an equal amount of group accidental death and dismemberment insurance, in accordance with the following schedule:

"If annual compensation is—		The amount of group life insurance shall be—	The amount of group accidental death and dismemberment insurance shall be—
Greater than—	But not greater than—		
0	$1,000	$1,000	$1,000
$1,000	2,000	2,000	2,000
2,000	3,000	3,000	3,000
3,000	4,000	4,000	4,000
4,000	5,000	5,000	5,000
5,000	6,000	6,000	6,000
6,000	7,000	7,000	7,000
7,000	8,000	8,000	8,000
8,000	9,000	9,000	9,000
9,000	10,000	10,000	10,000
10,000	11,000	11,000	11,000
11,000	12,000	12,000	12,000
12,000	13,000	13,000	13,000
13,000	14,000	14,000	14,000
14,000	15,000	15,000	15,000
15,000	16,000	16,000	16,000
16,000	17,000	17,000	17,000
17,000	18,000	18,000	18,000
18,000	19,000	19,000	19,000
19,000	20,000	20,000	20,000
20,000	21,000	21,000	21,000
21,000	22,000	22,000	22,000
22,000	23,000	23,000	23,000
23,000	24,000	24,000	24,000
24,000	25,000	25,000	25,000
25,000	26,000	26,000	26,000
26,000	27,000	27,000	27,000
27,000	28,000	28,000	28,000
28,000	29,000	29,000	29,000
29,000	------	30,000	30,000".

SEC. 3. (a) The first section of this Act shall become effective on the first day of the first pay period which begins on or after July 1, 1965.

(b) Section 2 of this Act shall become effective upon date of enactment with respect to death or dismemberment which shall have occurred on or after such date of enactment. Section 2 shall not be effective with respect to death or dismemberment of any person who shall have been separated or retired prior to the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GREEN], a member of the Subcommittee on Retirement, Insurance, and Health Benefits of the Post Office and Civil Service Committee.

Mr. GREEN of Pennsylvania. Mr. Speaker, I rise in support of H.R. 6926. This is a good bill. It is a short bill containing two important sections.

The first section of H.R. 6926 authorizes needed additional Government contributions to the insurance fund in the Treasury, from which the obligations of the Government employees' group life insurance program are paid. Section 2 increases the maximum amount of insurance which a Government officer or employee may carry under the program, in order to restore an appropriate relationship in higher governmental brackets between such maximum amount of insurance and the current Federal civilian salary levels.

It is appropriate at this time to consider the history and the background of this act.

The Federal Employees' Group Life Insurance Act of 1954 authorizes life insurance protection for Federal employees not in excess of the amount of their annual salary carried to the next higher $1,000. Each employee now pays the maximum premium permitted by law—25 cents biweekly—for each $1,000 of insurance protection. Each agency contributes 12½ cents per $1,000 of insurance—which is also the maximum presently permitted by law. Currently then the employee pays two-thirds and the Government pays one-third of the cost. This bill is in response to an actuarial valuation of the life insurance program as of June 30, 1963, which disclosed that the aggregate of the present employee and agency payments falls 7 cents short of providing adequate financing of the program if future claim experience follows the pattern thus far established.

The first section of H.R. 6926 authorizes the Civil Service Commission to increase the Government's contribution when it determines that such an increase is necessary to protect the financial integrity of the program; but not to a point higher than the employee's 25-cent premium rate. It is emphasized that this authority is permissive, not mandatory. The Commission will still have the necessary flexibility in determining what share of the cost the Government should bear and may exercise this discretion from time to time as the need arises.

Millions of Government employees, their wives, and children depend heavily on this program for a major part of their insurance protection. Premiums paid by employees, with the smaller Government contribution, make up a trust fund from which obligations of the life insurance program are paid. This fund must be maintained at a proper level, in the interest of the United States and to keep faith with the employees.

Experience has demonstrated that failure of the Government to assure adequate financing of trust funds of this kind leads to serious trouble. Government payments to the civil service retirement fund, for example, from the start have been too little and too late, contributing materially to the heavy actuarial deficit in that fund. That kind of history cannot be repeated.

The Civil Service Commission has recommended that this bill be amended to authorize the Commission to also increase employee premiums but specified no amount for this proposed increase. The committee, however, does not believe that there is any need or justification in light of modern trends in industry to increase employees' premiums and, accordingly, the reported bill does not provide for any such increase.

Testimony before our committee indicated that of the 100 industries listed in a Department of Labor study of industrial insurance plans about 40 percent paid the entire premium of their employees and very few paid less than half.

Some of the companies which paid all of the employees premiums are: American Sugar Refining Co., Armstrong Cork Co., Swift & Co., Armour & Co., Campbell Soup Co., Liggett & Myers Tobacco Co., distillery industry, clothing industry, Continental Can, Inc., Bethlehem Steel Co., Owens-Illinois Glass Co., Firestone Tire & Rubber Co., and many other companies in this country provide the complete premium for their employees.

Our committee feels, therefore, that an increase in the employees' contribution rate at this time is unwarranted.

If the bill is passed and the Civil Service Commission uses its permissive authority to increase the Government's contribution, in all likelihood the Government would still not be paying one-half of the cost of the premium, but would be paying approximately 19½ cents biweekly for each $1,000 of insurance coverage while the employee continues to pay 25 cents biweekly.

Section 2 of this bill will merely modernize or update the limitation on the maximum insurance coverage provided by the Government Employees' Group Life Insurance Act of 1954. The $20,000 maximum prescribed in that act was appropriate in 1954, in relation to the then existing Government salary levels, but is entirely unsuitable and unrealistic in relation to present day salary levels. This section 2 of this bill has the complete endorsement of the Civil Service Commission.

What will this act cost? Enactment will result in no additional cost unless and until the Civil Service Commission shall determine that an increase in the Government's share of premiums is necessary to protect the financial soundness of the life insurance fund.

The Chairman of the Commission testified his agency did not plan to use the discretionary authority provided by the bill now or in the immediate future.

For each 1-cent increase in the Government's share per $1,000 of insurance, the annual cost would be approximately $4,728,500. According to the Civil Service Commission, enactment of section 2 of this bill would provide no material increase because of the relatively small number of employees to whom this section applies.

I strongly support this bill and urge my colleagues to support it. I am happy to report to you that this bill received the unanimous approval of our committee.

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

Mr. Speaker, I agree entirely with the gentleman from Pennsylvania who has just concluded. It was my pleasure in 1954 to be the manager of this life insurance program when it first came to the floor of the House. Since that time we have seen the program put into operation and become one of the major fringe benefits of Government employees in this country.

Presently we are approaching a time when the first important correction is needed in the program. That correction as the gentleman just outlined is to raise first the amount of maximum insurance which can be purchased by an employee and, secondly, if possible to

have the Government's participation in the premiums increased.

I was very happy that it was pointed out that private business is more and more paying from 50 to 100 percent of the life insurance premiums of their employees. I think the Federal Government has lagged very greatly in only paying one-third of the cost. To suggest seriously that the Government employee's payments be increased while the Government's payment be held at the same figures that they are now—12½ cents per thousand for a biweekly pay period is absolutely going the wrong way.

I believe it should also be pointed out that the committee, by acting now rather than waiting for the President's Cabinet Committee to make a finding, is doing exactly the right thing. The President's Cabinet Committee is not scheduled to report until December of this calendar year. Under this arrangement legislation of this nature would not reach the floor probably until March, April, or May of 1966. In the meantime, many, many employees would have died or retired and would have lost the benefits contemplated under this bill.

Likewise, while the fund is still in good shape, we are approaching danger points and greater amounts of money should go into the fund. The Government should act now.

In any event, we all know that committees and commissions have sometimes been created for the exact purpose of delay. We know even when that was not the purpose, that has often been the result.

In making it permissive for the administration to increase the Government's payments if the President's Cabinet Committee finds that to be wise, it will not be necessary to come to Congress for permission—they will have it already—and the recommendations can be put into effect promptly, instead of waiting for the slow legislative process to be concluded.

Mr. Speaker, I strongly urge that this legislation be passed. It is timely. It is in order. It is sound. I believe it will make its contribution toward maintaining a good life insurance program, which will do that much more to make employment with our Federal Government that much more attractive to good, capable employees.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska, the ranking minority member of the subcommittee.

Mr. CUNNINGHAM. Mr. Speaker, I wish to compliment my distinguished colleague on the committee, the gentleman from Pennsylvania [Mr. GREEN], for a very clear statement as to the purpose of the bill. I also commend the statement made by the gentleman from Pennsylvania [Mr. CORBETT], the ranking minority member of the full committee.

I was a member of the Committee on Post Office and Civil Service when this piece of legislation was first enacted, as well as when the Federal Employees Health Benefits Act passed. These two programs have served all the employees and Members of the House of Representatives and the other body very well.

I might add that this bill does not apply only to Federal workers in the various agencies, but will afford the Members of Congress an opportunity to increase their life insurance under this program from $20,000 to $30,000.

Mr. Speaker, I rise in full support of this bill. As the gentleman from Pennsylvania said, I am the ranking minority member on this subcommittee. This bill was passed unanimously by the subcommittee and by the full committee.

Mr. OLSEN of Montana. Mr. Speaker, I rise in support of H.R. 6926.

First of all, I should like to commend the Subcommittee on Retirement, Insurance, and Health Benefits for developing this important legislation, and particularly to congratulate the gentleman from Pennsylvania [Mr. GREEN] for his very thorough analysis and explanation of the bill.

Mr. Speaker, the establishment of policy with respect to both salaries and fringe benefits of Federal employees is, and must be exclusively in the province of the Congress. The Congress has laid down the firm policy of comparability of Federal civilian salaries with those in private enterprise, and the same principle certainly should be applied to fringe benefits, including the Federal employees' life insurance program.

We have made significant progress toward salary comparability and there is no reason whatever for the Government's participation in our employees' life insurance program to lag behind similar programs for employees in enlightened private enterprise. Mediocrity will not suffice; our Federal program should be at least on a par with the best in private industry.

It was my privilege, through the courtesy of our Subcommittee on Retirement, Insurance, and Health Benefits, to attend public hearings on this legislation. In my judgment, the evident need for this legislation was clearly demonstrated when the Chairman of the Civil Service Commission testified, in response to questioning, that many private corporations pay at least half, and some pay all, of the costs of employee life insurance programs. The trend in private industry, according to testimony based on AFL–CIO data sources, is well beyond the 50-percent level for employers' contributions.

The Bureau of Labor Statistics in the Department of Labor has conducted two studies which further support the need for H.R. 6926. The first, printed in Bulletin No. 1330, is entitled: "A Digest of 100 Selected Health and Insurance Plans Under Collective Bargaining, Winter 1961–62." It was brought further up to date by a supplemental study of 50 plans in 1963.

The first such study disclosed that approximately 40 of the 100 corporations paid the entire cost of their employees' life insurance plans, and all but a few paid at least half of the cost. To name a few, the American Sugar Refining Co., Armstrong Cork Co., Swift & Co., Armour & Co., Campbell Soup Co., Liggett & Myers Tobacco Co., distillery industry, clothing industry, Continental Can, Inc., Bethlehem Steel Co., Owens-Illinois Glass Co., and the Firestone Tire & Rubber Co., pay the full cost. Incidentally, they also pay the full cost of their employees' health insurance plans. Some even permit employees to carry life insurance equal to double the amount of their earnings.

Mr. Speaker, this bill represents the first major revision of the Federal Employees' Group Life Insurance Act of 1954 since it was enacted nearly 11 years ago. The record is clear that our program has fallen seriously behind the trend in private industry. Enactment of H.R. 6926 will be a step in the right direction toward closing the gap, and I earnestly recommend its approval by the House.

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

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

There was no objection.

Mr. DANIELS. Mr. Chairman, it has been my privilege, as chairman of the Subcommittee on Retirement, Insurance, and Health Benefits of the Post Office and Civil Service Committee, to conduct public hearings and a related study in depth of the Government employees' life insurance program. On the basis of the hearings and study, I introduced H.R. 6926 which is before the House of Representatives for approval today.

The enactment of H.R. 6926 will strengthen and modernize the life insurance program established by the Government Employees' Life Insurance Act of 1954 but which has not been materially changed during the ensuing 11 years. That act was written by the Post Office and Civil Service Committee and, at the time, constituted a valuable and fully justified new employee fringe benefit. However, I am sure that neither our committee nor the Congress in 1954 intended that the provisions then drafted should constitute an ironclad limitation on the life insurance program that could not be changed and adjusted, from time to time, as conditions warranted. On the contrary, my discussions with senior Members—and particularly with our ranking minority Member, the gentleman from Pennsylvania [Mr. CORBETT]—have convinced me that future changes to keep abreast of the times were both anticipated and expected when the law was written in 1954.

I should like to take a moment now to commend the wisdom and the foresight of our predecessors in writing the basic framework for an employee life insurance program into the permanent body of the law. In truth and in fact, the Government Employees' Life Insurance Act has proved out to be one of the finest employee programs ever adopted—in the interest of both the Government and its personnel. But changes in the structure and manning of our Government posts, and in the economic necessities of those who carry out essential public programs, require constant vigilance and attention by the Congress to keep abreast of the times.

This, then, is essentially the background for the development of H.R. 6926. When the Life Insurance Act was written in 1954, it placed Government employees substantially on a par with their fellow workers in private enterprise with respect to life insurance protection with employer participation. Such no longer is the case. Our Federal employees' life insurance plan has remained dormant, in terms of relative employee-employer contributions, while being far outstripped by employer support and contributions to private industry employees' life insurance.

One of the issues considered during the public hearings was whether the Congress should act now or await the recommendations of a special panel that has been appointed by the President to study Federal employees' fringe benefits, including life insurance. No report or recommendation can be expected from the panel until late in the current year. In the meantime, of course, many employees will pass away and, to the extent there is any inadequacy in their life insurance plan, their surviving widows and children may suffer loss.

During the course of the public hearings it was disclosed that the Bureau of Labor Statistics in the Department of Labor has made two pertinent investigations of private enterprise health and insurance plans, and has published comprehensive reports of the results. The first, printed as Bulletin No. 1330 of the Department of Labor, is entitled "Digest of 100 Selected Health and Insurance Plans Under Collective Bargaining, Winter 1961–62." The second, supplementing the first and printed as Department of Labor Bulletin No. 1377, is entitled "Digest of 50 Selected Health and Insurance Plans for Salaried Employees, Spring 1963."

I will not burden the RECORD with the voluminous statistical data contained in these two bulletins. Suffice it to say that, in my judgment and that of our committee, they constitute overwhelming official evidence that our Government employees' life insurance program lags far behind current policies and practices in enlightened private industry. Approximately 40 percent of the major firms surveyed pay the full cost of life insurance—subject to moderate dollar limitations in some cases—and nearly all pay a larger share of the cost than does the Federal Government for its employees.

In view of the foregoing, and the more than ample evidence that major adjustments in the Federal program are needed if it is to have any reasonable comparability with private enterprise, there is frankly no excuse for delaying action until still another group or panel has "studied" the situation. It is the responsibility—indeed, the high obligation—of the Congress of the United States to determine and enunciate policies in these matters, and to maintain a standard whereunder the Federal Government will not suffer in comparison to private enterprise.

Enactment of H.R. 6926 will not, in my estimation, quite bring our Federal employees' life insurance program up to a par with the best—or even the very good—plans in private enterprise. But it will constitute a major step in the right direction. It will make provision for immediate adjustment by administrative action—without the delay of seeking legislation—at such time as the Civil Service Commission shall determine that an increase in the Government's contribution is necessary to maintain the financial integrity of the program. It will also fix a realistic maximum on the amount of life insurance that Federal employees may carry under the Government plan—commensurate with current salary levels—in lieu of the outdated, 11-year-old maximum written into the law in 1954 and unchanged since that time. Additional insurance permitted under the new maximum will be paid for on the same terms per $1,000 of coverage as now provided by law, so there will be no drain on the life insurance finances by reason of this adjustment.

Mr. Speaker, I strongly recommend enactment of H.R. 6926 to the membership of the House.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Montana that the House suspend the rules and pass the bill H.R. 6926.

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

A motion to reconsider was laid on the table.

JURY COMMISSIONERS FOR U.S. DISTRICT COURTS

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5640) to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes.

The Clerk read as follows:

H.R. 5640

A bill to provide for a jury commission for each United States district court, to regulate its compensation, to prescribe its duties, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1864 of title 28 of the United States Code is amended to read as follows:

"§ 1864. Jury commission: Duties, compensation, and methods of selecting and drawing jurors

"(a) APPOINTMENT.—A jury commission shall be established in each judicial district, consisting of the clerk of the court and one or more jury commissioners, appointed by the district court. The jury commissioner shall be a citizen of the United States of good character residing in the district of appointment who, at the time of his appointment, shall not be a member of the same political party as the clerk of the court or a duly qualified deputy clerk acting for the clerk. If more than one jury commissioner is appointed, each may be designated to serve in one or more of the places where court is held, and the clerk and the jury commissioner so designated shall constitute the jury commission for that part of the district. In the event that a jury commissioner is unable for any reason to perform his duties, another jury commissioner may be appointed, as provided herein, to act in his place until he is able to resume his duties.

"Jury commissioners shall be appointed to serve on a part-time or full-time basis. If in the opinion of the court the efficient operation of the jury system requires the services of a full-time jury commissioner, the court may, with the approval of the Judicial Conference of the United States, appoint one or more full-time jury commissioners.

"(b) DUTIES.—In the performance of all its duties the jury commission shall act under the direction and supervision of the chief judge of the district.

"The sources of the names and the methods to be used by the jury commission in selecting the names of persons who may be called for grand or petit jury service shall be as directed by the chief judge. The procedures employed by the jury commission in selecting the names of qualified persons to be placed in the jury box, wheel, or similar device, shall not systematically or deliberately exclude any group from the jury panel on account of race, sex, political, or religious affiliations, or economic or social status. In determining whether persons are qualified as jurors under section 1861 of this title, the jury commission shall use questionnaires and such other means as the chief judge may deem appropriate, including the administering of oaths.

"The names of jurors shall be publicly drawn by chance from a jury box, wheel, or similar device, which contains the commencement of each drawing the names of not less than three hundred qualified persons selected by the jury commission in accordance with the provisions of this subsection.

"The jury commission shall keep records of the names of persons placed in the jury box, wheel, or similar device, the questionnaires returned by said persons, the names of the persons who are selected for jury service, the dates of service, and such other appropriate records as the chief judge may direct, all for a period of not less than two years. With the approval of the chief judge, the jury commission may designate deputy clerks and other employees in the office of the clerk of the court to assist the commission in the performance of its duties and to perform under its direction such of the detailed duties of the commission as in the opinion of the chief judge can be assigned to them.

"(c) COMPENSATION.—Each jury commissioner appointed on a part-time basis shall be compensated for his services at the rate of $10 per day for each day in which he actually and necessarily is engaged in the performance of his official duties, to be paid upon certificate of the chief judge of the district.

"Each jury commissioner appointed on a full-time basis shall receive a salary to be fixed from time to time by the Judicial Conference of the United States at a rate which in the opinion of the Judicial Conference corresponds to that provided by the Classification Act of 1949, as amended, for positions in the executive branch with comparable responsibilities.

"Each jury commissioner shall receive his traveling and subsistence expenses within the limitations prescribed for clerks of district courts while absent from his designated post of duty on official business.

"(d) Any of the powers or duties conferred upon the chief judge under this section may be delegated by him to another judge of the district: *Provided, however,* That where part of a district by agreement or order of court is assigned to one particular judge and he customarily holds court there, as to such part of the district he shall perform the functions and fulfill the duties conferred upon the chief judge in this section.

"(e) This section shall not apply to the District of Columbia."

SEC. 2. Section 1865 of such title is amended by striking out the words "and may appoint

a jury commissioner for each such place" in the second sentence of subsection (a) thereof and inserting a period after the word "district" in such sentence.

SEC. 3. Each jury commissioner holding office on the effective date of this Act shall continue in office until his successor is duly appointed and qualified.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry the provisions of this Act into effect.

SEC. 5. The provisions of this Act shall take effect ninety days after the date of approval thereof: *Provided, however,* That no grand or petit jury sworn prior to the effective date of this Act nor any person called or summoned for jury service, or whose name is on a jury list or has been placed in a box, wheel, or similar device, prior to that date, shall be ineligible to serve if the procedure by which the jury or the individual juror was selected, called, summoned, or by which his name was listed or placed in a box, wheel, or similar device, was in compliance with the law in effect at the time of such action.

SEC. 6. (a) The table of sections at the head of chapter 121 of title 28 of the United States Code is amended by amending items 1864 and 1865 to read as follows:

"1864. Jury commission; duties, compensation, and methods of selecting and drawing jurors."

"1865. Apportionment within district."

(b) The catchline at the beginning of section 1865 of title 28 of the United States Code is amended to read as follows:

"§ 1865. Apportionment within district".

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. KING of New York. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. ASHMORE. Mr. Speaker, the purpose of this bill is to revise the existing language of title 28, United States Code, section 1864. It would improve and strengthen the operation of jury commissions for each judicial district of the United States and would also impose a greater responsibility, I might say, upon the chief judge of each district court to supervise the performance of the duties of the jury commission.

Mr. Speaker, I have no requests for time and yield back the balance of my time, because I know of no questions on this matter.

Mr. KING of New York. Mr. Speaker, I join with my colleague from South Carolina and urge my colleagues to support this bill.

Mr. Speaker, I join with my distinguished colleague from South Carolina in supporting the bill H.R. 5640 concerning jury commissions for each U.S. district court. This bill was considered by the subcommittee of which the gentleman from South Carolina is the chairman and of which I am privileged to be a member. The bill was unanimously recommended by the subcommittee and the full committee and has as its basic purpose the revision of the existing language of section 1864 of title 28 of the United States Code, so as to improve and strengthen the work of jury commissions in each judicial district. The bill further expressly provides that the chief judge of the district shall direct and supervise the jury commission in the performance of its duties. The language proposed in the bill clearly defines the duties of the commission and further provides for the appointment of commissioners and their compensation.

The testimony before the subcommittee established that in some instances the lack of supervision of those charged with the initial selection of persons to be called for jury service has resulted in challenges of the juries ultimately selected for trial of cases in the U.S. district courts. When it is considered that the jury system is basic in our system of law, I feel that it is self-evident that every effort should be made to improve and strengthen procedures associated with the selection of persons who ultimately may be called upon to serve as jurors in the trial of cases in the Federal courts. I feel the provisions of H.R. 5640 have been carefully drafted to further this purpose.

Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 5640.

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

A motion to reconsider was laid on the table.

COMMUNITY HEALTH SERVICES EXTENSION AMENDMENTS OF 1965

Mr. DELANEY. Mr. Speaker, I call up House Resolution 357 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 357

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2986) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, 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 Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield one-half of my time to the gentleman from California [Mr. SMITH]. I now yield myself such time as I may consume.

Mr. Speaker, House Resolution 357 provides for 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. The resolution provides an open rule with 2 hours of general debate.

H.R. 2986 extends four current programs carried out under the Public Health Service Act relating to health services.

It extends the duration of the current immunization program for an additional 3 years and extends the coverage of the program to include assistance in immunization programs against measles and other diseases presenting a major public health problem.

The bill also extends for an additional 3 years the current program under health services provided to domestic agricultural migratory workers.

The current program authorizing $50 million annually for grants to the States for health services under section 314(c) of the Public Health Service Act is extended for an additional year, and the program of special project grants for community health services authorizing appropriations up to $10 million annually is also extended for an additional year. Both of these latter programs are under review by the Public Health Service and the Association of State and Territorial Health Officers, and the State and territorial mental health authorities.

Mr. Speaker, I urge the adoption of H. Res. 357.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from New York, House Resolution 357 provides an open rule with 2 hours of general debate for the consideration of the bill, H.R. 2986. H.R. 2986 will extend the Community Health Services. It is a very fine bill. I know of no objection to it and I know of no objection to the rule.

Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

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

There was no objection.

Mr. SMITH of California. Mr. Speaker, I am compelled to speak out on a matter of grave concern, not only to the citizens of the great State of California but to all people of this Republic. This urge is prompted by a deep and abiding love of our Nation and a reminder that 30 days hence, on May 30, Americans will be memorializing those who so loved their country that they laid down their lives in its defense.

How callous, how unfeeling we would be if we labeled as naught the sacrifice of these martyrs of freedom. Yet, today we are being asked—no, it is being demanded—that we abandon our great heritage as protectors of freedom and allow the forces of communism to engulf the world. We are being urged to follow a course that has been mapped by practitioners of deceit and treachery.

I, for one, will not be coerced by means repugnant to our democratic processes.

DIRTY WAR OF IMPERIALIST AGGRESSION

During the last several months, the international event which has most occupied the attention of the Communist

Party, U.S.A., and the Communist-inspired youth group, the W. E. B. Du Bois Clubs of America, has been the war in Vietnam. Following long-established practice of supporting Communist causes wherever they exist throughout the world, the Communist Party, U.S.A., justifies and supports with propaganda the Communist Vietcong. At the same time, the party criticizes with vehemence and protests against U.S. foreign policy in Vietnam.

Deliberately ignoring the real issues of Communist invasion, Communist terror, and Communist insurgency in Vietnam, the Communist Party, U.S.A., accuses the United States of engaging in a "dirty war of imperialist aggression." To implement its steady and mounting propaganda attack against the policy of the U.S. Government in Vietnam, the Communist Party gives its full support to all mass actions such as protest demonstrations.

It is recognized, of course, that other individuals who are not members of the Communist Party or its front groups have participated in protest demonstrations against U.S. policy in Vietnam. While most individuals who have taken part in demonstrations of this type were not directly influenced by the Communist Party the Communists have endorsed and supported any group which organizes such a demonstration. This policy was established almost a year ago when Jack Stachel, member of the party's national committee, proposed the formation of a united front of Communists, other leftist groups, trade unions, peace organizations, Negro organizations, and churches to promote a campaign in opposition to U.S. policy in southeast Asia.

PARTY DIRECTIVES AND DISCUSSIONS

Let us take a look at the development of this Communist campaign against U.S. policy in Vietnam.

During March 1964 a directive entitled "The United States and South Vietnam Developments" was sent out from the Communist Party's national headquarters in New York City to all its districts. The situation in southeast Asia was described in this directive as an even greater threat to peace than Cuba or Berlin. Party members were urged to send telegrams to President Johnson protesting American "military aggression" in South Vietnam, to place advertisements in newspapers throughout the country, to organize protest meetings and picket lines, and to enlist the support of non-Communist groups in these activities.

Vietnam was the principal topic of discussion at a meeting of the top Communist Party leaders in June 1964. At this meeting Jack Stachel spoke up again and warned against elements in the United States who favor enlarging the war, argued that the Vietnam situation could not be settled by military force alone, and stressed that Communist China must be a participant in any negotiations. Stachel also proposed that the Communist Party, U.S.A., take the position that what is at issue in Vietnam is not U.S. prevention of Communist domination, but the right of all nations in southeast Asia to manage their own internal affairs.

As a further suggestion for the party's campaign against U.S. policy in Vietnam, Stachel relied on a typical Communist tactic when he urged adoption of the slogan, "Bring the boys home."

The party then called upon Margrit Pittman to prepare a discussion outline on the topic "Vietnam and Peace." A longtime member of the Communist Party, Margrit Pittman was in the Soviet Union from 1959 to 1962. During these years, her husband, John Pittman, was the Moscow correspondent for the Communist newspaper, The Worker.

In her outline, Mrs. Pittman characterized the war in South Vietnam as a war of aggression by U.S. "imperialism" designed to expand American influence in southeast Asia and to crush the Vietnamese fight for freedom. The Vietcong insurgents, however, were said to be fighting a war of national liberation whose goal is peace through negotiations leading to the eventual reunification of North and South Vietnam. Pittman used this outline to urge telegrams, letters, resolutions, meetings, marches, and other forms of demonstrations to demand U.S. withdrawal from South Vietnam.

CAMPAIGN MOVES INTO HIGH GEAR

The incident which moved the Communist campaign into high gear was the action in the Gulf of Tonkin in early August 1964. The Communist Party, U.S.A., quickly came to the support of the North Vietnamese Communists and characteristically criticized U.S. foreign policy when American aircraft attacked selected targets in North Vietnam following torpedo-boat attacks against our destroyers in the Gulf of Tonkin. Speaking at a meeting of the party's Southern California district, District Chairman Dorothy Healey called this retaliatory action against North Vietnam "dirty aggression" and suggested that 50,000 letters be sent to President Johnson to protest the U.S. air attack on North Vietnam.

As Mrs. Healey was speaking in California, the party's national headquarters was issuing a press release which condemned the retaliatory strike against North Vietnam and charged that U.S. war planes had brought death to innocent people. The party claimed that the air raid on North Vietnam was an expansion of the war in the direction of the policy of brinkmanship demanded by Barry Goldwater. The press release exhorted everyone in the United States "to speak out for peace" through petitions, letters, and telegrams to be sent to President Johnson, Senators, and Congressmen. These messages were to urge negotiation and the settlement of all issues in Vietnam through the existing machinery of the 14-power Geneva Conference and the United Nations.

BRINGING PRESSURE TO BEAR

In a letter dated August 19, 1964, addressed to all Communist Party districts, the party's national organization department stated that it was obvious that the danger of expanding the war in southeast Asia remained high and that this and similar foreign policy issues would be prominent in the 1964 presidential election campaign. Party members were urged, because of the role of U.S. imperialism in southeast Asia, to use even greater initiative to stimulate pressure for a negotiated settlement and the convening of a 14-nation conference concerning Vietnam.

At a meeting of top party officials in November 1964 Arnold Johnson, the party's public relations director, reported to his comrades on the situation in Vietnam. Johnson urged that the party utilize the many organizations and "groupings" which, he claimed, were bringing pressure on the U.S. Government to end the war in Vietnam.

Johnson also suggested that the party prepare, by the end of November, a definitive document on Vietnam and distribute 50,000 copies of this document. Such a document was prepared and distributed to all the party's districts with instructions that it be given wide circulation.

Johnson further proposed that the party strive to organize a conference to be held in Washington, D.C., which would represent the totality of American opinion on Vietnam and would attempt to bring about a change in U.S. policy in Vietnam.

During another meeting of leading functionaries of the Communist Party, held in late November 1964, Johnson again stressed that it was necessary for the Communist Party, U.S.A., to fight against extension of the war in Vietnam. He recommended that a memorandum on the party's position be sent to all of its districts. The key point in the memorandum would be the demand for peace and an end to the war in Vietnam. Johnson also suggested a petition and postcard campaign against the war in Vietnam.

Following through on Johnson's proposals, the party's national organization department sent an avalanche of instructions to party districts pertaining to activities designed to achieve Communist objectives in South Vietnam. Party districts were told in late November that a demand for peace was a key point in the election mandate given to President Johnson and that any implementation of that demand called for an end to the war in South Vietnam.

PEACE ON EARTH

The party's district leaders were instructed in late November to organize activities in the trade union movement, in youth organizations, and in religious organizations until peace was achieved. The party directive pointed out that this was the time of year when church and other organizations talked about peace on earth, but the "key test" would be what they said about peace in Vietnam.

In a directive issued in December the national organization department warned party districts that every passing event made it more urgent that all sections of the population speak out "to end the war in South Vietnam." All districts were urged to make special efforts for mass activities and expressions of peace during the weekend of December 19 and 20, 1964. This directive also called attention to an enclosed leaflet which urged the reader to "join in an appeal to

the conscience of America to end the war in Vietnam."

AIR STRIKES CONDEMNED

Following precedent set during the Gulf of Tonkin confrontation last August, the Communist Party was quick to give verbal support to North Vietnam and to condemn the U.S. foreign policy after a retaliatory air bombardment of North Vietnamese military targets on February 7, 1965. These air strikes followed Vietcong attacks against U.S. bases in South Vietnam.

Within minutes after the air attacks were announced, the party's general secretary, Gus Hall, who refers to himself as the leading spokesman for the Communist Party of the United States, was ready with another press release. Hall termed the American air strike as "the gravest threat to world peace since the Cuban crisis" of 1962. In his statement, Hall bitterly condemned the air strike as "an act of brutal aggression which horrifies the world." Nothing was said, of course, about the Vietcong mortar attacks.

Hall did repeat the by now familiar exhortation to the people of the United States to demand that this country withdraw all its troops from South Vietnam. He went on to say: "A policy to escalate the war can only lead to disaster. It will intimidate no one. It will bring an even more humiliating defeat or a world nuclear war. The American people must speak out loud and clear."

All the familiar Communist tactics were again brought into play, such as a telegram campaign launched immediately by the Communist Party in an effort to pressure the White House. On the night of February 7, 1965, for example, a party conference was being held in Chicago. The proceedings were interrupted and blank telegram forms were distributed. Each of the assembled comrades was instructed to write and sign an individual telegram to President Johnson condemning the air strike. These telegrams were then sent to the White House.

In a February 9, 1965, memorandum to all districts from the national organization department, it was stated that the major point on the agenda for all the American people was obviously to bring a halt to the war in South Vietnam, to demand an end to all actions of aggression against North Vietnam, to insist that all military personnel and forces of the United States be withdrawn from South Vietnam, and to insure that the Vietnamese be given an opportunity to determine their own destiny and to exercise their right of self-determination. This memorandum then claimed that thousands of telegrams were being sent to the President in protest against his authorization of the "brazen act of aggression" against North Vietnam.

At a meeting of party officials in mid-February 1965 Robert Thompson, organizer of the party's New York district, stated that attempts should be made to get trade-union spokesmen to speak out publicly against the role of the United States in Vietnam. Communist Party, U.S.A., Secretariat Member Gilbert Green said the situation in Vietnam had demonstrated that the Chinese Communists were not warmongers, because they had acted responsibly under great provocation. Communist Party, U.S.A., National Labor Secretary Carl Winter claimed that there was mass pressure for peace in Vietnam and President Johnson recognized this. In Winter's opinion, the "unique contribution" made by the Communist Party in the 1964 presidential election campaign was the conclusion that the people should never put their trust in President Johnson but should exert continuous pressure to obtain their goals.

COMMUNIST SPEAKERS ON COLLEGE CAMPUSES

The devious hand of the Communists appeared on the turbulent campus of the University of California at Berkeley, Calif., which has been disrupted almost constantly with "student demonstrations" during the current school year. On February 8, 1965, there was a rally of approximately 1,300 students at this campus for the purpose of protesting what was described as U.S. intervention in Vietnam. Communist Party National Committeeman Herbert Aptheker, appearing as director of the Institute for Marxist Studies, a Communist front, was one of the speakers.

Aptheker asserted that the U.S. Government was engaged in a classic imperialistic war in South Vietnam. He described the February 7, 1965, American bombing mission into North Vietnam as "not retaliatory, but aggressive and barbarous." The Vietcong was characterized by Aptheker as a national liberation movement front embraced by the people of Vietnam. Nothing else could explain, Aptheker concluded, the success of the Vietcong against the greatest military power in the world.

In recent months, Aptheker and other Communist spokesmen have appeared at a number of colleges and universities throughout the country where they have bitterly attacked U.S. policy in Vietnam. They have indicted the United States as an aggressor interfering in the internal affairs of other nations. They contend that President Johnson could prove the sincerity of his advocacy of peace if he would seek, through negotiation, a peaceful solution to the situation in Vietnam. To them, of course, a peaceful solution would mean U.S. withdrawal.

The appearance of Communist speakers on college campuses is part of the Communist Party's program to propagandize young students under the guise of academic freedom. Since 1961, Communist Party luminaries have made an average of 50 campus appearances a year.

WAR ISOLATING UNITED STATES

Gus Hall held a press conference at the party's national headquarters on February 25, 1965, as a result of the new indictment of the Communist Party, U.S.A., for violation of the Internal Security Act of 1950. Hall termed the indictment an attempt to create hysteria and a national emergency for the purpose of silencing all opposition to the conduct of an unpopular, undeclared, and, therefore, unconstitutional and unjust war of aggression in South Vietnam. Continuing, Hall said that the policies of aggression in South Vietnam were isolating the United States from all those who were for peace, and this "political prosecution" of the Communist Party further isolated the United States from all those who were for democracy.

Communist Party leaders and rank-and-file members have participated in demonstrations and other activities designed to carry out party directives. A recent and striking example of Communist participation in a demonstration was the April 17 march on Washington to end the war in Vietnam. A Communist Party directive, which was sent to all Communist Party districts in March 1965, described the contemplated march as the "biggest single action calling for an end to the war in Vietnam."

On March 30, 1965, Herbert Aptheker spoke to some 200 persons in New York City and attacked U.S. policy in Vietnam. He stated that this country was using Vietnam as a testing ground for new weapons, was exploiting the people and resources of Vietnam, and was continuing the war for its imperialist designs. He urged those in this audience to write letters to their Senators and to President Johnson for the purpose of showing their indignation over U.S. policy and asking for U.S. withdrawal from Vietnam. Aptheker said that he would participate in the April 17 march on Washington and urged young people in his audience to do likewise.

Aptheker spoke again at a "teach-in" which was held at City College of New York on April 13 and 14. Before a crowd which varied from 400 to 600 Aptheker severely criticized the policies of the United States in Vietnam.

STUDENT MARCH ON WASHINGTON

The planned student march on Washington was held on April 17, 1965. It was the largest single demonstration held to date to protest U.S. action in Vietnam. Some 15,000 persons participated in the demonstration. While the march was not Communist initiated, dominated, or controlled, Communist Party members from throughout the Nation participated in this demonstration. Among the leading Communist participants were Arnold Johnson, Michael Zagarell, and George Meyers. Johnson is the party's public relations director; Zagarell is the party's national youth director; and Meyers is in charge of the party's southern region.

In addition to members of the Communist Party and the Du Bois Clubs who participated in the march were representatives of such Communist splinter groups as the Socialist Workers Party, Young Socialist Alliance, Workers World Party, Youth Against War and Fascism, Progressive Labor Movement, and May 2 Movement.

The greatest number of individuals with subversive backgrounds who participated in the march came from New York City, including 78 individuals who were identified as Communist Party members or sympathizers. There were also participants with subversive backgrounds from such other major cities as Baltimore, Boston, Buffalo, Cleveland, Seattle, and Washington, D.C.

A special edition of "The Worker," an east coast Communist newspaper, and copies of "The Militant" and the "Young

Socialist," publications of the Socialist Workers Party and its youth affiliate, Young Socialist Alliance, were distributed during the march.

Major demonstrations in support of the march took place in Chicago, San Francisco, and Los Angeles. Communist Party members and other individuals with subversive backgrounds participated in each of these demonstrations. The largest demonstration took place in San Francisco where 2,000 gathered at the Federal Building and heard speeches delivered by representatives of such Communist splinter groups as the Socialist Workers Party, Young Socialist Alliance, Progressive Labor Movement, and May 2 Movement.

At a meeting of the Communist Party's National Committee held in late April 1965, Michael Zagarell claimed that the Communist Party played a decisive role in the April 17, 1965, march on Washington, even though it was not there in name. In this regard Arnold Johnson praised the march and said that party people from all over the country were in Washington for the march. Credit is due, Johnson added, to the stimulus given to the march by the Du Bois Clubs.

DU BOIS CLUBS ACTIVE IN PROTESTS

Participation in a protest against U.S. policy in Vietnam was not a new experience for members of the Du Bois Clubs. In Chicago, for instance, members were involved in demonstrations protesting American action in Vietnam on two occasions in February 1965. Du Bois Club members were among some 300 individuals involved in a similar protest in Los Angeles on February 13, 1965. On February 27, 1965, members demonstrated in Newark, N.J., against American activities in Vietnam. Richard Healey, the son of Dorothy Healey, chairman of the Communist Party's Southern California district, led Communist Party, U.S.A., and Du Bois Club members in a picket line in Portland, Oreg., on February 27, 1965, opposing U.S. policy in Vietnam.

By its participation in these demonstrations, the Du Bois Clubs is following the Communist Party, U.S.A., line on Vietnam just as it has paralleled Communist policy since its founding in June 1964. Nevertheless, the national office of the Du Bois Clubs sent to all its chapters in March 1964 an "Emergency Memo on Vietnam Crisis." In this memorandum, the opinion was expressed that it was now possible to mobilize massive support for a movement to bring peace to Vietnam. It was further stated that the Du Bois Clubs was circulating in colleges and universities a petition of refusal to serve in the Armed Forces against the people of Vietnam. The memorandum called upon all chapters, members, and friends of the Du Bois Clubs to join with all groups and individuals in a "stepped-up campaign to end the war in Vietnam."

UNITED FRONT APPROACH

At a meeting of the national committee of the Communist Party in April 1965 Gus Hall characterized the situation in Vietnam as a war of U.S. imperialist aggression and compared the present action of the U.S. Government in Vietnam to fascism in Nazi Germany. He claimed that people throughout the world are protesting U.S. aggression and calling this country an outlaw. Continuing this condemnation of his native country, Hall maintained that U.S. imperialism is the principal obstacle to peace in the world today and that this country is the only power which has not abandoned war as an instrument of diplomacy.

Hall instructed that each party district should make a survey of the people's political action groups in its territory, should not be afraid of becoming involved in united front activities, but should work with any force willing to accept Communist assistance. Hall also stated that a victory over present U.S. policies in Vietnam would be a victory for coexistence. In conclusion, Hall claimed that officials and members of the Communist Party have taken part in the leadership, planning, and initiation of recent mass actions in the United States.

Demonstrations, telegrams, and letterwriting campaigns similar to those which have been described can be expected for as long as our Nation remains the principal deterrent to Communist designs to conquer the world. While the Communists may not be the instigators of a particular action of this type, it can be expected that they will make every effort to exploit any activity initiated by non-Communists which can be used to further Communist objectives.

Mr. DELANEY. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNITY HEALTH SERVICES EXTENSION AMENDMENTS OF 1965

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2986) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes.

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

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2986 with Mr. PHILBIN in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS], will be recognized for 1 hour and the gentleman from Illinois [Mr. SPRINGER], will be recognized for 1 hour. The Chair recognizes the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I am pleased to present to the House this afternoon this most important legislative proposal, H.R. 2986. This bill was reported by the Committee on Interstate and Foreign Commerce unanimously. It is a very necessary legislative program, one of great interest and great importance. It would extend four present legislative authorizations for community health services under the Public Health Service. First, the community immunization program enacted 3 years ago would be extended for an additional 3 years at the current authorization appropriation level of $11 million a year. The present program, which is limited to immunization against polio, diphtheria, whooping cough, and tetanus would be broadened to include immunization also against measles, and the Surgeon General would be authorized to add these programs against other diseases of a serious nature, if the vaccines against such diseases become available during the next few years.

Secondly, the bill provides for the extension of the present law relating to migratory workers' health service programs, which was also enacted 3 years ago. This program is extended for an additional 3 years at the present $3 million a year appropriation authorization.

Thirdly, the 5-year authorization for grants to States to establish and maintain adequate community health services and for the support of a training program in schools of public health would be extended for an additional year through June 30, 1967.

The $50 million annual appropriation presently authorized for this program would not be changed.

Finally, Mr. Chairman, the program of special projects for community health services which was authorized by the Community Health Services and Facilities Act of 1961 would be extended for an additional year with no change in the $10 million annual appropriation authorization.

Let me explain these various programs in more detail.

First, the immunization program in section 2 of the bill provides for the extension and expansion of the current vaccination programs. Since the enactment of the Vaccination Assistance Act of 1962 significant progress has been made. During the period of 1962 to 1964 the number of poliomyelitis cases in the United States was reduced from 910 to 121. Diphtheria is down from 444 to 304. Tetanus is down from 322 to 271. In 1962 only one-third of the children under 5 years of age were adequately immunized against polio. As of September 1964 two-thirds of all children under the age of 5 were protected.

Millions of people, adults and children alike, have been immunized during this 2-year period.

Although substantial progress has been made, the total impact of the vaccination program has not been realized. Extension of the program will provide time and funds to assure that the people of the Nation, particularly the children, are fully protected against these four serious

communicable diseases—polio, diphtheria, whooping cough, and tetanus.

A primary aim of H.R. 2986, however, is to launch a nationwide immunization program against measles. This common childhood disease is one of the most infectious and serious of the diseases which attack children. Each year approximately 4 million cases of measles occur in the United States, causing about 500 deaths and leading to serious complications, such as measles, encephalitis, pneumonia, and hearing disorders. Modern medical research has provided vaccines which can prevent the disease, and yet measles continues to take its toll among the children of our Nation. Under the authority provided in this bill, States and communities will be assisted in the conduct of comprehensive immunization programs. This will be a major effort against measles and at the same time, the work that still needs to be done against polio, diphtheria, whooping cough, and tetanus will be continued.

MIGRATORY WORKERS HEALTH SERVICES PROGRAM

Section 3 of the bill extends for 3 years the current program of project grants for domestic agricultural migratory workers.

The need for funds to help support health services for more than 1 million farm migrants—including workers and families—was well documented when the original authorizing legislation was pending before Congress in 1962. The people are poor and cannot afford to purchase the medical care they need. Yet they fail to qualify as legal residents in their temporary work communities and are thus excluded from community services for other indigent persons. Many communities which need their labor for brief periods are small and isolated. Some have meager health resources even to serve local residents. These resources are severely overtaxed by a periodic influx of migrants.

Congress established the current migrant health project grant program in 1962. The program has demonstrated its possibilities for helping migrants to obtain needed health care. About 40-percent of the total budgeted costs of the 63 projects in 32 States assisted by migrant health grants has come from other than grant sources.

Through grant-assisted projects, night clinics provide needed care for all family workers in or near large labor camps and nurses make regular camp visits. Sanitarians work with growers and with migrants to upgrade labor camps and health educators teach the migrants how to take better care of themselves in order to prevent illness and disability to the extent possible.

So, Mr. Chairman, the program is now operating effectively and we think warrants continuation.

In addition, many more migrant workers' work areas need to develop projects.

A further need is for the addition of hospital care to the services which can be supported by migrant health grants. With the extension of this legislation, project support can be continued as necessary, hospital care can be added to project services and new migrant work areas can be encouraged to develop health services where they are needed.

Mr. Chairman, the extension of this program has been endorsed by the American Medical Association, the American Public Health Association, the Association of State and Territorial Health Officers, and other interested groups.

Many public and voluntary organizations have demonstrated their interest by the active promotion and participation in migrant health project development.

Mr. Chairman, this has been truly a cooperative program and it has worked out literally that way.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HARRIS. Mr. Chairman, I yield myself 5 additional minutes.

Now, finally, Mr. Chairman, with reference to the general public health services, section 4 of the bill provides for a 1-year extension of the current program under section 314(c) of the Public Health Service Act. Under this program the Public Health Service makes grants on a formula and matching basis to the States to assist them in establishing and maintaining adequate State and local public health services.

The category of diseases and conditions for which grants are made to all the States include general health services, dental health services, mental health services, chronic illness and aging health services as well as radiological health services.

Mr. Chairman, for fiscal 1965 the appropriations totaled $34,020,000 under this section. The administration this year has requested $34,570,000, which is about the current level. In addition to the above-mentioned programs, the Public Health Service makes grants under this section to 11 schools of public health to assist them in carrying out the public health training responsibilities. There is an annual authorization of $50 million for all the programs authorized by this subsection and a $2.5 million annual subceiling on the grants to schools of public health.

So, Mr. Chairman, this bill would extend this section 314(c) for 1 additional year beyond its current June 30, 1966, expiration date with no change in the annual authorization.

The purpose of this amendment is to permit a thorough study to be made of the programs being carried out under the present authorization and to develop legislative recommendations as to where their effectiveness may be increased. These studies are being carried out in cooperation with the State health officers and State mental health officers.

Section 5 of the bill dealing with special project grants for community health services provides a 1-year extension of section 316 of the Public Health Service Act under which project grants are made for community health services.

Section 316 of the Public Health Service Act authorizes the Surgeon General to make special project grants to public and voluntary agencies for studies and demonstrations relating to development of new or improved health services, particularly for the chronically ill and aged.

Since the enactment of this authorization as part of the Community Health Services and Facilities Act of 1961 grants have been made to almost 200 projects in 40 States which will result in the development, extension, and improvement of a wide variety of essential community health services for the chronically ill and aged outside the hospital.

The 1-year extension of this program beyond its current expiration date, with no change in the $10 million annual appropriation authorization, will permit an evaluation of its effectiveness to be conducted as part of the study I have just mentioned.

Mr. Chairman, the Committee on Interstate and Foreign Commerce believes this is a reasonable bill and an important one. We conducted hearings which lasted for a period of several days. The Secretary of Health, Education, and Welfare led off as the first witness. We had extended support for the bill from various organizations, and the committee determined that the bill was justified and in the interest of the public.

Mr. Chairman, the Senate has passed a similar bill which extends the programs similarly to the House bill. It increases certain authorizations of these various programs. We feel that, with the approval of this bill, we can go to conference with the Senate in an effort to bring back the best possible program to meet this need.

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

Mr. Chairman, I am happy to have been coauthor of this important and timely legislation.

In the year 1955, the Federal Government reached a decision to use its resources to fight diseases that knew no State boundaries and the results of which called for immediate action if many thousands of American children were to be spared the horrors of crippling polio. Since that time the fight has gone on using the combined resources and talents of government, industry, and the medical fraternity. There is no need to detail the struggle or the results. We have seen polio eliminated as a threat to the public health of our citizens. Thank God for the dedication and foresight of those who brought it about.

During these years the battle has also been waged against other diseases and so far as they posed a continuing threat to the very young we have considered them national problems. If any one program in the field of health can be pointed to as an unqualified success it is the immunization program. Not always can we see the results around us day by day, but in this case any parent can sense the relief which comparative safety from these dread diseases must bring.

This modest program has been running $11 million per year. If we were requested to renew this expenditure just to continue present activities it would be worthwhile. There is, however, great promise at this time for a vaccine to stamp out measles, that childhood disease which brushes by thousands of children but singles out some to suffer

lasting effects, such as mental retardation or hearing disorders.

No increase in funds is authorized in the present bill. It contemplates rather that the same efforts be now transferred to combat measles. The specialists in this field think it can be conquered. We hope so. Certainly we should try.

Other vaccines are still being developed. At least one more may prove itself before the end of the 3-year period contemplated for the extension of this effort by H.R. 2986. Should one be ready for general distribution this bill would allow a start to be made toward general immunization in the same pattern heretofore used. It is not contemplated that much more than the measles will be tackled during the 3-year period, but it would be unwise to hold back favorable possibilities in so vital an area.

I recommend that the immunization program be continued as set forth in H.R. 2986.

A second program outlined in this bill is also a continuation of a present effort. Federal assistance for migratory workers is somewhat more controversial surely than national immunization from dreaded diseases. When the matter is carefully examined, however, in the light of the problem and the very modest part the Federal Government has seen fit to take, it appears on balance that it should be continued at its present level. Although the agency concerned suggests first that no ceiling be placed on this authorization, it has been the practice of this body to make the necessary determination to set the spending level beforehand. Once it became clear that this was intended a figure far above present expenditures was suggested. Meanwhile, the other body did report out a bill on the same subject providing for increases. It was the determination of your committee that the level of present expenditures, $3 million per year, should be maintained.

That migratory workers bring new and unusual problems to a community cannot be denied. Those responsible for the very rudiments of public health and for the protection of the community from diseases imported with such labor find themselves completely swamped. Hospital care for some of these laborers will be necessary and the handling of such expense within the existing institutions becomes very complicated. As much as anything else such a city or county needs more trained manpower to cope with this temporary situation.

Management can and must do much more to accept the burden of providing adequate health care. Partly because of this the Federal Government has not made any move to accept the whole problem as its own. This is right. But we must and do recognize that the situation of the migratory worker is not solved by pointing a finger at anyone and saying, "Take over, the responsibility is all yours." This modest government-to-government assistance takes the correct approach and merits being continued at this time.

The question has been asked whether or not the assistance provided in this part of H.R. 2986 is not duplicated in other programs underway or about to be started. As far as the legislation now in being and the actions said to be contemplated by the executive thereunder we do not find duplication.

For nearly 10 years now Congress has been authorizing and appropriating money to assist States and other local entities in the establishment and maintenance of public health services. Some areas such as mental health and chronic illness come to deserve more attention and we have added these to the categories for which grants may be given. In 1961 the overall authorization was raised from $30 million per year to $50 million per year. The actual expenditures have been running about $35 million per year.

This money is parceled out on a formula basis to all the States and used mainly to finance adequate manpower for the health departments across the Nation.

At present a study is underway to analyze this whole program and for this reason only a 1-year extension is suggested.

Also under study and also to be extended for 1 year only is the remaining program included in the bill—special grants. During the last 3 years we have provided funds for demonstration and experimental projects which might show the way to better health care and the better methods of treatment for various diseases of the chronically ill. Obviously the main purpose of this experimenting is to find ways to cope with the increasing problems caused by the number of aging citizens among us. Much of value will be learned. Two examples of projects now underway should show you better what is being done.

One project in Ohio will try to determine whether home care for the chronically ill and aged through homemaker services will prevent unnecessary hospitalization for the group, and whether the homemaker can provide basic services; or whether she must be further assisted by outside services such as meals-on-wheels, volunteers, or other community services.

Another project in Michigan will establish a training program in home care as a joint effort of the School of Public Health and the Visiting Nurses Association of Detroit. There will be 4-day institutes in each of 3 years. Materials developed will be incorporated into a training manual for use by communities.

I recommend the extension of this program and the others included in H.R. 2986.

Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I rise to express my general support for the Community Health Services Extension Amendments which we are now considering. This measure is necessary in order that there will be a continuation of certain important programs carried on under parts of the Public Health Service Act.

Other speakers have addressed themselves to the individual sections of that act which will now be extended under this legislation. I agree with my chairman, who has given his support to these extensions and asked the House for its approval of the bill in its entirety.

I would like to point out to my colleagues, however, that the other body has considered this legislation and has passed an amended version. I would like to speak for a moment in support of one of the Senate amendments.

At the present time we have 12 schools of public health in the United States. They perform a very valuable service for this country and are a principal source of professional public health personnel for local, State, and Federal Government agencies.

I might say, Mr. Chairman, since the chairman of our committee, my colleague from Arkansas, outlined the great progress that has been made in reducing the numbers of cases of diphtheria, and other contagious diseases by our immunization program, that this program is implemented by, in most cases, graduates of the schools of public health. Unless we have strong and competent schools of public health we will not have the personnel to administer this program in all of its aspects.

The formula grants which are made under section 314(c) of the Public Health Service Act now amount to $2.5 million, and are used to assist these schools in providing vital public health training. The schools are reimbursed in part for teaching costs.

Last year the Congress approved the Graduate Public Health Training Amendments of 1964, which more than doubles the amount of Federal support to individuals for public health training. This will result in an increase in the number of professional public health students; therefore, additional support for the schools is also needed if they are to maintain the high level of training that is now offered.

In addition, in the very near future, two new schools of public health will be established. This will further dilute the amount that each school will receive for support of the training it provides.

Mr. Chairman, the other body has raised the amount of formula grants to these schools from $2.5 to $5 million with no increase in the total $50 million authorization in the bill. I strongly recommend that we accept this amendment and concur that this amount is needed in order that the important role performed by these schools be continued. I do not believe that it would be in the public interest to wait another year before granting these increased funds.

The formula grants to the States will undergo a complete review in the next year. However, the grants to these schools of public health are not to be included in this review. Their needs are separate from the needs of the State agencies.

Mr. Chairman, I do not now offer an amendment to H.R. 2986 to increase the amount going to these schools. However, I strongly urge my colleagues to consider accepting in conference S. 510, which incorporates this and other minor amendments. I emphasize that this amendment does not change or increase the overall $50 million ceiling in the whole bill. It merely provides for an increase in this particular item.

Mr. Chairman, I hope when the House Members go to conference with the Senate that we will concur in the Senate version with reference to the question of assisting our public health schools.

I yield back the remainder of my time.

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

Mr. PICKLE. Mr. Chairman, each year at this time, many thousands of migratory workers begin moving northward from the border areas of Texas. It is estimated that some one million such persons—including workers and family dependents—move during each crop season in response to seasonal farm labor demand.

These migrants live and work for brief periods in many parts of the Nation before returning in the fall to areas of the South and Southwest. Their health needs are quite acute because of low income, lack of education, and their unfortunate isolation from communities and their health services. Their annual earnings, I am advised, average less than $1,000 per worker.

We in Texas are proud of the good work being done to provide much-needed health services to our migratory workers. As you know, Mr. Chairman, the Congress in 1962 first enacted legislation providing grants for family health service clinics and other health services to migratory agricultural workers.

This program expires on June 30, this year, unless extended as proposed by this measure now before us. I urge the House to give its full support to H.R. 2986 not only because of the migratory workers provision, but to maintain the effective immunization program which is rapidly reducing our rate of communicable diseases throughout the Nation, and to continue the many special project grants to the States for general and community health services.

Mr. HARRIS. Mr. Chairman, I yield such time as he may require to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman from Arkansas.

I rise in support of this legislation. As a member of the Interstate and Foreign Commerce Committee I was pleased to have played a part in committee formulation of this bill.

This measure extends the provisions of several programs which are of great importance to the Nation and to Florida. One of those programs is the health service extended to domestic migratory farmworkers and their dependents. The original legislation enacted in 1962, and which I supported, allowed for grants for family service clinics and related health care centers for such workers. A total of 29 States and Puerto Rico received funds under this program, and its scope affects over 1 million farmworkers and their dependents.

The widespread health problems afflicting this group of workers are compounded by illiteracy and lack of permanent residence. Their health problems become those of the communities which they visit, and they work and live on a temporary basis in nearly one-third of the counties of America.

In Florida some $269,851 were received last year under this program for operations of these facilities. In Palm Beach County, where a large number of these workers come each year to work in a variety of crops, mobile health centers have been made possible under this program, and just this season alone covering from November 1 through last week, almost 1,400 calls were made by migrant workers in need of care. In 1964, the Palm Beach County Health Department administered 1,328 immunizations to migrant workers.

This is but one example of the great number of counties and communities assisted under the programs contained in this extension. I urge the membership to again recognize the merits of this legislation and approve these existing provisions by extending them.

Mr. HARRIS. Mr. Chairman, I am happy to yield now to my distinguished colleague and my neighbor, the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I support H.R. 2986 which amends and extends certain expiring provisions of the Public Health Service Act that relate to community health services. I want to commend my colleague from Arkansas [Mr. HARRIS] for his leadership in this matter. These planned immunization programs are improving the health of this Nation. Defects such as mental retardation are being reduced. Deaths are being reduced and our Nation benefits. Surely we can all support the able and capable chairman of this committee, the gentleman from Arkansas [Mr. HARRIS], in this effort.

Mr. HARRIS. Mr. Chairman, I yield such time as he may require to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Chairman, I rise in support of this bill now pending before the House.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. FOGARTY. Mr. Chairman, I rise to express my strong endorsement of the Community Health Services Extension Amendments of 1965 and urge their enactment.

The bill before you would authorize the Public Health Service to move forward with four important health programs which have conclusively demonstrated their effectiveness.

Taken together, these four programs bring better health protection to all our people. They are of special benefit to the two segments of the population in greatest need of health care—the very young and the aged—and to our domestic migratory agricultural workers whose health conditions in the past have been a national disgrace.

The very young are the special beneficiaries of the Vaccination Assistance Act of 1962, which would be extended and expanded by the amendments before you. The great forward sweep of medical research has brought a growing number of diseases within our powers of control. The Vaccination Assistance Act was designed to bring four totally preventable diseases—polio, diphtheria, tetanus, and whooping cough—to the point of eradication. Thanks in considerable measure to the vaccination assistance program, their toll is now declining at a rapid rate. Still the work must continue, and oncoming generations must receive protection if all our children are to be forever free of these ancient and deadly enemies.

Moreover, safe and effective protection is now possible against measles—a dangerously underrated disease which strikes 4 million children annually, kills several hundred, and leads to such lifelong impairments as mental retardation and deafness in thousands more. The amendments under consideration would add measles to the list of immunizations for which the Public Health Service may furnish technical and financial aid to States and municipalities, and authorize the appropriation of sufficient funds to make a major impact on this disease.

A second element of the Community Health Services Extension Amendments is the Migrant Health Act of 1962, also due to expire at the end of the current fiscal year. In its 3-year history this act has led to the establishment of family health clinics and other services for domestic migrant farmworkers in 29 States and Puerto Rico—services which are desperately needed and in desperately short supply. This is an impressive beginning. But many of these people, upon whom much of our agricultural production depends, have not yet been reached. Their need is no less acute, their situations no less hopeless unless this kind of aid continues.

The Nation's growing number of chronically ill and aged derive the chief benefit from the Community Health Services and Facilities Act of 1961. This is a program of grants to test and demonstrate effective new ways of delivering better health care outside the hospital. Nearly 200 such projects in 40 States are underway. Through them, people are getting health care when and where they need it most.

The legislation before us would extend this program—correctly termed a milestone in public health—until June 30, 1967. It would also extend to the same date the Public Health Service's program of grants to the States to support general public health services under section 314 (c) of the Public Health Service Act, including dental health, radiological health, and others. This section also provides urgently needed support for the Nation's schools of public health—our principal reservoir of public health manpower.

Thus we have at hand the opportunity to continue and strengthen programs to immunize our children, encourage better health services for the elderly, and bring

the benefits of health care to migrant agricultural workers. I wholeheartedly recommend enactment of the Community Health Services Extension Amendments of 1965.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may require to the gentleman from Georgia [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, I rise in support of this bill.

As a member of the committee reporting H.R. 2986 to the House, I wish to indicate here my identification with the report submitted and with the remarks already made by our chairman, the gentleman from Arkansas [Mr. HARRIS], and our ranking minority member, the gentleman from Illinois [Mr. SPRINGER].

Immunization of our youngsters could well be characterized as the most successful and meaningful program in the entire field of public health. We can all recall the day when tetanus was a feared killer of children. Not so today. More recently we have observed firsthand the virtual elimination of polio as a threat. For the very modest outlay of $11 million per year we have accomplished these miracles. Now we find that measles can be attacked in the same way and with the same dramatic results. Were the price far greater it would still be a bargain.

Assistance to communities which find themselves overwhelmed by the social problems caused by the influx of migratory workers is justified. The small grants made under this legislation help obtain trained manpower to carry out our basic public health programs. About 100 counties have required such aid. Eventually we can expect that the communities, working with employer groups, will work out their problems.

For some years now the Federal Government has supplied funds to help States and local governments establish and build adequate and competent public service organizations. Taken in conjunction with the efforts to train more people in these skills, it becomes the kind of really useful help which reaches down to the individual citizen.

The remaining program included in H.R. 2986 is only 3 years old but is doing an important job. As the problems of the aging become more prominent we need actively to look for long-range solutions. One good way to conduct the search is through experimental and demonstration projects which try new methods. Ideas so developed can be used in making the best use of funds, facilities, and personnel in the future. Here we propose 1 more year at the present funding and then a review of accomplishments and an assessment of results. I foresee more and better health care for that increasing segment of our population—the aging.

This is good legislation and I support it.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, I rise in support of H.R. 2986. This bill extends the duration of the current immunization program for an additional 3 years and extends coverage to include assistance in immunization programs against measles and other diseases presenting a major public health problem.

The bill also extends for an additional 3 years the current program under which health services are provided to domestic agricultural migratory workers.

The current program authorizes $50 million annually for grants to the States for health services.

The first major program for Federal assistance for immunization programs was established in 1955 with enactment of the Poliomyelitis Vaccination Assistance Act. In 1962, Congress enacted the Vaccination Assistance Act authorizing grants for a 3-year period to assist States and local communities in carrying out extensive vaccinations against poliomyelitis, diphtheria, pertussis, and tetanus.

Measles immunizations will be added to the program in this bill. It is estimated that approximately 4 million cases occur yearly, resulting in at least 500 deaths and in extensive complications such as mental retardation, pneumonia, hearing disorders, and encephalitis. Two vaccines recently developed have been proven quite effective. Measles immunization will prevent most of these dread conditions which have followed measles.

In years of practice, I have seen many cases of measles and of the disabling results therefrom. Immunization will be a great step forward to insuring healthier, stronger, and happier children.

Under this act, immunizations may also be extended to cover other diseases now under investigation: rubella (German measles), which causes deformities of children born of mothers who have this disease; influenza, and combined live vaccines—measles, smallpox, and yellow fever.

I unhesitatingly recommend passage of the present bill in its entirety to insure improvement of the physical and mental health of our children.

Mr. HARRIS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the gentleman from Massachusetts [Mr. KEITH] mentioned in his comments what he believes is the need for expanded programs for the schools of public health. The bill carries in this extension, Mr. Chairman, authorization at the same level that we have had for the last 3 years. As I mentioned in my earlier remarks, a similar bill has passed the Senate already. It does carry an increased authorization for schools of public health to $5 million, which is twice the amount of the authorization we have now and which is provided in this bill. Should we go to conference—and I suppose we will—we will have an opportunity to consider further expansion of this program if it can be shown that the need justifies it. Certainly I, for one, would give it most careful consideration and would certainly be solicitous of the desires of the gentleman from Massachusetts and others who are vitally interested in this program.

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

Mr. HARRIS. I shall be glad to yield to the gentleman from Massachusetts.

Mr. KEITH. Mr. Chairman, I have great confidence in the chances of this amendment receiving favorable action on the part of the conference committee. I am very pleased that my chairman indicated his willingness to consider further evidence that might be helpful in reaching this conclusion. In that regard I have two pieces of correspondence from the Harvard School of Public Health which I will bring to his attention and to the attention of my colleagues. At the appropriate time I will ask permission to have it inserted in the RECORD at this point.

HARVARD SCHOOL OF
PUBLIC HEALTH,
OFFICE OF THE DEAN,
Boston, Mass., March 2, 1965.

Hon. HASTINGS KEITH,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KEITH: The administration bills, H.R. 2986 and H.R. 2984, introduced by Chairman HARRIS and now before the Committee on Interstate and Foreign Commerce, are extremely important to the Harvard School of Public Health. I hope that you will support both of these measures.

I also respectfully ask you to consider the merits of a proposal by the Association of Schools of Public Health that H.R. 2986 be amended in committee so as to increase the annual authorization for Hill-Rhodes formula grants from $2.5 to $5 million. As you know, these grants help offset the costs incurred by graduate schools of public health in the comprehensive training of professional public health personnel for our entire Nation.

Since Senator LISTER HILL, John F. Kennedy, PAT MCNAMARA, JOHN SHERMAN COOPER, and Irving Ives sponsored the initiating legislation in 1957, the Hill-Rhodes formula grants program has had strong bipartisan support in both branches. The Congress has recognized the fact that the Nation depends on the 12 U.S. schools of public health as the only source of comprehensively trained public health physicians, dentists, engineers, nurses, and others to serve in Federal, State, and local health agencies and institutions. There is a serious national shortage of such personnel. The costs of their training are relatively high, both for the students and the schools.

The U.S. Public Health Service traineeships provide tuition and living stipends for students. The Hill-Rhodes formula grants provide partial reimbursement to the schools for teaching costs which cannot, of course, be paid from Federal funds restricted to research purposes. Doubling of traineeship funds for this year and provision for further increases in succeeding years are expected to increase student enrollment appreciably in the schools. Although this will add to the schools' teaching load and costs, H.R. 2986, as written, would renew the expiring Hill-Rhodes program without any increase in the Federal share of such costs beyond the $2.5 million authorized during the past 5 years.

The National Conference on Public Health Training (attended by 91 of our country's experts in health in 1963) recommended that the annual authorization for Hill-Rhodes formula grants be increased to $5 million. This proposal is endorsed by the Association of Schools of Public Health and by the Association of State and Territorial Health Officers. I know of no opposition to that recommendation. For amplification of the case outlined in this letter, I enclose a copy of the letter of February 26, 1965, to Chairman HARRIS by Dr. Myron E. Wegman, president of the Association of Schools of Public Health. He points out that an increase in

the amount earmarked in section 314(c)(2), PHS Act, for formula grants to schools of public health would not have the effect of raising the existing ceiling on the overall authorization.

It is most important to differentiate between formula grants to States and formula grants to schools of public health. Both are authorized in section 314(c) of the Public Health Service Act which would be renewed without change by H.R. 2986 as introduced. While it is understood that the question of increasing formula grants to States is to be studied during the coming year, no one, in or out of Government, has questioned the justification of increasing the formula grants to schools of public health in connection with renewal this year.

My colleagues and I would be deeply grateful for your support of the proposal that H.R. 2986 be amended in committee to increase the authorization in section 314(c)(2), Public Health Service Act, from $2.5 million to $5 million.

We are most appreciative of the close attention which you always devote to legislation concerning health and for your consistent efforts to strengthen graduate education in public health.

With best wishes.

Sincerely yours,

JOHN C. SNYDER, M.D.,
Dean.

HARVARD SCHOOL OF PUBLIC HEALTH,
OFFICE OF THE DEAN,
Boston, Mass., April 27, 1965.

HON. HASTINGS KEITH,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KEITH: We are grateful for your efforts in committee to increase the authorization for formula grants to schools of public health in H.R. 2986. Since the Senate version (S. 510) would increase the authorization from $2.5 to $5 million, we assume the matter will be taken up in conference. Perhaps you would be willing to urge the House conferees to consider the merits of the Senate position on this item. The main points:

(1) The formula grants reimburse the 12 schools, in part, for teaching costs incurred in training personnel for public service in the 50 States and at Federal and international levels.

(2) The schools will need more teaching funds next year because the Congress has provided for more Public Health Service trainees to enroll in the schools.

(3) The number of accredited schools of public health may increase during fiscal 1966 and this would have the effect of reducing the proportionate shares of formula funds for the existing schools, unless a larger amount is made available.

(4) The proposed increase in formula grant funds for schools of public health will not affect the existing overall authorization under section 314(c).

(5) The formula grants to schools of public health are not involved in the review of formula grants to States.

Your continued interest and help in this matter will be greatly appreciated.

With best wishes.

JOHN C. SNYDER, M.D.,
Dean.

Mr. HARRIS. Mr. Chairman, I shall be happy to have this information. On page 12 of the report is a table which indicates the schools of public health and the number of students sponsored at each of these great institutions throughout the country over that period of time.

Mr. KEITH. I thank the gentleman and simply point out that these have been additional programs under the legislation passed last year which would in a way limit the amount of funds available for the programs at these schools.

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

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

Mr. DINGELL. Mr. Chairman, I should like to express my appreciation to the chairman of the Commerce Committee for his statement that he intends to approach this matter sympathetically in conference, because I think that everyone is well aware that schools of public health have not only provided very useful and valuable service, to train students not only within their own boundaries of their own States, but residents of all States. More importantly, the cost under most of the tuition and other programs is far less than the real cost of the program to the school. I think it would be very worth while that the conferees on the part of the House consider very sympathetically any approach by the Members of the other body to justify a larger appropriation.

Mr. HARRIS. Mr. Chairman, I thank the gentleman. The committee realizes—and I do personally—full well the contribution this program has made and the importance of it to our public health program. Certainly we intend to give it our attention.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

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 this Act may be cited as the "Community Health Services Extension Amendments of 1965".

IMMUNIZATION PROGRAMS

SEC. 2. (a) The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out "and" before "$11,000,000" and by inserting "and such sums as may be necessary for each of the next five fiscal years" immediately after "June 30, 1965,". The second sentence of such subsection is amended by striking out "the fiscal years ending June 30, 1963, and June 30, 1964" and inserting in lieu thereof "any fiscal year ending prior to July 1, 1970". The third sentence of such subsection is amended by striking "and tetanus" and inserting in lieu thereof "tetanus, and measles", and by striking out "under the age of five years" and inserting in lieu thereof "of preschool age".

(b) Subsection (a) of such section is further amended by adding at the end thereof the following new sentence: "Such grants may also be used to pay similar costs in connection with immunization programs against any other disease of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future."

(c) Subsection (b) of such section is amended by striking out "of limited duration", by striking out "against poliomyelitis, diphtheria, whooping cough, and tetanus" and inserting in lieu thereof "against the diseases referred to in subsection (a)", and by striking out "who are under the age of five years" and inserting in lieu thereof "of preschool age".

(d) Such section is further amended by striking out "intensive community vaccination" wherever it appears in subsections (a), (b), and (c) and inserting in lieu thereof "immunization".

MIGRATORY WORKERS HEALTH SERVICES

SEC. 3. Section 310 of the Public Health Service Act is amended by striking out "the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965" and inserting in lieu thereof "each fiscal year ending prior to July 1, 1970", and by striking out "any year" and inserting in lieu thereof "any year ending prior to July 1, 1965".

GENERAL PUBLIC HEALTH SERVICE

SEC. 4. The first sentence of subsection (c) of section 314 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

SPECIAL PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

SEC. 5. The first sentence of subsection (a) of section 316 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with.

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

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, beginning in line 6, strike out "The" and all that follows down to and including the period in line 10, and insert in lieu thereof the following: "The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out 'and' before 'June 30, 1965' and by inserting 'and each of the next three fiscal years,' immediately after 'June 30, 1965,'."

Page 2, line 4, strike out "1970" and insert in lieu thereof "1968".

On page 3, line 1, insert "(1)" immediately after "(d)".

On page 3, after line 4, insert the following:

"(2) The heading of such section is amended by striking out 'intensive vaccination' and inserting in lieu thereof 'immunization'."

Page 3, line 10, strike out "1970" and insert in lieu thereof "1968". Page 3, beginning in line 10, strike out the comma and the following: "and by striking out 'any year' and inserting in lieu thereof 'any year ending prior to July 1, 1965'."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PHILBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2986) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes, pursuant to House Resolution 357, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

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

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. SPRINGER. 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 347, nays 0, not voting 86, as follows:

[Roll No. 87]

YEAS—347

Abbitt	Clausen,	Garmatz
Abernethy	Don H.	Gathings
Adair	Clawson, Del	Gettys
Adams	Cleveland	Gibbons
Addabbo	Collier	Gilbert
Albert	Colmer	Gilligan
Anderson, Ill.	Conable	Gonzalez
Anderson,	Cooley	Goodell
Tenn.	Corbett	Green, Oreg.
Andrews,	Corman	Green, Pa.
George W.	Craley	Greigg
Andrews,	Cramer	Grider
Glenn	Cunningham	Griffin
Andrews,	Curtin	Griffiths
N. Dak.	Daddario	Gross
Annunzio	Dague	Grover
Arends	Daniels	Gubser
Ashmore	Davis, Ga.	Gurney
Aspinall	Davis, Wis.	Hagan, Ga.
Ayres	de la Garza	Hagen, Calif.
Baldwin	Delaney	Haley
Bandstra	Dent	Hall
Baring	Denton	Hamilton
Barrett	Devine	Hanley
Bates	Diggs	Hanna
Battin	Dingell	Hansen, Idaho
Beckworth	Dole	Hansen, Iowa
Bell	Donohue	Hansen, Wash.
Bennett	Dorn	Hardy
Berry	Dow	Harris
Betts	Dowdy	Harsha
Bingham	Downing	Harvey, Ind.
Boggs	Duncan, Oreg.	Harvey, Mich.
Boland	Duncan, Tenn.	Hathaway
Bolton	Dyal	Hawkins
Bow	Edmondson	Hébert
Bray	Edwards, Ala.	Hechler
Brock	Ellsworth	Helstoski
Brooks	Evans, Colo.	Henderson
Broomfield	Everett	Herlong
Brown, Calif.	Evins, Tenn.	Hicks
Brown, Ohio	Fallon	Holifield
Broyhill, N.C.	Farbstein	Horton
Buchanan	Farnum	Howard
Burke	Fascell	Hull
Burton, Calif.	Fisher	Hungate
Burton, Utah	Flood	Huot
Byrne, Pa.	Flynt	Hutchinson
Byrnes, Wis.	Fogarty	Ichord
Cabell	Foley	Irwin
Callan	Ford, Gerald R.	Joelson
Callaway	Ford,	Johnson, Okla.
Carter	William D.	Johnson, Pa.
Casey	Fountain	Jonas
Cederberg	Fraser	Jones, Ala.
Chamberlain	Friedel	Karsten
Chelf	Fulton, Pa.	Karth
Clancy	Fulton, Tenn.	Kastenmeier
Clark	Fuqua	Kee
Keith	O'Hara, Ill.	Selden
Kelly	O'Hara, Mich.	Shriver
King, Calif.	O'Konski	Sickles
King, N.Y.	Olsen, Mont.	Sikes
King, Utah	Olson, Minn.	Sisk
Kirwan	O'Neal, Ga.	Skubitz
Kluczynski	Ottinger	Smith, Calif.
Kornegay	Passman	Smith, N.Y.
Krebs	Patman	Smith, Va.
Kunkel	Patten	Springer
Laird	Pelly	Stafford
Landrum	Perkins	Stalbaum
Langen	Philbin	Stanton
Latta	Pickle	Steed
Leggett	Pike	Stephens
Lennon	Poage	Stratton
Lindsay	Poff	Stubblefield
Lipscomb	Pool	Sullivan
Long, La.	Price	Sweeney
Love	Pucinski	Talcott
McCarthy	Purcell	Taylor
McCulloch	Quie	Teague, Calif.
McDade	Quillen	Tenzer
McDowell	Race	Thomas
McEwen	Randall	Thompson, La.
McFall	Reid, Ill.	Thompson, Tex.
McGrath	Reid, N.Y.	Todd
McMillan	Reifel	Trimble
Macdonald	Reinecke	Tuck
Machen	Reuss	Tunney
Mackay	Rhodes, Ariz.	Tupper
Mackie	Rhodes, Pa.	Tuten
Madden	Rivers, Alaska	Ullman
Mahon	Rivers, S.C.	Utt
Mailliard	Roberts	Van Deerlin
Marsh	Robison	Vanik
Martin, Ala.	Rogers, Colo.	Vigorito
Martin, Mass.	Rogers, Fla.	Vivian
Martin, Nebr.	Rogers, Tex.	Waggonner
Matsunaga	Ronan	Walker, Miss.
Matthews	Roncalio	Walker, N. Mex.
Meeds	Rooney, N.Y.	Watkins
Miller	Rooney, Pa.	Watts
Minish	Roosevelt	Weltner
Mink	Rosenthal	Whalley
Moeller	Rostenkowski	White, Idaho
Moore	Roudebush	White, Tex.
Morris	Roush	Whitener
Morse	Roybal	Widnall
Mosher	Rumsfeld	Williams
Moss	Ryan	Wilson, Bob
Multer	Satterfield	Wolff
Murphy, Ill.	St Germain	Wright
Murphy, N.Y.	Saylor	Wyatt
Murray	Scheuer	Wydler
Natcher	Schisler	Yates
Nedzi	Schneebeli	Younger
Nelsen	Schweiker	Zablocki
O'Brien	Scott	

NAYS—0

NOT VOTING—86

Ashbrook	Fino	Morgan
Ashley	Frelinghuysen	Morrison
Belcher	Gallagher	Morton
Blatnik	Giaimo	Nix
Bolling	Grabowski	O'Neill, Mass.
Bonner	Gray	Pepper
Brademas	Halleck	Pirnie
Broyhill, Va.	Halpern	Powell
Burleson	Hays	Redlin
Cahill	Holland	Resnick
Cameron	Hosmer	Rodino
Carey	Jacobs	St. Onge
Celler	Jarman	Schmidhauser
Clevenger	Jennings	Secrest
Cohelan	Johnson, Calif.	Senner
Conte	Jones, Mo.	Shipley
Conyers	Keogh	Slack
Culver	Long, Md.	Smith, Iowa
Curtis	McClory	Staggers
Dawson	McVicker	Teague, Tex.
Derwinski	MacGregor	Thompson, N.J.
Dickinson	Mathias	Thomson, Wis.
Dulski	May	Toll
Dwyer	Michel	Udall
Edwards, Calif.	Mills	Whitten
Erlenborn	Minshall	Willis
Farnsley	Mize	Wilson,
Feighan	Monagan	Charles H.
Findley	Moorhead	Young

So the bill was passed.

The Clerk announced the following pairs.

Mr. Rodino with Mr. Frelinghuysen.
Mr. Toll with Mr. Mathias.
Mr. Schmidhauser with Mr. Findley.
Mr. Monagan with Mr. Conte.
Mr. Thompson of New Jersey with Mrs. Dwyer.
Mr. Johnson of California with Mr. Hosmer.
Mr. Conyers with Mr. Fino.
Mr. Culver with Mr. Derwinski.
Mr. Feighan with Mr. Cahill.
Mr. Keogh with Mr. Thomson of Wisconsin.
Mr. Giaimo with Mr. Pirnie.
Mr. Jennings with Mr. Ashbrook.
Mr. St. Onge with Mr. McClory.
Mr. Shipley with Mr. Morton.
Mr. Burleson with Mr. Halleck.
Mr. Carey with Mr. Erlenborn.
Mr. O'Neill of Massachusetts with Mr. Curtis.
Mr. Resnick with Mr. MacGregor.
Mr. Celler with Mrs. May.
Mr. Mills with Mr. Belcher.
Mr. Morgan with Mr. Minshall.
Mr. Morrison with Mr. Dickinson.
Mr. Powell with Mr. Halpern.
Mr. Teague of Texas with Mr. Mize.
Mr. Staggers with Mr. Broyhill of Virginia.
Mr. Slack with Mr. Michel.
Mr. Cohelan with Mr. Farnsley.
Mr. Cameron with Mr. Dawson.
Mr. Long of Maryland with Mr. Brademas.
Mr. Blatnik with Mr. Whitten.
Mr. Charles H. Wilson with Mr. Nix.
Mr. Pepper with Mr. Redlin.
Mr. Gallagher with Mr. Gray.
Mr. Udall with Mr. Dulski.
Mr. Moorhead with Mr. Clevenger.
Mr. Bonner with Mr. Ashley.
Mr. Secrest with Mr. Jarman.
Mr. Hays with Mr. Senner.
Mr. Holland with Mr. Edwards of California.
Mr. Grabowski with Mr. McVicker.
Mr. Smith of Iowa with Mr. Jacobs.
Mr. Young with Mr. Willis.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

HON. ROBERT E. JONES, OF ALABAMA

Mr. HARRIS. Mr. Speaker, our distinguished colleague, the gentleman from Louisiana [Mr. THOMPSON], who just had to leave the Chamber, to keep an appointment, was going to make an announcement which all Members of the House would be glad to hear.

I have the honor of making the announcement for him. We are so glad and happy to see our colleague, the gentleman from Alabama, BOB JONES, who has been in the hospital back with us again. He is looking hale and hearty and we want to give him a cordial welcome. We are so thankful to providence that he is back with us and we are glad to see him looking so well.

COMMUNITY HEALTH SERVICES EXTENSION AMENDMENTS OF 1965

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 510) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes, a bill similar to the one just passed by the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

S. 510

An act to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes

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 "Community Health Services Extension Amendments of 1965".

IMMUNIZATION PROGRAMS

SEC. 2. (a) The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out "and" before "$11,000,000" and by inserting "and $8,000,000 for each of the next five fiscal years" immediately after "June 30, 1965,". The second sentence of such subsection is amended by striking out "the fiscal years ending June 30, 1963, and June 30, 1964" and inserting in lieu thereof "any fiscal year ending prior to July 1, 1970". The third sentence of such subsection is amended by striking "and tetanus" and inserting in lieu thereof "tetanus, and measles", and by striking out "under the age of five years" and inserting in lieu thereof "of preschool age".

(b) Subsection (a) of such section is further amended by adding at the end thereof the following new sentence: "Such grants may also be used to pay similar costs in connection with immunization programs against any other disease of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future."

(c) Subsection (b) of such section is amended by striking out "of limited duration", by striking out "against poliomyelitis, diphtheria, whooping cough, and tetanus" and inserting in lieu thereof "against the diseases referred to in subsection (a)", and by striking out "who are under the age of five years" and inserting in lieu thereof "of preschool age".

(d) Such section is further amended by striking out "intensive community vaccination" wherever it appears in subsections (a), (b), and (c) and inserting in lieu thereof "immunization".

(e) Paragraph 1 of subsection (c) is amended by inserting "on the basis of estimates" after "advance"; by striking out the comma after the word "reimbursement" and inserting in lieu thereof "(with necessary adjustments on account of underpayments or overpayments),"; and by adding at the end of such paragraph the following sentence: "Nothing in this section shall be construed to require, or authorize any requirement of, any grantee to maintain a detailed record or provide a detailed report with respect to the age of individuals vaccinated with vaccines financed in whole or part under this section so long as such grantee maintains such records and makes such reports as the Surgeon General may require of the number of individuals actually vaccinated with such vaccines and which the Surgeon General finds that such number does not exceed the number of children estimated by him from time to time to be within the age group or groups eligible under this section to receive such vaccines."

MIGRATORY WORKERS HEALTH SERVICES

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1965, section 310 of the Public Health Service Act is amended by striking out "for the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965, such sums, not to exceed $3,000,000 for any year, as may be necessary" and inserting in lieu thereof "not to exceed $7,000,000 for the fiscal year ending June 30, 1966, $8,000,000 for the fiscal year ending June 30, 1967, $9,000,000 for the fiscal year ending June 30, 1968, and $10,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970,".

(b) Such section is further amended by inserting "including necessary hospital care, and" immediately after "agricultural migratory workers and their families," in clause (1)(ii) of such section.

GENERAL PUBLIC HEALTH SERVICES

SEC. 4. (a) The first sentence of subsection (c) of section 314 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

(b) The third sentence of subsection (c) of section 314 of such Act is amended by striking out "$2,500,000" and inserting in lieu thereof "$5,000,000".

SPECIAL PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

SEC. 5. The first sentence of subsection (a) of section 316 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

Passed the Senate March 11, 1965.

Attest:

Secretary.

AMENDMENT OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of S. 510 and insert the provisions of H.R. 2986 as passed:

"That this Act may be cited as the "Community Health Services Extension Amendments of 1965".

"IMMUNIZATION PROGRAMS

"SEC. 2. (a) The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out 'and' before 'June 30, 1965' and by inserting 'and each of the next three fiscal years,' immediately after 'June 30, 1965,'. The second sentence of such subsection is amended by striking out 'the fiscal years ending June 30, 1963, and June 30, 1964' and inserting in lieu thereof 'any fiscal year ending prior to July 1, 1968'. The third sentence of such subsection is amended by striking 'and tetanus' and inserting in lieu thereof 'tetanus, and measles', and by striking out 'under the age of five years' and inserting in lieu thereof 'of preschool age'.

"(b) Subsection (a) of such section is further amended by adding at the end thereof the following new sentence: 'Such grants may also be used to pay similar costs in connection with immunization programs against any other disease of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future.'

"(c) Subsection (b) of such section is amended by striking out 'of limited duration', by striking out 'against poliomyelitis, diphtheria, whooping cough, and tetanus' and inserting in lieu thereof 'against the diseases referred to in subsection (a)', and by striking out 'who are under the age of five years' and inserting in lieu thereof 'of preschool age'.

"(d)(1) Such section is further amended by striking out 'intensive community vaccination' wherever it appears in subsections (a), (b), and (c) and inserting in lieu thereof 'immunization'.

"(2) The heading of such section is amended by striking out 'INTENSIVE VACCINATION' and inserting in lieu thereof 'IMMUNIZATION'.

"MIGRATORY WORKERS HEALTH SERVICES

"SEC. 3. Section 310 of the Public Health Service Act is amended by striking out 'the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965' and inserting in lieu thereof 'each fiscal year ending prior to July 1, 1968'.

"GENERAL PUBLIC HEALTH SERVICES

"SEC. 4. The first sentence of subsection (c) of section 314 of such Act is amended by striking out 'first five fiscal years ending after June 30, 1961' and inserting in lieu thereof 'first six fiscal years ending after June 30, 1961'.

"SPECIAL PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

"SEC. 5. The first sentence of subsection (a) of section 316 of such Act is amended by striking out 'first five fiscal years ending after June 30, 1961' and inserting in lieu thereof 'first six fiscal years ending after June 30, 1961'."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2986) was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 510) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes, with a House amendment thereto, insist upon the House amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. HARRIS, O'BRIEN, ROGERS of Florida, SATTERFIELD, SPRINGER, NELSEN, and CARTER.

POLISH CONSTITUTION DAY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, 174 years ago today a great milestone was passed in Europe. On that day Poland adopted a Constitution which so clearly defined the rights of citizens and so forcibly portrayed the elements of freedom and justice that freedom-loving people everywhere rejoiced in the great steps forward which Poland had taken.

Because of its great similarity to our own Constitution, which came into being only a few years earlier, our fine Polish-American organizations are wont to pay equal and deserving tribute to our own

charter as they commemorate the anniversary of the adoption of the Polish Constitution. This constitutes one of the real reasons for Americans of Polish birth and descent having a tremendous love and respect for our American Constitution.

Mr. Speaker, we as Americans should rejoice in the fact that the document which the wise and farseeing founders of this Nation drafted was given an adequate chance to be tried and tested for generations to come.

But how tragic was the lot of Poland in contrast. Within a few years after the adoption of its superb Constitution, the Polish people were to suffer the loss of their all-too-short enjoyment of freedom and liberty and become subjected to the sorrows of enslavement as Russia, Austria, and Prussia carved up and claimed parts of their homeland.

How differently might the pages of history have been written if the Polish Constitution had had a reasonable chance to have become the document under which the people of Poland could have lived and worked in independence and under a self-determined government which would foster the dignity of unfettered men.

But even with the tragedies which befell Poland subsequent to the worldwide acclaim given its fine Constitution, the contents and the noble spirit of that document can never be forgotten. From time to time through the generations which have followed that of the framers of the famed charter, Polish leaders with the love of freedom and the welfare of the people in their hearts have gone to the Constitution for guidance and for inspiration.

And among the people of Poland there have always been those who have sought independence, who have wooed justice, because they have had an inborn love of liberty. There will always be Poles who revere the almost sacred text of the Constitution and who aspire to a life of independence.

We know the great influence which our own Constitution has had on other nations beginning with the French Revolution and extending over almost two centuries to today.

Our pride grows as we recall the meaning of our Constitution to France, Poland, Czechoslovakia, country after country in Latin America, and most recently the newly formed nations of Africa.

It is therefore incumbent upon all of us—not just those in whose veins flows the proud blood of Poland—to rededicate ourselves to the cause of freedom. As Americans we have a particular challenge to enjoy and savor the blessings of liberty in this country and to fight any and all who might attempt to deny that same enjoyment of blessings to Americans because of reasons related to race, color, religion, or ethnic background.

Ours is the challenge, too, to help perpetuate the memory of the Polish Constitution and to help perpetuate a recognition of its glory for all mankind. This we shall do to add further strength to our efforts to obtain as swiftly as possible a complete release of Poland from the external Soviet authority which today enslaves it and secure the attainment of self-determination for all Poles now and for future generations.

Mr. Speaker, to achieve these aims we must rededicate ourselves to the task which President Johnson so ably outlined to the Polish-American organizations last September when he said:

> That is why we will continue to maintain the closest relations with the people of Poland. That is why we shall try to strengthen them through bridges of people, ideas, trade and aid, regardless of temporary political obstacles we may encounter.
>
> So it is that we shall devise a policy that will achieve freedom for the Polish people * * * a freedom that will not be accompanied by obliteration.

Mr. Speaker, we cannot truly enjoy our blessings under the magnificent Constitution of our country so long as the people of Poland suffer the deprivation of liberty and freedom which might now be theirs if the Polish Constitution so magnificently created and so happily adopted 174 years ago today were now in force.

We must meet the challenge of helping President Johnson build those bridges to bring hope and freedom to our friends and neighbors in Poland.

CAN WE HAVE A TIGHT MONEY POLICY WITHOUT DAMAGING EFFECTS TO THE ECONOMY?

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

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the question of the monetary policy of this country has long interested me. But of even greater interest to me is the feeling by a group of "tight money" advocates who feel that we can adopt a restrictive money policy without damaging our economy. In fact, this group even goes so far as to say that such a tight money policy would help the economy. I fail to see even the simplest logic in this type of thinking. I share the beliefs of the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas [Mr. PATMAN], that this Nation should adopt a financial policy based on the premise of an adequate money supply to meet the needs of an expanding economy. It is impossible to use the words "expanding" and "tight money" in any sound economic policy. If they are to be used together, this would be similar to Congress saying, "The United States needs to have an expansion in the homebuilding field, but we are going to restrict the amount of building supplies that will be made available." In short, you cannot restrict and expect growth.

It has become increasingly clear in recent weeks that the Federal Reserve Board is restricting the credit needs of this country. At the present time bank reserves are at their lowest period in 5 years, thus forcing interest rates to near record highs. Our economy cannot continue to expand under the Federal Reserve Board's present restrictive monetary policy. There is no reason for such a policy, and I would hope that this Nation is not forced into an even tighter financial position simply on the basis of a majority vote of the Board of Governors of the Federal Reserve System.

Mr. Speaker, recently two distinguished Members of this body, the gentleman from Texas [Mr. PATMAN] and the gentleman from Missouri [Mr. CURTIS], engaged in a newspaper debate on the subject of adequate or tight credit. The two articles were written for United Press International and were made available to newspapers throughout the Nation. In view of the Federal Reserve's continued efforts to tighten credit, I think it is important that the articles by the gentleman from Texas and the gentleman from Missouri be reviewed by Members of this House. Included in my remarks is a copy of both articles so that every Member of this body can see the importance of this situation.

No. 1 BACKER OF SOFT POLICY SAYS GOOD SUPPLY IS VITAL TO ECONOMY

(By Representative WRIGHT PATMAN)

America's public and private debt today adds up to the fantastic total of $1,300 billion.

A rise of but one percentage point in interest charges on this already extravagant aggregate of more than $75 billion Americans are now paying as interest.

Since Biblical days, interest charges—then called usury—have frequently meant woe for the borrower and joy for the lender. Governments have passed laws to protect the borrower from extortionate rates and inhuman foreclosures.

More than five centuries before Christ, the great Athenian lawmaker, Solon, forbade men being sold into slavery because of unpaid interest charges.

In Christ's time, the money changers in the temple were not exactly held in the highest repute. Both the Jewish and Christian churches outlawed usury. But money lending still took place.

In the year 1545, England removed the prohibition on the lending of money and fixed a legal maximum interest rate. Many continental nations soon followed suit.

Today, it is imperative, as never before, that Americans center their attention on interest charges.

For many months, bankers have been propagandizing to raise the amount of interest. Americans are taxed by the private lending institutions. There has been a concerted effort to raise interest rates and to get public acceptance by one pretext or another. This despite pleas from President Johnson to hold the rates down.

The mere fact that bank profits are higher than ever before in history has made no difference. Many independent bankers are willing to let well enough alone. But few dare openly buck the banking establishment which sets policy.

According to a bit of facetious testimony by John Galbraith, the great economist, before the Joint Economic Committee recently: "Interest rates are the only price that is never raised in order to give the recipient a greater return." They're always increased "as a somber act of national policy."

DAY OF INFAMY

One day interest rates must go up because of "inflationary threats"; then the excuse is "unfavorable balance of payments." Last November 23, which I called the "day of financial infamy," our Federal Reserve System raised our discount rate 15 percent when the British raised theirs 2 percent.

The excuse offered was "to keep our investors from sending their money overseas."

The very next day, our Government put $1 billion into a $3 billion fund to support the British pound. If ever a financial policy was working at cross purposes, this was it.

We still get a lot of chatter from the bankers' lobby about unfavorable balance of payments forcing interest rates up. Corporate investments abroad, vast defense expenditures, and foreign aid are ignored as causes for our imbalance of payments. Only higher interest rates will correct the imbalance. To this we say "hogwash."

MARTIN'S TESTIMONY

Within a day of Galbraith's testimony, William McChesney Martin, chairman of the Federal Reserve System, told the Joint Economic Committee that he thought it may be necessary to tighten credit and raise interest rates. When I asked him if he would agree to a 6-percent interest on Government bonds, he didn't bat an eye.

Such a raise would lead to a national debt of $600 billion within 15 years, and meant that the American people would pay upward of $36 billion a year on the public debt.

As of now, they are paying $5.5 billion more than they should (over $11 billion instead of $5.5 billion), thanks to the precipitous increases brought about during the Eisenhower regime.

The tragedy of tight money and high interest rates is that ultimately they bring about economic disaster. In tandem they cause a slackening of our economic growth; the net result—more unemployment.

PAST DISASTERS

It would be perfectly absurd for America to pursue monetary policies that have invariably brought disaster in the past.

We had three manmade depressions under Eisenhower. President Kennedy brought us out of the last of these in 1961, and there were no recessions during his administration. There is no need to have any under Mr. Johnson.

To avert disaster, we need adequate credit for the small and large businessman, at reasonable interest charges.

We need a sound money policy so that the farmer won't be soaked on his mortgage, the new homeowner on his split-level. Our school systems should not have to pay unconscionably high rates to private lenders.

FEELING THE PINCH

Our municipalities are feeling the pinch of high interest rates, as are our county and State governments. Despite denials, interest charges are going up all along the line and money is harder to come by.

I never could understand why it was necessary for Uncle Sam to advance credit to private banking institutions which enables them to purchase Government securities at high interest rates. When interest on Government securities goes up, all types of borrowing cost more to the consumer. A raise of only 1 percent on a 20-year, $10,000 mortgage will cost the home purchaser an additional $2,000.

A raise of but 0.25 percent on the national debt will cost all Americans more than $800 million a year additional.

I say it's time to reverse the trend. It's time for interest rates to come down and for money to be available to the legitimate borrower for legitimate business or personal reasons at fair rates. If bankers want to maintain a respectable public image, it would be wise for them to reconsider their drive for a pound of flesh.

CHEAP MONEY OPPONENT WANTS MARKET INTERPLAY TO FIX RATES

(By Representative THOMAS B. CURTIS)

Baron Rothschild, the great international banker, once observed there were only three people who really understood the meaning of money and none of them had very much of it.

Money to people in developed economies is a medium of exchange. Yet there are millions of people throughout the world who are outside a "money" economy. When exchange of goods or services occurs in such countries, it is by barter. Unlike many other advanced economies at their present stage of development, in the United States money goes beyond cash to include credit, which goes beyond present wealth to cover future earning power.

As the economy of a nation becomes more sophisticated, the problems involved in the power "to coin money, regulate the value thereof" become inextricably interwoven with the companion power "to borrow money on the credit of the government." The quotes are from the U.S. Constitution.

In the United States the problems involved in maintaining "money" as an accurate "weight and measure" for the marketplace exchange of services, goods and savings became too cumbersome to handle through the routine congressional machinery. Accordingly, in 1913 the power to regulate the value of money (now including credit) was vested in a newly-created arm of the Congress, the Federal Reserve System.

After World War II, the problems involved in borrowing money on the credit of the United States to finance the war were so great that large sums had to be sold directly to the Federal Reserve System. As a result, the value of money seriously deteriorated.

In 1951 the Treasury Department, which is responsible for marketing the Federal debt, reached an "accord" with the Federal Reserve System which freed it from the obligation to absorb additional bonds. This to some degree separated fiscal power from monetary power. The cost of using credit instead of money (borrowing) went up, and the value of money, as evidenced by the rising price level ceased its rapid decline.

INEXTRICABLY TWINED

It is important to understand the distinction between credit and money, even though, as I have said, they become inextricably interwoven in a sophisticated economy to the extent that some credit is called money and other credit, for example, Treasury bills, is called near-money.

Credit in one sense is spending money without selling an asset, or spending money to obtain an asset by cashing in future earning power. Credit requires the use of money which can come from only two sources: (1) Borrowing someone else's money or (2) newly created money (which the Government alone, through the medium of the Federal Reserve System and the commercial banks, can "coin").

SOME MOTIVATION

If someone else's money is used, there must be some motivation to that person to save (not spend) his money and invest (let someone else spend) his money at the risk of not getting it back.

The economic incentives to save and to risk savings are called interest, dividends, and capital gains. The rate of return on money lent determines whether a person will save and at what risk he is willing to assume in lending his savings.

Government can alter the marketplace demand for and the price of credit by changing the value of money. It does this by creating more of it or withdrawing some of it, by its own borrowings or by directly lending money itself at certain rates.

POWER TO CHANGE

The Federal Reserve System has considerable power to alter the market demand by creating both money and credit. The Treasury Department by itself or working through the Federal Reserve has power to alter the market demand through its management of the Federal debt.

However, there are two disciplines outside the Government which limit both monetary and fiscal policy: (1) The actual amount of savings in the society and the willingness to risk the savings in the economic climate prevailing, and (2) the impact on our economy of economies abroad.

Both outside disciplines are strongly affected by the size of Government borrowings (the Federal debt). They also are affected by the amount of private borrowings against assets and future earning power, and the maintenance of money as a stable measure of the value of services, goods, and savings.

EFFECT REPLACES CAUSE

It is argued by some that easy credit and cheap money are necessary to promote maximum employment and economic growth. This is putting the effect in place of the cause. Maximum employment and economic growth will produce easy credit and cheap money but not vice versa. By trying to use the effect to produce the cause, we may damage both.

Maximum employment and economic growth are basically produced by intelligent spending. We must always be able to distinguish the real from the sham. The expenditure of the savings of people to create new wealth and to increase purchasing power is, of course, stimulated by consumer spending in the first place.

However, if there is insufficient incentive to save and then to invest at a risk, the cycle is broken. Here is where the interference of government to produce artificially low rates of return for investment or to produce cheaper money defeats its objectives.

GOVERNMENT FAILURE

In recent years, the Federal Government has failed to use monetary and debt policy to preserve an interest rate necessary to channel the risking of savings into wise expenditure policies. Indeed, Government through its own expenditure policies has contributed to a further deterioration of good expenditure judgments.

The result is we have had a constant deterioration in our international balance of payments. This has led to a flow of gold outside our society. This, in turn, is a threat to the maintenance of the value of the dollar as a medium of exchange domestically and internationally. In other words, we have not preserved the value of the dollar.

Only by the exercise of self-discipline can we maintain correct monetary and fiscal policy. That discipline is to balance our Federal budget and our international payments over the life of the business cycle.

THE TWO FACES OF CIVIL RIGHTS

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

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

There was no objection.

Mr. SELDEN. Mr. Speaker, an article in today's Washington Post, entitled "The Two Faces of Civil Rights," indicates the militant and unreasonable attitude being taken by elements of the civil rights movement.

The article by Mr. Evans and Mr. Novak, which follows, points out that SCLC leadership in Demopolis, Ala., is seeking national publicity rather than their professed aim of better jobs for Negro citizens:

THE TWO FACES OF CIVIL RIGHTS

(By Rowland Evans and Robert Novak)

DEMOPOLIS, ALA.—Although the newspaper headlines from here last week told of clashes

between Negro demonstrators and tear-gas-tossing police, the more important struggle in Demopolis was waged between moderates and radicals inside the civil rights movement.

In this Black Belt city of 8,500 (where whites outnumber Negroes by less than 50 persons) the two faces of civil rights glare at each other with increasing hostility, as elsewhere in the Deep South.

One face is conciliatory, seeking to reach an accommodation with the white power structure. The other face is revolutionary, skeptical that "Mr. Charlie" (the white man) will concede anything.

This conflict has ironic overtones in Demopolis. Mayor Ed Bailey, a segregationist who realizes a new day has come to the South, has made more concessions than any other mayor in rural Alabama. Yet the civil rights radicals—not the moderates—control events here and have turned Demopolis into the South's current trouble spot.

Doubly ironic is the fact there is only one civil rights organization active here—the Reverend Dr. Martin Luther King's Southern Christian Leadership Conference (SCLC). But the SCLC itself is split between radicals and moderates, its own fieldmen here traveling separate paths.

This was graphically illustrated at a civil rights mass meeting one recent Sunday in the Morning Star Baptist Church.

Directing the meeting was the Reverend Samuel Wells of Albany, Ga., a stout, worried-looking SCLC organizer. Under his supervision, young middle-class Demopolis Negroes, dressed in their Sunday best, softly revealed results of negotiations they and Wells had conducted with Mayor Bailey.

The results were impressive, indeed. SCLC has won more in Demopolis during 6 days than in Selma (45 miles to the west) during 6 weeks. Bailey had agreed to multiple demands by the Demopolis Civil Club (an SCLC-sponsored group organized by Mr. Wells) aimed mainly at better jobs for Negroes.

But as the Civil Club officers recounted their negotiations, a dozen young men and women (both white and Negro) seated on the church altar seethed in anger.

Dressed in disheveled work and sport clothes, these were the field workers of SCLC's militant youth branch. Supposedly, they got orders not from Mr. Wells in Demopolis, but from the Reverend James Bevel—most militant of Dr. King's lieutenants—by telephone from Selma.

Mr. Bevel's field commander in Demopolis, a northern Negro named Gerald Turley, moved to the pulpit. Dressed in sweaty T-shirt and blue jeans, Turley stirred the crowd for the first time with his gravel-voiced eloquence.

Though Mr. Wells and the Voters League wanted a halt to demonstrations, Turley shouted, "We're going to be on the streets. We're going to die in the street if need be."

Henry Wershaw, a young white SCLC worker from New York, was even more explosive. "If the white man won't let you have your freedom, you're going to have to take it," he yelled.

The upshot came the next morning. In negotiations at city hall Bailey agreed to much more than Selma's officials have gotten—city government supervisory positions for Negroes and guaranteed sales jobs in Demopolis stores. Nevertheless, Turley sent Demopolis teenagers (kept out of school against the wishes of the Civil Club) marching through the streets.

Bailey would have issued a parade permit, but Turley refused to ask for it. To maintain the principle of law and order, Bailey told police to stop the marchers. The result: Tear gas and national publicity.

Indeed, national publicity—not jobs in Demopolis stores—was what Turley was seeking. Believing that the white man is unworthy of trust, the civil rights movement's revolutionary wing believes in agitation, agitation, and still more agitation to bring out the worst in the white man. Such is the rationale of the Gerald Turleys.

But Gerald Turley will leave Demopolis sometime soon. When he does, the Demopolis Negroes will be left to reach permanent understanding with the white establishment. That's why many of them feel today that Turley's radical tactics, coming after—not before—the whites had been forced to the bargaining table, have done more harm than good.

POLISH CONSTITUTION DAY

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

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

There was no objection.

Mr. WOLFF. Mr. Speaker, today on May 3 we commemorate the 174th anniversary of an event which in itself was joyous and momentous but short-lived. On May 3, 1791, the Polish Parliament decisively adopted a constitution which transformed Poland's limited autocracy into a constitutional democracy. Unfortunately, the enlightened Government established by the Constitution of 1791 survived little more than 2 years, for not surprisingly, the Government was not to the liking of autocratic Czarist Russia. Russian troops invaded Poland and finally succeeded in overthrowing the Government. The Polish people struggled valiantly against the foreign oppressor, but their brave battle was in vain. In 1793 their country was partitioned between Russia and Prussia, and in 1795 Poland disappeared from the map of Europe until the end of World War I.

Because the Constitution of 1791 was so quickly and forcibly shelved and because Poland's history since then has been a tragic saga of foreign occupation interspersed only by a brief period of freedom between the First and Second World Wars, the significance of this document and of Poland's constitutional traditions are frequently overlooked. Poland was a great empire by the late 16th and early 17th centuries, with lands extending far in the east into what is today the Soviet Union and in the south to the Black Sea and the Carpathian Mountains. Even at this time, when most of Europe was under the iron rule of autocratic kings whose powers were unlimited, Poland, though far from a democracy, had already taken some initial steps toward constitutional government. From medieval times the respective roles of the church, the clergy, and the gentry had been carefully defined. The king ruled, not as unlimited autocrat but more accurately as cosharer of power with the gentry and high officials who sat in a bicameral parliament vested with legislative and executive powers equal to those of the king. By the middle of the 16th century the king had become an elective monarch, chosen for life by parliament and obliged to sign a written agreement enumerating his powers.

In a sense it is surprising that the democratic Constitution of 1791 was drafted when it was and not either sooner or later, for Poland's earlier progression toward constitutional government had been interrupted during the 18th century by the dynastic struggles of Austria, Prussia, and Russia over Polish territory. It may be recalled that in 1772 Poland was partitioned among these three dynasties and despoiled of one-fourth of her territory. The moment looked dark for constitutional reform which would be bound to antagonize Poland's stronger neighbors, but when a rift developed between Russia and Prussia after the death of Frederick the Great in 1786, Poland seized its opportunity. In 1788 the Polish Diet, or parliament, was convened to revise the Constitution, and by 1791 its work was finished.

The adoption of the new Constitution by Parliament and its acceptance by the King, who took an oath to support and implement it, was a unique step forward in eastern Europe, a major advance in man's history of governing himself, and the beginning of what was expected to be a peaceful social revolution in Poland. Poland became a limited monarchy with a cabinet government responsible to Parliament. Parliamentary representation and certain other prerogatives of the nobility such as the privilege of office-holding, were extended to townsmen. The cities were given greater administrative and judicial autonomy, and the peasants were placed under the protection of the law, laying the basis for the abolition of serfdom.

The unique significance of the Polish Constitution of 1791 is not merely that democratic government replaced limited autocracy but rather that an event of such magnitude was accomplished with little or no bloodshed. In one sense it is not surprising that Poland should have chosen the 18th century for a monumental revision of its Constitution, for the fever of liberalism was spreading through the Western world in the 18th century. It was the century of Montesquieu and Locke, of the U.S. Constitution, and the French declaration of the rights of man and of the citizen. The concept of popular sovereignty—that all authority emanates from the will of the people—was being expounded far and wide.

But, I repeat, the Polish experience is still unique. Whereas the Americans fought a war to gain independence and the French succumbed to a reign of terror in the name of democracy, the Polish people accomplished the momentous transition peacefully. Commenting upon the Polish Constitution, Baron d'Escare wrote:

> In France to gain liberty, they began with anarchy; in Poland, the nation was given liberty and independence, the respect for the law, for person and property was assured, and all this without violence, without murder soley through the virtue of the courage of the nation, which, realizing her misfortune and her error, knew how to heal her wounds.

Because of the important place Poland's Constitution of 1791 holds in the history of constitutional democracy, the sequel of Poland's own history seems particularly tragic. To be swallowed up completely by three greedy neighbors and erased out of existence as an independent

nation for over a century is a particularly bitter lot for a people as fiercely individualistic, courageous, and freedom-loving as the Poles. The history of the Polish people in our own country provides numerous examples of the traits which gave inspiration to the Constitution of 1791. Polish Generals Pulaski and Kosciusko fought valiantly beside George Washington in the Revolutionary War. Polish Americans fearlessly helped to open up the American West, gradually pushing the American frontier ever farther across our country until the wilderness was gone and the Pacific Ocean had been reached. In every community where there are Polish Americans their influence has been felt: in street names, in the cultural heritage of Polish songs and dances, in Polish-American contributions to civic office and community development.

The tragedy of Poland itself has not yet ended. After its brief interwar interlude of freedom, Poland was overrun first by the Nazis from Germany and then by Soviet troops from the East. Many Poles fought courageously and to their very death at the side of the Allies in World War II, but for them victory did not mean a renewal of freedom. As we only too well know, Poland was turned into a Communist satellite where the individual liberties fought for so long and hard were brutally repressed by a ruthless police state. Yet, even the repressive techniques of Communism have been unable to crush the ideal of freedom and democracy which still burns brightly in the hearts of the Polish people. The Poznan uprising in 1956 and lesser signs of uneasiness constantly recurring in Poland are proof positive that the Polish people are still willing to suffer severe hardships for the right to speak out against a government they abhor and to die for the cause of freedom.

On this important anniversary, Mr. Speaker, we commend from the bottom of our hearts the unswerving courage of the Polish people and encourage them in the hope that they may yet one day secure the ideals represented by the Constitution of 1791.

THE DOMINICAN CRISIS

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

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

There was no objection.

Mr. GIBBONS. Mr. Speaker, I support the action of President Johnson in sending U.S. marines and paratroopers into the Dominican Republic 100 percent.

I commend him for the decisive and appropriate action he has taken the past several days to protect the lives of American citizens and other foreign nationals in that tragically strife-torn country.

It was only after the local Dominican police and military authorities informed our Government that they could no longer guarantee the safety of foreign nationals that Mr. Johnson initiated action for their protection.

As the President has said repeatedly, our only motive has been humanitarian, not lust for the territory of a small, sister republic. We crave not the land of others, but the continued freedom and security of the inter-American systems. We seek not domination over the brave peoples of the Dominican Republic, but the certainty that they will have the right to determine their own destiny free from the chains of an alien system.

It has become increasingly clear over the past weekend that Communist agitators have seized control of the revolt in the country in an effort to drag yet another free people behind the Iron Curtain in the Western Hemisphere. We are pledged to the prevention of another Communist dictatorship as exists on the island of Cuba, just 90 miles off the shores of my own State of Florida.

If, in addition to protection of the lives of foreigners in the Dominican Republic, the presence of American troops dramatizes our continuing commitment to the freedom and independence of our sister republics, we are equally justified in our course of action.

For the Communists, the world over, understand only determination, force and decisive action. They thrive upon lack of resolve, weakness, and vacillation.

I share the hope of our President that an effective multination Organization of American States police force can be formed to replace the bulk of our troops on the island. By our willingness to cooperate with such a mission, we will further demonstrate to the whole world our lasting commitment to the inter-American system and close cooperation among its members in preserving freedom in our hemisphere and defeating an alien system which seeks to destroy it.

DEATH TOLL ON THE HIGHWAYS

Mr. FRIEDEL. 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 Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, for a number of years I have not only been interested, but very concerned over the terrible slaughter on the Nation's highways.

When the Special Subcommittee on Traffic Safety was first created in 1956, I became a member of that committee which immediately set to work to learn what it could about traffic safety and to do something about it.

As a member of the Interstate and Foreign Commerce Committee, I have continued my interest in this field.

As a member of the Subcommittee on Transportation and Aeronautics, which has taken over the responsibility for highway safety, among its multiple duties, it is my plan to exert every effort to reduce the terrible carnage on our highways.

The increasing concern of the Congress over the ever increasing death toll has been indicated by the enactment into law of legislation requiring seat belt standards, brake fluid standards and in the past Congress, safe car standards.

Mr. Speaker, it is my firm conviction that we must continue to strive to make our highways safe. When one considers the financial burden, the loss of productivity and the hardship placed upon the families of victims of highway accidents which now cause the death of over 45,000 annually, as well as some four million injured, bearing in mind that many of those injured are totally and permanently disabled, it is time that we step up our pace in the traffic safety area.

At the time that the special subcommittee was established in 1956, we found that the public health service budgeted only $150,000 for all accident prevention research. I am pleased to note, Mr. Speaker, as a result of congressional interest, the budget of the Public Health Service for this problem has been increased to over $4 million. We still have a long way to go, however, when you compare the death and injury statistics to the statistics on fatalities as a result of heart disease, in which field over $135 million is expended in research by the National Heart Institute and where over $140 million is expended for cancer research by the National Cancer Institute.

Mr. Speaker, I well realize that in the last analysis, the man behind the wheel is the controlling factor. Should his vision be impaired, should he have had too much to drink or have other defects, accidents, many times fatal, will occur. However, we can and we must reduce this possibility to a minimum and I am hopeful that through driver education and through the various States taking the initiative to adopt the uniform code, we can reduce the number of incompetent drivers.

Now, Mr. Speaker, I believe it is also our responsibility to see that the purchasers of automobiles and accessories are provided with as safe a vehicle as possible to reduce the possibility of malfunctioning of equipment which is the cause of many of our accidents.

As I previously indicated, Mr. Speaker, the Congress has taken the initiative to provide standards for seat belts, brake fluid, and safe cars. However, there is still a glaring omission in safety standards—tire standards.

I do not believe that today there is a Member of this House who, desiring to purchase new tires for his automobile, that transports his family, would know the type, size, or quality of the tires he would ultimately purchase.

Mr. Speaker, today we can purchase a second line tire from a manufacturer that will be labeled a first line tire under another brand label. We are advised of tire sizes by the manufacturers, yet when the General Services Administration purchased tires for the purpose of comparison, there were many variations in sizes and quality.

Mr. Speaker, we also see ads in the papers where one may purchase tires for as low as $9. It is not false advertising, as the manufacturers indicate these tires are for city or slow speed driving. Unfortunately, the teenagers, who have a

minimum to spend, purchase this type of tire and then use them on highways at excessive speeds causing the tires to blow and we, in many instances, have another statistic.

In line with the thinking of the Congress, as expressed in the passage of the bills previously mentioned, I am today introducing a bill to require safe standards for tires for motor vehicles. I believe such a bill is essential for the motoring public and I hope that the committee will move for early and expeditious action on the legislation.

I might go one step further, Mr. Speaker, and say that I had hoped that the manufacturers would take it upon themselves, for the safety of the public to provide set standards. However, after the New York State Legislature had considered legislation to establish standards, the manufacturers came out with a hodgepodge of specifications. This still leaves the public in the dark. Therefore, I believe it to be imperative that the Congress take action now.

Mr. Speaker, under unanimous consent, I insert the bill which I am introducing at this point in the RECORD:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall prescribe and publish in the Federal Register minimum standards for tires for use on motor vehicles other than those of carriers subject to safety regulations under part II of the Interstate Commerce Act. Such standards shall be designated to provide the public with safe tires so that motor vehicle accidents caused by tire failure can be kept to a minimum. Standards first established under this section shall be prescribed and published not later than one year after the date of enactment of this Act.

SEC. 2. (a) The manufacture for sale, the sale, or the offering for sale, in interstate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation, or causing to be transported, in interstate commerce, or for the purpose of sale, or delivery after sale, in interstate commerce, of any tire manufactures on or after the date of this section takes effect shall be unlawful unless such tire meets the standards prescribed by the Secretary of Commerce as set forth in the first section of this Act.

(b) Whoever knowingly and willfully violates this section shall be fined not more than $1,000, or imprisoned not more than one year, or both.

SEC. 3. As used in this Act—

(1) The term "interstate commerce" includes commerce between one State, territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico and another State, territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico.

(2) The term "motor vehicle" means any other vehicle or machine propelled or drawn by mechanical power and used on the highways principally in the transportation of passengers.

SEC. 4. This Act shall take effect on the date of its enactment except that section 2 shall take effect on such date as the Secretary of Commerce shall determine, but such date shall not be less than one hundred and eighty days nor more than one year after the date of publication of standards first established under the first section of this Act. If such standards first established are thereafter changed, such standards as so changed shall take effect on such date as the Secretary of Commerce shall determine, but such date shall be not less than one hundred and eighty days nor more than one year after the date of their publication in accordance with the provisions of the first section of this Act.

JUNIOR ACHIEVEMENT

Mr. CALLAWAY. 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 Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, today I am privileged to take part in ceremonies honoring the SeRoCo Junior Achievement Co. of Columbus, Ga. Junior Achievement, as we all know, is an organization sponsored and supported by business and industry in the United States and Canada. Its aim is to educate youngsters in the principles and facts of free enterprise, and further, to educate through action.

Each year boys and girls in Junior Achievement groups gather in hundreds of American cities to plan, form, and run their own businesses. This year, the award for the first place Junior Achievement Co. in America went to SeRoCo, the company founded and run by 27 Columbus, Ga., teenagers.

Their efforts in SeRoCo surely gave these young citizens a firsthand knowledge of our great American free enterprise system. Yet in addition, Mr. Speaker, they have learned not only how the free enterprise system works, but also why it works—the greatness of free men ruling a free economy.

I ask unanimous consent to insert in the RECORD a speech that ably demonstrates the value of this lesson. It is a speech prepared by a young junior achiever, David Reddick, president of the award-winning SeRoCo Co.

I am proud today to salute the Junior Achievement program, its sponsors, and its fine young members like David. They have joined forces to learn the workings of freedom; and this, as the name implies, is truly achievement.

SPEECH GIVEN BY DAVID REDDICK, PRESIDENT OF SEROCO, NO. 1 JUNIOR ACHIEVEMENT CO. NATIONALLY, 1964–65

"Communism will rule the world." This was a theory echoed around the world by Mr. Lenin way back in 1918.

During the past 3 years, I have had the opportunity of being a member of Junior Achievement. The experience and knowledge I have gained during this time has taught me that Mr. Lenin's theory was nothing more than hot air. Communism will never rule the world.

I have been taught the true meaning of the free enterprise system and the profit motive. During this period of time I have been in companies that have been very successful and in some not quite so successful. I have experienced the sweetness of success and also the bitterness of failure. I have learned the risks that must be taken and also the rewards at the end of the rainbow.

I have grown in knowledge and experience and have learned of the organization and procedure of business. It has given me the basic qualification for entering the business world. Not only have I gained in experience, but I have been taught the importance of initiative, the ability to work with others, but most important, the need for making a profit. It is my confirmed opinion that a business is as good as the people who run it. No better, no worse.

The training and experience to be gained by active participation in Junior Achievement is a must for all young people. It has made available to me vital knowledge which cannot be obtained in high school or college. I would like to make it clear here that this is certainly no reflection on our school system—we have one of the best, but the high schools are just not prepared to teach business because the curriculum is already overloaded.

Junior Achievement provides all young people with the necessary tools to construct a foundation for most any type business. The training received prepares us for the future of tomorrow, and what does the future of tomorrow hold?

I might answer that by saying—How high is up? Allow me to quote one of the Nation's leading insurance companies, and I quote, "The future belongs to those who prepare for it." As a result of the training received in Junior Achievement, I am convinced that I am better qualified to compete in tomorrow's business world where job competition is becoming greater and greater.

We have taken as our responsibility the preservation of the free enterprise system. The free, private enterprise system has been, and will continue to be, the one outstanding reason for America's phenomenal economic growth and secure position as leader of the free world. The free enterprise system and its amazing productivity was the key to America's victory in World War II. It has survived the test of time in a way that no other system has.

This is not to say, however, that the survival of our American economic way of life is guaranteed. On the contrary, the security of free enterprise is maintained only through hard work and faith, faith and belief that ours is the best way, the only way to secure the good life for our people.

Free enterprise and America, for they are one and the same, is being challenged by many people with many ideas. Because of this, we must dedicate ourselves, in our own way, to the preservation of free enterprise. Without free enterprise America would no longer exist. Our business system is the key to our freedom, and if it were to vanish, then history would say of us, "They had a good system, but neglected to appreciate and preserve it."

It is by the investment of our business leaders that more young people are being taught about the greatest heritage the world has ever known—the American free enterprise system—a system upon which America was founded, built, and upon which it will build its future.

The question has often been asked among young people, "How can one get a job that takes experience, if he has no experience?"

Our business and industrial leaders have made this experience available to over 100,000 young people this past year. It has been stated that a person who has received training in the Junior Achievement program makes a better business person than one who has graduated from high school without experience and training in Junior Achievement.

There are many in this room who are responsible for Junior Achievement and its success. I'm sure I speak for everyone in Junior Achievement when I say that we will forever be indebted to you and others like you for the opportunity you have given us.

May I leave you with this quote: A noted historian made this observation: "Most democracies last for about 200 years"—gentlemen, ours is 176 years old.

Thank you.

PRESIDENT'S ACTION IN DOMINICAN REPUBLIC

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

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

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, I rise to commend the President of the United States for the firm, prompt, and thorough manner in which he seems to be handling the situation in the Dominican Republic.

His expressed determination to prevent the establishment of another Communist regime in this hemisphere is the most encouraging announcement in America's foreign policy since January 1961.

In a spirit of constructive admonition, I should like to take this opportunity to state to my colleagues that until the Communist cancer, centered in Havana, Cuba, is torn out by the roots, more American boys will have to be sent into other Latin countries and too many will return home in flag-draped coffins.

The President did not hesitate to tell the Nation last night that many of the Communists active in the Dominican uprising were trained in Cuba.

The eruption in the Dominican Republic should be the last evidence required by this hemisphere for a decision to eliminate the Communist regime in Cuba.

I urge the President to quickly announce that the liquidation of Cuba's Communist government is a definite aim of American foreign policy, and that no pressures from any source, Communist or ally, will dissuade us from that goal.

GOVERNMENT STILL GOING IN THE RED

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, in spite of the optimism of the President who reports with great satisfaction that the expected deficit will be less than he anticipated, the fact is we are still piling up huge deficits which endanger our economy.

Federal spending continues to increase; shortly we will be asked to increase the debt limit; each year the Federal Government goes deeper into the red. We cannot continue following such fuzzy economic theories without being forced, one day, to pay the piper for the ball the big spenders have been having.

Let me remind you that the last balanced budget was in the last full fiscal year of the Republican administration under President Eisenhower. We have been told that spending has increased because of the increase in defense costs, but again let me remind you that the spending level increase has not been due to increased defense programs, but to increased social welfare programs.

I would also like to point out that the increase in dollar spending, serious as it is, does not reflect an even more serious danger to our Republic, the increase of Federal encroachment in areas which are rightfully the responsibility of the private sector, the States and individual citizens.

Mr. Speaker, it is far past time for us to return to responsible fiscal policies. If our private enterprise system is to survive we must live within our income. We must call a halt to programs we cannot afford if we are to remain a strong and solvent nation.

How far we have gone along the road to irresponsibility in fiscal matters is clearly shown in the excellent editorial by David Lawrence in this week's issue of U.S. News & World Report. I include the editorial, "Only $30 Billion in the Red" as a part of these remarks.

ONLY $30 BILLION IN THE RED

(By David Lawrence)

President Johnson, in a somewhat optimistic vein, the other day told the American people by television and radio and through the press that the deficit in the Federal budget for the fiscal year ending June 30, 1965, would be at least a billion dollars below the $6.3 billion which he had estimated last January.

This is supposed to be a sign of an improvement, if not a reversal, in the deficit spending which has now been going on year after year.

The sad truth is that in the 5 fiscal years beginning on July 1, 1960, the gross public debt will have increased by approximately $30 billion. The total interest now costs more than $11 billion a year.

Unfortunately, most persons in official life and also many others engaged in economic dialog are not disturbed by deficits totaling only $30 billion in 5 years. The thesis of the new school of economists is that deficit spending is the way to keep business good and that it doesn't matter whether the Government, year after year, is spending more than it is taking in.

The official budget estimates are often misleading. In the past 10 years, the original forecasts of the budget made 18 months before the end of a fiscal year amounted cumulatively to a total of only $200 million of deficit. But the revised estimates, made each time a year later, added up to an accumulated deficit of $36.9 billion. In that same 10-year period, the actual figures showed a deficit total of $40.8 billion.

The big fact is that the Government is running in the red year after year. Expenditures are kept down in some categories but go up in others.

The assumption is that, even with the large deficits, the United States will be able to pay its bills. But it can do so only with depreciated currency, and the risk to the average citizen is that prices will rise as the monetary unit dwindles in value. Many governments have had a tragic experience with such inflation.

Business conditions, of course, are regarded as good today, largely as a result of the recent cuts in tax rates. But how long will this last? For wages and prices as well as State taxes are continuing their upward trend. The mere size of the sales volume is not an indicator of a nation's ability to maintain its monetary unit on a stable basis.

The truth is that the Government is spending money for many things that it could well do without. This doesn't mean that the money is actually wasted, but it does mean that priority could be given to sound finance and the Nation would not suffer.

No administration, of course, can balance the budget at once. It must be a gradual process so that the economy can absorb the changes. But when year after year there is no sign that a balanced budget is even in sight, there is bound to be discouragement.

Meanwhile, the Nation will have to examine carefully all the official forecasts being made because experience has shown that, under both Republican and Democratic administrations, erroneous estimates have been offered. This is due to some extent to an inability to gauge correctly future trends in business, both in this country and overseas.

The Eisenhower administration in January 1958, for example, predicted a surplus of $500 million for the fiscal year ending June 30, 1959. But, due to a downturn in business which, during that same period, developed into a real recession, receipts were $6.1 billion less than anticipated. In an attempt to reverse the business curve, the spending went up by $6.7 billion. So the final outcome was a budget deficit of $12.4 billion.

Likewise in January 1962 the Kennedy administration forecast a surplus of $500 million for the fiscal year ending June 30 1963 but the estimate proved to be wrong by nearly $7 billion. This was because corporate profits had been estimated at $56.5 billion and turned out to be only $48.2 billion. Also taxes from individuals did not come up to the figures that had been predicted. Much of this was due to the uncertainties in business occasioned by the unsettled conditions in the steel industry. The final result was a budget deficit of $6.3 billion.

It would be much better if an incumbent Administration would make long-range appraisals and chart the budget trends for a given period of years rather than concentrating on a single year.

What America needs is a comprehensive program of expense cutting along with a stimulus to business which will produce more tax receipts. Such a plan cannot be confined to a single year. There ought to be at least a 5-year look ahead with a program for a balanced budget which would be accepted as the reasonable reflection of a sound trend in Government finance.

The American people would welcome an end to the deficit era—a total deficit of $40.8 billion in the last 10 years with $30 billion of this piling up in the last 5 years. The official figure for the public debt now is close to $317 billion. It's the biggest debt that any nation has ever faced in the history of the world.

LOCATION OF JONES & LAUGHLIN STEEL CORP. PLANT IN CONGRESSIONAL DISTRICT REPRESENTED BY REPRESENTATIVE MICHEL

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD with respect to the location of Jones & Laughlin Steel Corp. plant in my congressional district.

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

There was no objection.

Mr. MICHEL. Mr. Speaker, last week the Jones & Laughlin Steel Corp., the fifth largest steel producer in the United States, made a very significant announcement with respect to the future of Jones-Laughlin and to my congressional district.

Mr. Charles M. Beeghly, chairman of the board and chief executive officer of Jones & Laughlin Steel Corp., told the

annual meeting of shareholders on April 29:

The Middle West is one of the fastest growing markets for products made by your company. A location in that general area for a J. & L. steel plant is essential if we are to achieve our objective of selling an increasing share of the total steel used, as well as expanding our position as a supplier to the national market. Our opportunity for sharing in the growth of the Middle West appeared to be limited by new steel plants recently built or building by our competitors, chiefly in Metropolitan Chicago, as well as by the expansion of the longer established companies in that area. We concluded that to locate a new J. & L. plant next door to our Chicago-area competition would lack in imagination and economic sense. Accordingly, we conceived and developed a quite different approach to this competitive problem—an offensive, rather than a defensive posture.

Our objective became the identification of an extraordinarily large site, accessible to the Middle West and Southwest markets by means of modern highway systems, barge and rail, and with rail and water systems to accommodate economic delivery of raw materials and semifinished steel. Many months have been spent in the search for a site which met all of our criteria. These include a site of sufficient size to provide building room for steel-fabricating customers, who will find it advantageous to locate next door. Our search has ended. We have optioned almost 6,000 acres, more than 10 times the area of any existing J. & L. steel plant, approximately 100 miles west of the Chicago Loop, on the Illinois River near the town of Hennepin.

Mr. Speaker, I am proud to say that Hennepin, Ill., is the county seat of the smallest county in the State of Illinois, located in my congressional district, so you can see that this is a very significant announcement for our area, and I would surely draw special attention to the fact that as Mr. Beeghly pointed out, the site is, "of sufficient size to provide building room for fabricating customers who will find it advantageous to locate next door." We hope that in the coming months and years ahead many progressive, forward-looking concerns will look to the many advantages of this location and what we in central Illinois have to offer.

Mr. Beeghly went on to advise the shareholders as follows:

Long range, our plan includes an integrated steel plant, with iron-ore pellets or prereduced iron to come from our taconite lands to the north. Short range, our plan includes facilities to finish steel, which will be melted in our Pittsburgh, Aliquippa, Cleveland, and Detroit plants. From any of these four steel plants, we can reach our new site by rail or water. We have the option of the river system or rail from Pittsburgh and Aliquippa, or from Cleveland and Detroit by rail, or by lake boat with rail or barge transshipment.

The property is located close to the new East-West Interstate Route 80, which in an easterly direction will speed delivery of finished products into the network of new highways around the Chicago area. Connecting with this fine new high-speed interstate highway, are major highways and new ones planned which will permit us to reach north, west and south. This will mean good access into other important steel-consuming markets, which will continue to grow as the industrial trend continues to spread across our country.

Plans for the development of this new steel plant are in preparation. We expect to complete land acquisition and begin construction next year. Flat-rolled steel products are included in our plans and perhaps other steel shapes as well. No further details as to product lines will be announced at this time, nor can we state now when we will be in production. Announcements will be made from time to time as our plans progress.

Even in its initial stage this project will represent the largest single development ever undertaken by Jones & Laughlin. It will greatly increase our percentage of finishing capacity and service capability in products and markets of great future promise. Of importance also, is the finishing capacity this expansion will free-up in our existing J. & L. plants, providing us with an ever better ability to supply the markets closer to these well-established J. & L. producing points.

Mr. Speaker, I just want to say in conclusion for the RECORD that we feel very fortunate in J. & L.'s decision to locate in our congressional district. We welcome this industrial expansion in our area with open arms and we are sure that it will lead to a wide range of development for this very productive area—that part of my home State which we like to refer to as "The Heart of Illinois."

THE 20TH ANNIVERSARY OF THE FOUNDING OF THE UNITED NATIONS IN SAN FRANCISCO

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

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

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, this year marks the 20th anniversary of the founding of the United Nations in San Francisco. In connection with this anniversary, I think proper recognition should be given in California to one of the great early leaders of the United Nations—Dag Hammarskjold. To that end, I have before you today, a resolution expressing the sense of Congress that a silent, timeless redwood forest in my district be designated the Dag Hammarskjold Memorial Grove.

To fully explain this proposal, I will attempt to relate the real meaning of *Sequoia sempervirens*—the ever-living redwood. A book I have been reading tells the story of the life of one tree. I would like to attempt to summarize this story in a few words, if I may.

During the founding of the Babylonian empire 2,200 years ago, a sprout emerged from a seed no bigger than a matchhead. It crept up, straight and true, a few inches a year toward a patch of sky between the cover of the huge trees surrounding it. Two hundred years later, about the time Jesus of Nazareth began to preach his parables, our tree was 100 feet tall and 3 feet thick at the base. Over the centuries it inched up, expanding a fraction of an inch in girth each year as empires rose and fell, as the dark ages came and disappeared into the Renaissance, as Columbus discovered the New World and a new nation with a new idea of government based on freedom and individual responsibility grew to maturity.

During these millenniums, monumental natural calamities struck. Floods of the centuries crept up the trunk of the tree, depositing several feet of new soil over its root system. Six times in its life the tree grew a new set of roots closer to the surface to gather forest nutrients. Several major forest fires scarred its skin and ate its flesh, but each time it healed its wounds with decades of new growth until 1849, the year of the great gold rush to California. That year, a forest fire burned a 17-foot-wide scar on its side, killing all the roots under the wounded area. The tree, over the next decades, started to lean. At the same time, it began growing a brace to shore up its wounded side. In 106 years, it grew a buttress projecting 4 feet to shore up its great weight. But the centuries needed to fully protect itself from natural disaster were not to come before the next natural onslaught.

Everyone recalls the 1955 floods in California when levees broke. Yuba City was flooded, and scores of people were drowned. This same flood made a bog around the tree and the buttress sank in as the tree leaned farther and farther. Finally, its 1,000 tons of redwood snapped its good roots and crashed to the ground along a 350-foot path. When its great trunk was cut, most of the history of modern civilization could be traced on its life rings.

This, Mr. Speaker, is why national interest has been aroused over preservation of a suitable grove of these stately trees, in commemoration of the respect people throughout the world hold for the great international leader, Dag Hammarskjold.

The life of Dag Hammarskjold was in concordance with the deep and pervading majesty of the redwoods among which we find spiritual refuge and gain a more profound realization of his own thought that "we each have within us a center of stillness surrounded by silence."

Dag Hammarskjold, until his death in 1961, served 8 years as Secretary General of the United Nations, carrying on his widely significant and courageous search for world peace. By their very grandeur, the giant redwoods imbue us with a strong realization of human dignity, tolerance and stateliness, so characteristic of Dag Hammarskjold's life.

This, Mr. Speaker, is largely the sentiment expressed in my concurrent resolution. I think it altogether fitting that a redwood grove in my district be selected by the State of California as a memorial to this world leader, and I would urge my colleagues to join me in this recognition.

EVENTS IN DOMINICAN REPUBLIC BRING HOME FORCEFULLY FOLLY OF ALLOWING COMMUNIST BASE IN CUBA

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

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

There was no objection.

Mr. BRAY. Mr. Speaker, the tragic events in the Dominican Republic have brought home forcefully the folly of allowing the Communist base in Cuba to continue in spreading its poison among its sister Republics of Latin America.

Several of us in the past have noted the school of Communist subversion and revolution which Castro has founded and which has been directed by Che Guevara. I pointed out this on the floor 2 years ago. It is obvious that Cuban-trained revolutionaries are at this moment planning to attempt revolts in other Central American countries. Perhaps the swift reaction of the United States in the Dominican Republic will retard their efforts.

Unfortunately we are continuing to pay for the fumbling defeat at the Bay of Pigs, which not only allowed Castro to remain in power but encouraged Communist subversives to believe they could proceed in Latin America without fear of U.S. action.

The President has courageously taken the correct step.

Today the Communist world should be on notice that they can no longer expect to romp in safety, for the United States will resist attempts to establish new Communist regimes by force in Latin America.

WILLIAM H. BOOK

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

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

There was no objection.

Mr. BRAY. Mr. Speaker, the city of Indianapolis was saddened last week by the death of William H. Book, for many years the director of the Indianapolis Chamber of Commerce.

Few men have left a greater mark on Indianapolis. He was a citizen whom Indianapolis and the entire State of Indiana will miss, a man most difficult to replace.

Bill Book was a quiet and friendly man, but fervently and unselfishly dedicated to the principles which he believed were right. He had a host of friends in many walks of life. I took pride in being one of those friends.

Mr. Speaker, under unanimous consent I insert at this point editorials by the three daily newspapers in Indianapolis in tribute to Mr. Book:

[From the Indianapolis (Ind.) Star, May 1, 1965]

WILLIAM H. BOOK

Bill Book was a prime mover. Other men have formed committees. He formed committees and got things done.

Much lipservice is paid to business. Bill Book gave business—and the whole community—much more. He gave it true stewardship. In the depths of the depression, when morale and courage were low, he helped the unemployed find jobs. Then he helped rally the forces that had the power to rebuild, to attract new industry and get things going again. It was a time when jobs were the main concern of thousands of hard-hit working people.

The times called for imaginative leadership. Bill Book offered it. The community gained. Indianapolis became a key industrial center during an era that began in economic stagnation and could have ended in something far worse.

In the grim days when every dollar was a drop of economic blood, William H. Book, executive vice president of the Indianapolis Chamber of Commerce, fought to hold government spending to a minimum, to eliminate waste. Then in the days of expansion after World War II, as the city grew and faced new problems, Bill Book battled equally hard to sell business leadership on the spending necessary to solve these problems. This led to collisions with hardheads, but the cool, efficient Bill Book was the winner—and so was Indianapolis.

In time he won the nickname "Mr. Indianapolis." Few men have done more to deserve it.

He took pride in being a conservative. He warned of the dangers of centralized supergovernment and unrestrained Federal power. And he opposed turning to the Federal authority for financial aid. As the chamber often has pointed out, with Bookian logic, the "Federal" money came from local communities in the first place. So "Federal help" was a misnomer, and furthermore it carried Federal strings.

Yet Indianapolis needed to rebuild much of its downtown district. It did, spectacularly, with private money and initiative, and won admiration from all over the country.

Bill Book's newspaper days taught him the value of facts and research, the soundness of gathering detailed, valid data before making decisions on complex problems. His forte was research, as he often said, and research is a pillar of the chamber's operation today. This thin, calm man, with his trim mustache, rare powers of persuasion and abounding energy which poured into dozens of constructive channels, gave his talents to Indianapolis and its chamber of commerce for four decades. He played a giant role in making our chamber one of the most effective organizations of its type in the land.

Bill Book helped lead Indianapolis to the threshold of new potentialities and challenges. He believed in preserving what was best of the past and adapting imaginatively, intelligently to the changing world. "If we don't have a good vision for the future," he said, "we are not going to achieve very much in the future."

His vision was that of "a strong, virile, growing, dynamic community," energetically developing its cultural, social, business, educational, professional, research and scientific opportunities—making the most of its human resources.

This vision is Bill Book's heritage to the city that was his life.

[From the Indianapolis (Ind.) Times, Apr. 30, 1965]

WILLIAM H. BOOK

The impact of William H. Book on this community and his contributions to it are not difficult to measure. Both were immense.

As head of the chamber of commerce for many, many years, he not only set the tone for industrial and business expansion here, but the political and philosophical tone of Indianapolis as well.

He had a rugged belief that the responsibility for problem solving lay primarily with local communities, and this was a belief which he pursued with unyielding vigor.

Many disagreed with some of the things which Bill Book stood for. But he earned universal respect for his sincerity and for his integrity.

Beyond his duties with the chamber, Mr. Book was an energetic volunteer in countless civic efforts.

He was was closely identified over many years with the Red Cross, and was chairman of the Indianapolis chapter at the time of his death.

He served ably in a remarkable variety of other activities, ranging from the 500 festival to the annual fund drive for the United Negro Colleges.

For a man of his strong convictions and boundless energy, he was personally remarkably retiring. His voice always had that soft quality of his native Virginia, and his approach was quiet and always friendly.

The people of this community, in all economic stations, will miss Bill Book immensely, for he was a man whom they had known well and admired deeply.

Few men do so much to shape the current of any community as Bill Book did here in Indianapolis, and few work so tirelessly at what they so earnestly believe to be right.

[From the Indianapolis (Ind.) News, May 1, 1965]

WILLIAM H. BOOK

No one person will ever know all the good that William H. Book did in his life on this earth.

And no one—though many have tried—will be able to pay full tribute to his abilities or all of his accomplishments.

His interests and activities were innumerable and yet he found the time to give active, useful support and leadership to all of them—his church, his community, his family, his friends, his schools, his State, and his country. It was typical of him that he had been as busy in retirement as when he was full-time executive vice president of the Indianapolis Chamber of Commerce.

Throughout a career that involved newspaper work, public service, and his chamber career, he had a part, and always an important part, in every major civic enterprise in this city. Often little publicized, these pursuits included participation in business development, race relations, all kinds of legislation, government administration, social and welfare activity, State regulation, municipal planning, and a host of nongovernmental programs directed by citizens determined to bring about a better city, State, or Nation.

Bill Book believed firmly and fervently in free, private enterprise as it has developed under our unique form of government. He respected politics and government but he abhorred unnecessary government and its interference in private affairs. More than that, he personally was willing to do something about it. He spent all his waking hours—too many of them to the detriment of his health—trying to further those causes in which he believed.

Some of Bill Book's critics complained that he was too conservative, too opposed to changes, too much a servant of business. They didn't really know him and they didn't know his record.

He was a leader, not a follower. He was constructive, not obstructive. He could see someone else's point of view. And he wanted change, but he wanted change for the better, not change for the sake of change.

To get those changes, he wrote speeches and articles, raised money, buttonholed friends and strangers, prepared legislation, generated news stories—in short, did everything possible to accomplish his purpose.

His writing was an outgrowth of his early career as a newspaper reporter. He was both an excellent reporter and an excellent writer. He was proud of the record he made at the Indianapolis News and we at the News were proud to have him as a distinguished alumnus.

Above all else, Bill Book was a Christian gentleman who believed wholeheartedly in the principles of his religious faith and practiced those principles to the end of his days.

His life and his work made this city and State much better places in which to live. And he set a rare and admirable example of Christian service to his fellow man.

TRACKING DOWN A LIFESAVER

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

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

There was no objection.

Mr. BRAY. Mr. Speaker, under unanimous consent I insert in the RECORD an editorial from the Indianapolis Star of May 3, which tells the amazing story of the development of a new wonder drug.

This new drug, which promises to be of major significance in combating several types of infection, was developed through a series of programs, but ultimately it was through the persistence of the researchers at the Eli Lilly Co. in Indianapolis that this drug was produced in a usable form.

This story demonstrates again the invaluable role which private drug companies play in the development of new medicines and medical techniques. Not infrequently these companies are subjected to attack from those who believe that all such activities should be conducted by the Federal Government. A few years ago, the Eli Lilly Co. was among five which were charged with price fixing concerning the Salk polio vaccine. At that time I spoke in defense of the great record these companies had in producing a tremendous amount of the vaccine in a short period of time. The great discovery of Dr. Jonas Salk had to be translated into efficient, inexpensive manufacture to make it useful to the millions who needed it.

The various private companies rose to meet that challenge in a truly remarkable manner. I am glad to say that the price-fixing charges were dropped, because the Government could produce no evidence to substantiate them.

The story which follows about cephalothin tells a similar tale, and there are many such in the annals of drug research.

Despite this record the private drug industry continues to know abuse at the hands of its own Government. Very unwisely, I believe, our Government has purchased drugs from sources outside of this country which operate in violation of the drug patents possessed by American manufacturers. This practice has been decried, and legislation is pending to try to remedy this situation.

Although originally conceived of by an Italian scientist, drug producers in that country were unable to effectively develop cephalothin. One reason is that they have little protection for drug discoveries, hence, it is not feasible to underwrite new research.

In any event, we again can see from the following article the debt that we do owe to private drug companies. They have done much to relieve suffering, and the facilities and brainpower they offer in their research programs which cost many millions of dollars annually offer great hope in the continuing battle against disease.

The article follows:

TRACKING DOWN A LIFESAVER

There's a new name among lifesaving "wonder drugs." It is cephalothin, one of a family of antibiotics called cephalosporin. It is the practical result of one of the longest laboratory hunts in the history of antibiotics.

The long trail began in 1945 in the Mediterranean Sea, off the coast of Sardinia. Prof. Giuseppe Brotzu of the Cagliari Institute of Hygiene was studying micro-organisms where the city's sewers discharge into the sea. He found a fungus which secreted a substance with the power to attack and destroy disease-causing bacteria.

Excited by the discovery, the professor spent 3 years pursuing it. He succeeded in growing his fungus in the laboratory and extracting a drug which was tested with some success. Most provocatively, it was effective against the dreaded "staph" infections, which resist penicillin and the sulfas. At the same time it was relatively free from the side effects and adverse reactions sometimes encountered with those drugs. The new substance produced improvement in patients with typhoid and undulant fevers.

Alas, Professor Brotzu's drug was too weak, and too costly to produce. He made a report of his findings, and there the matter seemed at an end. To go further would require the facilities of a large industrial research laboratory, and there was no such in Italy.

An alert British health officer in Sardinia passed the report to Sir Howard Florey at Oxford University, who had helped to rescue penicillin from the oblivion of a forgotten report. The Oxford laboratories explored it, almost abandoned it because of lack of significant new results. Then after 7 years the new antibiotic, dubbed cephalosporin C, was isolated and defined. It was still too weak, but now the work went on with new encouragement. The British National Research and Development Corporation patented the new substance, but efforts to develop it into a practical commercial medicine met failure after failure.

Ultimately the scene shifted to the laboratories of Eli Lilly & Co. in Indianapolis. There were more setbacks and more disappointments. But there was also promise and the scale of work was multiplied. At last came the breakthrough, the discovery of a way to produce a cephalosporin derivative—cephalothin—of useful strength and in commercially practical quantities. The trail was 19 years long from the discovery off Sardinia to Lilly production of a marketable drug.

Along the way, the search also produced in other laboratories some new types of penicillin which went into commercial production. Still to be explored are other possible derivatives.

Many individuals and many institutions had a part in the development. There were various key elements—but one without which the others would not have been possible. That one key was the patent system. The overriding reason for lack of a major industrial drug laboratory in Italy is the fact that in Italy there is no patent protection for drug manufacturers. The hunt for cephalothin involved the commitment of large sums of money. The only practical source of such sums, to finance this kind of extended research, is the revenue to be recovered from sale of a patentable product when one is developed. That's why this work was accomplished in countries where that protection is available.

The story of the hunt for cephalothin is a story of perceptiveness, ingenuity, skill, determination, and risk taking—all thriving in the favorable climate of free enterprise economy.

A PACIFIC MEDICAL CENTER FOR INTERNATIONAL COOPERATION IN THE CONQUEST OF DISEASES

Mr. MATSUNAGA. 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 Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I have today introduced a bill which seeks to authorize the establishment in Hawaii of a Pacific Medical Center. The bill is a concrete and far-reaching effort to carry out in the field of the medical arts some of the laudatory ideas which were expressed by President Johnson in his April 7 address at the Johns Hopkins University.

You will recall that our President stated upon that occasion:

> These countries of southeast Asia are homes for millions of impoverished people. Each day these people rise at dawn and struggle until the night to wrestle existence from the soil. They are often wracked by disease, plagued by hunger, and death comes at the early age of 40.
>
> The American people have helped generously in times past * * *.
>
> Now there must be a much more massive effort to improve the life of man in the conflict-torn corner of our world * * *.

And the President went on to say:

> The wonders of modern medicine can be spread through villages where thousands die every year from lack of care. Schools can be established to train people in the skills that are needed to manage the process of development.
>
> And these objectives, and more, are within the reach of a cooperative and determined effort.

Mr. Speaker, such a cooperative and determined effort is encompassed by the provisions of the bill I have introduced.

The bill would authorize the establishment of a medical center which would provide suitable administrative and physical facilities in order to enable teaching and research of the medical arts so badly needed throughout southeast Asia, the trust territories, Okinawa, and the numerous island archipelagoes of the Pacific.

The United States has pioneered in the field of cultural and technical interchange between the East and the West through the East-West Center in Hawaii. We have already seen, with justifiable pride, the incalculable benefits which have flowed to the peoples of Asia and America from the East-West Center. It is with a deep conviction, therefore, that I state that our island State, with its people of heterogeneous racial backgrounds, is the most suitable site from which to launch this cooperative and determined effort in the field of the medical arts.

It seems that this view with regard to the suitability of Hawaii as the home of such a Pacific Medical Center is shared by many. For example, it has recently

been announced that Hawaii will be the site of the first meeting of Japanese and American scientists who will commence in October 1965, to recommend ways in which their respective governments can aid in the fight against such diseases as cholera, tuberculosis, and leprosy in Asia.

Hawaii, Mr. Speaker, has the experience, the vision, and the enthusiasm to undertake this project.

Through scholarships and research grants, we can attract those with the best potential to the proposed medical center or direct them to more specialized institutions in the continental United States, in order to train Asians to help their fellow men.

We can hope to attract the very best medical minds of the more developed countries of Asia and the Pacific, as well as the United States, to impart their skills and knowledge to their counterparts from the less developed countries. Trained physicians and researchers from the technologically advanced countries of Japan, the Philippines, and Hong Kong will be invited to offer their services under the auspices of the United States in order to further develop the medical resources of their fellow Asian countries.

Universities and hospitals both in Hawaii and in the continental United States will be called upon to provide appropriate educational services through a program of fellowships, grants, and research stipends to be administered by the Center.

Advanced medical scholars and researchers from the United States will not only be asked to offer their knowledge and skills, but also to learn from Asians and Pacific islanders who have long specialized in certain areas, such as tropical medicine and pathology.

Mr. Speaker, I am convinced that such a medical center and such a medical-sharing program will be immediately embraced by the countries of Asia and the Pacific. The medical center will be a lasting and living memorial of America's aid to medicine in the countries of Asia and the Pacific.

The Pacific Medical Center will be a Federal project in its entirety and will come under the cognizance of the Secretary of Health, Education, and Welfare.

I have been informed that the cost of operating the Pacific Medical Center for a whole year should be much less than the expense for carrying on 1 month's effort in Vietnam. The comparison may not be entirely appropriate, but it is certainly graphic.

Mr. Speaker, a similar bill was introduced in the Senate on April 28, 1965, by the distinguished Senator from Hawaii, DANIEL K. INOUYE. Senator INOUYE has requested the support of the President of the United States. He has also requested the support of the Secretary of Health, Education, and Welfare and the Secretary of State. He has already been assured of the support of many of his distinguished colleagues in the Senate.

Mr. Speaker, I earnestly solicit the support of the Members of this great body for the establishment of a Pacific Medical Center in Hawaii.

COMMITTEE ON THE JUDICIARY

Mr. CHELF. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be permitted to sit during general debate for the balance of this week. I understand, Mr. Speaker, that this has been cleared with the gentleman from New York [Mr. CELLER] on the majority side and with the gentleman from Ohio [Mr. MCCULLOCH] on the minority side.

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

There was no objection.

ONE-PRICE COTTON

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

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

There was no objection.

Mr. DORN. Mr. Speaker, the elimination of two-price cotton has been the greatest incentive for the American textile industry to expand, remodel, and employ more people than ever before in the history of the textile industry. The elimination of two-price cotton is aiding the American cotton grower. It is estimated that the American textile industry will use 1 million bales more of American-grown cotton this year than during the last year of the two-price cotton. Two-price cotton was unfair to the American cotton farmers. It was unfair to the American textile manufacturers. It was unfair to the American textile workers and employees in related industries.

Mr. Speaker, let us get rid of two-price cotton once and for all by appropriate legislation during this session of Congress.

Mr. Speaker, the South Carolina Legislature in both houses unanimously adopted a concurrent resolution addressed to the Congress urging that we extend the one-price cotton program. This resolution was adopted on April 28 and follows:

H. CON. RES. —

A concurrent resolution memorializing the Congress of the United States to extend the one-price cotton program for the seasons of 1966 and 1967

Whereas the present one-price cotton program makes cotton competitive in price in the domestic market as well as the foreign; and

Whereas it ended the cost advantage to foreign mills which were rapidly taking over domestic markets; and

Whereas the two-price program would destroy many public opportunities and economic activities generated by the great cotton industry: Now, therefore, be it

Resolved by the house of representatives, (the senate concurring), That the Congress of the United States is respectfully requested to extend the one-price cotton program for the seasons of 1966 and 1967; be it further

Resolved, That copies of this resolution be forwarded to the Senators and Members of the House of Representatives in the Congress from South Carolina and to the Secretary of Agriculture.

Attest:

INEZ WATSON,
Clerk of the House.

POLISH CONSTITUTION DAY

The SPEAKER. Under previous order of the House the gentleman from Illinois [Mr. KLUCZYNSKI] is recognized for 60 minutes.

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

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, today is May 3, but in Poland today there is no rejoicing, no celebration of that glorious Polish national holiday, May 3d Constitution Day. This Polish holiday, observed by the Poles for the last 174 years—since 1791—has been abolished by the Communist government imposed by Soviet Russia on the Polish nation. The Soviet puppets have created another national holiday for Poland, the date of the so-called liberation of Poland by Soviet armies. What bitter mockery of liberty this is.

But free Poles all over the world and Americans of Polish descent keep the faith, and celebrate May 3 as the true Polish national holiday. And Poles in Poland who cannot celebrate this glorious anniversary openly are celebrating it in their hearts, hoping always that the day will come when once more Poland will be free and the bells in all the churches in Poland will once more ring joyously the message of May 3, the message of freedom, justice, and democracy.

The Polish Constitution of May 3, adopted in 1791, is a veritable landmark, not only in Polish history but in the political and constitutional history of all eastern Europe. For the first time, constitutional monarchy with limited powers and a responsible cabinet form of government was adopted in that part of Europe. By that Constitution, ancient class distinctions and privileges were wiped out, and the arm of the central government was strengthened by extending the protection of the law to the peasantry. Most significant, however, for those days and for that part of Europe, was the fact that this Constitution guaranteed absolute religious freedom. In this and in many other ways the Polish Constitution of 1791 was the vanguard of democracy's advance into central and eastern Europe. Although the Polish State was shortly thereafter devoured by her predatory neighbors, this Constitution remained a beacon to the Poles in their never-ceasing efforts for freedom and independence, efforts which were crowned with success in 1918. And today, though Poland has lain beneath the oppressor's heel since 1939, the ideal and principles of that Constitution continue to inspire Polish patriots in their struggle against tyranny.

Today, in commemorating the 174th anniversary of the adoption of that Constitution, we pay our respects to the memory of its creators—men of vision and of courage. In celebrating that historic anniversary we strengthen the bond of sympathy and understanding between ourselves and the Polish people who have been sealed off from the free

world. We ardently hope that soon all Poles will be able to celebrate this anniversary in a homeland again made peaceful and free.

Mr. Charles Burke of the Polish American Congress, writing about the anniversary of the Polish Constitution of May 3, reminds us of other anniversaries that also will be remembered this year by free Poles the world over, for this year is also the 25th anniversary of the Katyn Forest massacre, when 15,000 Polish officers and professionals were slaughtered by their brutal Communist captors.

The Katyn massacre, which shocked the world as one of the most savage acts of genocide in World War II, took place 25 years ago in a forest near Smolensk in the Soviet Union. The first news of the mass graves at Katyn was announced by the German radio in April 1943. Citing identification cards, letters, and newspapers found in the graves as well as the expert opinions of pathologists, the Germans accused the Russians of the massmurder of Polish officers and intellectuals in the month of March 1940. Radio Moscow not only denied the accusations, but in turn charged the Germans with this hideous crime. The Polish Government-in-exile in London appealed to the International Red Cross to conduct an impartial investigation, and from this background the following facts were established: the bodies of 4,423 Polish officers, scientists, professors, chaplains, lawyers, and students were found in three mass graves in the Katyn Forest. Their last place of imprisonment had been the military prisoner's camp at Kozeilsk. An additional 9,860 Polish officers from the Starobielsk and Ostashkov camps had disappeared without a single trace.

On September 18, 1951, the House of Representatives appointed a Select Committee To Investigate the Katyn Massacre. Headed by Representative RAY J. MADDEN, of Indiana, the committee was composed of Representatives DANIEL FLOOD, of Pennsylvania, Foster Furcolo, of Massachusetts, Thaddeus Machrowicz, of Michigan, Alvin O'Konski, of Wisconsin, and Timothy Sheehan, of Illinois. After a detailed investigation of the pertinent documents and hearing the testimony of hundreds of witnesses, the committee stated in its reports in July and December 1952 that beyond doubt, Russia stood accused of the Katyn massacre.

All of us who live in the free nations of the world, and especially those of us who have the good fortune to live in our own United States, blessed with personal liberty greater than any nation in history has enjoyed, tend to turn away from these bitter memories. We strive, and rightly so, for a better world ahead, and perhaps would prefer to close this page of history and forget. But we cannot allow ourselves that luxury. The truth must be remembered, to show how at one time a civilization reverted to barbarism, and then to remind ourselves of the perils that are not far away.

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

Mr. KLUCZYNSKI. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, 174 years ago today the Polish people adopted the now justly famous Constitution of May 3, 1791, in the hope of uniting Poland under an improved constitutional government against her traditional foes—Russia, Prussia, and Austria.

The Polish Constitution of 1791 is a landmark in the struggle of men to form a government that will be guided by the will of the majority and subject to laws formulated by representative bodies. It ranks with our own Constitution and the English parliamentary system as an example of what a free people can accomplish when they dedicate themselves to the ideals of liberty and democracy for all men.

Viewed in historical perspective, the constitution is an amazing document. That such a blend of conservatism and liberalism could have been achieved in an age of absolute monarchs and dictatorial regimes dedicated to their own lust for power is a historical feat of giant proportions. It set up a constitutional monarchy in which the prerogatives of the king were carefully defined. The executive power which he possessed was exercised through a cabinet which was responsible to the Diet, or Parliament; any member of the cabinet could be removed at any time by a two-thirds parliamentary vote. The chamber of deputies was given decided preponderance over the senate, whose role was confined to that of adviser and moderator.

Suffrage was widely extended and many of the economic barriers between the nobles and the bourgeoisie were broken down. The townsmen recovered their judicial autonomy and received a number of political rights. Most important, the doors to the Diet were opened once again to deputies from the towns, a reform which greatly broadened the basis of representation, hitherto restricted to the noble class. Finally, the peasantry, so long without recourse against the arbitrary will of often cruel masters, was now taken under the protection of the law.

All this was accomplished in a country where previously 100-percent agreement had been required on every bill that was adopted by parliament. In short, this great nation accomplished a major judicial and economic revolution without bloodshed and without domestic violence. Various groups within Poland's society received increased rights; autocratic privileges were curbed. But agreement on the need for reform was so widespread that those whose power was reduced did not revolt against the new government.

As has happened so often in Polish history, the Poles themselves were not permitted to determine their own future. After the war with Turkey had ended, Russia and Austria again turned their attention to Poland, and in 1793 Poland was partitioned for a second time.

So great was the accomplishment of the Polish nation in 1791 that May 3 has become a national holiday for Polish citizens all over the world. On this important day it is fitting for us to remember the Polish dedication to an ideal—an ideal of fair and representative government. The Polish Constitution did not survive for long, but the ideals that it embodied are vibrantly alive in Polish hearts today. I am proud to salute my Polish friends on this important day—a day on which all Americans rededicate themselves to the hope of all Polish people everywhere, that in the near future Poland will once again be a free nation under a constitutional democratic government.

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

Mr. KLUCZYNSKI. I yield to the gentleman from Illinois, who has done such a marvelous job as the chief investigator in 1952 of that great committee, chairmaned by the gentleman from Indiana [Mr. MADDEN] and who did such an outstanding job in investigating the Katyn Forest massacre.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman from Chicago for taking time today to pay tribute to this very inspiring doctrine, the Polish Constitution, which was adopted 174 years ago on May 3 by the people of Poland. The gentleman from Illinois Mr. [KLUCZYNSKI] is performing a great public service by taking this time to remind us of the contents of that great document and what it has meant since its adoption in 1791.

Yesterday there was a massive observance in the city of Chicago where 150,000 people assembled in Humboldt Park to pay tribute to this constitution, and to hear an inspiring message by the Vice President of the United States, Mr. HUMPHREY, who was the main speaker. Vice President HUMPHREY quite properly pointed out at this huge observance in Chicago yesterday that Poland's Constitution of May 3, which Poles and all freedom-loving people honor all over the world, was the first liberal document submitted to the continent of Europe.

This Polish Constitution was adopted 4 years after the American Constitution. It was no surprise that the Polish people in Europe should follow the footpaths of our own Founding Fathers in America, because for 1,000 years the Polish people have been fighting for human dignity and freedom. This document adopted by the Polish people 174 years ago brought new hope to the European continent. It brought a new and revolutionary concept of self-determination to a continent where subjugation of whole nations by despotic rulers was an accepted way of life. This is the real meaning of Poland's Constitution of 1791 and this is why millions of Americans pay tribute to this magnificent doctrine every year.

We here in Congress pay tribute to this document because we feel it is important to remind people that, yes, 174 years ago the brave people of Poland adopted the Constitution which recognized the dignity and freedom of man. Tragically that Constitution was destroyed only 6 years later when Poland was torn apart by her warring neighbors simply because they could not tolerate such revolutionary concepts of freedom and dignity on the European Continent which had been introduced in the United States just a few years earlier. They feared that the seeds of freedom

transplanted from the shores of America to Europe by the Poles in their Constitution would threaten the very existence of despotism in Europe. It is a tragedy that the Polish Constitution was not permitted to flourish because today we would have had in Europe the same concepts of democratic progress that we have in this country.

Mr. HUMPHREY gave one of the most inspiring messages ever heard during the 26 years that Polish Constitution Day has been observed in Chicago. It is significant that 150,000 people gathered there gave him a thunderous ovation in recognition of the fundamentals he laid down in Chicago. These people were applauding Mr. HUMPHREY and at the same time, President Johnson who 2 years earlier had addressed in a stirring manner a similar gathering of 150,000 people.

I should also like to point out that the president of the Polish National Alliance, Charles Rozmarek, very strongly yesterday endorsed the brave and heroic decisions made by President Johnson both in Vietnam and the Dominican Republic. Mr. Rozmarek quite properly reminded the people that this great Polish Constitution had been destroyed only because the people in Europe did not understand the price of freedom. Mr. Rozmarek said that our great President, President Johnson, recognized the price we must pay for freedom and in a bold move and a determined move has served notice on the Communists that we are not going to capitulate to their aggression.

I should like to quote two short paragraphs from Mr. Rozmarek's remarks because I think it is significant that the president of the largest Polish-American fraternal organization in the world should today fully subscribe and endorse the foreign policy of our great President.

Mr. Rozmarek said yesterday, in introducing Vice President HUMPHREY:

> In this race between liberty and disaster, I am convinced that President Johnson's firm decision to defend South Vietnam will be assessed by historians as one of the most important moves of the current decade.
>
> We are proud that President Johnson is rebuilding our foreign policy on a strong military basis and on diplomatic firmness. This is also strengthening our American image abroad.
>
> As Americans, we wholeheartedly support our President's bold and prudent course of action in the defense of freedom.

Mr. Rozmarek's tribute to President Johnson and Vice President HUMPHREY reflects the high regard those Americans of Polish descent have for these two great leaders.

Mr. Speaker, I should also like to point out that participating in yesterday's tribute to the Polish Constitution in Humboldt Park was Mayor Richard J. Daley, today acclaimed as the most effective public administrator in the world. His presence gave renewed meaning to the dignity of yesterday's tribute.

So I should like to congratulate the gentleman from Chicago [Mr. KLUCZYNSKI], now in the well of the House for taking this time today to pay tribute to this great document because this yearly observance on the floor of the House of Representatives serves to help remind all Americans regardless of what their ethnic background may be, of the great price that has been paid by people in the past in defense of freedom. Mr. KLUCZYNSKI again demonstrates his unyielding dedication to the cause of freedom.

In closing, Mr. Speaker, I should like to pay tribute to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MCCORMACK], who today, knowing that the gentleman from Chicago had obtained this special order to commemorate this occasion, invited the gentleman who is now occupying the chair as Speaker pro tempore, the gentleman from Illinois [Mr. ANNUNZIO] to preside while this tribute is being paid.

Many of my colleagues do not know, and I think they ought to know, that Mr. ANNUNZIO represents a congressional district in Chicago in which are located the headquarters of most of the largest Polish fraternal organizations in America, including the Polish National Alliance. I think it is most fitting that our distinguished Speaker would select Mr. ANNUNZIO to preside over this tribute on the 174th anniversary of Polish Constitution day.

Mr. KLUCZYNSKI. I want to thank the gentleman from Illinois for his fine remarks. Again I want to say as chief investigator for the Katyn Massacre Committee, back in 1951 the gentleman from Illinois [Mr. PUCINSKI] did an outstanding job and made one of the finest reports that has ever been recorded in the Congress.

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

Mr. KLUCZYNSKI. I yield to the gentleman.

Mr. DORN. Mr. Speaker, I would like to join my colleagues here today in complimenting and commending the distinguished and able gentleman from Illinois for his continuing fight for the freedom of the people of Poland. I would like to join my dedicated and devoted colleague in pointing out that Poland is not "Communist Poland." It is a great country that has been taken over by the Russian Communist conspiracy through stark raw military aggression. Some day the Polish people will rise again and win back their freedom as they have so many times in the past history of the world.

When I think about the distinguished gentleman from Illinois [Mr. KLUCZYNSKI], and the gentleman from Illinois [Mr. PUCINSKI], the gentleman now presiding over the House [Mr. ANNUNZIO], and all my good friends, I think about the patriotic and able leadership afforded by them not only to the people of Polish extraction but to all the American people. I commend the gentlemen for keeping alive in the hearts of the Polish people and in the hearts of freedom-loving people everywhere the desire and determination to free Poland from Communist bondage.

Mr. KLUCZYNSKI. I thank the gentleman from South Carolina [Mr. DORN].

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

Mr. KLUCZYNSKI. I am happy to yield to the gentleman from Maryland.

Mr. GARMATZ. Mr. Speaker, I had the pleasure of attending and addressing a banquet in Baltimore last night by a Polish group representing the Polish Congress of America, in observance of their 174th anniversary.

I would like to insert that address at this point in the RECORD:

> Mr. Toastmaster, Governor Tawes, Father Szelagowski, distinguished officials of our State and city government, other head table guests, officers and members of the Maryland Division of the Polish American Congress, ladies and gentlemen, once again we assemble to commemorate the 174th anniversary of the adoption of the Polish Constitution of May 3, 1791. This is the most significant day in Poland's history, and is being commemorated by approximately 10 million Americans of Polish ancestry throughout our country today.
>
> But May 3, 1791, is not just an anniversary, it stands as a memorial day for what was once a free Poland and it prophesies the ultimate triumph of justice even though Poland has once more been deprived of her independence and sovereignty by Soviet Russia. For "Truth crushed to the earth shall rise again," say the poets, and so it has with the Polish people who have time and again since this memorable date revolted from tyrannical domination and asserted their national identity.
>
> This year's constitutional day observance also coincides with other significant dates in Polish history: the 25th anniversary of the discovery of the Katyn massacre; the 20th anniversary of the Yalta Agreement; and the 20th anniversary of the treacherous imprisonment by Russia of 16 members of free Poland's underground government.
>
> Of these dates, the one that will long burn in the hearts of Polish patriots as one of the most brutal acts of genocide in World War II was perpetrated by the Russians who massacred 14,283 Polish officers and intellectual prisoners in the spring of 1940 at the Katyn Forest near Smolensk in the Soviet Union.
>
> When accused of these murders, Moscow immediately denied them and countercharged the Nazi's with responsibility for this hideous crime. To establish the truth the Polish Government-in-exile in London appealed to the International Red Cross to conduct an impartial investigation of the incident. Since the Red Cross demanded representatives of each country involved in the charges to be present during the investigations, they refused to conduct them, for Soviet Russia would not agree to be represented. The Russians instead severed diplomatic relations with the Polish Government-in-exile, denouncing it as acting falsely in collaboration with Nazi Germany.
>
> It wasn't until December 1952 that a select committee of the U.S. House of Representatives after a year and a half of detailed investigations of pertinent documents and testimony by hundreds of duly identified witnesses established beyond the shadow of a doubt that Russia stands accused of the Katyn massacre.
>
> These facts of crime, deceit, falsehood, and treachery should bring about a new awareness to us of the Western World, of the true face of communism.
>
> We must here today rededicate ourselves to deliverance of not only the Polish people but all peoples behind the Iron Curtain from the yoke of oppression.

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

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

Mr. KEITH. I should like to join in commending not only the gentleman from Illinois but also the gentleman who headed the committee which investigated the Katyn Forest massacre.

I should like to recall to the Congress the efforts of Ambassador Arthur Bliss Lane, who, in my recollection was the only career Ambassador to ever resign in protest over our country's failure to live up to treaties which we entered.

Ambassador Lane was our Ambassador to Poland who, when we failed to insist on the free elections for Poland as called for in the agreements entered into at Yalta resigned in protest in order to point out to the world our country's failure to live up to its commitments.

I believe it is a great tribute to President Johnson that he has, in recent days, taken the action he has in regard to the Dominican Republic and Vietnam. It shows a much enlightened view of worldwide Communist efforts to subvert the democracies from their course which would bring true self-government to all countries of the world. I join with the gentleman from Illinois [Mr. KLUCZYNSKI] and others in commending him on a courageous course of action.

Mr. KLUCZYNSKI. I thank the gentleman from Massachusetts.

Mr. NEDZI. Mr. Speaker, today we pay tribute to a great day in the history of Poland.

This is the 174th anniversay of the Polish Constitution, a remarkable document written by a remarkable group of farsighted men in 1791.

By our observance, we remind the world of the contributions Poland has made to the development of Western civilization. Moreover, we remind ourselves of the lessons to be learned from Poland's fight for freedom over the centuries.

America's growth was given much of its early impetus and its continuing sustenance by a great Constitution. Americans should appreciate, therefore, the veneration of its Constitution by the Polish people.

The Polish Constitution of 1791 was a progressive document, greatly influenced by liberal movements in England, France, and America. Unfortunately, the people were denied the chance to live under this Constitution. The spirit in which it was developed alarmed the dictatorship in Russia, just as the attractive example of Poland's independent spirit has continued to alarm her totalitarian neighbors down to the present day.

In Poland today, there is still a desire for true freedom, just as there was in the 19th century, when there was no Poland except in the memories of the people.

It was in the year 966, nearly 1,000 years ago, that Poland accepted Christianity and joined her destiny to the West. Ever since, the Catholic church has been the sanctuary of nationalist spirit.

The people of Poland know they must walk a shadow line—resistance to the East, sympathy for the attractive West. Their geographical position is a hazardous one.

But the Communist Government of Poland has reversed the liberalization encouraged by the revolution of 1956. The hopes aroused then have been steadily dampened. The screws have been turned a little tighter.

Religion is under attack in Poland; the Catholic church is in a continuing contest to preserve some independence.

A few weeks ago Stefan Cardinal Wyszynski protested to Premier Joseph Cyrankiewicz that the regime is inspecting classes, confiscating church schools, and drafting seminary students into the army.

Cardinal Wyszynski has been a titan of strength in preserving the vitality of the Catholic church under the most trying circumstances. He is one of Europe's outstanding figures and we look forward with great anticipation to his scheduled visit to Detroit in 1966.

In our lifetimes, we have seen Poland undergo bitter suffering. The root causes of this suffering pose lessons that we must not forget.

Yet, once again we hear expressed the same views which ultimately cost the lives of millions of men and women in World War II.

People of Polish blood remember their history better than most Americans. Certainly, if Hitler had been challenged and stopped early when he took over the Rhineland, Austria, and Czechoslovakia, his invasion of Poland may never have happened.

We are told by some today, as we were told in the 1930's, that the countries threatened are far away. But seldom does an aggressor make it convenient for you. It is suggested that the aggressor will be content if he is permitted just one more bite. But the appetite for aggression grows upon feeding.

Recent Polish history, indeed, all recent history, teaches us that withdrawal will encourage rather than discourage our adversaries. I hope our memories are not so short that we will have to learn this bitter fact again—the hard way.

President Johnson and Secretary of State Rusk know their history. Therefore, there will be no appeasement in southeast Asia. We will stand firm.

Whatever we as a nation do in the short run affects our interests in the long run. As the principal guardians of the free world, we must honor our commitments now or risk complicating our expected responsibilities 5, 10, and 20 years from now.

The hottest trouble spot of the moment is Vietnam. Our policy is to stay in South Vietnam until that Government's ability to maintain its own security is firmly established.

One does not have to fully accept the automatic operation of the so-called "domino theory" to recognize the strategic and psychological importance of South Vietnam.

We hear some people advocate withdrawal. But consider the impact of any American withdrawal on the stability of Thailand, Laos, Cambodia, and Malaysia. And think what this would mean to Japan and India, two democracies without nuclear arms who might someday need to rely on our assurances and nuclear guarantee in the face of a hostile, nuclear-armed China.

Moreover, we must consider our overall position in Asia, Africa, and Latin America, particularly in the light of present conditions in the Dominican Republic, and consider what a soft policy in one place will do to our interests elsewhere.

Regardless of the complexities and unpleasantries, therefore, we must meet our responsibilities.

It is good to restate these truths. For while Poles have discovered a new society in America, and helped to build America as Americans, they have not forgotten their history and traditions and the lessons of recent history.

Mr. KREBS. Mr. Speaker, in marking today's 174th anniversary of the Polish Constitution, I would like to express the hope that soon all Polish peoples will be able to freely celebrate the many happy occasions of their nation's illustrious history.

It is fitting for the U.S. Congress to take note of this anniversary as but one more act of a warm friendship that has characterized the life of these two countries. Indeed, the names of Poland's own heroes are names familiar to Americans who take pride in the revolutionary spirit of our own Nation's birth. The Kosciusko's and Pulaski's were but forerunners of the Polish allies which our later American GI's valued during World Wars I and II.

This long heritage of common American and Polish interests has been demonstrated not only in the fields of military battle but in recent years has been cemented in such humanitarian ventures as the establishment of the Krakow Children's Hospital in Poland. This wonderful project has been financed by American foreign aid and it is the kind of constructive assistance which Americans unstintingly support. As then-Senator HUBERT HUMPHREY stated last year:

> Here we have shown our willingness to enter into workable agreements in fields which offer progress, while recognizing continued conflict over other matters.

Mr. Speaker, it is my firm wish that our two peoples will continue finding areas of workable agreements for a fuller enjoyment of freedom which Poland's people have found wanting in that nation.

Mr. GREEN of Pennsylvania. Mr. Speaker, on the 3d of May each year, this House sets aside time to commemorate the constitution proclaimed by Poland on that day in 1791. In those famous words spoken on another occasion, "it is altogether fitting and proper that we should do this." For our commemoration serves a dual purpose. It reminds us, on the one hand, that the principles of freedom and democracy are not the exclusive product of the society and culture originating in Western Europe, and espoused most vigorously in our own country, but that these same principles found eloquent expression in Eastern Europe at virtually the same time as our own Government was being established. Secondly, this reminder of Poland's democratic heritage services to refresh and invigorate our belief that the era of Communist domination cannot last. As

Poland has won her freedom in the past, so she will surely recapture it in the future.

The history of Poland has not been a happy one. She has been called a victim of her geography, and in a sense this is so. Caught between more powerful states lying to the east and west of her, she has had to battle repeatedly for national survival. At times that battle looked hopeless, but for that very reason the people of Poland never gave up hope, a quixotic hope, some would say, but a hope which history validated in the long run when, at the end of the First World War, a Polish state was once again established.

Today Poland is once again under a foreign heel. True, the government is Polish, but it is a puppet government, kept in power by Soviet bayonets. If a truly free plebiscite were held tomorrow, the Polish people would vote their masters out of office before the day was done.

For the tradition of Poland is the tradition of the constitution of 1791. It is the spirit of truly responsible and democratic government, the spirit which says that all power in civil society should be derived from the will of the people. It is the flaming determination to be free, manifested throughout Polish history, both at home and abroad. It is Kosciusko and Pulaski in our own Revolution, and it is the indomitable fighters who finally took Monte Cassino in World War II. With this spirit, who can doubt that a free and independent Poland will one day resume her rightful place among the nations of the world?

Mr. ROSTENKOWSKI. Mr. Speaker, on May 3, 1791, the people of Poland adopted a Constitution whereby they declared:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

This action by the Poles followed just 2 years after the United States adopted its own Constitution of freedom, by which we are still governed. The birth of freedom highlighted world history late in the 18th century.

Today marks the 174th anniversary of that great moment in Poland's history and I rise to recognize the Poles of that era for the courage and strength they displayed in declaring their freedom from oppression and tyranny, which prevailed in Europe at the time. The Poles consider May 3, 1791, the greatest moment in their history and this May 3 we pay tribute to the Poles to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

However, the importance of the occasion cannot be celebrated in Poland today, in the fashion that we celebrate our own Independence Day, for the Polish Constitution is not the rule under which present-day Poland is governed. The citizens of Poland cannot enjoy the human dignity professed by their ancestors under their doctrine of equality, for the cloak of communism has descended upon them. The will of the people does not exist in today's Poland, for the Communists do not believe in the will of the people. Under their form of rule the people serve the Government rather than the Government serving the people. This moment in our history is likened as to the history of May 3, 1791, because of the intensified move by modern-day despots to control the will of the people in the world today, as the despots of Europe of those days crushed the desires of their subjects. Therefore, the recognition that we give to the May 3 Polish Constitution on this occasion has greater meaning than before, for it contains the hope of the free world and to keep this hope alive we must strongly endorse the purpose for which it was designed. The precious freedom that we enjoy is the light of hope for the world so our actions for this cause must be strong to give strength to the people of the captive nations to work for their right of self-government. We are their incentive just as we were the incentive for the Poles of 1791 when they moved for independence and self-government.

The age-old struggle of tyranny against liberty has intensified around the globe. The liberties in southeast Asia are being challenged, the liberties in the Caribbean are being challenged, and the liberties in Europe are being challenged. Unless we support the cause of those liberties we cannot help but expect our own liberty to be challenged for the spread of communism will not stop at our shores if they are successful with their movement in the rest of the world. We must be more firm than ever in protecting what we fought for in two great wars and we must defend what so many died to protect.

Unfortunately before the Constitution was put into full force, Poland's enemies overpowered her for they could not afford an independent nation to gain strength within their midst. Poland has never really enjoyed the fruits of their move toward independence but the spirit of their move remains strong in the present generation of Poles. They have not given up hope that one day they will enjoy the right to own land, the right to worship as they please, the right to hold office in their Government, and the right to express their views on governmental affairs. Although they do not enjoy full liberty the Polish people in that nation are asserting themselves more and more. They are encouraged by our stand for equality and I believe their will for freedom can again be realized by their continuing their determined efforts toward that goal. The knowledge of their Constitution is the guideline by which they can resolve their present plight. It is the rule by which they should live, for it is the rule by which they want to live. Poland's history has been a saga of glory and tragedy, but this nation has never quit. They have not forgotten the promise of 1791 and I am sure that we all believe that someday this promise will be realized.

By observing the anniversary of Polish Constitution Day we renew our support of their liberation from oppression and give meaning to their cause. But more so we give meaning to the cause of all freemen in the world today. This is the important struggle in the world today and to win it we must be firm. Our firmness gives courage, not only to Poland, but to all the captive nations, which will one day break loose from their bonds so that the world will rejoice in peace.

Mr. HELSTOSKI. Mr. Speaker, yesterday afternoon the Polish people of the 9th New Jersey District, which I have the honor to represent, and those of the surrounding areas met to observe the 174th anniversary of the Polish Constitution.

The many people who assembled to give recognition to this historic Polish document, are proud of their heritage and of their contributions to the American way of life. These who have migrated to this country years ago have taken part in developing this Nation to the stature it holds in the eyes of the world.

The Poles who came to our shores in recent years as displaced persons or refugees know the meaning of the words "freedom and liberty" as opposed to "subjugation and oppression" now being practiced in their beloved country, Poland.

At this celebration, they reaffirmed their desires and hopes that Poland will once again be free and independent, and take its rightful place among the free nations of the world.

As the main speaker at this celebration, I traced the history of Poland throughout the years and expressed my hopes that Poland would again be free. Mr. Speaker, under leave to extend my remarks, I would like to include these remarks which were delivered to the freedom-loving Poles of my congressional district:

REMARKS BY MR. HELSTOSKI

Poland, one of the larger and more populous countries of Europe; venerable in her 1,000-year-old existence; admired for her chivalry and her heroism; respected for her courage and her love of liberty; champion of the cause of freedom, whose banners bore the motto "For Our Liberty and Yours"; a great contributor to the world's culture and science; the Poland of a glorious historical past, now despoiled by enemies, abandoned by friends, this Poland shall be the subject of my talk this afternoon.

The Sarmatians, ancestors of the Poles, for 2,000 years occupied lands along the shores of the Baltic with boundaries extending to Berlin, Bohemia and Central Russia. Buried cities disclose the ruins of walled cities and imposing temples containing many evidences of ancient culture.

In 964, the North Slavic tribes, uniting under the leadership of the Piast family formed the independent state of Polska (Poland). Prince Mieczyslaw became the first ruler with Gniezno the capital. The new nation accepted Christianity and joined the Western Roman culture.

Shortly after Boleslaw the Brave ascended the throne, Germany, Bohemia and Hungary attacked Poland. At the head of 15,000 knights, he defeated the armies of the German Emperor, and in turn conquered Bohemia, Hungary, and later defeated the Dukes of Moscovy. His great ability in military tactics firmly established the borders of Poland.

During the following three centuries Poland was engaged in defensive wars. When Genghis Khan invaded Europe about 1250, it was Poland that finally stopped the Mongol invasion.

The order of the Teutonic Knights of the Cross presented a serious problem for the Polish nation. Konrad, Polish Duke of Mazovia, invited the Knights to Christianize the pagan Letts. Instead, they built fortified strongholds and proceeded to prey upon their neighbors. They burned villages and slaughtered the populace. Later they sacked Polish cities in West Prussia and eventually attempted to invade Poland. King Lokietek curbed their lawlessness by defeating them in 1320.

Casimer the Great was without doubt Poland's greatest King. During his reign there was established a new code of laws embracing all parts of Poland. He launched an extensive program of public and private improvements. Huge massive structures of stone and marble appeared in many parts of Poland. He also founded the University of Krakow in 1364, which celebrated its 600th anniversary just last year.

Mikolaj Kopernik (Nicholas Copernicus) the great astronomer, who revolutionized the world's conception of the solar system, was one of the students of the Krakow University.

Then followed the most momentous event in Poland's history—the voluntary union of Lithuania with Poland. Jadwiga, Poland's first queen, at the age of 13, was elected to the Polish throne. She proceeded to improve the living conditions of the peasantry. Under her reign, health centers and hospitals were established and provision was made for the care of the young and old of the poorer classes. Her solicitude for the welfare of the people won her the love and affection of her subjects. She was acclaimed the most beloved ruler in Poland's history.

Wladyslaw Jagiello, Grand Duke of Lithuania, sought the hand of the young queen, promising the union of his vast domain with Poland and further promising the acceptance of Christianity by his people. Through the marriage that followed, Lithuania was united with Poland. The union of the two nations continued for 400 years until 1795.

The great Jagiellonian dynasty which ruled Poland until 1672, began its reign with the election, in 1386, of Wladyslaw Jagiello as King of Poland. During his reign, war broke out between Poland and the Knights of the Cross. A victory for the Knights of the Cross might have eliminated Poland as a nation. The historic battle took place at Grunwald in Prussia and resulted in a brilliant victory for the Poles. The Teutonic Knights were completely defeated and their grand master killed. This occurred in July 1410. The Order of the Knights finally disbanded in 1550, when Albrecht I, their grand master, joined the Lutheran Church.

Albrecht I, grand master of the Teutonic Knights of the Cross paid tribute to Poland. All Prussian cities were under Polish rule. This was the beginning of Poland's greatest era. She became one of the wealthiest and most important nations of Europe for the following 150 years.

When Zygmunt August became King of Poland in 1545, Livonia was united with Poland. During his reign all Europe, except Poland, was engaged in bloody religious wars.

Poland proclaimed religious freedom within its boundaries and thousands of victims of religious persecution fled to Poland.

During the reign of Stefan Batory, mints were opened in Wilno, Lithuania and Riga, Livonia (Latvia). Batory's rule, though lasting only 10 years, was marked by great wisdom and ability. Among his greatest accomplishments was the establishment of the University of Wilno, in 1560, and many lesser institutions of learning so that Polish education and culture would have the best means of expansion and existence.

Zygmunt III, of the Swedish Vasa Dynasty, became the King of Poland. His father was Gustav III, King of Sweden, his mother was a Polish princess. Zygmunt was also King of Sweden during the years 1592–1604. His reign marked the peak of Poland's golden era. The numerous mints of Poland issued vast amounts of money. Among the unusual, were the 100, 70, 50, 10, and 5 ducat gold pieces. During Zygmunt's reign and that of his two successors, the title—King of Poland and Sweden—was used on all coins.

During Zygmunt's reign war broke out between Poland and Russia. When Prince Wladyslaw captured the strong Russian fortified city of Smolensk, the Russians surrendered. Wladyslaw's generous and magnanimous conduct won the respect and admiration of the defeated Russians.

In 1610 they elected him Czar of Russia and it was most unfortunate that the Polish Diet delayed the approval of this election. The Russians, after waiting 3 years, finally elected a Romanoff as their czar. Thus, instead of Polish kings, the Romanoffs occupied the throne of the czars for the next 300 years.

Poland, through hesitancy and delay, lost a golden opportunity of uniting the vast domain of the Russians with that of Poland and Lithuania.

During the reign of John Casimer, Poland was attacked by Sweden, Russia, and the Tatars. Enemy armies had overrun Poland and finally at the siege of Krakow and Czestochowa, Poland defeated the combined armies of Sweden and Brandenburg. Though Poland was victorious, nevertheless she paid a terrible and costly price for her victory. The country lay in ruins and the people of Poland were demoralized.

But, through the dark clouds of despair, Poland came into the great moment of glory. Shortly thereafter, Poland's great military leader, Jan Sobieski III ascended the Polish throne as King of Poland. Vienna was besieged by a half million Turks and her fall seemed to be imminent, particularly so since Emperor Leopold I abandoned Vienna and sought refuge with his military leaders in the Bavarian Alps, strangly enough near the site later selected by Adolph Hitler as his refuge.

Pope Innocent XI, despairing of the situation that endangered not only Vienna but the Christianity of Europe, sent an urgent plea to the King of Poland for help in the fight against the Turks.

Sobieski, at the head of 45,000 Polish troops hurried to the aid of Vienna. Upon his arrival, he was selected commander in chief of the allied forces. Shortly thereafter a fierce struggle ensued and the battle waged for a considerable time, with the final result in doubt. Finally, Sobieski at the head of his Polish troops, attacked the mighty Turk forces and on September 13, 1683, drove the Turkish armies out in disorder, captured thousands of prisoners and vast amounts of arms. The whole Moslem camp fell with its rich treasures into the hands of the Polish Army. Among the many priceless articles, a very rare and expensive Persian silk wall hanging was removed from the vizier's tent. This was turned over to Sobieski, who presented it to his adjutant, Prince Sanguszko. This historic trophy is now owned by the Cleveland Museum of Art.

Through this victory, Vienna was saved as so was the Christianity of Europe, yet a hundred years later Austria participated in the partition of Poland.

After Sobieski's death, August II of Saxony was elected King of Poland. The election to the Polish throne of the Saxons, August II and his son August III, was most unfortunate to the Polish nation. Their misrule and loose living demoralized the people of Poland and, with the aid of France and Sweden, Stanislaus Leszczynski was placed on the throne of Poland, after having deposed August II. This reign lasted only 5 years when August II regained the throne.

The last King of Poland, Stanislaw August, attempted to instill a new spirit into the nation. He established a national department of education, and recodified the laws of Poland. His greatest effort, however, was the adoption of a new constitution on May 3, 1791. On that memorable day in 1791, King Stanislaus exhorted the deputies of the Polish Diet to accept the new Constitution as the last means of saving their country and himself set an example by swearing to defend it. Under this Constitution class distinctions were abolished, absolute religious toleration was established, and every citizen was declared equal under the law.

The Polish Constitution of May 3, 1791, ranks with our own Declaration of Independence and with that of England's Magna Carta as one of the great democratic documents of history, granting liberty to its people. Its adoption by the Poles came shortly after the Declaration of Independence of our own country, and the principles in both documents show great similarity.

Throughout this Nation, as throughout the world, people of Polish descent hail May 3 as we hail the celebration of our independence on the 4th of July. Why they cherish this holiday is not hard to understand when we recall our own joy at having cast off the yoke of nobilities' oppression back in 1776. The Poles did likewise when they divorced themselves from the noble ruling class and established an independent and free country 174 years ago.

Unfortunately, the Constitution had hardly been signed when Russia, Prussia, and Austria invaded and partitioned the country in 1793. Subsequently, in 1795, the Polish nation was devoured by her predatory neighbors because it dared to be liberal and democratic, despite the fight to keep free by Thaddeus Kosciuszko, a name familiar to us in our own struggle to keep free and independent.

Through the efforts of Ignace Jan Paderewski and with the assistance of President Woodrow Wilson, Poland again attained her freedom in 1918 when the Republic of Poland was formed and the new Government followed the basic ideas of the original Constitution of 1791.

However, freedom for Poland was of short duration, for in 1939 Hitler and his Nazi hordes unleased their power against Poland and invaded her fertile lands. After 6 weeks of desperate resistance against the vast military might of the Nazis, Poland was compelled to yield when it was administered the death blow by the Russians' invasion of Poland from the rear on September 17, 1939.

After Poland's collapse in 1939, her sons fought with distinction in North Africa, Italy, France, Belgium, and Germany. Her brave airmen fought in the defense of Britain. On land, on sea, and in the air, Poland's gallant sons gave their all for the Allied cause.

Poland's reward is the loss of her 1,000-year-old fatherland and being branded by her allies as "Communist Poland." Poland is not, never was and never will be Communist. If Poland is Communist dominated, it is not by her choice or her desire, but by the will of her allies.

Poland will always remember Yalta and Teheran, as the most cruel appeasement in all history. Poland, a heroic and cultured nation of over 30 million people, willfully condemned to political slavery by her allies.

Every foot of Polands' ground is drenched with the heroic blood of her sons, who for a thousand years fought in the defense of their homeland. The graves of Poland contain the remains of her sons who gave their lives for their beloved country. Poland is the hallowed ground of her people and will continue to be so long as there is a solitary son of Poland.

If nations like Poland, Czechoslovakia, Rumania, Hungary, Yugoslavia, Lithuania, and Latvia had not been handed over to Russia they would have formed an Iron Curtain against Russia, instead of constituting an Iron Curtain against the democracies of the West.

If the world of democracy is now fearfully living in the shadow of World War III, the elimination of Poland as a free nation is in a large measure the answer to the world's present state of apprehension.

Yet the Poles have never lost faith. They hope and pray that democracy of the world will prevail and that 30 million Poles, now enslaved, will regain their freedom and liberty. In the words of Poland's national anthem, "Jeszcze Polska Nie Zginela"—Poland is not yet lost.

I am of the firm belief that in our words expressed here today for the people of Poland, in our sympathy for their plight, in our rededication to the principles of liberty for all people, we also use this occasion to learn what we can from the experience of Poland and apply this information to help solve our own problems here in the United States.

That is why I have gone back into Poland's history, into her problems at the time her Constitution was coming into being, because I think it holds a lesson of faith and determination of a nation to be free of foreign domination, with hopes of independence and individual liberty.

Mr. BRAY. Mr. Speaker, I would like to join my colleagues in noting the 174th anniversary of the Polish Constitution of 1791.

The Polish people have added much to the culture of Europe and their sons and daughters who have emigrated to the United States have enriched our heritage. They brought many strong qualities to add to the composite of traits which has become the American national character.

By an unhappy accident of geography the Polish people have had to contend through the centuries with the recurrent aggression of their Russian neighbors. Poland revolted against her oppressors many times, and despite the tyranny imposed from Russia she has remained dedicated to her own nationalism and freedom. Her current plight derives from the unholy pact between Hitler and the Soviet Union by which they agreed to divide Poland between them. Since that time the Polish people have been under the domination of the Kremlin leaders but have continued to show their basic desire for independence.

I am sure that in a truly free election the Poles would reject communism by an overwhelming vote. I am convinced that we as a nation should insist that Russia allow her captive nations such as Poland the opportunity for a free and unfettered choice between independence and Soviet domination.

Surely the day will come when the Polish people will be a free nation again and we will rejoice with them in that happy time.

Mr. BYRNE of Pennsylvania. Mr. Speaker, on this May 3, as in previous years, we are reminded once again of an event of special significance in the history of Poland and indeed in the constitutional history of the Western World. May 3 marks the anniversary of the adoption of the Polish Constitution of 1791. The Constitution of 1791 was a landmark not only in Poland's political development but also in the political development of Eastern Europe and of the whole Western World.

The 18th century was the age of liberalism in the West, when Locke in England, Montesquieu in France, and our own Founding Fathers in the United States were formulating new systems of government based on the concept of popular sovereignty. But in Eastern Europe, with the exception of Poland, absolutism was the order of the day—in Prussia, in Austria, in Russia. The exercise of power was the prerogative of the ruler alone, unrestrained by the limits of a written constitution or by a parliamentary system of government.

In Poland, however, even prior to May 3, 1791, limitations had been placed on the autocratic power of the King. The townspeople and peasants were still without representation, but from medieval times Poland had a bicameral parliament composed of the gentry and highest officials of the land and vested with legislative and executive powers equal to those of the king. In the middle of the 16th century the King had become an elective monarch, chosen for life by the autocracy. His powers were explicitly stated in a written agreement signed by him before his election.

Thus, in Poland the Third of May Constitution was simply one further step—albeit an extremely significant one—in a progression of moves toward democratic government. While Western Europe was being governed by kings ruling by "divine right," in Poland the autocratic power of the King had already been limited by the beginnings of a constitutional system.

The Third of May Constitution wrought tremendous change in Polish life: townsmen for the first time were given parliamentary representation and office-holding privileges; the peasants were placed under protection of the laws; the governing powers of the towns and cities were significantly broadened. The Constitution of 1791 in effect established a new system of government—constitutional democracy—and at the same time initiated a peaceful social revolution. The spirit of liberalism which spread through Western Europe in the 18th century is nowhere better expressed than in the Constitution whose adoption we commemorate today:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty, and the good order of society, on an equal scale, and on a lasting foundation.

Unfortunately, the Polish people have not always been able to exercise this will and to preserve the system of government they so ardently desire, for the liberal spirit of Poland has time and again frightened Poland's absolutist and totalitarian neighbors. Thus, perceiving the threat to their own absolutist systems presented by the Polish Constitution of 1791, Russian and Prussia sent their armies out to capture Poland, and in 1795 Poland disappeared from the map of Europe. History repeated itself in 1939 when, once more, totalitarian regimes in Germany and Russia overran Poland.

Thus, Poland was once again deprived of her independence and is still suffering under the yoke of Communist tyranny. Nevertheless, the Constitution of 1791 is a reminder of the fervent spirit of liberalism which abides in the Polish people. They have not given up, and they will never give up. They are as certain as we are that one day justice will triumph and Poland will again be free.

Mr. PATTEN. Mr. Speaker, 25 years ago, one of history's most inhuman crimes was committed by the Soviet Union against Poland.

The Katyn massacre is so shocking, it seems almost fictional. It is hard to believe that any civilized nation would murder in cold blood 14,283 officers and intellectuals—4,423 of whom were buried in mass graves and 9,860 others never seen again. But evidence shows that it did happen.

I do not say that arbitrarily, because a Select House Subcommittee To Investigate the Katyn Massacre reported beyond doubt that the mass murder was committed by the Soviet Union.

We do not have the power to return these 14,283 Polish leaders to life, but from that monstrous crime we should have learned a tragic and costly lesson: that communism is brutal and cruel.

As we observe with sorrow and indignation the 25th anniversary of the Katyn massacre, let all free nations reaffirm their determination to keep free and strong and be on constant guard against communism—which cannot be trusted.

I also want to join my colleagues in observing the Polish national holiday. The free world has a debt of gratitude to Poland and the United States is a stronger nation because of the Polish people.

Mrs. GRIFFITHS. Mr. Speaker, the Polish 3d of May Constitution Day is being celebrated today by free Poles everywhere and persons of Polish descent who reside in many countries throughout the world. I wish to join them in commemorating this Polish national holiday and to reassert America's deep and lasting friendship toward the Polish nation.

Throughout the United States, over 10 million Americans of Polish ancestry will pay tribute to the Polish nation and its cultural heritage. The first Poles arrived in America at Jamestown, Va., in 1608, bringing with them the great traditions of Poland which had been contributing to the growth and development of Western civilization and culture for 624 years.

The affinity between Poland and the United States is clearly reflected by the fact that the Polish Constitution of 1791 and the Constitution of the United States were adopted within a few short years of each other and both embodied the principles of ordered liberty and freedom. Through the courage and understanding of the people of both nations, these two great Constitutions were formed with a basis grounded in respect for the law and the protection and integrity of individuals.

The glory of the May 3d Polish Constitution shines all the more brilliantly when one considers the ancient feudal ideas prevailing internally at that time and the extreme pressures bearing on the Polish nation from without by the powerful monarchies of Prussia, Russia, and Austria.

Through subsequent partitions, the Polish May 3d Constitution was in fact terminated by countries permeated by tyranny and absolutism. But in reality, the Constitution lived on in the valiant hearts of the oppressed Poles. The tenets expressed in that Constitution were handed down through generations by the gallant display of courage that each son witnessed in his father. This was vividly displayed during the merciless occupation by the Nazis during World War II and continues under the equally unmerciful subjugation of Poland by the Soviet Union.

In thus living the May 3d Constitution through all their trials and sufferings, the brave and courageous people of Poland can, without a doubt, be considered a beacon of hope for the entire free world amidst the dark sea of communism.

The people of Polish ancestry can justly be proud of the examples of inspiration and intrepidity which are a part of the great Polish tradition. We can only estimate, but history will surely relate, the profound impact that this tradition has on the liberation of all human beings throughout the world.

Mr. KARTH. The 3d of May has come to be celebrated in Congress each year since the outbreak of World War II to demonstrate the solidarity of Americans with the people of the Polish Nation.

This annual observance of the 1791 Polish Constitution is particularly appropriate because this great charter was inspired by the liberal spirit which was responsible for our own Constitution of 1789. Unfortunately for the Polish nation her rapacious neighbors in 1795 dismembered her and crushed at that time the flowering of a liberal democracy.

From the tragedies which have torn Poland, the United States has gained millions of Poland's sons and daughters, who have brought with them their cherished heritage of liberalism. They have enriched and strengthened our own American democracy with their political philosophy, their precepts of social justice, in their concepts of the brotherhood of man, and in the arts and sciences.

It is a great privilege for me to salute Poles and citizens of Polish ancestry on May 3d, the Polish national holiday.

Mr. ANNUNZIO. Mr. Speaker, I am delighted to join in the annual commemoration of Polish Constitution Day.

One hundred and seventy-six years ago today, on May 3, 1791, the great Polish nation adopted a democratic constitution. It established a rule of law responsive to the will of the people and thereby earned Poland a place in the front rank of European democracy. By a stroke of the pen, the Polish people overcame tyranny and absolutism which ruled over all of Europe.

It is one of the tragedies of our time that this national holiday of a brave and freedom-loving people is no longer celebrated in the homeland. The dictatorial Communist government that holds absolute power in Poland today will permit no public mention of this historic occasion.

But millions of Americans of Polish extraction will mark this day with proper celebrations to assure that the traditions of freedom which their people have long upheld will not be allowed to die.

It is fitting that Americans join in commemorating the day on which Poland first became a democracy. We who have enjoyed the benefits of constitutional government for almost two centuries, must never forget the struggles of our brothers who do not enjoy these same privileges.

I know that my colleagues in the House of Representatives share my determination to do everything in our power to hasten the day when Poland shall once again be a nation of free people. Our observances today will help to keep that determination alive.

Mr. DERWINSKI. Mr. Speaker, I am proud to join my colleagues in the House in commemoration of Polish Constitution Day, the national holiday of Poland prior to the Communist takeover of that country. The principles of the Constitution of May 3, 1791, have lived in the hearts of the Polish people throughout their history of oppression and foreign domination. Our participation in the observance again this year dramatizes the support and interest of the U.S. Congress in the Polish nation and the other peoples who are the oppressed captives of communism.

We must continue to support the Polish people's hopes for restoration of their freedom until the day when their rightful aspirations are realized. It is especially tragic that the people of Poland and the other Eastern European nations were delivered into Communist hands by the wartime agreement between President Roosevelt and Soviet Dictator Stalin. It is our obligation to rectify that momentous mistake.

Although the Polish people have been suffering under Soviet-imposed rule for 21 years now, they are still vigorous in their personal opposition to the Communist system and have shown the courage which will enable them to overcome their Communist oppressors someday.

As they did during the many years of the partition of Poland, the Poles continue to retain their national heritage and distinctive traditions under the cruel Communist tyranny which plagues them. I know that their fortitude is strengthened by the knowledge that they are supported by the thousands of Poles and other refugees from the captive nations of Eastern Europe who are thriving in the free world and working for the common goal of restoration of freedom for their homelands.

As we in the Congress pay tribute today to the brave Polish people on their national holiday, we reaffirm our determination to help them achieve the legitimate independence which they have been denied for so long. We who enjoy life in a free country must rededicate ourselves to the philosophy of self-determination of people in order that justice will someday triumph over Communist tyranny and the principles embodied in the Polish Constitution of May 3, 1791, will once again serve the people of Poland.

Mr. DELANEY. Mr. Speaker, once again May 3 comes to remind free men everywhere of Polish Constitution Day, that day in 1791 when the Polish people eloquently expressed their aspirations for democratic self-government based on the sovereignty of the people.

Unfortunately, the constitutional government of Poland was extinguished less than a year later by the conquest of Russian armies, and the subsequent partition of her territory among autocratic Austria, Prussia, and Russia. Even so, the noble aspirations expressed in this memorable document constantly serve as a source of inspiration and encouragement to the Polish people as they patiently await their deliverance from bondage.

It is a cruel irony of history that while Polish Constitution Day recalls the highest aspirations of man, it also reminds us of his utter debasement. For this year's May 3 observance will also mark the 25th anniversary of one of the most brutal acts of genocide ever perpetrated when the Soviets massacred more than 4,000 Polish officers and intellectuals.

The history of Poland is replete with tragedy, sacrifice, and cruel disappointment, but it is also infused with courage, heroism, profound intellectual attainment, and deep piety. It is these latter unique attributes that have gained for the Polish people the profound respect and admiration of the civilized world.

So today, I am pleased to join my colleagues in expressing a sincere hope that the noble aspirations of the Polish people for the restoration of true independence and freedom from oppression will soon become a reality.

Mr. BURKE. Mr. Speaker, the Poles are a gifted and proud people, and they take just pride in their great deeds and superb accomplishments. They are known not only as sturdy and skilled workers; not only as gallant warriors and brave fighters; but they are also distinguished as accomplished masters in the arts and the sciences, and as uncompromising champions of human freedom and dignity. They have struggled hard, and for long periods, for their freedom and independence. This was particularly true during the last decades of the 18th century when their very existence as a free and sovereign nation was threatened by their powerful and implacable neighbors. Then they were arrayed against the combined forces of Austria, Prussia and Russia, although not powerful enough to cope with any one of them. But they felt that by reforming their governmental machinery they would be in a stronger position to face their foes with confidence. With that in mind, Polish leaders set out to remodel and reshape their central governing institution. And by 1791 the Constitution was ready for adoption. On May 3 of that year it was promulgated and since then that date has been celebrated as a Polish holiday.

That historic Constitution was a remarkable document in that it made

Poland a limited monarchy and a constitutional democracy. The powers of the King were sharply curtailed, and he was to share his executive authority with a council. The nobility was to lose many of its privileges, and its ranks were opened to the townsmen. The peasants' relations with their landlords were regulated by law, and thereafter they were not to be subjected to the arbitrary powers of their landlords. Religious freedom was established, though Poland remained officially Roman Catholic. By this Constitution the governmental machinery was liberalized and became far more democratic, being characterized as a progressive government. This was a distinct forward step, and a pioneering one in that part of eastern Europe, for in no other country were there any such sweeping governmental reforms.

Unhappily the Polish people did not have the opportunity to put their new Constitution into force. Their foes soon attacked Poland, putting an end to a free and sovereign state of Poland until 1918. Today, on the 174th anniversary of the promulgation of that Constitution, Mr. Speaker, Poles would like to demonstrate their devotion to the democratic and liberal spirit of that Constitution by observing its anniversary, Polish Constitution Day.

Mr. MONAGAN. Mr. Speaker, each year we commemorate Poland's May 3 Constitution of 1791 and this year we also take note of other significant dates in the history of Poland. This is the 174th anniversary of Polish independence and I take this opportunity to pay special tribute to the framers of the Polish Constitution of 1791.

Today there are artificial barriers in Europe which restrain the good Polish people from the exercise of the liberties provided in their Constitution, but we take hope in the knowledge and belief that communism in its present form cannot long survive if it continues to hold down a people whose love for liberty has survived through all these years.

I am personally familiar with the problems of Poland through my service on the Europe Subcommittee of the Committee on Foreign Affairs, and also through my associations with Americans of Polish descent who live in large numbers in my congressional district and who have contributed greatly and materially to the cultural and economic development of my congressional district. They have played a major role in the greatness of our country and they look forward to the day when Poland again will be free.

This year, as we salute our Polish friends and our Americans of Polish descent, we take sad cognizance of their plight and we recall not only the 174th anniversary of Polish independence but, also, the 25th anniversary of the Katyn massacre perpetrated by the Soviet Union, the 20th anniversary of the Yalta Agreement, the 20th anniversary of the imprisonment by Russia of 16 members of free Poland's underground government, and also the 1,000th anniversary of the baptism of Poland. We do this in commemoration of the heroes of Poland, living and dead, and in our desire to keep alive the desire for freedom and liberty among Polish people and all other victims of enslavement whom we symbolize.

Mr. PIKE. Mr. Speaker, today, May 3, marks the one great moment in Polish history, 174 years ago, when the future looked bright, when that gallant, freedom-loving nation finally seemed destined for the kind of governmental system we Americans find as natural as breathing.

Just 174 years ago, at the same time we and the French were incorporating our love of liberty into immortal documents of our own, the Polish people drew up the Constitution of May 1791, proclaiming their deep conviction that—

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Sadly, that great document was never fully realized, for the heroic Polish people have fought and suffered one oppressor after another throughout most of their history. Today their Constitution remains the great common bond of Polish people everywhere—those who have found freedom in other lands, and those still under the heel of a ruthless tyrant—who join today in reaffirmation of the great Polish national traditions, and their stanch faith that their nation will once again be free.

On May 3 each year the Congress of the United States is proud to join the Polish people across the world in salute to their undying resolve, and to rejoice with them that the spirit of that Constitution will never die. "Niech Zyje Pamiec I Duch Konstytucji Trzeciego Maja"—may the memory and the spirit of the Constitution of May 3 live forever.

Mr. GERALD R. FORD. Mr. Speaker, today is a time to join with citizens of Polish origin at home and abroad in many countries in commemorating an event of May 3, 1791.

On that historic date, Poland was successful in reforming her public life in an assertion of democracy by adopting a constitution based on the philosophy of freedom.

Although the action failed to deter partition of Poland in 1795 by Russia, Prussia, and Austria, it was a strong flame of hope that this courageous country would successfully—against overwhelming odds—dissolve tyranny and absolutism.

I join my colleagues in saluting the courage, wisdom, and patriotism of the Poles whose faith in the concept of freedom has remained strong through generations despite political and physical attacks against the country.

Even though Poland's independence has once more been taken from her, there is assurance of an ultimate triumph of justice.

Mr. MURPHY of Illinois. Mr. Speaker, we are today saluting the Polish people in their never-ending pursuit for political freedom.

The Polish Constitution of 1791 was a most advanced and liberal document in Europe in its day. It was drafted by the gifted and patriotic leaders of Poland and was adopted and promulgated on May 3 of that year as the best means of reforming Poland's internal administration and of strengthening her against foreign foes. As such it was deemed well suited to serve this double purpose. At the same time it was a significant milestone in the progressive evolution of governmental institutions.

This memorable Constitution made Poland a limited constitutional monarchy. The cabinet form of government, with ministerial responsibility, was introduced. Intricate and obstructive features of the old system were eliminated and many class distinctions were abolished. The towns were given administrative and judicial autonomy and also a measure of parliamentary representation. Personal privileges formerly enjoyed by the gentry alone were made available to all townsmen. The peasantry was placed under the protection of the law. Absolute religious toleration and freedom of conscience were guaranteed. Provisions were also made whereby periodic reforms could be introduced and alterations enacted. Judged in the light of then current ideas, the Polish Constitution of 1791 was a real advance in democratic government. It was hailed as such by liberals everywhere, and won the admiration of that great British statesman and political writer, Edmund Burke.

It was most unfortunate for the Poles that they were not allowed to live under this democratic Constitution, for soon after its promulgation, Poland was attacked by its powerful foes, and then partitioned among them, putting an end to Poland's independence. But all through these years the free and democratic spirit has lived in the hearts of the Polish people, and wherever they are permitted they take distinct pride in celebrating the promulgation of their democratic Constitution as an important holiday.

In connection with the celebration of the Polish Constitution day, it is worth remembering that 23 years ago the mutilated remains of more than 4,000 Polish Army officers, who had been missing since early in the war, were discovered in the Katyn forest. This was the foulest deed committed by their heartless foes, in violation of all rules in the conduct of war, and also in violation of human decency. All Poles and their friends remember this shocking revelation of 23 years ago, and think of the fate of these gallant and patriotic Polish officers. Mr. Speaker, I gladly join my Polish friends in the celebration of Polish Constitution Day and pay tribute to the memory of the victims of the Katyn Forest massacre.

Mr. MULTER. Mr. Speaker, undoubtedly one of the most striking features of the Polish Constitution of 1791 was what the noted American scholar of Polish history, Dr. Robert Howard Lord, has quite correctly referred to as the "happy blend of liberalism and conservatism." Indeed this Constitution was a harmonious mixture of liberalism and conservatism, and it is for that reason that this Constitution held such great promise for the Polish nation.

The Polish constitutional experience was a peaceful revolution. It was a revolution because it changed substantially the structure of the Polish state. Yet it was a revolution carried out peacefully and without bloodshed.

What a contrast to the experience in France at that time.

The French Revolution and the events that followed were accompanied by violence, terror, and war. Nothing of the past was held sacred. Whatever reminded the revolutionaries of the past was something to be destroyed and blotted out of the nation's memory. Intoxicated by the cry of "Egalité, Fraternité, and Liberté," French radicals destroyed the old order of things with an absolute reckless abandon, and upon the ruins of the old regime they attempted—and unsuccessfully—to create a new state guided by the principles they had proclaimed.

In Poland, there was no bloodshed; no rejection of the past; no radicalism.

In Poland, peace, orderliness and harmony marked the transformation of the Government from the old to the new. Reforms, many of which were radical, were carried out with an absence of violence, terror, and civil disorder. When the Polish Diet accepted the new Constitution, all Poland rejoiced at this dawning of a new day of liberty.

This was a Constitution that sought to conserve the nation. By it the Polish reformers sought to preserve the traditions of the past and thus maintain that organic tie that must exist from one era to the next if there is to be no serious political dislocation. Property was respected; religious traditions were preserved; many privileges of the nobility and propertied classes, although modified, were maintained; the institution of the monarchy, although limited, were strengthened and placed on a more stable basis.

Great care was taken to achieve transition to a more perfect state in an orderly, peaceful manner.

No scenes of terror were played out on the streets of Warsaw.

There was no guillotine.

There were no Robespierre.

But, for Poland's misfortune, there were the Russians.

Russia could never tolerate a strong Poland.

If it could never tolerate a strong Poland, certainly it would never tolerate a more liberal Poland.

The "Jacobins of Warsaw" is the name Catherine the Great gave to the Polish reformers. For her, they were a threat; a threat to her autocracy, a threat to her sovereign power. Thus, with a lull in the Turkish wars, Catherine threw her troops against Poland, and after a desperate fight, defeated the Poles, destroyed the May 3d Constitution, and partitioned Poland.

The dream of the reformers had come to an end; but dreams that are deposited in the traditions of nations never really come to an end. They live on in the spirit of the nation; and indeed this moment of glory and honor, this great Constitution, lives on in the hearts and minds of the Polish people and in the soul of Poland herself.

On this anniversary of the Polish Constitution, we pay tribute to a great people who for a moment in history demonstrated a degree of political wisdom unknown at the time on the continent of Europe. These great statesmen, these reformers of 1791, created a constitutional masterpiece; but they created, too, a spirit of liberalism that has inspired the Poles ever since.

Mr. RYAN. Mr. Speaker, today, friends of Poland and of freedom all across this great land are celebrating the adoption of the Polish Constitution of 1791. This great document embodies the love of freedom and true representative government which the Polish people hold so dear. The document was born out of the need to build an internally strong government better able to resist the depredations of the combined forces of Russia, Prussia, and Austria, intent on partitioning Poland for a second time. In this the Poles were unsuccessful. But they were everlastingly successful in bringing together in one work the dreams and aspirations of a great people.

The Constitution enlarged the electorate; reformed the Parliament, giving more power to the lower house; reduced the power of the nobility; and granted increased political participation to townsmen and the peasantry. All this was accomplished without bloodshed, with most of the opposition accepting its defeat and working for the new government.

The impact of this political document on the rest of the Western World was immediate. Edmund Burke, the great English statesman and political philosopher, declared that the King, Stanislas Augustus, with the help of the Parliament, "had achieved a great work." He added: "Humanity must rejoice and glory when it considers the change in Poland." Our own George Washington, the first President of the then new Republic of the United States, wrote that Poland, by the public papers, appeared to have made large and unexpected strides toward liberty, which, if true, reflected great honor on the King, who seemed to have been the principal promoter of the change. It is most certainly true that contemporary opinion was right; the Constitution of the 3d of May is one of the greatest achievements in all Polish history.

Our own country has very close ties to the events of 1791 in Poland. One of the strongest supporters of the new Constitution was Gen. Thaddeus Kosciusko, who had fought gallantly in both the American Revolution and the Polish defense. He fought in this country because he believed in the principles for which we fought our own Revolutionary War. Later he was to return and fight for another great idea—an idea embodied in the Polish Constitution. Unfortunately, he was to see his country go down to defeat, and indeed, the Polish people have since suffered a great deal.

Mr. Speaker, today we recognize the dedication of the Polish people and their determination to achieve full independence. As we reflect upon Poland's glorious past, the Polish dream lives on.

I am honored to join in celebrating Polish Constitution Day, and I fervently hope that the Polish dream of freedom will once again be realized.

Mr. DINGELL. Mr. Speaker, today we honor the ratification of the Polish Constitution which took place on May 3, 1791. In this document the citizens of Poland reaffirmed their faith in freedom and independence. Moreover, they broke down many of the inequalities that formerly existed in the society. They were unusually progressive in an age of absolute monarchies.

It is unfortunate for the world as well as the Polish people themselves that the Constitution never went into effect. Six months after its ratification the Russian Army invaded and partitioned Poland for the second time. The Polish people resisted their Russian overlords in 1830 and 1863 but both revolts were ruthlessly crushed. Passive resistance continued until the First World War when Pilsudski in Poland and the famous Paderewski in the United States succeeded in achieving their goal of independence for Poland. Between the two wars the Poles worked hard and long to assure that their independence would not be just another interlude in their long history of foreign oppression.

In 1939 the Polish hopes were dashed yet again when the combined armies of Russia and Germany attacked Poland from the West and the East. Throughout the war Polish soldiers fought valiantly, contributing to the Axis defeat. Polish blood was spilled in France, Italy, and Germany.

The history of Poland since the end of the war has been another chapter in this brave people's fight against oppression, in this case, Communist. It is to their credit that Poland has achieved a degree of freedom not enjoyed by her neighbor satellites. The church and the intellectual class have more freedom than their counterparts in Communist dominated Eastern Europe. The Polish people have frustrated all the attempts of their puppet leaders to impose collective farming and a state-supported religion.

We are honoring today a great document. The ideal that it embodies was given concrete demonstration in 1956 when the workers of Poznan rioted against their overlords, again demonstrating, as in 1830, 1863, and 1902 that the spirit of liberty will never be extinguished. The Polish people are a freedom-loving people and they have shown over and over again that they are willing to die for their ideal of freedom and independence. When we honor their progressive Constitution we also honor the great spirit which has been Poland's for centuries. The Polish-Americans who contribute so much to our country today are manifestations of that spirit at work. We share their wish that Poland and all other captive nations will one day be free. Communism must fail for it is based on the deprivation of liberty.

Our hopes are more than wishful thinking for it is now obvious that communism, far from being the wave of the future, runs counter to the fundamental human characteristics of freedom and diversity. Mankind, as the Polish peo-

ple have proved, cannot be forced into a common mold.

Mrs. KELLY. Mr. Speaker, every year we commemorate the anniversary of the May 3 Constitution. We do this, I believe, for a good and praiseworthy reason. This Constitution embodied many of the ideas that would have assured Poland of a democratic constitutional system. One of the basic ideas in this Constitution was the concept of ministerial responsibility, a mechanism we all know, Mr. Speaker, constitutes the direct line of power and authority from the executive authority above to the masses below. As this device had evolved in Britain, it became the nexus connecting the ruled and the ruler in a manner that the ruler becomes a creature of the ruled. It is entirely possible that this type of democratic constitutionalism could have evolved in Poland.

Regrettably, the Constitution was never given a chance to become rooted in the Polish political system. This failure was not due to any shortcoming on the part of the Polish leadership or of the Polish people, or indeed on the part of the document itself. But, rather, the failure of fruition was due to the Russian military intervention, their conquest of Poland, and the destruction of the Constitution.

It is true that the Russians were able to destroy this Constitution as a practical instrument of government. But, what they could not do was to destroy the tradition of democracy that this Constitution had created in Poland.

And thus today, Mr. Speaker, when we commemorate the anniversary of this Constitution, we do more than pay tribute to an instrument of government; we pay tribute to the spirit of the people of Poland; we pay tribute to this vigorous Polish tradition of constitutional democracy, their courage, their faith, and their hope.

Mr. RODINO. Mr. Speaker, peace, security, and progress are fundamental objectives which most people of the world seek; but, goals such as these are seldom achieved in their entirety. Limitations in the human conditions denies total peace, absolute security, and unimpeded progress. Certainly among the peoples of the world who have not long enjoyed the fruits of peace, security, and progress, such as they are in the life of reality, are the Poles; for since the first partition in 1772, with the exception of the period between World War I and II, the history of Poland has been one marked by oppression and strife.

The Constitution of 1791 that we commemorate today held out to the Poles a great promise for the future. Herein lay the seeds of parliamentary democracy that surely would have meant the evolution of a glorious democratic state in Poland. There can be no doubt that this memorable constitutional document contained those elements that would have brought Poland to the threshold of renewed national greatness. But Russia, then as in some many instances since, intervened and through a vicious military attack destroyed Polish hopes for the future.

This anniversary of the Polish Constitution provides a proper occasion for us to rededicate ourselves to the cause of oppressed Poland. This anniversary is a reminder to all of us that the world will never know peace, security, and progress so long as the tyranny of communism continues to envelop the globe.

Mr. BATES. Mr. Speaker, "All power in civil society should be derived from the will of the people."

That quotation sounds as though it could have come from an American document, but the words are from Poland's May 3d Constitution of 1791.

As the threat of new Communist aggression and expansion burdens us in other parts of the world today, we can perhaps better understand that freedom, as we in the United States have been privileged to know it, can be taken away from those who do not remain strong enough to protect it.

We must not forget that 4 years after that great declaration of principles was promulgated in Poland, that brave nation was partitioned for a third time by Russia, Prussia, and Austria. Again, in World War II, Soviet Russia occupied Poland, and it still seeks to stamp out all sparks of the will of the people in that country. Yet, the promise held by that May 3d Constitution has continued down through the years to inspire the Polish people and others of Polish descent everywhere to strive for restoration of Poland's independence.

As the Polish American Congress, representing approximately 10 million Americans of Polish ancestry, observes:

> The philosophy of government discernible throughout the 3d of May Polish Constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective Constitutions from the same source.
>
> Meditation on the anniversary of May the 3d deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesies the ultimate triumph of justice.

Next year will mark the 1,000th anniversary of the baptism of Poland through which that country linked her destiny with that of the West and became a vital force in its culture. So, as we pause today to mark the 174th anniversary of Poland's famed Constitution, our prayers for the Polish people are that they may be delivered from oppression and that the faith, the contributions, and the sacrifices of their forebears will have been justified.

Mr. ZABLOCKI. Mr. Speaker, I wish to commend my distinguished colleague from Illinois [Mr. KLUCZYNSKI] for obtaining time for the commemoration of the 174th anniversary of the Polish Constitution of May 3, 1791.

As we pay tribute to this historic document, we are mindful of its significance in the history of man's advancement in freedom, liberty, and justice.

It is, therefore, entirely fitting that we pause in our deliberations in the Congress of the United States, to pay homage to the Constitution of 1791 and honor the Polish nation which created it.

The Constitution of May 3, modeled after our own Declaration of Independence and Constitution, guaranteed the people of Poland the rights to which men everywhere, and in all eras, have aspired.

It embodies a fundamental principle handed down to us as a birthright by the founders of our own country—the principle that sovereignty belongs to the people.

It truly is tragic to reflect that the freedom-loving people of Poland, who conceived this brilliant and enlightened document, should now be under the yoke of communism. This materialistic, determinist philosophy is completely alien to the spirit of the Polish people, just as it is completely alien to the Judeo-Christian tradition in which the Poles have played so important and integral a part.

Today the Poles to a great degree are denied those principles of liberty and freedom, denied any meaningful participation in the political life of their nation, denied the rights that were the keystones of the Constitution of 1791.

There can be little doubt that improvements have occurred in Poland since the death of Stalin and the 1956 revolt. Yet the present regime continues to deny any meaningful freedom in the press or in the universities or in non-Communist political activities. Further, the regime is consciously and with determination pursuing policies designed to transform Poland, and the Polish nation, into a 100-percent materialist, Communist, godless state.

This has been particularly evident as the year 1966 approaches. During that year will be celebrated the millenium—the 1,000th anniversary of the coming of Christianity to Poland. In the United States and throughout the world persons of Polish ancestry are planning celebrations of this notable anniversary. Yet inside Poland itself the government has acted to impede millenium activities rather than to foster them.

It is my deep conviction that efforts to communize the Polish people are doomed to failure. The love of freedom in their hearts cannot be extinguished in a decade of tyranny or a generation of oppression. Even in a century the ideals which the Poles have cherished for a millenium will not be eradicated.

Mr. Speaker, we in the United States, secure in the guarantees of our own revered Constitution, must not cease our efforts in assisting the people of the world who desire freedom. Our cooperation must continue toward the ultimate release of the Polish people from the grip of Marxist socialism.

We must continue to use every peaceful means at our command to bring freedom once again to Poland. Through trade, cultural and educational exchanges, and certain select types of aid—such as the American Children's Hospital at Krakow—we can demonstrate that our system is preferable to the narrow ideological views of the Communists.

With a continuing, increasing infusion of Western thought and ideals, it may be possible ultimately to restore the Polish nation to full participation in European and world affairs.

We look forward to the time when Poland will share a common heritage, a common prosperity, and a common freedom with the people of the United States—just as now it suffers in Communist domination and economic stagnation as a satellite of the Soviet Union.

When the time comes, Mr. Speaker, that Poland once again is able to enjoy constitutional democracy, I am confident that it will be to the Constitution of May 3, 1791, that the people of that great nation will look for guidance and inspiration.

Mr. PHILBIN. Mr. Speaker, on the occasion of Polish National Day, it is my great privilege and honor to address the House for the great cause of Poland, which will always continue to be fought by the Polish people and which will never be forgotten by the American people. It is a great cause, very dear to my heart.

The world is greatly indebted to the Polish nation for its long service to humanity, to freedom, to justice, and to its spiritual ideals.

This Nation is under a great debt to persons of Polish descent, since Revolutionary days, for their heroic service in our armed services in time of war, and for their outstanding citizenship, enthusiastic support and contributions in time of peace to the well-being and advancement of the United States, our great, beloved country.

In virtually every community, people of Polish blood live and they are highly esteemed and respected by their neighbors as self-respecting lovers of freedom and democracy, who are pledged to the free way of life, always ready to strike a blow for personal liberty.

The rich Polish heritage is one of the proudest and most brilliant in all history. It is, therefore, no wonder that the Polish rank among the great leaders of the world and this Nation, and that the Polish people generally should be so universally esteemed, admired, and appreciated by all who know of their loyalty and devotion to every good cause. They are noble and brave by nature and instinct.

The Polish people are indeed, as I have said so many times, a noble people, and their nobility grows through the years, because throughout years of despair, and the days of tyranny, they have never known the word "defeat"; they have never given in; they have never forgotten the ideals and principles of their parents taught them; never forsaken their birthright; always they have cherished and upheld that birthright, their beliefs, their principles and ideals; always they have fought for the right, and they have hoped, prayed, and fought when others have thrown in the sponge; they have dared when others flinched; and they will fight on until Poland regains its freedom. Of that, we may be sure.

I am honored on this occasion as I request unanimous consent to extend my remarks, to ask for inclusion in these remarks, the stirring message of the President of the Republic of Poland, His Excellency August Zaleski, to the Polish nation on the occasion of the Polish National Day, May 3, 1965.

This message is an outstanding example of brilliant eloquence, lofty composition, and it has pinpointed and summarized the Polish cause much more effectively and brilliantly than anything I could say.

It is another example of the fine leadership the Polish nation has and enjoys, in exile, and I compliment His Excellency, August Zaleski, for his clarion words, and his high purpose to fight with characteristic resolution as long as necessary to win.

After all, that is the spirit—not to weaken, flinch, or quit, but regardless of the odds at any given time, to summon moral strength, from within and from above, and fight on bravely and courageously until victory has been won, ever willing to fight one more round.

God love Poland and its gallant sons and daughters.

May they soon enjoy the liberty and peace they so richly deserve.

Mr. Speaker, I express my gratitude and admiration to President Zaleski for his sterling leadership and inspired message, which follows:

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND TO THE POLISH NATION ON THE OCCASION OF THE POLISH NATIONAL DAY, MAY 3, 1965

(His Excellency August Zaleski, legitimate President of the Polish Republic, addressed the following message to the Polish nation on the occasion of the Polish National Day this year:)

Thanks to the Constitution of May 3, 1791, the Polish nation became "wisely free, actually independent, securely governed." So concisely did that great patriot, Bishop Adam Naruszewicz, define the significance of that Constitution. Hence the Constitution aroused admiration in many countries. The London "Dodsley's Annual Register for the year 1791," reviewing the political events of that year, compared the French Constitution of that time with the new Polish one as follows:

"The revolutions and new constitutions in Poland and France are vast subjects of reflection in themselves * * * The French legislators considered mankind under general views * * * Their general maxims were not without plausibility but they related more to a kind of abstract and ideal beings than to mankind, as they really are in all their circumstances, and with all their habits, prejudices, and passions. The application of them in practice produced manifold acts of injustice and inhumanity * * * The Poles did not want talents for abstraction nor the faculty of perceiving the symmetry and beauty of ideal systems; but they were too generous and good to suffer any general principles to break in upon the happiness of the different ranks of society. Liberty was dear to them, but humanity dearer. The Polish Constitution would have stood on its own basis, if it had not been assailed by foreign violence—the French Constitution, or rather constitutions, contained in themselves the seeds of dissolution."

When the Great Diet enacted the 3d of May Constitution, it seemed to many that Europe was moving toward the formation of a broad federation designed for defense against the menace of Russian imperialism. Britain and Prussia headed this movement and Vienna likewise favored it. There was even talk of the need to force a Russian withdrawal to beyond the Urals. Those who drew up the Polish Constitution were aware of these intentions. But their illusions were short lived. Russian troops invaded the Ukrainian and Lithuanian territories of the Polish Commonwealth simultaneously on May 19, 1792. The King of Prussia immediately passed over to the Russians in order to participate in a new partition of Poland. The heroic defense led by Kosciuszko and Prince Joseph Poniatowski was unable to save the Polish Commonwealth.

Just as in the last war, none of those upon whose help the authors of the 3d of May Constitution relied, came to our aid. In spite of this, the Polish nation did not abandon the struggle. It lasted over a century and ended in victory. We will likewise now struggle with equal resolution in the hope, under God, that present fight will be shorter.

Mr. O'HARA of Michigan. Mr. Speaker, today I rise to join in commemorating the 174th anniversary of the Polish Constitution of 1791, an anniversary which symbolizes the dedication and yearning of the Polish people for freedom.

Just 4 years after the Constitution of the United States was signed, the Polish Diet adopted a new constitution replacing its medieval system of government with a modern constitutional monarchy and parliamentary type of government. The Constitution of the 3d of May, 1791, brought to the great and ancient nation of Poland the framework for making historic new strides toward liberty and representative government.

Unfortunately, fate was less kind to the new Polish Constitution than to ours. While our Constitution grew through the decades and proved adaptable to changing times and equal to every challenge, the Polish Constitution had almost no opportunity to prove its great potential. Poland's large eastern neighbor, Imperial Russia, regarded the reforms in the new Constitution as dangerous, and used it as an excuse to invade Poland on April 8, 1792. Subsequently, the invasion led to the abolition of the Constitution and the partition of Poland between Russia and Prussia.

The date of the May 3d Constitution has been chosen by freedom-loving Poles to symbolize their love of liberty and their desire for true independence.

The Poles of today find themselves in much the same frustrating situation as did their ancestors after 1791. They want to live in freedom with a democratic system of government. The reality of the Russian military power, however, prevents attainment of their burning ambition.

Mr. Speaker, we in the United States can help sustain the hope of the Polish people for growing liberty by our recognition of their plight and by our expressions of concern for their welfare. The many Americans of Polish ancestry and origin form a living bond between the two peoples. Let us hope that this bond will be strengthened and that the longing of the Polish people for liberty will be realized through freedom and independence for the country of Poland.

Mr. DANIELS. Mr. Speaker, this morning I was honored by being requested to speak at ceremonies commemorating the proclamation of the Polish Constitution of 1791.

There are no better Americans anywhere than those Americans of Polish extraction. There is no group of people whose loyalty to this Nation is greater. Their support of this Nation in every war since 1775 has earned them an

honored place in our hearts. Our history books are filled with names like those of Casimer Pulaski and Thaddeus Kosciusko who served so faithfully in the cause of American independence.

The history of Poland, like that of the United States, has been that of a people attempting to expand the freedom and dignity of man.

At this point in the RECORD, I would like to insert the remarks which I gave at ceremonies held at the Hudson County Administration Building in Jersey City, N.J., this morning:

POLISH CONSTITUTION DAY: A TRIBUTE

I am delighted to be with all of you, my dear friends, on this festive occasion.

On this day we are commemorating a glorious event in the history of Poland. That event is the proclamation of the Polish May 3 Constitution over 174 years ago. This was a truly memorable historic occasion, and it is one that gives great credit to the people of Poland and to the wisdom of their political leaders.

It is, of course, never an easy task to devise a constitutional system that suits the purpose and meets the demands of not only the moment but all those that rise and take precedence at some future time.

To a great extent we Americans are the most fortunate of peoples. We are fortunate because our Founding Fathers had designed a Constitution that met not only the needs of their era but also contained the vital processes of orderly change that has enabled Americans thereafter to adapt their government to the demands of changing eras.

It is precisely this rare quality of adaptability to reality that has made our American Constitution a living organism within the body politic and thus has made an everlasting impression upon the soul of the Nation.

Unfortunately, the Polish people had not the good fortune that had befallen our ancestors and, indeed, ourselves. We Americans had been isolated in our continental domain, protected from external enemies and relatively free from serious distractions to pursue our own expanding national destiny. But in contrast the Polish people lived in a veritable cockpit of war in Europe and by the designs of others and not by their choice they were caught up in the great and mighty rivalries among Europe's great powers.

Failure of Poland to achieve the promise of the reformers that had given her the May 3 Constitution cannot, therefore, be attributed to any fault of her own, but rather it must be attributed to the peculiarities of Poland's geopolitical setting; for Poland was a nation surrounded by enemies, great and powerful, who saw in her a source for gratifying their own political greed. From this unpleasant reality of geopolitical life, there was no escape for Poland; but only submission, partition, and enforced servitude.

The instincts of the Polish reformers were pure and noble; their desire to serve Poland and her people were most praiseworthy; their dedication to the cause of humanity unassailable.

Yet, Polish reformers of May 3 had failed. Their great expectations for Poland and her people were never realized. But this failure in no way deflects from their glory and the greater glory of Poland. Nor does their failure detract from the fundamental significance of this document as a milestone in constitutional government.

The glory of all those great men who participated in this event has a lasting quality that shall endure so long as Poland herself lives.

Thus, my dear friends, when we pay tribute to the May 3 Constitution we really do not pay tribute to a lost cause. For the cause of the Constitution was the glory of Poland and that glory can never be effaced.

At this moment in history the Polish Constitution has, therefore, a special meaning. It has a special meaning because it has come to symbolize all the hopes and all the expectations of a people who desire a genuinely free and independent Poland. It has this special meaning, it has become this national symbol, because the May 3 Constitution embodies all the glory and honor that is Poland.

Mr. ST. ONGE. Mr. Speaker, on this 174th anniversary of the Polish Constitution of 1791, a document which has been a landmark of freedom for Poles everywhere, I wish to join with my colleagues in paying tribute to the Polish people for their heroic struggle for freedom and independence of this ancestral homeland.

For more than a quarter of a century, ever since that infamous day in September 1939 when the Nazi hordes overran Poland, that unhappy land has been subject to a continuous reign of terror—first by the Nazis and later by the Communists. The freedom and independence of the Polish nation was destroyed, its culture and religion which date back over many centuries are being suppressed.

May 3 of each year, the anniversary of the Polish Constitution, has become the rallying date when freedom-loving people everywhere observe Poland's freedom and its hopes for liberation. On this occasion it has become customary for the American people to express its friendship toward the people of Poland and their descendants in this country. In the Congress of the United States many of us join in this expression of friendship and in voicing our hope for Poland's rebirth as an independent nation.

This year we again join in the commemoration of Polish Constitution Day. We pray that this age-old document of freedom will serve as a source of inspiration to the Polish people and will help to sustain them in their struggle to throw off the yoke of Communist oppression. We hope that this tragic period in Poland's history will soon come to an end and that this nation will once again join the ranks of the world's free nations.

I am pleased to salute all Americans of Polish descent on this occasion and pledge them my full support and understanding. May they live to see a free and prosperous Polish nation restored on its ancient soil in the very near future.

Mr. IRWIN. Mr. Speaker, today is a day of great importance and significance—Polish Independence Day. Through no fault of their own and through the misfortune of geography, being sandwiched between powerful neighbors on the east and west, the Poles have suffered more than their share of hardships.

In 1772, when Austria, Prussia, and Russia carved out large slices of Poland, her people stood by powerless, unable to prevent that tragedy. But from then on, her leaders were bent on strengthening the Government to deal with future crises more effectively. They agreed to modernize Poland's Government and make it more democratic. And on this day, May 3, 1791, the Constitution was drafted and adopted.

The document was historical and far reaching. A government with ministerial responsibility was established. A bicameral national legislature was set up.

The nobility lost many special privileges. The peasantry gained many new protections. The townsmen found their status improved. New standards of religious toleration were established. By any standards, it was a liberal document and was hailed throughout Europe.

But Poland's foes, both at home and abroad, succeeded in sabotaging it. Before it could be put into full force, the Polish nation was sliced up by its neighbors and four years after the Constitution's adoption, Poland no longer existed as an independent state.

But the spirit of independence that the Constitution generated did not die. After the First World War, when the Poles regained their independence, that spirit again came to life.

But, of course, it was snuffed out by the tragedy that befell Poland during and after the Second World War. And on this, the 174th anniversary of the adoption of the Constitution, I join Polish Americans and freedom-loving people everywhere in hoping that the Poles will once again regain their freedom and be able to celebrate Constitution Day in their homeland.

Mr. FRIEDEL. Mr. Speaker, congratulations are in order to my colleagues for their inspiring remarks made in commemorating Poland's May 3 Constitution of 1791. I wish to associate myself with the previous speakers and join in the observance of this special day.

Each year since the beginning of World War II, both the House of Representatives and the Senate, under special orders have marked this important day in the history of Poland, as further evidence of man's eternal desire to be free and independent.

It is fully recognized by statesmen that Poland's Constitution of May 3, 1791, ranks among the great charters of government of the world perhaps for one significant reason: It gave the Polish people a plan which, if put into practice, effectively, would surely have brought orderly government to Poland and undoubtedly would have enlarged substantially the area of freedom throughout the nation.

The high hopes entertained by the Polish patriots of that time were soon destroyed, when in 1792, almost a year to the day after the Constitution was adopted, Russia invaded that unhappy land, defeated the Polish Army, abolished the Constitution of 1791, and subsequently partitioned Poland.

On this occasion it is fitting that we recall a historic document which 47 years ago became the foundation for the liberation of enslaved nations. I, of course, refer to the 14-point message of President Woodrow Wilson. The 13th point concerned Poland, which had been enslaved since the end of the 18th century and it reads as follows:

An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and

economic independence and territorial integrity should be guaranteed by international covenant.

Not quite a year passed after President Wilson's message when Poland joined the family of free nations, united and independent. But what do we know of this once-proud nation now?

Because of the courageous stand taken by Poland against Hitler's Germany, Poland was invaded by the Nazi hordes. Seventeen days later, a Poland fighting for its life was attacked from the rear by Soviet Russia. Shortly thereafter, Communist Russia and Nazi Germany carried out their secret agreement and again partitioned Poland.

Today Poland is a captive nation enslaved behind the Iron Curtain. We sympathize and commiserate with her. Several years ago, the President of the United States declared:

The peaceful liberation of the captive peoples has been, is, and, until success is achieved will continue to be a major goal of U.S. foreign policy.

With that statement I completely agree. So on this historic anniversary may the brave and long-suffering Polish people gain hope from the fact that we in America will ever keep them in our hearts and prayers until they once again join the free and independent nations of the world.

Mr. BOLAND. Mr. Speaker, on May 3, 1791, Poland received a new constitution. This document is one of the landmarks of European history and one of the great steps by a free people toward fairer and more representative government. This great nation peacefully attained liberty, with respect for the law, for the right to private property and for the individual. This is a feat of no small proportion in any era. For its time, this was a giant achievement and one that was attained in most other countries only through bloodshed and violence.

Several factors contributed to the adoption of the constitution in 1791. In 1786 Frederick the Great of Prussia died; consequently the alliance between Russia and Prussia was weakened, which encouraged Poland to follow a more independent foreign and domestic policy. Eastern Europe was at this time distracted by the war against Turkey, which was involving, among others, Russia and Austria. Thus, with Russia and Austria preoccupied in other quarters and a friendly Prussia on its western border, both of Poland's flanks, heretofore exceedingly vulnerable, were momentarily secure.

In addition, the ideas that were developed in the French Revolution of 1789 had a great effect on constitutional reform in Poland. Their great constitution which we honor today was an adaptation of French and English principles and practices modified to fit the realities of Polish life. Influences from our own Constituton are also discernible in the Polish document ratified just 174 years ago.

But we must do more than just honor a document; we must remember also today the great individuals who had the courage to strike out and do something new. Men like King Stanislas Augustus, the two Polish leaders who assisted America in its revolution against the British, Generals Kosciusko and Pulaski, and other Polish patriots had the fortitude and strength to work for a better world in which the dignity and worth of each individual would be honored and protected. They typify so very well the strength and courage that we now associate with the Polish people all over the world.

It is noteworthy that the celebration of Polish Constitution Day has been forbidden in Poland. Repression is, unfortunately, not a new phenomenon to these brave people. As we honor the great event of the past, we honor the great spirit of the past also. That spirit is alive today and is struggling to reassert itself.

Mr. Speaker, in celebrating one of the greatest events in Polish history, we reaffirm our faith in the future, a future of freedom for all men. I am proud to join in celebrating this great event and to express my hope that in the very near future the principles so well expressed in the constitution of the 3d of May, 1791, will again become a reality in Poland.

Mr. FEIGHAN. Mr. Speaker, today is Polish Constitution Day. It is a day which is observed by the people of Polish origin and their friends in many parts of the free world. The people of Poland are denied the opportunity to observe this historic occasion in a manner fitting to its importance in the life of the Polish Nation.

An inspiring public ceremony took place in Cleveland yesterday to observe Polish Constitution Day. That ceremony was held in Wade Park in sight of the impressive statue of General Kosciusko.

Richard E. Jablonski was chairman of the organizing committee, and Mr. Joseph Ptak served as secretary of the committee.

The guest speaker was Dr. Henry Joseph Parcinski, president, Alliance College, Cambridge Springs, Pa. Dr. Parcinski is a well-known educator and authority on Polish culture and history. His remarks were enthusiastically received by the large audience present. It was my privilege to speak on this occasion and by unanimous consent, I include my address on "Polish Constitution Day":

POLISH CONSTITUTION DAY

Poland as a nation reaches back into the history of civilized man for a thousand years.

Poland has enjoyed great and heroic epics as well as experiencing those chapters of history blackened by armed aggression from her neighbors and foreign occupation.

The spirit of national independence is engrained in the bones of every Pole because they have fought to win it or defend it in almost every generation. That is why the 3d of May is such an important event in the long history of the Polish people.

The Polish National Constitution of May 3, 1791, stands as a historic commitment to personal liberty and national independence under law, forged by the will of the people, freely given through their representatives in Parliament.

It is worth noting that the passage of Poland from a kingdom with an all-powerful King to a republic with a representative form of government was peaceful and without bloodshed. But the blood of many patriotic Poles was spilled because the needs of self-government had blossomed in their lands.

Imperial Russia and Prussia regarded the light of democracy shinning forth from Poland as a threat to their futures. The sharp contrast between the absolute state where tyranny of the individual was common, and the popular Republic of Poland where the dignity of man prevailed, could not be tolerated. Consequently, Poland was invaded by her neighbors, her sovereignty destroyed, and the nation was partitioned among the aggressors in 1792.

General Kosciuszko, hero of the American Revolutionary War, rallied his countrymen in 1794 in an attempt to restore the Republic.

Without arms or training, the Poles attacked the occupying Russian Army, seizing artillery and arms to carry on their fight. Empress Catherine of Russia sent large armies into Poland to crush the revolt. Kosciuszko was seriously wounded and taken prisoner by the Russians and Poland was partitioned once more. For over 100 years Poland remained partitioned and occupied until it rose again to win national independence in 1918.

Poland today is the captive of imperial Russia. Imposed upon her is a regime which has won neither consent nor approval of the Polish people. And worse, the reactionary way of life that regime seeks to impose upon Poland does violence to her culture, traditions, and aspirations. The people of Poland are paying a terrible price for their devotion to liberty, self-government, and national independence. Like their devotion to Christian life, they believe these values are as important as life itself. This faith has sustained Poland as a nation throughout the centuries and will win victory for her in the present struggle with the modern day barbarians.

Poland will be free and self-governing. That is the meaning of this observance of the 3d of May.

Mrs. DWYER. Mr. Speaker, I am delighted to have another opportunity to join with our colleagues in commemorating today, May 3, the anniversary of Polish Constitution Day—an event of major significance to all those of Polish birth or descent and to all who cherish political freedom.

It was my special pleasure yesterday, Mr. Speaker, to join with hundreds of my constituents in Union County, N.J., in the annual observance of Polish Constitution Day sponsored by the Elizabeth Federation of Polish Organizations.

At that time, I was called on to speak, and as a part of my remarks on this occasion I should like to include the text of my speech of yesterday:

POLISH CONSTITUTION DAY, 1965

(Address by Mrs. DWYER)

The celebration of Polish Constitution Day is an annual event of great importance. Each year since I have been a Member of Congress—9 years in all—I have been privileged to join many of my colleagues on the floor of the House of Representatives where, in a series of speeches, we have called public attention to Constitution Day and to its great significance for all who believe in personal freedom and national independence.

On Monday—tomorrow—the House will again commemorate Polish Constitution Day, and I shall be there in order to pay my own tribute to a great people.

Today, the strategic position of Poland in Eastern Europe, the crisis in Berlin, the constant pressure on the Polish people to conform with Communist dictates, and the worldwide conflict between freedom and communism make it more important than

ever that we tell the American people the truth about the Polish people and the long and fruitful tradition of freedom which Poles everywhere have carried with them. I believe that this 171st anniversary of the Polish Constitution is a good and appropriate occasion for us to do it.

First of all, let me say that I disagree very strongly with those who would have us shut the door on Poland and deprive the Polish people because of the crimes of a foreign government which was inflicted upon them by the force of arms. To do this would be to play into the hands of the Communists themselves. If the free world should abandon Poland, we would be proving that Communist propagandists are right, when they say the West doesn't care or can't be counted on for help. We would be forcing the Polish people to turn to the Russians and away from freedom.

We in the United States should, instead, be doing just the opposite. We should increase our interest in the Polish people. We should distinguish carefully between the Polish people and their alien government, and help the people in every way that will not strengthen the Government. We should seek to increase the contacts between the people of Poland and the people of the West. We should reinforce their hopes for the future. We should convince them that the free world has not forgotten their brave struggles against tyranny. We should compete against, rather than give into, the Communist forces and prove to the Polish people that freedom and democracy are the great hope of mankind and that godless communism will eventually collapse as a result of its own abuses and contradictions.

If we of the Western World truly believe in our ideals of freedom and independence, democracy and self-government, and the dignity and worth of each human being, then we have nothing to fear from communism. We should oppose Communists wherever we find them—oppose them by demonstrating the superiority of freedom, by proving that we really care about people and that we are willing to help them in their hour of need. It won't be easy. The odds are heavily against us in parts of the world already occupied by the forces of Soviet oppression. But freedom is never easy, either to win in the first place or to maintain. But because freedom is priceless it is always worth fighting for, to those who understand it and value it.

This, I believe, is the spirit of the occasion we are celebrating today. This is the meaning behind the Polish Constitution of 1791, just as it is in meaning that underlies the Constitution of the United States which was adopted just a few years earlier and which became such a great inspiration to the Polish patriots who were seeking freedom from foreign powers.

This kind of spirit doesn't die. It lives on as strongly as ever in the hearts of the Polish people, despite the severe restrictions under which they live today. It lives on and is given strong voice and effective action wherever Polish people, outside their homeland, are free to gather together and to plan and work for better days.

To me, it is nothing less than amazing that, in spite of years of Soviet occupation, the fundamental value and hopes and love of freedom and independence have survived among the people of Poland. Yet, this is the nearly unanimous report of those who have visited Poland in recent years. I have talked with several of my fellow Congressmen and with Polish-American constituents, all of whose experiences in Poland have confirmed the warmth and friendship felt by the Polish people toward their friends in America—and this despite the constant "hate-America" propaganda to which Poles are forced to listen.

Polish Constitution Day is an ideal opportunity for reminding the rest of the world that the people of Poland and the people of the United States have too much in common, too long a history of friendship and cooperation, ever to let the forces of communism separate us. There are limits, of course, to what we can do in the present circumstances. But within those limits, we must never miss a chance to strengthen the bonds that unite freedom-loving people in both our countries. Personal contact, correspondence, assistance to private schools and hospitals, the shipment of food and medicine—these and other activities can provide the fuel to keep alive the flame of freedom.

These are troubled times almost everywhere in the world. The cost of our leadership of the free world is high, but it is a burden from which Americans have never shrunk. If peace and freedom are ever to bless this earth again, we must lead the way. It is essential that we give of ourselves and our resources, and, while doing so, thank Almighty God for having made it possible.

What better occasion could there be than this one to re-dedicate ourselves to the goal of replacing fear with confidence, of substituting freedom for slavery, of bringing hope to the people of Poland and other Communist-dominated lands—and, by so doing, justify the gifts and the trust which God has bestowed upon us.

Mr. COLLIER. Mr. Speaker, the modern history of the Poles is marked with calamities and misfortunes. This was especially so in the late 18th century when their freedom and independence was in jeopardy. In 1772 they had already lost a third of their country to Austria, Prussia, and Russia. In order to forestall the repetition of such a disaster, Poland's leaders aimed at strengthening the Government of Poland by reforming and overhauling its governing machinery. In 1788, a committee of the Diet—the assembly—began to draw up a constitution. In the course of 3 years this was completed, and the resulting document, the Constitution of May 3, 1791, was promulgated on that day. For the Poles that date became memorable and the Constitution a historic document.

This Constitution introduced many radical changes in the government of the country. Poland became a constitutional monarchy, with a responsible cabinet type of government. The powers of the lower chamber were enhanced and those of the upper chamber drastically reduced. The barriers separating the nobility from other classes were practically eliminated. The authority of landlords over the peasantry was reduced, and religious toleration was guaranteed. These liberal provisions made the Constitution a truly democratic document. Its promulgation was hailed both by Poles and by their friends in many lands. From then on the date of its promulgation became a Polish national holiday. Unfortunately, the Poles did not have the chance to put their new Constitution into force and reap its benefits, but today all Poles take just pride in the fact that their leaders were the first among other national leaders in Eastern Europe to draft and promulgate such a liberal and democratic constitution. That historic document testifies to their genuine democratic aspirations. In the celebration of the 174th anniversary of Polish Constitution Day I gladly join hands with all liberty-loving Poles.

Mr. KEOGH. Mr. Speaker, great historic documents are the expression of lofty ideals conceived and formulated by men of vision and foresight, often becoming landmarks in national histories and leaving their permanent impression on national character. The Polish Constitution of May 1791, is such a document and reflects the liberal and progressive character of Poland's leaders in the late 18th century.

This memorable and historic Constitution embodied many democratic ideas, and represented a decisive advance over anything previously attempted in Poland. By its provisions Poland abandoned its antiquated, medieval system of government and adopted one with many modern features. Autocratic Poland became a constitutional monarchy. The most startling innovation was the abolition of the liberum veto by which any one member in the Diet—the national assembly—could veto any measure, preventing the enactment of any legislation. The new Constitution did away with this obstructive feature, and thereby paved the way for new legislation. The powers of the upper house were reduced and those of the popularly elected lower house were increased. Freedom of conscience and of free speech were guaranteed. These democratic features made the Constitution of May a model progressive instrument, and as such it was widely hailed both in Poland and by Poland's friends everywhere.

Through such a drastic overhauling of Poland's Government, its valiant and liberal leaders hoped to save their fatherland from eventual dismemberment. Unfortunately that in itself was not sufficient to save Poland. Soon after the proclamation of this Constitution, Poland's foes attacked her, and brought her independent existence to an end for more than a century. Unhappily the Poles did not have the good fortune to live at peace under their new Constitution, but they have looked upon it as a memorable, almost sacred, document embodying their unrealized dreams and long-cherished hopes. The ideals embodied in that Constitution, Mr. Speaker, are as alive in the hearts of the Polish people on this 174th anniversary celebration of its promulgation as they were in 1791.

Mr. LINDSAY. Mr. Speaker, citizens of Polish origin in this country will join with their brethren in many nations of the world on May 3, in celebration of a great Polish national holiday—the Polish Constitution Day. The valiant struggle of the Polish people for national independence has inspired all people who cherish freedom and the dignity of the individual. The 3d of May Constitution declared the fundamental faith of a liberal people, a faith which still burns today in their hearts despite the chilling oppression of a Communist state.

The Polish 3d of May Constitution states that truth which is the cornerstone of all democratic governments, and which echoes the basic tenets of our own Constitution adopted just 2 years before. Its words are:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order

of society, on an equal scale and on a lasting foundation.

Thus the philosophies of government of the American and free Polish people are strongly linked.

Other significant dates in Polish history will also be marked by this year's May 3 observance. Among these is the 25th anniversary of the Katyn massacre, the coldblooded mass murder of thousands of Polish officers and intellectuals in a forest near Smolensk in the Soviet Union. One of the most brutal acts of genocide the world has ever known, it is a vivid reminder and warning of the inhumane nature of totalitarian government.

I salute the members of the Polish American Congress, representing nearly 10 million Americans of Polish descent, for the work they have done to make the observance of Polish 3d of May Constitution Day an impressive and memorable event.

Mr. DADDARIO. Mr. Speaker, many Members of the House are saluting today the great contributions which Poland has made in the course of democratic history. The drafting of the Constitution of May 3, 1791, was a unique statement of freedom and of the rights of the people in that part of Europe. It deserves to be remembered and to be recalled wherever freemen gather.

Poland, by its geography, has been under constant pressure from other powerful nations. It has been forced to accept the tyranny which is imposed on it today, but the ideals which were embodied in that Constitution of 174 years ago have been kept alive by Poland's many brave sons and daughters throughout the world, as well as at home. The great gatherings of this past weekend have shown how many long to see a free and constitutional democracy flower there again.

It is well that we look back and study the language of that 1791 Constitution—language that set limits on the power of rulers, and imposed responsibilities on the cabinet chosen to administer the nation. It was a farsighted document that breathed freedom and human dignity. I join my colleagues in calling the attention of our people to this great, if tragic, anniversary.

Mr. TENZER. Mr. Speaker, I am privileged to join my colleagues in paying tribute to the great nation of Poland on the 174th anniversary of the adoption of the Polish Constitution of May 3, 1791.

This anniversary is particularly meaningful to me because my parents of blessed memory came to this country from Poland, my mother, in the year 1871 at the age of 2, and my father in the year 1883 at the age of 14.

The United States of America was indeed a land of opportunity and promise to my parents. They were married here on Thanksgiving Day 1890 and were blessed with seven children. They celebrated their 61st wedding anniversary in 1951 and when my father passed away in 1952 and my mother in 1953 they were survived by 7 children, all married, 15 grandchildren, and 26 great grandchildren. Their descendants have made and are making a contribution to our American way of life. They served in our Armed Forces. Each in his own way and each in his own community is active in business, the professions, and in community and philanthropic affairs. And now, Mr. Speaker, one of their sons is privileged to sit in this House, the most distinguished legislative body in the world. Such is the way of life in our Nation.

The Congress of the United States remembers Polish Constitution Day and salutes the many Americans who are proud of their Polish heritage and recalls the document outlining the principles of democracy which was adopted by a nation which in 1791 had experienced more than a century of cruelty and repression.

The courageous people of Poland are again experiencing a period of oppression and cruelty under a Communist government not of their own choosing. The people of Poland will continue their fight for freedom and liberty and one day, we pray that will be real soon, they will once again regain the precious rights of life, liberty and the pursuit of happiness—the rights they won in 1791, in a bloodless revolution.

A land which gave birth to such great artists as Chopin and Paderewski, who are speaking to peoples throughout the world in the international language of music, is a land which should be a free land, a land of liberty.

The Congress will this year consider an immigration bill of great importance to people in many lands throughout the world, who seek admission to this land of promise and opportunity. Let us also this year join with the people of Poland in their desire to find a new life within their own country by gaining freedom from the oppression of communism and once again make Poland a land of liberty.

Mr. FASCELL. Today, Mr. Speaker, we are commemorating the anniversary of the Polish Constitution of 1791. This is a great day for the Polish people, and it is a day that they commemorate with a feeling of pride and a sense of honor. This feeling comes not from the fact that this Constitution had had any practical effect upon the political system of Poland, because the Russians had invaded Poland, crushed the Polish opposition, and destroyed the Constitution before it could really have become deeply engrained in the Polish system of government. Rather this feeling comes from the fact that this Constitution represents the totality of Polish aspirations for freedom and democracy. The Constitution was not long lasting. This is true. But what lived on in the Polish tradition were the ideals of this Constitution. And so even today this Constitution is a source of inspiration for all Poles.

To speak of the Polish historical experience is to speak of a series of great tragedies that have befallen this much-respected and much-honored people. At the beginning of World War II, Poland was invaded and partitioned by the Nazis and the Soviets. In the spring of 1940, the Soviets killed off the flower of Polish leadership when it murdered thousands of Poland's soldiers at Katyn. In the closing days of World War II, Poland found her territory occupied again by the hated Soviet Russians. And in those days the Russians destroyed what hopes of freedom were possible by grossly violating the Yalta agreement that had called for free and unfettered elections. In the process of imposing their tyrannical system, the Soviets also imprisoned the leaders of Poland's underground government.

We call to mind today these tragedies, Mr. Speaker, as we commemorate the anniversary of the May 3 Constitution. To Poles everywhere and to the members of the Polish-American Congress, a body that has kept alive American concern for Poland, I extend my congratulations and join with all of my colleagues in this Chamber to salute Polish people everywhere in their continuing struggle to throw off the yoke of tyranny.

Mr. O'HARA of Illinois. Mr. Speaker, I join with all my heart in the acclaim of the people of Poland, their dedication to freedom and their high accomplishments that marks this anniversary of the Polish Constitution of 1791.

Four of the Members of this body from the great State of Illinois are of Polish blood and descent: Congressmen DERWINSKI, KLUCZYNSKI, PUCINSKI, and ROSTENKOWSKI. And this is a reminder of the tremendous contribution men and women of Polish blood have made in the building of our cities and our States and the cathedral of our democracy from the very earliest days.

Three hundred and fifty-seven years ago on September 1608, the first Polish settlers landed in Jamestown, Va. The annals of John Smith attest to the fact that these Polish settlers were a most valuable asset to the struggling young colony. They brought their strength, their willingness to work, and their love of freedom to a settlement which needed and welcomed their sturdy qualities.

May 3, 1791, barely 2 years after the adoption of our own Constitution, Poland adopted a constitution which marks that country as a pioneer of liberalism in Europe. It eliminated with one stroke the fundamental weaknesses of the Polish parliamentary and social system. It proclaimed the sovereignty of the people, a threat to tyranny and absolutism in Russia and Germany.

The Polish Constitution of May 3 proclaimed:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

The year 1966 will mark the 1,000th anniversary of the baptism of the Polish nation. One thousand years ago Poland linked her destiny with that of the West. During a period equal to one-half our Christian era, Poland linked her destiny with that of the West, and became an integral and creative force in its culture.

The people of Poland have, since the days of Jamestown and through the centuries of events to the present, furnished the bone and sinew of American growth. At Jamestown Poles cheered and supported John Smith. During the Civil War her soldiers fought on the side of the Union while her daughters nursed

our soldiers on the battlefield. Throughout the years these sturdy pioneers of freedom have been a source of strength to the country of their adoption. Today, Polish Americans have set their purpose to the ultimate liberation of their homeland. In their hopes and in the attainment of their prayers all Americans join.

Mr. HANLEY. Mr. Speaker, it is my great pleasure to commend the people of Poland and their American brothers on the anniversary of the Polish Constitution signed on May 3, 1791.

The country of Poland had been severed by Russia, Prussia, and Austria and after that partitioning, Polish leaders felt a sense of urgency to find a means to prevent future national calamities. They needed a format for the Government designed to unite and strengthen their country.

To this end, in 1788, a committee of the National Assembly, the Diet, was formulated to draw up a constitution to improve the Government. This commissioned body was comprised of liberal, freedom-seeking, patriotic men. Discontentment among the tired and disgusted masses in monarchial Poland was great. This state acted as a catalyst; thus 3 years later, a constitution was signed.

This first Democratic document in Eastern Europe, signed on May 3, 1791, reduced the arbitrary powers of the King by channeling his authority through a council. The powers of the upper Chamber of the Assembly were reduced and those of the popular-elected lower Chamber were liberalized and fortified. The peasantry were freed and placed for the first time under the protection of the law. Separation of the middle and lower classes from the nobility was minimized. The authority of the landlords over the peasantry was reduced. Equally as important, the liberum veto whereby one Member of the Diet could veto any measure was abolished thus assuring passage of more legislation. This constitution also created the first type of cabinet government. Perhaps one of the most important provisions was freedom of religion, conscience, and speech. Thus, Poland became the pioneer of democracy in Europe by proclaiming the sovereignty of her people.

Mr. ELLSWORTH. Mr. Speaker, I want to join with those who have paid tribute to the great Polish Constitution of 1791, Polish Constitution Day being properly observed on May 3, and to call attention once again to those enduring precepts of democracy that prompted the Polish Constitution, precepts which had just 2 years earlier prompted our own Constitution of the United States.

During the intervening years, Mr. Speaker, fate has not treated Poland and the United States with equal favor, and Poland has from time to time been and is now subjected to the tyrant's hand. Throughout, however, the spirit of liberty has remained alive in Poland, and is deeply instilled in the hearts and minds of Poles wherever they live.

I know that the occasion of Constitution Day heightens the courage of every Pole, and all freedom-loving people, to look to the ultimate triumph of freedom and justice, when, as the Polish Constitution of 1791 so aptly puts it:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Mr. GALLAGHER. Mr. Speaker, we all know that a spirit of freedom is possessed by many men who live under tyranny. The flame never ceases to burn although its light may be dimmed to protect those who gather hope from the smallest ray of light.

This may somewhat describe the plight of freedom loving people in Poland. The spirit of freedom lives on though it may of necessity be dimmed. It is, nonetheless, a source of encouragement to those who continue to be hopeful that one day this land may once again be free.

On May 3, the people of Poland and Americans whose ancestors or who themselves may have come from that great land celebrate Constitution Day, on this date in 1791 the Polish Diet, or Parliament, ratified a new constitution which established constitutional democracy under cabinet government in Poland.

I was privileged to be in attendance at a ceremony sponsored by the Polish American Citizens Club in Bayonne, commemorating Polish Constitution Day. Speakers recalled from history the names of Poles who fought for freedom not only in their native land but on the side of freedom with the American colonists in 1776. All Americans continue to be inspired by the spirit and deeds of the legendary heroes of the American revolution which included Generals Pulaski and Kosciusko.

As we spoke of these great men, I was mindful that in our city were two Americans of Polish ancestry who were recipients of the Congressional Medal of Honor awarded for valor in combat in World War II—Stephen Gregg and Nicholas Oresko. The people of Bayonne are proud of these modern day heroes who themselves are part of the great history of America and grateful for the service they rendered our country.

We should be ever mindful that many thousands of Polish-Americans fought in World War II, in Korea and are now serving in our Armed Forces. They too follow the pathway of freedom blazed by Pulaski and Kosciusko.

We are mindful that thousands of free poles fought with the Allied forces in Europe.

We acknowledge the great contributions made by Poles in every profession to the building of America. We are aware of the role of the Polish American community to the civic, culture, business, and political activities of this country. We are inspired and encouraged by their great accomplishments.

Polish Constitution Day is their day to recall the sacrifices that have been made for freedom in Poland and to rededicate themselves to the proposition that one day all men will be free.

GENERAL LEAVE

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

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

There was no objection.

NOTICE TO CONSERVATIONISTS—THE GRAND CANYON WILL NOT BE FLOODED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 20 minutes.

Mr. HOSMER. Mr. Speaker, Members of Congress are being deluged with letters from honest and sincere people protesting what they call the flooding out of the Grand Canyon. If this were about to happen I would be right in there with them protesting as loud as anybody. This is not the case, however, and I would like to put the record straight.

There are before the Interior Committees of both the House and Senate bills to authorize the Lower Colorado River Basin project formerly known as the Pacific Southwest water plan. This is a bold, necessary and imaginative project for the vital purpose of relieving arid conditions in the States of Arizona, Nevada, and California, whose increasing populations, burgeoning industries and large agricultural economies are contributing so greatly to the progress of the United States and its position of world leadership. New and additional sources of water simply must be found if this area of our Nation is to continue playing its major role in America's destiny.

Already the State of California is investing over a billion dollars in the Feather River project which—as vast as it is—only will provide water sufficient for increased uses during the immediate future. The desalting of sea water holds great promise for the distant future but only by maximum utilization of nature's own water can this vital element of life be supplied to homes, factories, and farms at a cost which will not stifle the economy of the Pacific Southwest.

The Lower Colorado River Basin project represents a historic act of unity between the States of the Lower Colorado Basin which for a century have fought amongst each other over their shares of the Colorado River's meager waters. The project's concept is fully within the criteria for sound resource management. It will repay every cent of Federal investment in it and, by underpinning the improvement and advancement of the Pacific Southwest, will provide substantial additional tax resources to all levels of government.

The keystone and all-important feature of this project is a concept of regional water resources development financed by an overall basin account. Hydroelectric plants will provide the necessary revenues to underwrite the pumping plants, aqueducts, reservoirs, pipes, and conduits that make water available. Without

these hydroelectric plants the plan is totally infeasible and impossible of accomplishment.

The plan envisions construction of two dams for hydroelectric generation. Marble Canyon Dam is to be upstream from Grand Canyon National Park. Bridge Canyon Dam will be downstream at the headwaters of Lake Mead. Its lake will backup upstream about 93 miles. Approximately the last 13 miles of the headwaters of this lake will be in Grand Canyon National Park to the extent that the natural bed of the Colorado River is within the park's boundary at this location. Less than 1 percent of the total geographic area of the park will be affected. No part of the reservoir will be visible from any established observation point on the rim or on the river. One would have to float far downstream to detect any change whatever. This is hardly a flooding out of the Grand Canyon. It interferes in no way with any use of the Grand Canyon which conservationists are making.

When the Grand Canyon Park was created by Act of Congress in 1919 it was specifically understood that the park was not to interfere with reasonable developments. The act specifically provides the following:

> Whenever consistent with the primary purposes of said park, the Secretary of Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government reclamation project.

This is a context in which the Lower Colorado River Basin project has been formulated. Let me say emphatically that there is no intention or even a remote physical possibility of flooding out Grand Canyon. A stretch of 104 miles of natural river will remain between the headwaters of Bridge Canyon Dam and the Marble Canyon Dam. This magnificent chasm created by the forces of nature dwarfs even the most dramatic efforts of man. We could not flood it if we wanted to. And, we do not want to. The only thing that will happen in the canyon is realization of the awareness that long ago, in 1919, was expressed that there must be some reasonable development of the Colorado in this general area if the river's waters are to be used to the fullest extent possible for the benefit of the Pacific Southwest and all Americans.

Some people have argued that the sum of 10 cents a year from every individual in the United States would compensate for the loss of Bridge Canyon and Marble Canyon Dams. This simply would mean an added cost to the water and power users or to the taxpayers of the United States of $18 or $20 million annually. This kind of added cost is simply irrational in relation to the minor extension of a beautiful new lake, a relatively minor distance into the Grand Canyon National Park. The 104 miles of natural river just mentioned, will include about 91 miles within the boundaries of Grand Canyon National Park itself. The same matchless and unaltered view still will be available from the rim. The same mule-back trips or long, arduous foot descent and climb will be possible and in no way deteriorated or impaired.

Some people are suggesting instead of hydroelectric plants that thermal-generating plants be installed at other locations to act as cash registers for the Lower Colorado River Basin project. This too is lacking in reason in relation to the purposes and economics of the project. The dams are needed not only to produce power but as well to regulate flow of the river which varies greatly from year to year. The system of lower basin dams including Davis, Parker, Hoover, Bridge Canyon, and Marble Canyon will insure steady supplies of water for the lower basin in wet years and dry years. These dams will operate in conjunction with those of the Upper Colorado River Basin to regulate the entire river so that tremendous benefits will accrue to all seven States which have major dependence on it. Additionally, newly developing economics of power generation in the Far West are placing an even high premium on hydroelectric power for peaking purposes. For this reason the Bridge and Marble Canyon Dams' hydroelectric facilities can be operated to maximize electric revenues in a manner which thermal-generating plants can never be.

Unless the Lower Colorado River Basin project as planned is allowed to proceed, the Nation will not keep faith with the people of the Pacific Southwest. The Colorado River is the lifeblood of the Rocky Mountain and Pacific Southwestern States. The lower basin has seen no river developments of consequence since Davis Dam was completed in 1950. In this decade and a half, the population of Arizona, southern Nevada, and southern California—the service area of the Lower Colorado River Basin—has increased 85 percent and there is no sign of any letup in growth. The visionary leaders of the early days had the wisdom to know that the Colorado River's primary use must be for sustaining the life and economy of the area it serves. The time has now come when it must be developed to its maximum for that purpose. Construction of Bridge and Marble Canyon Dams are integral parts of the plan devised by cooperative efforts of the Federal Government and States to that end. Any further stalemate will have disastrous consequences. It must be prevented at all costs.

Already many of the most dedicated of conservationists are commencing to appraise these facts as they are realistically withdrawing their objections to the construction of these dams. They are aware of the extreme need of both the Pacific Southwest and the entire country for maximum development of the Colorado. They know that the cause of conservation can only be harmed by an unreasonable campaign aimed at an unreasonable objective; namely, paralysis of the growth and progress of America. They respect not only needs and viewpoints other than their own with respect to economic developments, but as well the vast recreational opportunities these two new beautiful lakes will open up to millions of their fellow citizens.

NEIGHBORHOOD YOUTH CORPS: WOOD COUNTY LEADS THE WAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 15 minutes.

Mr. HECHLER. Mr. Speaker, those who wonder whether the war on poverty is getting off the ground should take a look at what is happening in Wood County, W. Va. One of the many projects which West Virginia has under way is the Neighborhood Youth Corps, which helps young men and women get the jobs and training necessary for them to stay in school or go back to school, and to obtain the skills essential for their future progress.

Wood County was one of the first counties to formulate its plans for the Neighborhood Youth Corps. This is largely due to the vision and imaginative leadership of Wood County's new superintendent of schools, Dr. Grant Venn. In the brief time he has been in Wood County, Dr. Venn has given new vitality to the school system and, with an instinct for the jugular, he has identified the needs of the community and moved forward boldly in meeting these needs. Assisted by a $100,000 grant from the Carnegie Corp., a placement and counseling center was established last year which gave Wood County a running start in preparing for the Neighborhood Youth Corps.

WOOD COUNTY ON THE MOVE

After the passage of the Economic Opportunity Act, Wood County was ready to move swiftly to submit an application to enable young men and women to obtain useful part-time jobs and training. A Federal grant of $223,800, second largest to date in West Virginia, was awarded to Wood County to cover 788 students. A huge percentage of these students are already at work, under the program supervised by Neighborhood Youth Corps Director C. Robert Sullivan.

From teachers, principals, administrators and in the entire community, the cooperation in Wood County has been inspiring to behold. Mr. Speaker, any new program which has to utilize untried and untested procedures is bound to have some bugs. But the sheer enthusiasm engendered by accomplishment is serving to minimize these difficulties.

WHAT MANNER OF MAN

Once there was a guidance counselor, a Navy flight instructor and a teaching fellow in the State of Washington. He went out to get his feet wet in applied education in places like Yakima and Othello. Suddenly, the different school districts where he went were being selected as among the five outstanding school districts in the Nation. Then he went on to be president of Western State College in Colorado, then to be director of field training for the Peace Corps and to the American Council of Education. Did you ever hear of a book entitled "Man, Education and Work," which could sell 14,000 copies? That is because you may not know Dr. Grant Venn.

Working closely with Dr. Venn on the Wood County Board of Education is Mrs. Forrest G. (Catharine) Clark. Each

week she tells the story of progress in Wood County. Because I want my colleagues to receive a firsthand report of what a successful county can do with the Neighborhood Youth Corps, under unanimous consent I am including Mrs. Clark's column from the Parkersburg News of May 2:

NEIGHBORHOOD YOUTH CORPS STARTS AS A GREAT ADVENTURE

(By Catharine Clark)

Things are taking on a new look around public buildings in Wood County this spring, and esprit de corps is on the upswing in a number of public operations. Reason: The Neighborhood Youth Corps.

Youthful muscles are flexing over jobs that have long been undone, but with youthful vigor hundreds of young people are learning to do things they have not tried before.

Here are some of the things that are going on under the Federal program designed to help youth between the ages of 16 and 22 gain experience and learn skills that they can use in the competitive labor market later on. Sometimes the skills consist of good work habits. Always, good attitudes are important.

The young people are under supervision of regular employees on each job, but always they are doing work that does not take employment from regular employees or prospective employees.

Here are some of the things those involved have to say about the work:

"We like it at the city park, and we're getting a lot done," beams one of three crew leaders. The 15 boys doing park work are divided in groups, of 5 each with its own leader. They are all in school, so they keep their workclothes at the park, don them at 4 p.m. and work until 7 p.m.

PARK CREWS BEAUTIFY

The park crews have been setting new guard rail posts, raking leaves, picking up broken blacktop and hauling it away by tractor, and running the powermower.

All the boys like to work for Hubert Jenkins, park superintendent, they say. School buildings are going to look cleaner than they have for sometime, simply because there is more muscle power. Both boys and girls are helping with building cleaning, which includes giving a good sparkle to windows both inside and outside.

Students have always helped in school cafeterias and have been rewarded with free lunch tickets. Mrs. Bessie Godbey, head of the Parkersburg High School cafeteria, finds though that there is new zip to the program with more helpers on the job and with many of them on regular payroll from the Youth Corps. Some are coming to work during the busy morning hours when the cooks always needed more hands than they have.

Twelve young people are being trained on the data processing equipment. They are setting up school records so that thousands of man-hours will be saved later for teachers and office personnel. The entire inventory of the county school property and other pertinent information will soon be on the machines; soon even the Neighborhood Youth Corps paychecks will be prepared mechanically.

EXPERIENCE IS IMPORTANT

"The experience is going to be more valuable to me than even the money," one of the girls working in data processing exclaimed. "Although I'm going to buy new glasses with the money, I expect to be able to work my way through college with the skills I'm learning here."

"I just love the work," another girl sighed.

Library books are being repaired in school libraries, and in the Carnegie Library. The Wood County law library is to be inventoried.

Two girls are learning to score achievement tests on the Wood County schools test scoring machine.

"I'm so glad to learn how to use this machine," one of them said, "because I'm going to have to work my way through school, and every college has work like this to be done."

Some of the youth on the corps are especially interested in gaining work experience which they can use in future references.

"It's pretty rough to be turned down for jobs because you're inexperienced. How's a fellow to get experience?" they ask. "You have to start somewhere."

Supervisors are keeping careful references and insisting on full hours of work for the pay.

BOYS CLUB HAS LIBRARIAN

Frank Siebel of Boys' Club is pleased with every one of those helping him.

"We've had no one to help in the library before now," he pointed out.

Now there's a girl in the library, and another is teaching arts and crafts on Tuesday and Thursday from 4 p.m. until 5:30; and on Monday, Wednesday, and Friday from 6:30 p.m. until 9 p.m. and all day on Saturday.

Two boys are working as physical program assistants, one in the gym and one in the games room, and another boy is on maintenance. He is washing windows until they shine and is painting woodwork.

Masses of brush are being cut at Jackson Park—and so it goes! So, how will the money be used? In as many ways as there are youth to use it:

"Boy, can I use it! I need some clothes," said a girl.

"I'm going to help my mother dress me, too," said another.

"College, college, college," is heard from youngsters who had been about to give up hope of going on for higher education.

"I'm going to pay my bookfine in the library out of my first check," one lad grinned. (Somebody he "didn't know" tore out the pages!)

"I hope this program turns out well, so next year's kids can have jobs, too," said one 16-year-old.

"I expect some people are complaining about this program," mused a young philosopher, "but I believe that the ones who complain do not know that this project is planned for the future. And in the future, if everything goes as planned and the people who get the money are the ones who really, really need it, this program will surely last!"

Problems there are, needless to say. The fellow who tries a job for 1 day and finds that the work is too hard for him—after 10 minutes; the one who is on a job unsuited to him and needs to be shifted.

These are among the reasons there are college-trained coordinators, counselors and teachers to work with enrollees and to teach remedial work when difficulties show up.

Yes, the Wood County Neighborhood Youth Corps is starting off as a great adventure and promises community improvement of untold value.

STATUTES, REGULATIONS, POLICIES, AND PRACTICES OF SELECTED FOREIGN COUNTRIES PROVIDING FOR PREFERENCES FOR DOMESTIC MATERIALS AND FIRMS IN AWARDING OF PUBLIC SUPPLY AND PUBLIC WORKS CONTRACTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, before inserting in the CONGRESSIONAL RECORD the fourth of a series of documented reports on the public works purchasing policies of other nations, I should like to assure my colleagues that the conclusions to be derived from this study will be wholly devoid of partisan implications.

The U.S. Government's strange proclivity of putting Federal contracts up for open world bidding without considering the impact on domestic employment is not exclusively the fault or eccentricity of either major party. The practice has endured, to the disadvantage of American industry and labor, under both Democratic and Republican administrations.

Today's listings pertain to members of the European Free Trade Association established by the Stockholm Convention in 1959. I call your particular attention to that paragraph developed by the Convention to emphasize that most governments of Europe engage in miscellaneous businesses that are outside the activities of our own Federal and State Governments. Despite the disparity in government involvements in commercial enterprises, however, foreign firms annually indulge in Uncle Sam's multimillion-dollar contracts while U.S. businessmen find the doors closed when public bids are being negotiated elsewhere in the world.

I also ask that you peruse carefully the Austrian policy stipulating that "insofar as possible only domestic products shall be used and only domestic enterprises shall be employed." This principle of looking out for native workers is typical in all world capitals save Washington. In its absence here, our foreign friends must surely look upon us not with gratitude but with kind contempt.

Finally, will you note particularly that the United Kingdom takes the balance-of-payments factor into consideration when letting contracts. In contrast, our own Government further exhausts our precious and dwindling stocks of gold by buying materials and supplies from foreign producers.

Article No. 4 of my series follows:

EUROPEAN FREE TRADE ASSOCIATION (EFTA)

Like the treaty establishing the Benelux Economic Union, and unlike the Treaty of Rome establishing the European Economic Community, the Stockholm Convention establishing the European Free Trade Association (EFTA) (HMSO, Cmnd. 906 (1959)) contains specific provisions recognizing the existence in the member states of legislative and administrative provisions, practices, and policies discriminating against foreigners and products of foreign origin in the field of public contracts and providing for their elimination.

The Stockholm Convention was signed on November 20, 1959, by Austria, Denmark, Norway, Portugal, Sweden, Switzerland, and the United Kingdom and entered into force on May 2, 1960. An Agreement of Association with Finland was signed on March 27, 1961, and entered into force on June 26, 1961 (HMSO, Cmnd. 1335 (1961)).

The Stockholm Convention is concerned primarily with the liberalization of trade through the elimination of tariffs and all other restrictions on the flow of trade between the member states. Unlike the Common Market and Benelux, each member state

retains its own external tariffs and commercial policies.

The organization of EFTA is simple. The Council is the principal organ and can meet at either the ministerial or official (permanent resident) level. Each member state is represented with one vote. The Council has responsibility for supervising the application of the Convention and exercising the powers of functions conferred upon it by the Convention. Its decisions are binding on member states but they must, with specified exceptions, be made by unanimous vote.

The provisions of the Convention with regard to purchases by public undertakings are contained in article 14, which reads as follows:

"1. Member states shall insure the progressive elimination, during the period from July 1, 1960, to December 31, 1969, in the practices of public undertakings, of—

"(a) measures the effect of which is to afford protection to domestic production which would be inconsistent with this Convention if achieved by means of a duty or charge with equivalent effect, quantitative restriction or Government aid, or

"(b) trade discrimination on grounds of nationality insofar as it frustrates the benefits expected from the removal or absence of duties and quantitative restrictions on trade between member states.

"2. Insofar as the provisions of article 15 (relating to restrictive business practices) are relevant to the activities of public undertakings, that article shall apply to them in the same way as it applies to other enterprises.

"3. Member states shall insure that new practices of the kind described in paragraph 1 of this article are not introduced.

"4. Where member states do not have the necessary legal powers to control the activities of regional or local government authorities or enterprises under their control in these matters, they shall nevertheless endeavor to insure that those authorities or enterprises comply with the provisions of this article.

"5. The Council shall keep the provisions of this article under review and may decide to amend them.

"6. For the purposes of this article, 'public undertakings' means central, regional, or local government authorities, public enterprises and any other organization by means of which a member state, by law or in practice, controls or appreciably influences imports from, or exports to, the territory of a member state."

Those provisions are explained as follows in an analysis of the provisions of the Convention entitled "Stockholm Convention Examined" published by the Secretariat of EFTA in January 1963 (pp. 37–38):

"It has long been recognized, for example in article XVII of the GATT, that state trading enterprises should act in commercial matters according to normal commercial principles insofar as this may affect international commerce. Because a trading concern is owned or controlled by the state, it should not behave in commercial matters as if it were above the 'law' as it is defined or established by international commercial agreements to which the state concerned is party.

"The governments of even the most rigorously free-enterprise economies indulge in extensive commercial activities, if only through the purchase and disposal of supplies and equipment. In the Europe we live in today, most governments go beyond this and operate railways and telephones, while many have established organizations to produce and trade in tobacco manufactures or alcoholic beverages; others mine coal and make steel. These activities may be undertaken by central, regional or local governments, and may be undertaken directly or through state corporations, state-owned or state-controlled companies, or other publicly controlled bodies.

"Article 14 provides that all these activities shall, by the end of the transitional period, be carried out according to normal commercial principles so far as this may be necessary to insure that the obligations of the Convention are applied to them as to any purely private concern. In the first place member states must bring to an end measures the effect of which is to afford protection to domestic production, where that protection would be inconsistent with the Convention if it were achieved through tariffs, quotas, or subsidies. Secondly, they must cease to discriminate on grounds of nationality, insofar as this would frustrate the benefits to be expected from the freeing of trade; that is to say that governments or state enterprises should not give preference to their own national producers simply because they are of that nationality; if they buy national products this should be for normal commercial reasons, such as cheapness, quality, suitability, facility of production control, or earlier delivery. Thirdly, it is made clear that the provisions of the Convention relating to monopolies and restrictive business practices apply to state-trading no less than to private trading organizations.

"The article requires that, during the transitional period while these provisions come gradually into full effect, no new practices inconsistent with those provisions shall be introduced. If the governments of the member states do not have complete control over regional or local authorities or public undertakings, they are required to use their influence to insure that those bodies comply with the article.

"The Council is empowered to amend the article. The provisions of paragraph 1 are so worded as to refer obliquely to the consultation and complaints procedure, through which control must ultimately be exercised. Paragraph 6 defines public undertakings in terms wide enough to insure that particular undertakings do not slip through the net by virtue of some special peculiarity of their constitutions or of their relationships with the central governments."

By decision of the Council No. 10 of 1963, adopted on May 10, 1963, the date of December 31, 1969, in paragraph 1 of article 14 of the Convention was replaced by the date of December 31, 1966.

Since the provisions of article 14 relate only to the elimination of practices which control or influence imports and exports, they are much more limited in effect in the field of public contracts than the broad provisions of articles 62 and 63 of the treaty establishing the Benelux Union.

Article 16 of the Stockholm Convention contains the following provisions with regard to the right of establishment:

"1. Member states recognize that restrictions on the establishment and operation of economic enterprises in their territories by nationals of other member states should not be applied, through accord to such nationals of treatment which is less favorable than that accorded to their own nationals in such matters, in such a way as to frustrate the benefits expected from the removal or the absence of duties and quantitative restrictions on trade between member states.

"2. Member states shall not apply new restrictions in such a way that they conflict with the principle set out in paragraph 1 of this article.

"3. Member states shall notify the Council, within such period as the Council may decide, of particulars of any restrictions which they apply in such a way that nationals of another member state are accorded in their territories less favorable treatment in respect of the matters set out in paragraph 1 of this article than is accorded to their own nationals.

"4. The Council shall consider not later than December 31, 1964, and may consider at any time thereafter, whether further or different provisions are necessary to give effect to the principles set out in paragraph 1 of this article, and may decide to make the necessary provisions.

"5. Nothing in this article shall prevent the adoption and enforcement by a member state of measures for the control of entry, residence, activity and departure of aliens where such measures are justified by reasons of public order, public health or morality, or national security, or for the prevention of a serious imbalance in the social or demographic structure of that member state.

"6. For the purposes of this article:

"(a) 'Nationals' means, in relation to a Member State, (i) physical persons who have the nationality of that Member State and (ii) companies and other legal persons constituted in the territory of that member state in conformity with the law of that state and which that state regards as having its nationality, provided that they have been formed for gainful purposes and that they have their registered office and central administration, and carry on substantial activity, within the area of the Association;

"(b) 'Economic enterprises' means any type of economic enterprise for production of or commerce in goods which are of area origin, whether conducted by physical persons or through agencies, branches or companies or other legal persons."

It seems apparent that the provisions of article 16 are not of much importance in the field of public contracts. Moreover, particularly since the Convention contains no provisions for the rendering of services which do not require establishment in the territory of a member state, articles 14 and 16 probably are not of much importance in the field of government public works contracts.

Principal sources

(1) EFTA Secretariat, "Stockholm Convention Examined" (Geneva, 1963).

(2) Hay, "Some Problems of Doing Business in the Regional Markets of Europe," 17 Rutgers Law Review, page 305 (1963).

(3) Jantzen, "The Operation of a Free Trade Area" (Geneva, 1964).

(4) Surrey and Shaw (editors), "A Lawyer's Guide to International Business Transactions" (Philadelphia, 1963).

AUSTRIA (MEMBER OF EFTA, GATT, AND OECD)

Procurement procedures for the ministries, affiliated agencies, and institutions of the Federal Government are laid down in ÖNorm A–2050, "Procurement Practices" (Vergebung von Leistungen) dated March 30, 1957.

ÖNorm A–2050 prescribes the following methods for the letting of contracts:

(1) Public invitation for offers (öffentliche Ausschreibung)—invitations for offers are published in the official Wiener Zeitung or the Amtlicher Lieferanzeiger (official procurement gazette) and also in daily newspapers and trade journals.

(2) Restricted invitation for offers (beschränkte Ausschreibung)—limited invitations for offers are privately addressed to selected firms.

(3) Direct procurement (freihändige Vergebung)—contracts are awarded without formal proceedings in the discretion of the contracting authorities.

The first method is the standard one and is normally used for all contracts of more than 300,000 Austrian schillings (about $11,700). The second method may be used in the restricted cases specified in article 1.432 of ÖNorm A–2050 and the third method in the even more restricted cases specified in article 1.433.

In any case the contracting authority is under a duty to accept the offer which best satisfies all technical and economic viewpoints and hence not necessarily the lowest one in price.

The following provisions of article 1.34 of ÖNorm A–2050 provide for an outright preference for domestic firms and domestic products (unofficial translation from German): "Insofar as possible, only domestic products shall be used and only domestic enterprises shall be employed."

In compliance therewith most advertisements for offers specify that only Austrian firms may submit offers.

The standards set forth in ÖNorm A–2050 were drawn up and published by the quasi-official Austrian Standardization Association (Österreichischer Normenausschuss) but in 1963 the Austrian Cabinet approved the provisions thereof and Federal ministers were requested to, and did, issue internal service regulations making compliance with such provisions mandatory for the ministries, affiliated agencies, and institutions of the Federal Government. At the same time, provincial governments and municipal administrations were invited to issue similar instructions and by the end of 1964 most of them had complied with the Federal Government's bids.

Principal sources

(1) Letter dated October 28, 1964, from the U.S. Embassy in Vienna to Cravath, Swaine & Moore, Paris.

(2) Foreign Service Dispatch No. 1017 from the U.S. Embassy in Vienna entitled "Bidding in Award of Public Contracts."

(3) Airgram No. A–76 from the U.S. Embassy in Vienna entitled "Procurement Practices of Austrian Government Agencies."

(4) U.S. Department of Commerce, "Selling in Austria" (Oversea Business Rept. No. 64–70, June 1964).

DENMARK (MEMBER OF GATT, EFTA, AND OECD)

Procurement for public purposes in Denmark takes place under a variety of regulations, and there is no uniform law with regard to inviting tenders or the letting of contracts by the various official agencies.

Discrimination against foreign bidders and foreign materials exists by administrative practice and the discretion vested in the various procurement authorities.

Public tenders are invited infrequently, principally in connection with the procurement of engineering products. The general and usual procedure is one of selective tender under which estimates may be obtained from a number of suppliers, with complete discretion in the particular procurement authority as to whether estimates will be requested from foreigners. In considering the estimates the procurement authority takes into account not only the price but also quality, servicing, and other factors.

Consequently, contracts are generally awarded only to Danish firms.

Principal sources

The foregoing is based principally on information supplied by the Bureau of International Commerce of the U.S. Department of Commerce on the basis of reports from the U.S. Embassy in Copenhagen.

NORWAY (MEMBER OF EFTA, GATT, AND OECD)

Norwegian Government procurement is conducted under the provisions of the Government Regulations Concerning Tenders of July 4, 1927, as amended, which were promulgated by Royal decree.

The normal procedure established by the regulations calls for general competition through the medium of public invitation for tenders by means of advertisement. The regulations themselves contain no provisions discriminating against foreign bidders or foreign materials. Nevertheless, discrimination does exist as a result of administrative practice, particularly the discretion which procurement authorities have in the tendering procedure.

In the first place, there is no requirement that foreign tenders be invited. In general, such tenders are invited where there is only one Norwegian supplier of the procurement item or where the procurement authority finds that foreign competition is in the public interest.

Secondly, even if foreign tenders are invited, preference is given to a Norwegian tender and a foreign tender is accepted only in exceptional cases, such as where a substantial price differential (price offered plus tariff) exists or where no Norwegian bidder is deemed to be qualified to perform a contract for technical, financial, or other reasons the application of which is in the complete discretion of the procurement authority.

Finally, even if products manufactured in Norway are considered, the degree to which such products incorporate foreign raw materials or semimanufactured products enters into the determination as to which Norwegian product is chosen.

Special concessions with regard to the acquisition of waterfalls (in connection with hydroelectric plants) and the development of mining resources granted under the General Concessions Act (Lov om Ehverreise av Vandfald, Bergverk og Anden Fast Eiendom) of December 14, 1917, require that machinery, equipment, and other materials must be purchased in Norway if the price of the Norwegian product is not more than 10 percent above the cost of a similar foreign product.

Principal sources

The foregoing is based principally on information supplied by the Bureau of International Commerce of the U.S. Department of Commerce on the basis of reports from the U.S. Embassy in Oslo.

PORTUGAL (MEMBER OF EFTA, GATT, AND OECD)

Article 359 of the Portuguese Administrative Code establishes public tendering preceded by advertisement as the basic method of awarding contracts.

The basic law applicable to Government procurement is decree-law No. 41,375 of November 19, 1957. It establishes the legal regime under which government services, including those granted administrative and financial autonomy, may effect expenditures for construction and repair of public works or for acquisition of supplies, equipment, and other material.

The decree-law provides for three administrative systems of inviting tenders, as follows:

(a) Public tendering (concurso público)—all who satisfy the general conditions established by law can submit tenders. This method is compulsory for supplies or services costing more than 100,000 escudos (about $3,500).

(b) Restricted tendering (concurso limitado)—only firms specifically invited (in principle, more than three) may submit tenders. Restricted tenders (or, if determined by the contracting authority, public tenders) are compulsory for works, supplies, or services costing more than 20,000 escudos (about $700).

(c) Direct negotiation (ajuste directo)—the contract is awarded by the contracting authority without competition. Wherever possible, however, the award is preceded by consultation with at least three firms. Prior consultation is compulsory for expenditures exceeding 2,500 escudos. Tendering whether public or restricted may be dispensed with in the interest of the state and direct negotiation employed particularly where there is only one possible supplier when the prices of the goods are officially controlled when national security is involved, or when responses to previous calls for tenders for the same work or material have not resulted in any tenders or the tenders received were deemed unacceptable.

Article 24 of Portaria (Ministerial Order) No. 7,702 of October 24, 1933, provides as follows concerning the awarding of contracts (unofficial translation from Portuguese):

"Subject to the provisions of section 4 of article 6 contracts for works or supplies shall be awarded as a rule to the bidder who has submitted the bid which is lowest in price [a propuesta de menor preco]. The Government reserves nevertheless the right to make the award to the bidder who offers the best guarantees [maiores garantias] although not the one who submitted the lowest bid, it being necessary in such case that the award decision be duly justified."

Article 6, section 4, as amended by Portaria No. 8,716 of May 19, 1937, reserves to the Government the right not to make any award, if the conditions attached to the bid are not satisfactory, if the bidders do not possess the indispensable moral suitability or if there is a presumption of collusion.

Discrimination in favor of Portuguese contractors and suppliers and Portuguese products is practiced in a number of different ways, among which are the following:

(1) Although the same procedure and criteria are applied to foreign and domestic bids, contracting authorities are required to give preference to Portuguese products, other things being equal. Article 359, section 5 of the Administrative Code provides in that regard that "conditions of quality and price being equal, Portuguese products shall always be preferred in the furnishing of materials." Article 2 of decree with force of law No. 22,037 of December 27, 1932, requires that the departments and services of the state, the autonomous administrations, the administrative bodies and corporations and private firms and companies which are concessionnaires of the state prefer national products in their purchases, provided that the price be equal to, or lower than, the price of foreign products that are similar or which serve the same purpose. Decree No. 38,504 of November 12, 1951, provides that the latter determination must be made by the Economic Coordination Commission.

(2) In the case of contracts for supplies, equipment, etc., foreign companies can submit bids, but, since Government departments can usually buy goods through national importers, they only deal directly with suppliers in foreign countries in exceptional cases.

(3) Effective competition by foreign contractors for public works contracts requires, as a practical matter, association with a Portuguese company, either as agent or as a subsidiary of the foreign company. The licenses which are required are not granted to foreign companies and Portuguese engineers must enter invoices or participate in the supervision of the projects. In many situations a considerable number of licenses is required.

In an example cited by the U.S. Embassy in Lisbon on the basis of an official source, a large French construction company bid five times in its own name but was unsuccessful until it secured a local subsidiary which employed Portuguese engineers.

The Embassy also reported that Portuguese officials based the award in February 1961, of the $66 million contract for the construction of a long bridge over the Tagus River Estuary (scheduled for completion in 1966) to a consortium headed by U.S. Steel Export Co. on the following considerations, among others: United States Steel was represented by a Portuguese agent, the bridge was to be constructed in association with a Portuguese steel company and Portuguese engineers would (as required by law) participate in the supervision of the project.

In general, every bidder on a public works contract exceeding 250,000 escudos (about $8,750) must possess a license issued by the Commission for Registration and Classification of Public Works Contractors established in the Ministry of Public Works by decree-law No. 40,623 of May 30, 1956, which is regulated by Portaria No. 18,475 of May 16, 1961.

The Portaria provides for the classification of contractors according to construction category and the size of the projects that they are qualified to undertake. The issuance of the license is conditioned on compliance with a large number of formalities.

Article 4 of the decree-law provides that licenses may be issued only to Portuguese citizens and Portuguese companies. In order to qualify as a Portuguese company, at least 60 percent of its capital must be owned by Portuguese citizens and a majority of its board of directors and its managing director must be Portuguese.

Section 2 of article 15 provides exceptionally that, when the characteristics of the work justify it, foreign firms may be permitted to submit bids by decision of the competent minister. In that event, they must comply with the following requirement of section 4 of article 17 of Portaria No. 7,702 of October 24, 1933 (unofficial translation from Portuguese):

"If the bidder is foreign, [he must] attach a declaration, notarized by the legation or consulate of his country, that he renounces whatever rights or prerogatives he possesses as a foreigner, renouncing any special forum, and that he submits, in everything that relates to the execution of the contract, to what is prescribed by Portuguese legislation in force."

Principal sources

(1) Ventura Reimão, "Obras Públicas, Empreitadas e Forneciementos—Legislacão Coordenada e Anotado" [Public Works, Contract Work and Supplies—Legislation Coordinated and Annotated] (Lisbon, 1950, with 1960 supplement).

(2) Foreign Service despatch No. 314 dated March 15, 1962, from the U.S. Embassy in Lisbon, entitled "Export: Government Tenders: General System of Portuguese Ministries."

(3) U.S. Department of Commerce, "Basic Data on the Economy of Portugal," World Trade Information Series, pt. I, No. 60–44 (1960).

SWEDEN (MEMBER OF EFTA, GATT, AND OECD)

The procedures for procurement of commodities and services by the national government as well as national public works contracts are regulated by Royal Decree No. 496, dated June 6, 1952, as amended.

As a general rule, procurement at the national level is made on the basis of competitive bidding. The 1952 decree provides for the following procurement methods:

(1) Public tender (anbud, som infordras genom annonsering)—public invitation for offers published in the "Tidning for leveranser till staten," a weekly publication devoted entirely to state procurement, and occasionally also in the daily press.

(2) Selective tender (anbud, som infordras genom särskilda skrivelser)—solicitation of offers by circular letters to selected suppliers or contractors.

(3) Private tender (anbud, som infordras under hand)—solicitation of offers by informal communications to as many suppliers or contractors as good business practice requires.

All government-owned business undertakings and public utilities of the central government, as well as certain designated government institutions and agencies may, considering the nature and size of the procurement and paying due regard to efficient business practices, invite bids "in any such manner as may be deemed proper and appropriate."

The rules and regulations set forth in the Royal Decree make no distinction between domestic and foreign suppliers or contractors or materials. They do, however, give wide discretion to the responsible government purchasing institutions and agencies in selecting such suppliers or contractors and in rejecting bids submitted by them. Moreover, there is nothing to prevent a government institution or agency from purchasing from whatever source it deems appropriate. The contracting authority has the duty of accepting the "most beneficial" offer; hence, price is not necessarily a decisive factor and equal importance is attached to quality, delivery time, the general reputation and integrity of suppliers, and their ability or willingness to meet required standards and specifications.

The same considerations are reported to be employed by the city governments, municipalities, and rural communities, which are not regulated by statutory provisions or administrative decrees in the procurement of commodities and services and the construction of public works. The normal procedure for inviting bids appears to be through the medium of circular letters addressed directly to firms known to be reputable and reliable.

In view of the wide discretion which is vested in procurement authorities at all levels of government, there is inevitably a natural administrative preference for Swedish suppliers and Swedish materials, despite the official Swedish liberal trading policy.

Principal sources

(1) Letter dated November 29, 1963, from the U.S. Embassy in Stockholm to Cravath Swaine & Moore, Paris.

(2) Airgram No. 448 dated November 29, 1963, from the U.S. Embassy in Stockholm entitled "Procurement: Swedish National and Local Governmental Procedures."

SWITZERLAND (MEMBER OF EFTA AND OECD)

Swiss Government procurement is generally subject to the provisions of the Order (Arrêté) dated March 4, 1924, of the Swiss Federal Council concerning federal government supply and works contracts.

The procedure for inviting tenders for supplies and the placing of orders depends usually on the kinds of supplies to be purchased, but the procurement authorities have a great deal of discretion and supply contracts are usually awarded on grounds of technical suitability rather than solely on price.

Public works contracts and contracts for construction materials of any importance are usually awarded on the basis of public or selective tendering, in the complete discretion of the procurement authorities.

Article 3 of the decree of March 4, 1924, provides in part as follows:

"Preference will be given to Swiss industry in the case of offers which are approximately equal.

"Among Swiss bidders whose offers are equal, preference will be given to those who undertake to employ principally Swiss workers in the execution of the work or the supply contract."

Also, foreign suppliers and contractors must be represented in Switzerland by a person or firm domiciled in Switzerland (i.e., a representative, agency or branch) and legally entitled to act on behalf of the foreign supplier or contractor.

The Federal railways are reported to have a buying policy based on sound economic principles and are unhampered in the choice of supplier by any specific statutory provisions.

Due in part to the traditionally decentralized nature of the Swiss Confederation, many public projects, including some which are totally or partially financed by the Federal Government, are carried out by cantonal and communal procurement authorities. They are for the most part required to give preference to suppliers and contractors located in the town, region or canton concerned, or failing such a supplier or contractor, located elsewhere in Switzerland, if their prices are not substantially higher than those of other possible sources.

Semi-public services are not bound by any statutory requirements but, in practice, it may be assumed that private firms holding shares in a particular concern will be given preference when suppliers are chosen.

Principal sources

(1) Letter dated November 5, 1964, from the U.S. Embassy in Bern to Cravath, Swaine & Moore, Paris.

(2) Foreign Service Despatch No. 252 dated October 16, 1956, from the U.S. Embassy in Bern.

(3) U.S. Department of Commerce, "Selling in Switzerland," Overseas Business Reports, OBR No. 64–108 (September 1964).

UNITED KINGDOM (MEMBER OF EFTA, GATT, AND OECD)

There is no statute governing public procurement or requiring that public contracts be let by competitive bidding and advertising. Apart from the requirement that contracts involving £50,000 (about $140,000) or more be referred to the Treasury for review, if it is contemplated that the contract will be awarded to a foreign firm, the Government departments have full discretion to follow the practices best suited to their needs and the nature of the purchase.

Government contracts can be placed in one of the following three ways:

(1) Public tender—invitations to tender are normally published in the appropriate trade journals and, also where appropriate, in the public press.

(2) Selective tender—this method is used in the great majority of cases. Invitations to tender, which are not made public, are sent to a limited number of suppliers drawn from approved lists maintained for the purpose in respect of each class of goods which a department expects to buy. Although foreign materials are, in general, eligible for inclusion on such lists, their inclusion thereon is in the discretion of the particular department.

(3) Single tender—this method involves the negotiation of a contract with a selected firm and is used where circumstances do not permit normal competition, such as instances where it is impracticable to obtain the supplies elsewhere, either in the United Kingdom or abroad.

In the public tender and selective tender procedures, the contract is normally but not invariably awarded to the lowest bidder, thus leaving room for considerable administrative discretion.

The Stationery Office grants a 10-percent preference in favor of United Kingdom companies. Limited preference is also given by Government departments and nationalized industries to domestic firms located in districts declared to be in need of assistance because persistent and high unemployment exists, or is expected.

Contracts involving £50,000 or more are normally submitted for review to the Treasury, if it is contemplated that the contract will be awarded to a foreign firm. The Treasury is the instrument through which the Government exercises fiscal control over its constituent departments and is governed by a board of commissioners composed of the First Lord of the Treasury (an office usually held by the Prime Minister), the Chancellor of the Exchequer and a varying number of junior lords nominated by the First Lord and appointed by the Crown. If there are no overriding balance of payments considerations and if there is a significant saving to be realized by the letting of a contract to a foreign firm, the Treasury ordinarily does not oppose the awarding of a contract to a supplier or contractor outside the United Kingdom.

Since many contracts are placed under public supply agreements, or through selective tender from a closed list of suppliers, or by confidential negotiations, there are many opportunities for the exercise of discrimination by purchasing department. Moreover, in accordance with the practice reaffirmed by the Commonwealth Trade and

Economic Conference in Montreal in 1958, purchasing departments intending to place orders abroad seek to inform themselves as to whether the goods concerned can be obtained on competitive terms within the Commonwealth.

The selective and discretionary process is best illustrated by the offers for building contracts which are solicited from short lists of selected firms appropriate to the particular project and are awarded to the firm making the lowest suitable offer. Contracts are not advertised in the press or put out for open competition in any way.

Another example recently brought to light in proceedings under the British Restrictive Trading Practices Act is illustrative of the sort of "gentlemen's agreement" approach which is employed by purchasing departments. The proceedings revealed that the British Postmaster General had concluded a Crown Agreement with a group of eight United Kingdom manufacturers to supply all telephone apparatus for the British Post Office. Under the terms of the agreement the Post Office and the manufacturers agreed on the specifications and the prices (which were not published), and, when a contract was to be let, the manufacturers' group selected 1 of the 8 companies for the purpose. Exchange equipment, cables and loading cables were covered by comparable agreements, which brought the total number of manufacturers involved to 13, 5 of whom were parties to more than one agreement.

Principal sources

(1) Airgram No. A–2658 dated May 6, 1963, from the U.S. Embassy in London entitled "United Kingdom Government Procurement Practices."

(2) Letters dated November 21, 1963, and January 2, 1964, from the U.S. Embassy in London to Cravath, Swaine & Moore, Paris.

(3) Whelan, "Public Contracts of the United Kingdom: A Comparative Survey and Introduction," 32 George Washington Law Review 80 (1963).

(4) Arthur Andersen & Co., "Tax and Trade Guide: United Kingdom" (New York, 1964).

FINLAND (ASSOCIATE MEMBER OF EFTA; MEMBER OF GATT)

Finland has no general laws or statutory regulations relating to public supply and public works contracts. Each contracting authority has its own special "provisions for procurement." Those of the National Board of Public Roads and Waterways (the NBR) relating to procurement of machinery and other equipment, which were approved on August 21, 1964, are regarded as typical. They provide for a system of selective tendering under which bids are requested from at least four vendors "known to be reliable and able to supply." Vendors who do not receive the initial invitation may, however, submit tenders if found to be qualified.

Paragraph 8 of section 2 provides as follows concerning the acceptance of tenders (official translation from Finnish):

"Such bid shall be accepted as is deemed to be the most advantageous from the point of view of the state. Solely the price quoted shall not be deemed to be decisive for an acceptance. Where the NBR accepts a bid which is higher than the lowest one, the respective motivation shall be duly recorded."

Preliminary investigation has revealed no Finnish laws or regulations which favor Finnish firms or Finnish products in the field of public contracts.

According to the U.S. Embassy in Helsinki, Finnish officials endeavor wherever feasible to satisfy their requirements from domestic sources, but there is no deliberate discrimination against foreign products or foreign bidders. The "Provisions for Procurement" of the NBR referred to above clearly contemplate the possibility of foreign contractors, but the above-quoted provisions concerning the acceptance of tenders obviously permit discrimination in favor of Finnish products and bidders.

Agreement of Association with the European Free Trade Association

The agreement creating an association between the member countries of the European Free Trade Association and Finland was signed in Helsinki on March 27, 1961, and entered into force on June 26, 1961. The first tariff reduction and the first relaxation of quantitative import restrictions took place on July 1, 1961, when duties on most of the trade in industrial goods between Finland and the seven member countries of EFTA were reduced by 30 percent.

The agreement of association provides for the application to Finland of most of the provisions of the Stockholm Convention establishing EFTA, including article 14 relating to purchases by public undertakings and article 16 relating to the right of establishment.

The agreement of association created a Joint Council composed of representatives of Finland and the Seven in which each country has one vote and which has jurisdiction to deal with matters arising out of the Agreement of Association. Decisions of the Joint Council bind Finland and all of the Seven. Decisions of the EFTA Council, if taken by a unanimous vote, are only binding upon Finland if referred to the Joint Council and accepted by Finland without reservation. Decisions of the EFTA Council taken by a majority vote, if referred to the Joint Council, become binding upon Finland if passed by an affirmative vote of four, whether or not Finland is one of those four.

Principal sources

(1) Letter dated November 3, 1964, from the U.S. Embassy in Helsinki to Cravath, Swaine & Moore, Paris.

(2) Letter dated December 10, 1964, from the Embassy of Finland, Washington, D.C., to Cravath, Swaine & Moore, New York.

OTHER EUROPE

IRELAND (MEMBER OF OECD)

The Government Contracts Committee directs and controls the placing of contracts. There are no laws or specific statutory regulations relating to the awarding of Government contracts. In general, the system prevailing in the United Kingdom is followed.

The general procurement procedure is one of selective tendering under which tenders are invited from all firms that are known to be interested which are considered capable of supplying satisfactorily the goods, services, or works required. If the contracting authority considers it necessary to secure satisfactory competition, use may be made of public tendering and invitations for tenders are published in the press and in trade and technical journals.

It is in the discretion of the contracting authority to invite foreign tenders but foreign firms that learn of invitations for tenders are not precluded from submitting tenders.

In cases where foreign tenders are solicited and/or submitted, preference is given to Irish firms to the extent of the duty or import quota in cases in which the goods to be purchased are subject to such a duty or quota and to an unknown extent in the case of nondutiable items or those not subject to quota.

Usually, but in the discretion of the contracting authority, the lowest "suitable" tender is accepted.

The Irish tariff is three column: Full, preferential, and special preferential. Special preferential rates apply to specified classes of goods originating in the United Kingdom and Canada and are generally equal to one-half or two-thirds of the full rates. Preferential rates apply to products of the Commonwealth not entitled to special preferential rates. Full rates apply to all other dutiable imports, including imports from the United States. Accordingly, U.S. firms are at a distinct disadvantage in bidding on Government contracts.

Principal sources

(1) Letter dated December 15, 1964, from the Embassy of Ireland, Washington, D.C., to Cravath, Swaine & Moore, New York.

(2) U.S. Department of Commerce, "Foreign Trade Regulations of Ireland," Overseas Business Reports, OBR No. 64–64 (June 1964).

SPAIN (MEMBER OF GATT AND OECD)

Public procurement in Spain continues to be governed by the provisions of the law on the state administration and accountability (Ley de Administracion y Contabilidad del Estado) of July 1, 1911, as amended by the law of December 20, 1952, until such time as the Government publishes an implementing text (texto articulado) of law No. 198 of December 28, 1963 (Boletín Oficial, Dec. 31, 1963), concerning the bases of Government contracts (Bases de Contratos del Estado).

Under the 1911 law, as amended, there are primarily three kinds of systems used in government procurement: public tendering (subasta), competitive tendering (concurso-subasta) and direct contracting (concierto directo). Contracts for public works or public services to be carried out on behalf of the State are normally awarded through public tendering. The letting of contracts by competitive tendering and direct contracting is exceptional and the circumstances under which contracts may be awarded by those two methods are narrowly defined.

The formalities as to the publication of notices and specifications, etc., are not as great as in the case of competitive tendering as they are for public tendering. In the latter case the contract is normally awarded to the lowest bidder, that is, the one who makes the most economically advantageous offer consistent with the specifications. In the case of competitive tendering the contracting authority has the option of either awarding the contract for the works or services which are the subject of the tender or of nullifying it. The award is made by selecting the bid which offers the most advantages both in the light of the specifications and the various tenders, without any legal obligation to award the contract to the bidder offering the lowest price.

The new law will give much more discretion to the contracting authorities in the selection of the method which they use and also permits the use of a fourth method—selective tendering (concurso). In the case of public works contracts the contracting authorities will have complete discretion to choose between public and competitive tendering. The circumstances under which selective tendering and direct contracting may be resorted to will be defined in the implementing text. In the case of public supply contracts, selective tendering is specified as the normal method, with direct contracting permitted in exceptional and restricted cases. The new law also provides for the first time for the prior qualification and classification of public works contractors and the establishment of a Register of Contractors in which they are to be enrolled.

The new law provided that the implementing text was to be drawn up and promulgated by the government within a period of 1 year. Under the provisions, however, of the decree-law of December 28, 1964 (Boletín Oficial, December 29, 1964), the Government was given an additional period of 4 months, that is, until April 30, 1965, in which to do so.

Article 10 of the law of November 24, 1939 (Boletín Oficial, December 15, 1939), for the Coordination and Protection of the National Industry (Protección y Fomento de la Industria Nacional) provides that a wide variety of public bodies must use articles

exclusively of Spanish manufacture. A copy of an unofficial translation from Spanish of article 10 is attached hereto.

Principal sources

The foregoing is based principally on information obtained from private sources and the U.S. Department of Commerce.

SPAIN

(Law of November 24, 1939, for the Coordination and Defense of National Industries, (Boletin Oficial, December 15, 1939)—Unofficial translation from Spanish)

Article 10. In any works, installations, services and purchases carried out with funds of the state, provinces, municipalities, agencies, and delegations of the movement, monopolies, public service concessions or companies enjoying benefits or assistance in any administrative, economic, or financial form, use will solely be made of goods manufactured in Spain, as evidenced by the national certificate of manufacture issued by the Ministry of Industry and Trade.

Exceptionally and following consultations with the Technical Services of the General Directorate of Industry, the Ministry of Industry and Trade may authorize the purchase of foreign industrial products by special dispensation in each case, for one of the following reasons:

(1) When the national product is expressly declared to be unsuited for a specific purpose, following appropriate analyses, tests, or trials carried out at the request of the interested party.

(2) When the Spanish industry is unable to meet a recognized urgent need, provided the agency or body concerned in the purchase conclusively shows that the need in question was impossible to foresee in the time available, or that the product cannot be replaced in a shorter time by a similar article of national manufacture.

(3) When no similar article is nationally produced, subject to the proviso that no arbitrary, irregular or untoward competitive conditions unjustly excluding the national product shall be tolerated under such a pretext.

The foregoing conditions shall not exclude others which urgent circumstances and the special duties of the Ministries responsible for national defense may require them to impose in regard to matters coming under their jurisdiction.

RESIGNATION OF HERBERT W. KLOTZ

Mr. ANDREWS of North Dakota. 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 Dakota?

There was no objection.

Mr. YOUNGER. Mr. Speaker, the resignation of Assistant Commerce Secretary Herbert W. Klotz gives rise to a number of questions which are well treated in an article by Louis M. Kohlmeier in the Wall Street Journal of April 27.

Many of us feel that Congress has degenerated into pretty much a rubberstamp, as the President is acting as majority leader in both the House and the Senate, but now the Presidential influence seems to have penetrated the so-called independent regulatory agencies. There has been a great deal of debate and concern about Congressmen calling up members of these independent agencies, and many Congressmen have been criticized for attempting to favorably influence members of the independent agencies toward some project initiated by a constituent—yet if what Mr. Klotz reports is true, the President seems to feel that he has a right to dictate to the chairmen of the so-called independent agencies.

Mr. Kohlmeier's article follows:

THE KLOTZ AFFAIR: IMPACT ON CAPITAL

(By Louis M. Kohlmeier)

WASHINGTON.—The summary sacking of Assistant Commerce Secretary Herbert W. Klotz for his involvement in the Texas Gulf Sulfur case, even though Mr. Klotz was a minor figure accused of no crime, undoubtedly has conveyed this warning to all Federal officials: The Johnson administration does not intend its image in history to be dirtied by episodes that even suggest private gain obtained in public office.

At the same time, Mr. Klotz' exit has, quite inadvertently, focused attention anew on the Johnson family's corporate stock holdings and the problems they create in the minds of some Federal officials. And the relations between the President and the Securities and Exchange Commission and other regulatory agencies may have been complicated still further.

When the SEC last week filed the suit that accused 13 officers, directors, and employees of Texas Gulf of profiting from inside information about a rich silver and copper strike in Canada, Mr. Klotz wasn't named a defendant. His name isn't even mentioned until page 14 of the SEC's complaint, and then only as 1 of 10 individuals who took a position in Texas Gulf stock on the basis of tips from an insider. Before the suit was filed, there even was discussion inside the SEC about the propriety of mentioning the names, since none was accused of violating any law.

BOUGHT ON A TIP

The suit didn't say that Mr. Klotz personally had any contact with a Texas Gulf insider. Rather, it alleges an insider named Kenneth Darke, a Texas Gulf geologist who was on the spot at the ore strike near Timmins, Ontario, got in touch with a friend, Nancy Atkinson (now Mrs. Francis Brown) who worked as a secretary in the Commerce Department and who passed the tip on to Mr. Klotz and others. Mr. Klotz claims he did no wrong because his private stock interest was unrelated to his public office: "In my official capacity with the Department of Commerce, I have never had nor could be expected to have any dealings" with Texas Gulf or its officials.

This response, at first, seemed to satisfy his boss, Commerce Secretary Connor, who approved the Klotz statement prior to delivery. Now Mr. Connor says it "seems clear that high Government officials are acting unwisely if they speculate in the stock market on the basis of information not readily available to the public."

That this harder line is a hand-me-down from President Johnson also seems clear. Though the SEC, as is its habit as an independent, quasi-judicial Government agency, didn't tell the White House before it filed the suit, Mr. Johnson, as soon as he heard of it, telephoned SEC chairman Manuel F. Cohen, who was at home recuperating from a heart attack. Just what Mr. Johnson said to Mr. Cohen and what was said to other SEC officials in subsequent calls the White House reportedly made, isn't clear. One version is that the President asked about the details of Mr. Klotz' involvement. Another is that the President berated the SEC, though for precisely what isn't clear either.

Whatever, the upshot was Mr. Klotz' resignation "accepted by the President," and a resurgence of feeling inside the SEC that Mr. Klotz shouldn't have been named in the complaint against Texas Gulf.

So there you have it—even after Mr. Klotz is gone, the memory of Mr. Johnson's phone call to Chairman Cohen will linger on at the SEC. And this could be an important new element in the complicated relationship between the President and the regulatory agencies that are supposed to be independent of the White House. Inside the independent agencies, well aware that the President controls the pursestrings and reappointments, no White House call is lightly dismissed.

CONFLICTS OF INTEREST

Perhaps even more importantly, the Klotz affair represents another blind alley for any Federal official who tries to find a safe route through the maze of laws, regulations, and mores designed to protect against "conflict of interest." The late President Kennedy, conceding that no set of laws or regulations could hope to cover the infinite variation of problems that can arise, laid down this general doctrine to govern Federal officials: "The highest standards of ethical behavior * * * must be followed not only in reality but in appearance."

The difficulty comes in translating the general to the specific. From the Klotz affair, a cautious Federal official might well conclude the only sure way to avoid trouble is to dispose of all stocks before he enters office, and refrain from buying securities while in office—even if his private holdings in no way can collide with his public position. If this, indeed, is the Johnson rule, then it poses serious problems for the President.

Certain to be compounded is the Johnson administration's already considerable difficulty in recruiting superior executive talent from the ranks of industry. The President has suffered several disappointments because some business executives have been unwilling to dispose of corporate benefits, such as stock options, to come to Washinton; unquestionably even more would decline public service if they felt they had to refrain while in office from holding stocks.

Also brought into question, again, is the Johnson family's retention of beneficial ownership of stock in Texas radio and television stations—holdings that have brought the family a multimillion-dollar fortune—during the years that Mr. Johnson held Federal office, in the House and Senate and then as Vice President. When Mr. Johnson became President, he acquired the right to initiate FCC appointments, and recognized the clear conflict of interest. But did he really solve it?

The President did place the stocks in a trust, ostensibly beyond his control, but the Johnson family retains beneficial ownership and the trust arrangement will expire when Mr. Johnson leaves the White House.

So, the significance of the Klotz affair, looking beyond the Assistant Secretary's personal tragedy, lies in the President's reaction to the incident. For Washington officialdom is now buzzing with unflattering comment on the apparent difference between the standards the White House has set for itself and those it had adopted for the rest of the executive branch.

THE COMMUTER CRISIS

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her 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 Dakota?

There was no objection.

Mrs. DWYER. Mr. Speaker, so far as this Congress and this administration are concerned, the crisis in commuter rail transportation is undoubtedly the least understood, least acted on major problem facing the country today.

For several years, a number of us in the House and Senate have been seeking to alert our colleagues to the Federal Government's role and responsibility in the effort to avert a collapse in commuter rail service in our heavily populated urban areas.

That collapse has never been closer than it is today, and in the single most important, and vulnerable, metropolitan area in the world—New York, New Jersey, and Connecticut.

Yet, we hear little or nothing from responsible officials of the Government. The administration seems to have no proposal to which it is giving serious study. The Congress appears to have no major legislation which is receiving adequate consideration.

The current issue, May, of Fortune magazine, Mr. Speaker, contains an article which should jolt our Government out of its lethargy. Entitled, "Commuter Railroads Can Be Saved," and written by Harold B. Meyers, it presents a thoughtful and balanced view of the current problem, warns forcefully of the high cost of further inaction, and offers some useful suggestions.

I recommend the article to our colleagues, Mr. Speaker, and I include it herewith as a part of my remarks:

COMMUTER RAILROADS CAN BE SAVED

(By Harold B. Meyers)

For a few hours each morning and evening, the New York metropolitan area is a vast kaleidoscope of people in motion. In an 8,000-square-mile region of New York State, New Jersey, and Connecticut are concentrated more than 17,100,000 people, and nearly 2 million of them work in the densely packed 8.7 square miles of Manhattan between 60th Street and the Battery, where 137 of the Nation's largest industrial corporations have their headquarters. But only one out of four of the people who work in that tiny area actually lives in Manhattan; the others converge on the island in the morning and leave it at night. About 400,000 Manhattan workers have their homes entirely outside the 5 boroughs of New York City.

Half of these suburban dwellers make their daily journey to and from work by highway, and the other half by commuter train. But there has never been a half-and-half division in public policy. The highway users have had all the best of it. In the last 10 years alone, about $4 billion has been spent on streets and highways in the New York region, while the suburban railroads, when not gouged by tax collectors, were pretty much neglected and left to sink into deep, perhaps mortal, trouble.

It is apparent at last that continued favoritism toward the automobile at the expense of the train can lead only to chaos. Even with all the money that has been poured into them, the expressways, bridges, and tunnels serving New York City are scarcely able to cope with the present peak-hour jams; during that time the expressways compete for the title of "world's longest parking lot." If the 200,000 train commuters were forced to take to cars and buses, there would be neither time, money, nor space for construction of highways to accommodate them comfortably, much less the expected increase in their numbers. Says New Jersey State Highway Commissioner Dwight R. G. Palmer: "Only continued use of our rail commuter lines provides the possibility of keeping our present highway congestion within reasonable limits."

The privately owned railroads have had precious little reward for running an essential public utility. Commuter service was never highly profitable. Its very nature, particularly the fact that costly equipment and manpower are fully utilized only for brief daily periods, makes profits hard to come by. Years ago the local railroads gladly provided commuter service to lure people into their territories in order to gain freight revenues on the goods—especially coal for heating—consumed in the suburban towns. Times have changed. Now homes are heated by oil or gas instead of coal, and very little freight revenue is generated at most suburban stations. At the same time, off-peak passenger travel has declined, reducing the utilization of equipment. Instead of taking a train to shop on 5th Avenue or 34th Street, housewives drive to suburban shopping centers, which offer almost the same variety as Manhattan stores and convenience besides. Even the 5-day week has hurt the railroads, since it cuts 1 day of utilization for their suburban equipment. Nowadays what railroad managements are most anxious to do about their commuter service is to close it down.

Obviously, this can't be allowed to happen. But it is equally obvious that the railroad companies and their investors cannot be expected to take a beating indefinitely. A new and imaginative public policy must grapple with the problems. Fortunately, a sense of crisis has finally impelled Government and civic leaders to develop practical new programs. The air is at least full of ideas.

TALCUM POWDER ON A BROKEN BACK

Some of the commuter lines serving New York City have not seen a banker smile since firemen shoveled coal. With the exception of the merger-bound New York Central and Pennsylvania, both of which have freight profits to keep them healthy, the suburban railroads are in miserable financial shape. Left to themselves, the Long Island, the New Haven, the Erie-Lackawanna, and the Central of New Jersey would appear to be racing neck and neck for the graveyard.

The Long Island has a special status that has kept it functioning relatively smoothly for a long time, but the dispensations that have saved it are running out. It is almost entirely a passenger line—in 1964, $66,530,800 of its revenue came from its 192,000 daily passengers, more than 80,000 of whom are regular commuters, and only $9,286,000 came from freight. The Long Island's last black-ink years as a private enterprise were during World War II. It went into bankruptcy in 1949 and then suffered more reverses, including 2 wrecks in which 109 commuters were killed. Since 1954 the Long Island has been operated as a special Railroad Redevelopment Corp., created by the State. For the last 10 years the Long Island's owner, the Pennsylvania, has forgone any return on its $131 million investment, including the $2,092,000 in interest due annually on the Long Island's bonds, and the railroad has been forgiven $2,260,000 a year in taxes. Aided by this forbearance, the line embarked on a program for $65 million worth of improvements. Progress has been real, and adroit public relations has made the most of it to give the Long Island the look of a going concern. But the legislative authorization for the Railroad Redevelopment Corp. expires next year, and the Pennsy has served notice that its investors can no longer be expected to subsidize the Long Island's operations. Unless an imaginative plan like the one for State ownership proposed by New York Gov. Nelson Rockefeller is put into effect, the only way for the Long Island to go is back to bankruptcy.

The New Haven, which hauls about 25,000 commuters a day from Connecticut and Westchester County into Manhattan, has been perennially and notoriously in so precarious a condition that one wonders how it keeps running at all. The line has been in reorganization since 1961 and is still losing on all fronts—$10,509,000 on passenger service last year (more than half, by the trustees' calculations, on commuters) and $6,532,000 on freight. With cash draining away each month, the New Haven's trustees concluded long ago that passenger service would have to be abandoned or turned over to someone else. The agreement with the New York Central and Pennsylvania for inclusion of the New Haven's freight business in the Penn-Central system does nothing for either long-haul or commuter passenger service, except make them clearly separate problems.

So far, public plans for saving commuter service have seemed more political than practical. Some time back, New York and Connecticut offered new equipment, but were turned down. Explains a New Haven official: "Offering us new passenger cars is like offering to loan a Cadillac to a man who doesn't have a dime for a cup of coffee. How's he going to run it?" When U.S. Circuit Judge Robert P. Anderson granted the trustees permission to seek discontinuance of passenger service, he said of the car-equipment plan: "This would be as effective as attempting to remedy a broken back by dusting it with talcum powder."

Across the Hudson River, the Erie-Lackawanna claims it lost $8,250,000 last year on its suburban trains, which carry more than 25,000 commuters a day. The State of New Jersey provided a direct cash subsidy in 1964 of $2,200,000 to help cover the Erie-Lackawanna's commuter losses, but at the same time the railroad was paying $4,300,000 in property taxes. It does not have a single passenger car that is less than 30 years old, and the ferryboats that provide its own link to Manhattan are even older. With the hope of tidying his line up enough to make it attractive for a merger, Erie-Lackawanna Chairman William White has offered to donate his commuter rolling stock to anyone who would operate it without loss to the railroad. He has found no takers.

The Central of New Jersey, used daily by almost 10,000 commuters, has some equipment even more decrepit than Erie-Lackawanna's and faces financial collapse every time a gandy dancer cashes a paycheck. Last year was its seventh straight year of deficit operations. In the last decade the Jersey Central earned $50 million on freight, lost $66,500,000 on passengers, and received $6,400,000 in direct cash subsidies from the States (while paying $30 million in New Jersey property taxes). To ease its tax burden, the railroad has been unloading property—by sale when possible, otherwise simply by relinquishing title to a municipality. The line has given up ownership of 768 acres of land, largely in Hudson County, on which it otherwise would have had to pay $1,400,000 in taxes last year. Some of the land in Jersey City had been assessed at $20,000 to $30,000 an acre. The city has since sold parts of it for only $1,000 an acre.

THE PRICE OF A HIGHWAY MILE

The plight of New York's commuter railroads is not just the business of commuters condemned to dirty, ill-kept trains and unkept schedules, and uncertain of whether they can ride at all next month or next year. Nor is it the business just of the stockholders and bondholders deprived of a fair return on investment. No matter how sorry a lot they may be, the railroads are essential to the public functioning of the region they serve—and, to the great extent that Manhattan is the financial and corporate center of the United States, essential to the Nation

as well. That is why it is simply unthinkable that they should go out of existence. It should not be forgotten that if rail commuter service were dropped, the public purse would have to pay for whatever substitute could be devised. And highways are a far costlier way than railroads of getting masses of people from place to place. An apt comparison has been made by New Jersey Commissioner Palmer. Pointing out that his State has been providing direct subsidies of about $7 million a year to commuter lines, Palmer says: "This is about the same amount that a mile of modern freeway in our urban areas would cost." And, indeed, he understates the case; some miles of urban expressways cost as much as $25 million.

Lots of figures have been bandied about regarding the investment needed to restore the railroads to health. The New York Central, which already has the best commuter service in the New York area, has estimated that it would take $58 million more to provide what it envisages as the finest possible service. The Erie-Lackawanna's estimate for its own line, to achieve a more modest standard, is $80 million. One proposal for improving the Long Island calls for spending $200 million. These figures are for practical improvements, many of an obvious nature, on individual lines. An areawide estimate has been made by the Regional Plan Association, a nonprofit civic organization. Regional Plan has put the probable cost of full modernization and integration of all the essential commuter lines serving New York at $1 billion—$100 million in capital investment for each of 10 years.

A billion dollars is a lot of money, even spread among all the New York region's commuter roads. And under present conditions, private management would have to be moonstruck to make the investment. Warning New Jersey political leaders last year of his company's dire straits, Erie-Lackawanna's White listed some of the immediate needs for the road just to maintain service at present levels. "This company does not have funds with which to replace equipment and facilities," he contended, "and even if funds were available, we would not be justified in investing money for these purposes with no prospect of earning a return on the investment nor even the prospect of providing the service at a breakeven point. Sound business judgment would preclude any businessman from doing so."

That would seem to leave it up to the public—and, as has been pointed out, a billion dollars is only a quarter of what has been spent on highways in the New York region in the last 10 years. In the next 10 years it is expected that highway spending will keep about the same pace.

HISTORY OF BUCKPASSING

There is now widespread, though not unanimous, agreement that the commuter lines must be rescued by some sort of Government action. The sticky question is—which government? The railroads are not neatly confined to single political subdivisions. They cross city lines, county lines, and State lines; and the benefits from them are not limited merely to communities that have stations at which trains stop. They are vital to the economic health of the entire region. This interdependence is not always visible to the separate governmental jurisdictions, however, and parochialism has added to the difficulty of developing public policy to aid the railroads. Last fall Westchester County supervisors voted down a proposal to provide $400,000 in cash assistance for the New Haven. Only when $300,000 was made available by the towns directly served was the grant finally approved—though contingent on conditions never accepted by the New Haven trustees.

Too often, municipalities argue that the county is the smallest unit that can be expected to participate directly in a program to aid the railroads. Counties look to the States, and the States look to Washington. For its part, the Federal Government has acknowledged some responsibility. After all, its spending on highway building—90 percent of funds for the interstate highway system come from Washington—has contributed to the railroad decline.

Federal policy, as formally stated, now calls for a balanced transportation system. To that end, the availability of highway funds will be dependent on the establishment of a planning process to assure the broadest possible consideration of each community's real needs. Federal funds have been provided for demonstration grants to be used in practical efforts to break transportation bottlenecks. In 1964, Congress passed the Urban Mass Transportation Act and appropriated money for capital improvements. Much more money will be needed, no doubt, than the $375 million over 3 years projected by the act, but at least a start has been made.

There are and must be limits on Federal involvement in the local operations of commuter trains. Both the administration and Congress have taken the sound position that Federal assistance should be directed only to capital needs and that day-to-day operations and deficits are matters best handled locally. There is no desire in Washington to "become intimately involved in the management of local transportation," says John C. Kohl, of the Housing and Home Finance Agency, who administers Federal participation in transportation programs authorized by the Urban Mass Transportation Act.

Observers of the Washington scene may find this restraint unusual, but it is nonetheless commendable. In the commuter-railroad crisis there is still a chance to show, with Washington's blessing, that a serious problem can be handled without setting up another stack of offices along the Potomac. But to do this will take imagination and ingenuity in developing new mechanisms in public administration. There will have to be a partnership and cooperation of a rare sort among different levels of Government and with private enterprise.

A NETWORK FOR THE FUTURE

A regional organization dealing with transportation problems is already in existence, though it is no more than a first step toward what is needed. In 1961 the Governors of New York, New Jersey, and Connecticut agreed to form the Tri-State Transportation Committee. The committee is carrying out the most comprehensive study of existing and potential transportation facilities, habits, and needs ever made in its area. It has made aerial maps of every inch of the region and taken actual counts of passengers aboard commuter trains (learning, among other things, that trainmen, afraid of being deemed superfluous, sometimes overstate the number of passengers they serve). The reams of information and studies available from other sources have been sifted and analyzed and then added to the fresh data developed by the committee. Using computers and a large staff of transportation specialists, the committee is putting together a full and accurate picture of the commuter-railroad situation; incredibly, this is the first time it's ever been done. Even more important, it is engaged in making comprehensive projections of future requirements in the region.

But the Tri-State Transportation Committee, as now constituted, is just another planning body. It has no power to put its recommendations into effect. What is needed in addition is an operating agency with ample resources and a broad mandate—modeled, perhaps, on the Port of New York Authority, a bistate agency that owns and operates airports, docks, bridges, tunnels, and other transportation facilities in which New York and New Jersey share an interest. Like the Port of New York Authority, the transportation agency should be nonpartisan and independent, with a board of qualified directors appointed by and answerable to the Governors and instructed to aim at financial self-sufficiency. The agency would purchase the commuter equipment and lease trackage rights from the railroad companies (where appropriate, it might contract with private management to run the service). Although many an intervening step would be required, the ultimate goal would be to tie all the lines, vastly improved and modernized, into a single, efficient commuter rail network, fitting into an overall transportation scheme including New York's subways and the regional highway system.

A public transportation agency of this sort would probably be welcomed by the private railroad operators. "I know of no alternative but for some agency to take over the burden of commuter losses—or to abandon service," says the Erie-Lackawanna's White. In a recent letter to New Jersey's Governor, Pennsylvania Railroad President Allen Greennough and Jersey Central President Perry Shoemaker wrote: "We have in mind a basic public service which ideally can and should be provided by a public agency."

NEW CARS FOR OLD LINES

The first advantage a public agency would have over the private railroads would be its access to money. Like a turnpike authority, the agency could sell bonds backed by State treasuries to obtain funds for the large and quick doses of capital investment needed. It would, in addition, have State assistance in meeting the deficits racked up by commuter service; these deficits now run about $25 million a year for the whole New York area, over and above assistance already given by the States.

The money would go, first of all, toward the purchase of new passenger cars and the rehabilitation of old ones. Greater reliability would mean more efficient utilization of both manpower and trains. Another immediate benefit would be a reduction in running expenses. Decrepit equipment is costly to operate and maintain. Although they turned down the New York-Connecticut offer of new cars for other reasons, the New Haven's trustees conceded the great advantage of good equipment. They have reported that maintenance costs are 45 cents per car-mile on old commuter cars and 20 cents on the last new equipment installed on the line.

The changes that could be wrought with money do not end with new rolling stock. Nor would they have to await great new technological developments such as those envisioned in last month's Fortune ("The 400-Mph Passenger Train"). Beginning with what exists now and applying known technology, an agency with money to invest could create a transportation system that would seem utopian by present standards. Roadbeds could be rebuilt and jointed rails replaced by welded ones, decreasing wear and tear on both equipment and passengers. Electrical power systems could be extended and modernized; for years the New Haven has had to pay a premium to equip its power units so that they will operate on both its own overhead a.c. lines and the third-rail d.c. system on the New York Central track it shares between Woodlawn and Grand Central Station.

Stations throughout the metropolitan region could be rebuilt with high-level platforms so that passengers could step aboard trains without climbing steps. This would not only be a convenience for the passengers, it would also mean faster loading and unloading and make possible the use of automatic doors—which, in turn, would help to reduce the work force needed to operate each train. With the installation of an automatic ticket system, conductors would not have to struggle through the trains checking every

passenger's ticket. Experiments with such installations are already being conducted on both the Long Island and the New York Central.

There is no need for great departure from today's basic system. For example, it would not make sense to substitute a monorail system for the perfectly sound dual rail that now exists. But it might make sense one day to have a rail system running through Manhattan from New Jersey to Long Island, instead of having every train come to a dead stop in the heart of the city and then go back where it came from.

Ironical as it may seem, one good reason for putting the commuter lines under a public agency is to relieve them of some of the burdens put upon them by public policy. So long as this service remains in private hands, some local taxing authorities will continue to regard it as fair game, no matter how bare the railroads' treasuries. New York and Connecticut have taken some constructive action in recent years to relieve railroads of onerous taxation, but in New Jersey a soak-the-railroads bias still prevails.

A public agency could also have the privilege of setting rates and arranging schedules without other State and Federal bureaucracies looking over its shoulder at every move. Neither at the State nor at the Federal level has railroad regulation been marked by the flexibility and dispatch needed to meet changing conditions. Too often, railroads have encountered the added hurdle of overlapping jurisdictions: management has had to get permission from not only the Interstate Commerce Commission but State regulators as well to make the changes and adjustments it felt necessary for efficient operation.

One of the Erie-Lackawanna's big problems, for example, has been its inability to close down stations. Some stops are less than a mile apart, slowing train service and making no economic sense. But efforts to eliminate stops have invariably provoked public outcries. Branch lines—e.g., on the New Haven—likewise have been preserved by timid regulatory agencies bowing to political pressures out of all proportion to the importance of the service involved.

Modernization of commuter lines would open up opportunities for reducing the size of train crews and for utilizing workers more efficiently. The Institute of Public Administration has estimated that automatic fare collection on a combined New Haven-New York Central service might result in net savings of $697,000 a year, mostly in labor costs.

But such economies will be possible only if unions can be induced to accept further changes in present practices in the interest of continued and improved commuter service. A public transportation agency presumably could approach the unions on a fresh basis of cooperation, and there are hopeful signs that railroad labor is becoming somewhat more aware of the need of innovation to protect its long-range interests. Even with private railroads, some unions have recently withdrawn their longstanding insistence that New York retain its costly "full crew" law.

A public agency might also let some needed fresh air into executive suites. The present managements have shown none of the will-to-win that has inspired the Chicago commuter lines, particularly the Burlington and the Chicago & North Western, to improve their operations. In the East there has been too much rigid devotion to tradition in evaluating proposals for improvement in service.

THE STIRRING OF POLITICS

For all its bright promise, of course, a public agency might very well raise some new problems. Taxpayers would have to be prepared for a long, perhaps unending, period of deficit operations. Any public body carries its own dangers and its own built-in tendency toward bureaucratic rigidity. One pressing problem would be how to set it up in such a way as to make it responsive to real public needs without becoming a political football. And no one wants an overweening agency beyond the reach of political processes.

The creation of the right kind of tristate agency is likely to take quite a while. But the plight of the New York region's commuter lines demands immediate attention. What is required right away is a line-by-line approach that will keep commuter services going without foreclosing the ultimate creation of a regional system. Governor Rockefeller's proposal for the Long Island is an example of what might be done. He has recommended that the State buy the Long Island Rail Road from the Pennsylvania 'if a reasonable price can be obtained." Responsibility for operation of the road, either through contract with private management or through its own operating division, would rest with a New York State Metropolitan Commuter Transportation Authority to be created by the State. The authority would embark on a $200-million program of modernization and rehabilitation. Part of the money, $89,500,000, would go for 497 new cars. The rest would pay for such basic improvements as the extension of electrification and the installation of automatic ticket-collection equipment and high-level platforms. It still remained to be seen, as this issue of Fortune went to press, how Rockefeller's plan would fare in the State legislature—and, of course, in negotiations with the "Pennsy."

The New Haven's commuter service, it appears, will be orphaned if that line's property folds into the Pennsylvania-New York Central merger. The Governors of New York and Connecticut have suggested a bistate compact under which the States would contract with the railroads for the New York Central to manage its own and the New Haven's commuter services as an integrated system. Unfortunately, much of the financing proposed by the States would have to come from the Federal Government and is not assured. The New Haven still awaits effective public help.

Not quite everybody has given up on the possibility of operating the New Haven as a private and profitable enterprise, despite its dismal record. The New Haven Commuter Study Group, Inc., a nonprofit corporation headed by Frank P. Davidson, a founder of an organization promoting a railway tunnel under the English Channel, has taken a new and searching look at the New Haven. On the basis of a feasibility study by the transportation-engineering firm of De Leuw, Cather & Associates, Davidson's group hopes to make a proposal this month for operation of the New Haven's commuter services in a manner attractive to private investors.

Over in New Jersey, the State has unveiled a proposal for a $55,800,000 program—about half Federal, half State—to aid the Erie-Lackawanna and other lines with capital investments and operating changes. Much further along is the so-called Aldene Plan, which may keep the Jersey Central going for awhile. Under this plan the line will drop its ferry service and terminate at the Pennsylvania Railroad Station at Newark. It hopes thus to get rid of its Jersey City passenger terminal and save some $440,000 a year in taxes. Though there is hope of getting Federal assistance, the State is picking up half of the bill, estimated at $10,400,000, for the first phase of the necessary improvements.

PATH TO PROGRESS

An essential participant in the Aldene Plan is PATH (Port Authority Trans-Hudson Corp.), the railroad operating subsidiary of the Port of New York Authority. It is by PATH cars, traveling part of the way over Pennsy tracks, that the Jersey Central's commuters will be transported from Newark to stops in lower Manhattan. Passengers going to midtown will take either a Pennsy train or PATH.

PATH is a successful example of public operation of an essential commuter service. It was formed in 1962, under special legislation passed by both New York and New Jersey, to take over by condemnation the bankrupt Hudson & Manhattan Railroad's Hudson Tubes, which provides a subway-type river crossing for nearly 100,000 passengers each weekday. PATH has introduced changes that have been little short of monumental. The unusually constructive attitude of the 12 unions representing PATH workers has made possible a long-term increase in efficiency based on attrition and retraining. Morale among the workers has never been higher; trainmen even treat passengers courteously.

A renovation program costing more than $50 million is making PATH a modern and comfortable transportation service. PATH has cleaned up its station and is now taking delivery on a fleet of 162 aluminum cars, costing $17 million, from the St. Louis Car Division of General Steel Industries, Inc. These cars have been specially designed throughout—even to the positioning of straps for standing passengers—for both passenger comfort and operating efficiency. Before fall PATH will have a fully air-conditioned fleet of rail transit cars. Trans-Hudson commuters have never had it so good. If leadership proves equal to the challenge, commuters elsewhere in the tristate region might one day share the PATH riders' good fortune.

ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her 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 Dakota?

There was no objection.

Mrs. BOLTON. Mr. Speaker, each year at this time I am privileged to join with millions of Americans of Polish descent, to celebrate a Polish national holiday—the Polish Third of May Constitution.

The abandonment of Poland to the control of first czarist and then Soviet Russia cannot be erased from the pages of history. Through the years the Polish people have suffered in slavery, fighting in vain against the forces of tyranny. Is it not up to freemen to see that the enslaved are not forgotten?

In the United States today there are over 7 million people of Polish origin participating in America's destiny. In observing this historic event they are remembering why they and their ancestors came to our shores. Commemoration of this day deepens the faith and renews the resolve of every free American regardless of origin. For that rebirth of patriotism, and contribution to the moral and spiritual wealth of America, we are indebted to Polish Americans.

So it is my honor to salute the Polish people and their Constitution of May 3 at this time.

ATTACK ON GRAND CANYON

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her 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 Dakota?

There was no objection.

Mrs. BOLTON. Mr. Speaker, "Grand Canyon, America's best known scenic preserve, is in imminent danger, threatened by two huge unnecessary power dams," writes Dr. Richard C. Bradley, associate professor of physics, at Colorado College, in the winter of 1964–65 issue of the Living Wilderness magazine.

The two dams are the Bridge Canyon and Marble Gorge Dams, key features in the proposed Lower Colorado River Basin project. "Neither dam is necessary for the success of the southwest water plan," according to Dr. Bradley. Pointing out the similarity between this proposal and the Echo Park Dam proposal for Dinosaur National Monument a decade ago, which precipitated one of the classic conservation battles of our time, Dr. Bradley noted that Echo Park also had been described as a "key unit" in a multi-billion-dollar water storage project, that could not be eliminated without jeopardizing the whole program. Yet, Dr. Bradley writes, the storage project has been able to get along very well without Echo Park, which was rejected by an overwhelming mandate of the people.

In view of the likelihood of early hearings and consideration of this matter by the respective House and Senate Committees on Interior and Insular Affairs, Dr. Bradley's article is quite timely and under unanimous consent, I insert it herewith in the RECORD. The article follows:

ATTACK ON GRAND CANYON

(By Richard C. Bradley)

(NOTE.—Mr. Bradley is an associate professor of physics at Colorado College, and has published many research papers in his field as well as on conservation issues. He is a fellow of the American Physical Society and holds membership in a number of other professional societies. He participated in the conservationists' battle aginst Echo Park Dam. Among other attributes, he is an active outdoorsman, and has been through Dinosaur and Glen Canyon on the rivers. He graduated magna cum laude with distinction from Dartmouth College in 1943, and obtained his Ph. D. in physics at the University of California in 1953.)

Grand Canyon, America's best known scenic preserve, is in imminent danger, theatened by two huge unnecessary power dams. The Federal Bureau of Reclamation, in its latest assault on the national park system, is seeking immediate authorization to build these hydroelectric dams as part of its comprehensive multi-billion-dollar Southwest water plan. Besides violating the unique and irreplaceable park system, the dams would waste precious water in a land that does not have enough water to go around, and would produce power at such high cost it could probably only be sold at a loss in tomorrow's power market. For all that, the dams have powerful support in and out of Congress, and the blessings of the Secretary of the Interior. The American public, on the other hand, scarcely even knows about them.

Both dams would be located on the Colorado River in Grand Canyon, one in Marble Gorge and one in Lower Granite Gorge. Neither dam is necessary for the success of the Southwest water plan. Both would be wasteful and destructive. The one in Lower Granite Gorge—the so-called Bridge Canyon Dam—would back up water through the entire length of Grand Canyon National Monument and 13 miles into Grand Canyon National Park, areas which are supposed to be preserved unimpaired for future generations.

The Bureau argues that this invasion of the park is authorized by the Grand Canyon Act of 1919 which reads: "That, whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of the areas therein which may be necessary for the development and maintenance of a Government reclamation project." But, it is fair to ask, is a fluctuating reservoir that destroys all life within its zone of fluctuation "consistent with the primary purposes of the park?" Does a reservoir that brings no water to anyone and which annually evaporates enough to supply a city of over a half a million people properly qualify as a "reclamation project"? Can a hydropower project in a land rich in fossil and nuclear fuels really be considered "necessary"? And what of Grand Canyon National Monument, just downstream from the park and scheduled for even greater devastation? Where in the proclamation setting aside this monument can the Bureau find any mention of any reclamation project whatever? Let the American people, and especially their elected representatives, ponder well these questions before turning over any of their superb national park system to the Bureau of Reclamation's bulldozers.

The principal objective of the whole Southwest water plan, of which these two dams are a part, is to bring water to a fast-growing and thirsty region. We do not contest this objective. We do not deny that central Arizona, for example, is legally entitled to, and urgently needs, the million acre-feet of Colorado River water it would annually receive under the plan. But this does not mean that dams must be built in Grand Canyon. The Southwest will not get its water from these dams even if they are built. Arizona will get hers from Lake Havesu on the California-Arizona border far downstream. Nevada will get water from Lake Mead. Southern California will get water from northern California, or the Pacific Northwest, or the ocean, or from all three—but certainly not from Grand Canyon. The sole purpose of the Grand Canyon dams is to produce power which the Bureau will then sell to help finance the rest of its program. In other words, the dams are intended to make money.

But let us look at the power situation in the Southwest. Is damming Grand Canyon the only way of producing power in that area? The southwest water plan itself says: "The total proposed Bridge Canyon and Marble Gorge capacity will provide only a small increment of the projected future demand of the area * * *. The major portion of the future electrical energy demand of the area in the Pacific Southwest will be generated by thermoelectric plants. In the future thermal units in Arizona will probably utilize coal or gas * * *. Reserves of fossil fuels are more than adequate to meet foreseeable power needs." Water may be in short supply in the Southwest (and reservoir evaporation will make it shorter still) but certainly not power potential.

Are the dams, then, so much more economical than other power sources that we cannot afford not to build them? This again is not the case. The Bureau's Grand Canyon power will sell at a composite figure of 5.3 mills per kilowatt-hour, whereas private steamplants at Shiprock, N. Mex., are now selling it for 5.8 mills. And if the steamplants had the same low interest tax-free benefits the Federal dams enjoy, they could sell power today for somewhat less than 5.3 mills. The Bureau's dams, then, can be considered competitive with, but not superior to, other power sources that exist today.

But how about the trends in power generation? Will the 5.3-mill power continue to be competitive for the next 60 years while the dams are being built and amortized? We cannot answer this with certainty, but we do know that advancing technology is bringing down the costs of thermal power without materially changing that of hydropower. A decade ago steamplants were selling power for over 7 mills per kilowatt-hour. Now it is below 6 mills.

Assistant Commissioner Bennett of the Reclamation Bureau predicted a year ago that thermal power would soon be delivered in the Colorado River Basin at less than 5 mills. Senator ANDERSON, of New Mexico, said last fall that the Four Corners area will shortly be getting it for 4 mills. Coal and nuclear steamplants are being built in the East which within 3 years will be selling it for less than 4 mills. And the Office of Science and Technology of the U.S. Government is predicting that within 10 years nuclear plants will be producing power for about 2.5 mills and fresh water besides. It may well come to pass that long before the Grand Canyon dams can be paid for, their power will be the most costly in the Southwest. And if the Bureau cannot sell its power at a profit, it can neither pay for the dams nor the rest of its program.

Commissioner Dominy of the Bureau acknowledges these trends, but argues that hydropower will still be needed because it has greater flexibility than steampower for meeting peak demands. He is certainly correct that it is easier to draw down additional water from a reservoir when power demands suddenly go up than it is to fire up another boiler. But there are several other good ways of producing peak power besides steam and hydro. Diesel-electric peaking plants, for example, are now being built that can be turned on in a matter of seconds. Such plants can be installed when and where they are needed in much less time and at much less cost per installed kilowatt than the Bureau's dams, and although they require fuel (which is not in short supply) they do not evaporate water (which is). Thus, even if we grant the need for peaking plants, there is still no need to put them in Grand Canyon.

A little over a decade ago this same Bureau came before Congress with a remarkably similar proposal and remarkably similar arguments to back it. Echo Park Dam, a hydropower facility the Bureau wished to put in Dinosaur National Monument, was described as a "key unit" in a large comprehensive multibillion-dollar water storage project, a unit that could not be eliminated without jeopardizing the whole program, a unit that was especially desirable because of a low evaporation rate, a unit that would not really damage the monument very much and which in any case was authorized by the proclamation establishing the monument. The American people listened to these arguments, but decided to protect their national park system instead, and rejected Echo Park Dam by an overwhelming mandate. Interestingly enough, the storage project seems to have gotten along very well without it.

The situation is comparable at Grand Canyon. The dams are only a small part of a large comprehensive water salvage program, but the Bureau claims they are essential and cannot be removed without endangering the rest of the program. It argues they are needed for peaking power, will not harm Grand Canyon very much, and are authorized

by the Grand Canyon Act. No doubt in this case as well, the water plan would survive admirably without these dams. However, the forces promoting them are very powerful and they work swiftly. The bills have already been introduced in Congress. They will undoubtedly pass both Houses unless an aroused public can make itself heard in time. It will take nothing short of another mandate, perhaps another million letters to Congressmen, to save Grand Canyon from this wanton desecration. But it would be worth it, for the stakes are high. If America's best known scenic preserve can be sacrificed in the name of "peaking power," what can possibly save Yellowstone or Yosemite or any of the other national parks and monuments from a similar fate?

HORTON BILL TO END AUTO EXCISE TAX

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] 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 Dakota?

There was no objection.

Mr. HORTON. Mr. Speaker, I am introducing legislation today for the repeal of the Federal excise tax on new passenger automobiles.

I am prompted to push repeal of the 10-percent Federal excise tax currently borne by new car purchasers for two reasons, and both relate to the economy of the community I represent—one specifically, the other generally.

First. There are in Rochester, N.Y., some 7,500 employees of General Motors. Their livelihoods are directly tied to the economic health of the auto industry.

Second. Repeal of this excise tax would leave millions of additional dollars in our area to be spent locally for the betterment of the entire economy.

Our economic picture presently is bright. Therefore, we must continue our best efforts to keep it in high gear. Among the necessary steps is putting the maximum amount of money possible in the hands of the people to buy and invest. Excise taxation works against this principle.

On the average, the price of every new car sold in this country is increased by $225, the amount of the manufacturer's excise tax. Just imagine what that $225 could do if it did not have to be siphoned off for the Federal Treasury.

There is no question but that repeal of this excise tax could benefit auto industry workers. As demand for new cars increased—and it should do so definitely because the automakers are pledged to reducing new car prices by the full amount of any excise tax reduction—so would employment increase. More people working means more money for more families and an improved standard of living. Further, wage earners are taxpayers; therefore, as in all cases of excise tax loss to the Treasury, there is a potential for offset from higher income tax collections.

The community at large is going to benefit a great deal from removal of this auto excise tax, too. With more people making more money, there is a greater amount of capital to be spent in buying goods and services. Those buying new cars at reduced prices also will have more money at their disposal for other uses. Just as we learned from the income tax cut of the last Congress, when taxes are reduced reasonably there is a multiplier effect which takes place. The effect of tax reduction is felt many times in the economy, not just at the place it is removed, but through every step taken by the additional capital made available for economic growth.

The automotive industry of America is so vital to our economy that any stimulation it receives is reflected immediately and directly in the overall picture. Certainly, then, we should not hesitate further to remove this one tax whose repeal can benefit us to such an extent.

The auto excise tax is an unfair and highly discriminatory burden on the new car buyer. It applies uniformly to those in all income brackets, and in that regard is completely out of step with our fundamental tax philosophy. This tax has had its day. Now, that day is gone, the war emergency is over, and it no longer is right or due for the Federal Government to tax its citizens in this manner.

I urge that this Congress move decisively and directly to repeal the auto excise tax.

HORTON RESOLUTION FOR NATIONAL ARBOR DAY

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] 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 Dakota?

There was no objection.

Mr. HORTON. Mr. Speaker, this is the first meeting of the House since the last Friday in April. For that reason, I think it is appropriate for me to announce that I have introduced today a joint resolution authorizing the President to proclaim the last Friday of April of each year as National Arbor Day.

In many States and localities, the last Friday of April is observed traditionally as Arbor Day. Yet, there is no recognition of this important occasion in our national life.

I feel there should be and that feeling prompts my support and sponsorship of this resolution for an appropriate Presidential proclamation.

A National Arbor Day would provide the opportunity of emphasizing the importance of tree planting in America. It would afford recognition of the vital part which trees and woodlands play in beautifying the landscape, protecting watersheds, and providing timber and its products for the comfort and convenience of the people in this Nation.

While tree-planting festivals are probably as old as civilization—the Aztecs, ancestors of the Mexican people, planted a tree for each newborn child—Arbor Day, as such, is essentially an American institution. It first was observed in Nebraska in 1872.

The Bible tells us, "The tree of the field is man's life." We can make it a more important part of our national life, I believe, by passing this National Arbor Day resolution.

COMMENDATION OF JEWISH COMMUNITY RELATIONS COUNCIL OF PHILADELPHIA

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] 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 Dakota?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I rise today to commend the impressive and vital work which has been carried on in Washington by members of the Jewish Community Relations Council of Greater Philadelphia. Throughout the months of February and March this organization has been coordinating and sponsoring visits to Washington by concerned citizens of Greater Philadelphia to protest the evil of anti-Semitism as it has been permitted to flourish in the Soviet Union today.

These citizens, by participating in demonstrations before the Soviet Embassy, have voiced their quarrel with injustice in quiet eloquence. Their vigil has been courteous, decent, and dignified. I hope that finally the American Government through President Johnson and our State Department will make these grievances known to those who have power to change this policy within the Soviet Government.

The members of the Community Relations Council are reaching toward a great and worthy objective; that objective is to achieve an end to religious oppression as it exists today in the Soviet Union.

On March 28, 1965, the Community Relations Council sponsored a mass rally in Independence Square of Philadelphia to focus public opinion on this issue. The rally attracted more than 5,000 citizens. I commend the council's dedication to this great cause and I shall continue to support their efforts in the Congress until something is done.

A recent article from the New York Times shows new evidence of concerted efforts to oppress the Jewish population of Russia. This information is as contemporary as today. I insert it in the RECORD at this time and commend it to the attention of all Members of Congress and to the concerned public.

JUDAISM ASSAILED IN SOVIET ARTICLE—U.S. JEWISH GROUPS SCORE "HYSTERICAL ANTI-SEMITISM"

A coordinating body of 24 national Jewish groups charged yesterday that an article in a prominent Soviet newspaper reviles Judaism as an enemy of the Soviet people.

Label A. Katz, chairman of the steering committee of the American Jewish Conference on Soviet Jewry, the coordinating body, said in a statement that the article appeared

in the February 2 issue of Zviazda, a newspaper of Minsk, capital of the Byelorussian Republic.

The 1,350-word article, as translated by Mr. Katz' group from the Byelorussian, charges Judaism with being "the enemy of human culture, the hotbed of a code of morality hostile to the Soviet Union." The author is listed as J. Muraviev, a senior lecturer at the V. I. Lenin Byelorussian State University.

Titled the "Shadow of the Synagogue: For the Verdict of Reason," the article says in part:

"The shadow of the synagogue: It has shrunk and moved back, but it still crosses our path. It is a reminder of the evil, heavy darkness that blinded thousands and thousands of people, poisoned their souls and stunted their bright aspirations. In our day, the servitors of the synagogue strive to prove that Judaism is not an accumulation of harmful prejudices, but a 'form of culture'; not dead superstition.

"Like all other religions," it goes on, "Judaism is the enemy of human culture, is in contradiction to science and is the hotbed of a code of morality hostile to us."

Mr. Katz described the article as "hysterical anti-Semitism" and said "its abusive character is obviously intended to promote a policy of suppression of Soviet Jewish life by intimidating the Jews of Minsk."

Minsk's population of 500,000 includes 30,000 to 40,000 Jews. There are about three million Jews in the Soviet Union.

The 24 Jewish organizations that assailed the article include the American Jewish Congress, the Union of American Hebrew Congregations, the Jewish Labor Committee and the National Council of Jewish Women.

The attacks cited in this news article have no justification. Such attacks suggest that the time is long overdue for our Government to start working toward a new and concrete foreign policy goal—that goal must be a change in the policy of oppression of religious freedoms in the U.S.S.R.

This story of oppression is an ominous reminder of another chapter of religious oppression in world history; a chapter which was also written during an April month. On April 19, 1943, the eve of the Jewish Passover, the bitterly remembered Warsaw Ghetto uprising began. For a few courageous days the Jewish community of Warsaw demonstrated to the world a fighting courage and heroism that has seldom been seen. More than 400,000 innocent citizens lost their lives in this human holocaust. Silence and indifference, the sin of silence, became the shame of the world. We must learn from that moment of silence. We must learn that silence in the face of religious oppression will lead only to futher oppression.

America did not respond to anti-Semitism in Europe in 1939 until it was too late. Our Congress did not speak out against this injustice. There was no united voice in Congress. We who are privileged to be Members of Congress today can learn a great deal from that moment of apathy. Whatever we do learn can be applied actively to this problem. From little seedlings of hate and bigotry mighty oak trees grow—and anti-Semitism as it exists in Russia today, is becoming an evil and sturdy oak tree indeed.

In asking that the Jews or any other faith in Russia be given freedom of religion we are asking no more than the enforcement of what the Russian Constitution already provides. The Russian government should be reminded of this constitutional obligation, as provided in article 124 of the Constitution of the Union of Soviet Socialists Republics. I quote from article 124:

In order to insure to citizens freedom of conscience, the church in the U.S.S.R. is separated from the state, and the school from the church. Freedom of religious worship and freedom of antireligious propaganda is recognized for all citizens.

"Freedom of religious worship is recognized for all citizens." Certainly this assures for all citizens of the U.S.S.R. the rights now in question. Restoration of these guaranteed rights is a justifiable objective of our own foreign policy. Our insistence that the Russian Government live up to its own constitutional obligations must be heard.

The cancer of oppression and bigotry is as alive in the Soviet Union as it has ever been. This cancer must be eradicated at its source, by a change in Soviet national policy, before it spreads quietly to more serious and uncontrollable proportions.

The United States, by concurrent resolutions, can make it clear to all concerned citizens throughout the United States and the world that the response of our national leaders will not be silence and apathy. These concurrent resolutions, of which I am a sponsor, have wide support in both the Senate and the House.

The position of Members of Congress should be united and vocal on this important issue. Our attitude should be stated in concurrent resolutions and expressed on the floor of the Congress until the Soviet Government assures us that the rights guaranteed by article 124 are being protected.

This expression by the Congress could become a living memorial; it would be proof that we have learned to take preventive action against the evil of religious oppression while time for action and time for a change in a national policy still remains.

CAPTIVE NATIONS COMMITTEE

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] 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 Dakota?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, I want to add my voice to those of my colleagues who have expressed their approval of the resolution to establish a special committee on the captive nations.

Congress needs this special committee if it is to carry its full share of the responsibilities invested in it by the American people. The resolution under consideration is intended to give Congress an effective weapon in opposing the expansion of communism. By conducting hearings and publishing studies on the condition of the captive nations, Congress will be able to project into the mainstream of world thinking the reality of the terrible plight of those peoples living under communism who are denied their freedom. The executive branch is necessarily inhibited from carrying on this aspect of the cold war, and thus the responsibility must rest with Congress.

The claims of the Soviet Union and its allies in the Communist camp have been virtually uncontested when they issue propaganda statements that the United States and the West are the leaders of imperialism and colonialism, and thus represent a force of retrogression for humanity. We all realize that this is not the case. It is the Communist countries which are indeed the greatest imperialists of the modern age. This is the message that must be communicated to the peoples in the former colonial areas, and none can do this better than a congressional select committee on the captive nations.

ARMENIAN MASSACRE

Mr. Speaker, Although we have become somewhat inured to the grossest of crimes as a result of our knowledge of World War II, we should not forget other genocidal campaigns of the past. Today, I should particularly like to draw attention to the incredible hardships of the Armenian people.

The Armenians have for thousands of years occupied a small area east of the Caucasian mountains. Due to the tradition of great multinational empires in the Middle East, whose governing hand was usually light, the Armenians were able to live in relative tranquillity for many years. When the Ottoman Empire, however, became increasingly tyrannical, the Armenians, as Christians under Moslem rule, suffered increasing hardships. Eager to regain their cherished freedom, and the free exercise of their religion and way of life, they clamored for independence.

It was their great and unhappy misfortune to feel the full wrath of the Ottoman Turkish armies, for expression of their desire for liberty coincided with World War I, when the powers of Europe were engaged in a struggle for their own existence. Without the knowledge of most of the world, the Turks were able to carry out a savage campaign of repression which resulted in the death of hundreds of thousands of innocents.

Although the number of dead and wounded, and those driven into unhappy exile in strange lands exceeds the one million mark, the Turks were not successful in stilling either the courage or culture of the Armenian people. Both continue to the present day, a symbol of the desire of all people to live in peace and freedom.

CURB THE FEDERAL POWER COMMISSION

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] 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 Dakota?

There was no objection.

Mr. ROBISON. Mr. Speaker, I am pleased today to cosponsor legislation to amend the Federal Power Act in respect to the jurisdiction of the Federal Power Commission over State canals, river-regulating reservoirs, and facilities or power projects incidental thereto.

This measure, which has the bipartisan support of the steering committee of the New York delegation, is designed to define the jurisdictional limits of the authority of the Federal Power Commission, and to curb the efforts of this Commission to extend its regulatory powers to those waters of New York State which, traditionally and historically, have been the exclusive concern of the State of New York.

I share the widespread serious concern that the rights and interests of New York in its own waters are in jeopardy, and that the State will lose its sovereignty over waters which have been and should remain under its exclusive control, if the Commission is allowed to realize its demands for licensing authority over these waters.

The amendment which I propose would in no way alter congressional intent as contained in the language of the Federal Power Act, but rather would clarify the scope of the act by proscribing the Commission's licensing jurisdiction over waters peculiarly of State concern.

THE HUDSON: A RIVER IN PERIL

Mr. HOWARD. 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 Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, in recent months there has been an encouraging growth of public concern over the fate of our Nation's rivers. It has not come a moment too soon, for, as President Johnson warned in his message on natural beauty, "this seemingly indestructible natural resource is in danger." Years of neglect and indifference to reckless exploitation have left us with precious little to save and much to restore.

Now, there is a heartening reaction against this apathy. Public indignation and official concern are spurring efforts to save those few rivers that are as yet unspoiled and to reclaim those which have been damaged, but not yet destroyed. The national wild rivers bill and the forthcoming proposals for the Potomac are among the more encouraging signs of the awakening national interest.

Mr. Speaker, I regret to say that one of the Nation's greatest rivers has not yet benefited from this recent awakening of official concern. In spite of unparalleled public demand, in spite of the efforts of the State and Federal legislators and a wealth of proposals for its development and restoration, one river has been exempt from constructive official action. I am speaking of the great and historic Hudson River—without question one of the Nation's most beautiful and valuable river resources.

It is generally recognized that no river in America is in greater need of help than our beloved Hudson; it stands on the brink of destruction. Yet, it also stands on the threshold of a great new future. Decisions made in the next few months could well determine whether it will become a model of modern river development or an industrial canal.

The Hudson River presents us with a new problem in conservation and one that we must solve soon if we are to achieve the bold goals of the Great Society. This beautiful river runs through settled areas, through growing cities. It is an important avenue of commerce and it has a role to play in the industrial and commercial growth of its people. We cannot halt growth and change along the Hudson's banks. We cannot just establish a national park. We must have true cooperative action by local, State and Federal Governments to develop the whole range of the river's economic and esthetic resources in a manner consistent with the unique scenic character of the riverway and appropriate to the needs of its people.

Although much has already been lost due to indifference and neglect, there is much that can be saved and developed in the interests of all the people.

Last January, I introduced a bill, H.R. 3012, to overcome the unfortunate record of official neglect and to restore and rehabilitate this great river. This measure to establish a Hudson Highlands National Scenic Riverway, received nonpartisan support throughout the State of New York and in the Nation. Ten of my distinguished colleagues in the House, including members from both parties, introduced similar legislation. The two Senators from New York, cosponsored a similar measure in the other body. Seldom in recent times, I am told, has a conservation measure generated such public enthusiasm and support.

Mr. Speaker, the measure which I proposed protects the rights of the people who live, work and own property along the riverway. H.R. 3012 supports local authority and the rights of local governments to plan for their own future. Most important, it removes one serious existing impediment to these rights: the complex Federal authority which has been interjected into the river's business over past years. As of now, at least five Federal agencies have the authority to make major long-range plans for the development of the riverway. They may do so without reference to the plans or feelings of local interests and without control by any other State or Federal authority. This situation has already damaged the interests of the river seriously and it hangs like a sword of Damocles over any plans that the State or local governments may advance.

H.R. 3012 will correct this situation. It will bring the fragmented interests of the Federal Government under one authority directed to protect the interests of the people. It places the burden of proof regarding any proposal squarely on the shoulders of the agency making the proposal, not upon the ill-formed, ill-financed private citizens, as it is now.

H.R. 3012 would encourage appropriate industrial development along the Hudson, it would start coordinated action to clean up and restore blighted areas. It would begin the big job of abating pollution and stimulate local and State planning for the future of the river.

It saddens me to report that other interests in the river are apparently trying to block the expressed will of the people. These interests see the problems of the Hudson as a political issue, although I and my colleagues have tried in every way to avoid this.

I hope that it will be possible to overcome the petty opportunism that would frustrate public interest in saving and developing the Hudson. I hope that we can do so without recourse to direct political action which could only weaken efforts for a constructive solution to the river's problems. But one way or the other, we will have to act and soon.

Mr. Speaker, the difficulties that face the Hudson are great and complex. Years of official indifference have created what must be one of the most complex conservation problems in the Nation today. I do not propose to explain all the complexities here now, but I would like to bring to the attention of this House and the American people a remarkable analysis of one aspect of the Hudson's problems. This analysis, published in the April 26, 1965, issue of one of our most distinguished national magazines, Sports Illustrated, is a frank and penetrating report on the effect of official indifference on an important natural resource. It documents the destruction of the Hudson's unique anadromous fish by commercial interests exploiting the river's resources. It pinpoints the ways that political expediency and official apathy made this destruction possible.

This remarkable article by Robert Boyle, a distinguished editor of Sports Illustrated should be read by everyone who is concerned with developing our natural resources. But most of all it should be read by all those who question the need for Federal action to save what the State has failed to protect:

A STINK OF DEAD STRIPERS: THE STORM KING FIGHT RAGES OVER THE HUDSON AND A CONSERVATIONIST RAISES QUESTIONS ABOUT MISSING PICTURES AND SPAWNING GROUNDS

(By Robert H. Boyle)

Take a good look at the picture below. It shows a mass of dead striped bass left to rot by the Consolidated Edison Co., on a dump near its Indian Point powerplant on the Hudson River. Officials of the New York State Conservation Department not only have denied that such pictures existed, they have hushed the fact that pictures were held by the department itself. Starting on May 10, this hush-up and other revelations about Hudson River fish will be the subject of an investigation by the Fisheries and Wildlife Conservation Subcommittee of the U.S. House of Representatives. The testimony to be given is almost sure to embarrass Con Ed, the Conservation Department and its boss, Commissioner Harold Wilm, and even Gov. Nelson Rockefeller.

To the anger and dismay of commercial fishermen, sportsmen, and conservationists, Governor Rockefeller has been backing the construction of another Con Ed powerplant 15 miles north of Indian Point at Storm King Mountain on the Hudson. Governor Rockefeller and Con Ed won a round last month when the Federal Power Commission licensed the Storm King plant—and possibly licensed the decimation of the rest of the Hudson's striped-bass population.

Led by the Scenic Hudson Preservation Conference, the conservation groups have bitterly fought the Storm King project on a number of grounds. For one, the project would violate State park lands; for another, it would scar more than 20 miles of Putnam and Westchester Counties with high-tension towers. At full capacity the plant will be able to suck off 12 billion gallons of river water a day, and since, according to the latest study, Storm King sits squarely in the middle of the Hudson's bass spawning grounds there is excellent reason to fear for the fishery. These grounds furnish bass to Long Island Sound and northern New Jersey waters. On the northeast coast, sportsmen alone spend $45 million a year in quest of stripers.

The Fisheries and Wildlife Conservation Subcommittee is holding the investigation at the request of RICHARD OTTINGER, a Democrat representing Putnam and western Westchester Counties. Last January, OTTINGER introduced a bill into the House calling for the establishment of a Hudson Highlands national scenic riverway. The bill, which has backing from Democrats and Republicans, would, among other things, prohibit the construction of power installations along a 40-mile stretch of the river from just north of New York City to beyond Storm King. When OTTINGER submitted his bill, he also asked the FPC to delay any decision on licensing Storm King until Congress had a chance to decide on the riverway. The FPC—an autonomous body of five men appointed by the President rejected the request and last month licensed the plant after hearing only one fishery witness, a biologist retained by Con Ed.

Specifically, the Fisheries Subcommittee will determine whether or not Federal and State officials charged with the protection of fish have fulfilled their duties at Storm King and Indian Point. There are indications that they have not. In the first half of 1963—the year the nuclear Indian Point station began full operation—there was an extensive kill of fish. The exact cause of the kill has never been made precisely clear, but the fish apparently were attracted by warm water discharged from the plant and then were trapped beneath a dock. Some sportsmen learned of the kill when great numbers of crows began concentrating at the dump. On June 12, 1963, Dominick Pirone, a graduate student at Fordham and consulting biologist to the League of Saltwater Sportsmen; Harvey Hauptner, then the league's conservation chairman; Fred Luks, an outdoor columnist; and Arthur Glowka, a freelance writer, visited the Indian Point plant, and on that day, Pirone says, "We saw 10,000 dead and dying fish under the dock. We learned that Con Ed had two trucks hauling dead fish to the dump when the plant was in operation."

Pictures of piles of dead fish were taken by sportsmen and at least one member of the conservation department, and other sportsmen who happened to see them were horrified. Pictures were called in by the conservation department's Poughkeepsie office, and then sent on to its Albany office. Before the controversial pictures started disappearing, Dom Pirone saw some. One that sticks in his mind shows a pile of dead striped bass a dozen feet high. In the December 1963 issue of the Southern New York Sportsman, Editor Ted Keatley wrote, "I have a print of a picture taken at the dump. This was forwarded to me with the following commentary: 'Enclosed is a photo taken one evening in early March and showing just one section of the dump. The fish seen here were supposed to be about 1 or 2 days' accumulation. They were piled to a depth of several feet. They covered an area encompassing more than a city lot.'" Earlier Keatley had estimated the kill at 1 million striped bass, but then Assistant Commissioner W. Mason Lawrence of the conservation department tut-tutted that figure as unrealistic in a letter to Keatley, and instead pegged the peak kill at only 800 stripers a day, "mostly of rather small fish." He made no mention of pictures.

Last December, in an attempt to get some straight answers about Indian Point, Pirone and Glowka went to the Poughkeepsie office, where they spoke to Warren McKeon, the regional supervisor, and Ken Wich, the regional fish manager. Both men denied that they had ever seen any pictures of the kill. They offered to open up the office files on Indian Point, but when Pirone later wrote a letter asking to examine the records, Wich wrote back that "Mr. McKeon has been advised by Albany that, at this time, we cannot release departmental reports to the public concerning matters still under investigation." In response to this, Pirone wrote Wich: "Personally, I have heard direct contradictions from several sources as to some of the statements that you and Mr. McKeon made to us on December 23. The question of pictures of the horrible kills at Indian Point passing through the Poughkeepsie office is in particular dispute." Wich never answered.

A few weeks ago State Senator R. Watson Pomeroy, a Dutchess County Republican, decided he wanted to see the hushed-up pictures. Senator Pomeroy, a former chairman of the joint legislative committee on natural resources, is a man of some consequence in the State.

"Commissioner Wilm gave me permission to see them," Senator Pomeroy says, "I wrote to him asking permission to see them, and he wrote me in return giving me permission." Senator Pomeroy was shown two black-and-whites taken in February 1963, at the start of the Indian Point kill. "They did show fish which had been killed," the Senator says. "They were fairly sizable fish kills—a couple of thousand fish. They were brought from the Poughkeepsie office and shown to me at my house."

The hushup of the Indian Point pictures has angered those fighting Con Ed at Storm King. For its part, Con Ed has played down Indian Point as it seeks to dig into Storm King. The company says only thousands—150,000—of fish were killed, and it declares that the big kill stopped in late June 1963, when screening was put beneath the dock.

The conservation department also says fish are no longer being killed in any great number. Con Ed has the matter under study, but meanwhile kills still occur, mostly of smaller fish that get through.

In addition to Indian Point, the Fisheries Subcommittee will investigate the testimony given before the FPC on Storm King by Dr. Alfred Perlmutter, a former employee of the Conservation Department who is now an associate professor at New York University and a Con Ed consultant. Briefly, Dr. Perlmutter testified that he could almost guarantee that the proposed Storm King plant would have little effect on fish eggs. The best spawning grounds for striped bass, he said, were much farther up river. Later he added, "The last study on the Hudson River was made in 1938, and it hasn't been done since."

No other fish experts were present when Dr. Perlmutter testified before the FPC—which had published notice of the project without naming Storm King as the site in a newspaper in out-of-the-way Goshen, N.Y.—but when a number of organizations interested in fish resources heard about his statements, they sought to join Scenic Hudson in the fight by asking the FPC to reopen the hearings. The gist of their protests was that the New York State conservation department had published a study of the Hudson stripers not in 1938 but in 1957. Further, this study indicated that the fish spawned in the vicinity of Storm King. Moreover, the two biologists who had conducted the study, Lewis Miller and Warren Rathjen, had been hired for that job by none other than Dr. Perlmutter. Among the groups which sought to reopen the hearings to allow other experts to testify were the Cortlandt Conservation Association up on the Hudson; the village of Freeport on Long Island; the town of Hempstead, which has a population of nearly a million; the Hempstead Town Lands Resources Council, with 30,000 members and affiliates; the Nassau County Fish and Game Association; the Long Island [commercial] Fishermen's Association; and the National Party Boat Owners Alliance, composed of captains who have direct financial stake in the irreplaceable Hudson fisheries.

Before granting its license to Con Ed the FPC could have reopened hearings to admit extraordinary testimony. But for all the angry letters and petitions that went to the FPC demanding a rehearing, Con Ed sent a reply to the Commission claiming rebuttal on Storm King was too late and that allegations about Indian Point were irrelevant. On March 9 the FPC, in a 3-to-1 vote, agreed to grant Con Ed a license. The Indian Point kill was dismissed by the FPC in a footnote as "outside the jurisdiction of this Commission." As for Dr. Perlmutter, the FPC has endorsed him as "an outstanding ichthyologist." Charles Ross, the dissenting Commissioner, wrote: "The continued existence of this [Hudson fish] resource is one of the primary issues in this case, and I, for one, am not willing to base an ultimate conclusion upon testimony about which serious doubts have arisen."

A hearing was set for May 4 to determine the route of the high-tension towers and the type of screen to be placed over the Storm King intake tubes. On April 1 the conservation department announced Con Ed would finance a $150,000 3-year study of Hudson River fish. In view of the fact there is no fish screen that can exclude the tiny striper eggs, the May 4 session promises to be meaningless.

Fortunately, the Fisheries Subcommittee will bare all the facts. Perhaps, ironically, the Hudson River, the living river, may yet be saved by dead fish long thought buried in an obscure dump and by pictures buried in conservation department files.

VOLUNTEER FLOOD WORKERS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] 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 Jersey?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, as the devastating Mississippi flood waters begin to recede in southeast Iowa, I want to take this opportunity to call to the attention of my colleagues the tremendous contribution made by thousands of volunteer flood workers. These selfless and brave volunteers have manned the levees for days as southeast Iowa communities battled the mighty Mississippi. They worked hand in hand

with the Army Corps of Engineers in building temporary new levees, they helped strengthen and build up the existing levees, they filled sand bags and transported them to the areas of greatest need and they patroled the levees day and night, carefully watching for leaks and weak spots. Their effort is deserving of the highest praise.

Mr. Speaker, we often hear many reports about our young people that cast doubt on their dedication and ambition. But, I want you and the Members of this distinguished body to know that hundreds of teenage boys and girls and countless college students from all over southeast Iowa responded promptly to the dire need for assistance to fight this disastrous flood. They worked long hours throughout the crises.

I was very proud to see the young people of my district fill this great need. As I toured the area, it was extremely gratifying to view their efforts. I look to the future with optimism because the quality and ability of our future leaders is high. This is revealed on countless occasions, but nowhere have I seen it more vividly illustrated than in this spring's disaster. I am sure all my colleagues will join me in saluting these fine young men and women.

Now that the floodwaters are beginning to recede, the human suffering of the victims and the loss of their property remain.

NEW YORK CITY IN CRISIS—PART LVI

Mr. HOWARD. 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 Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following articles from the New York Herald Tribune of March 13, 1965, concerning attempts by New York City to attract industry and Department of Labor efforts to train the unemployed youth in the city.

The articles are part of the continuing series on New York City in Crisis:

NEW YORK CITY IN CRISIS: BUSINESS "RAIDER" ON SOUTHERN TOUR

(By Barrett McGurn)

New York City's industrial development commissioner flew South yesterday morning "as a salesman" to attempt to induce a 600-man furniture factory to move to New York. He thinks he has a strong chance of succeeding.

Neither the commissioner nor his department would reveal which State he was "raiding," but his first destination was Miami.

The trip is the latest in a growing city effort to stem a tide which has swept an estimated 100,000 blue-collar jobs out of New York's five boroughs during the last 6 years.

The journey also will serve at least as a partial city hall answer to 70 presidents and board chairmen of New York's, and America's, largest firms who have become so alarmed by the loss of blue-collar jobs that they have promised to form a private industrial development corporation by March 21.

The $1-a-year commissioner is Louis Broido, former executive vice president of Gimbels, and joint head of the city's Department of Commerce and Industrial Development and of the city-owned Industrial Redevelopment Corp. Mr. Broido hopes that the businessmen's movement will not form a rival development corporation but will join forces with the city's effort.

MERGER SEEMS UNLIKELY

The businessmen made no formal reply yesterday to the Broido offer, but one of their leaders indicated that a "merger" seemed unlikely. Two events yesterday underlined the reasons for the doubts of Mark Richardson, executive vice president of the 197-year-old New York Chamber of Commerce. The chamber has been one of the powerhouses in organizing the businessmen's drive.

Mr. Richardson noted that Commissioner Broido would like the businessmen to give up the idea of an industrial development corporation of their own, and to join him on a "50–50" basis inside the city's corporation with Commissioner Broido as president.

Control by city officials is just what many of the businessmen do not trust, Mr. Richardson responded frankly. Remarking on Mr. Broido's claim that he has saved New York 2,000 light manufacturing jobs during the last 12 months, the chamber of commerce vice president observed that that was a small beginning in the face of the calculated 100,000 loss.

A 14-man businessmen's organizing committee, including presidents and board chairmen of R. H. Macy, the New York Life Insurance Co., the Chase Manhattan Bank, the New York Telephone Co., and the Consolidated Edison Co., will decide on Mr. Broido's offer within 9 days, but Mr. Richardson saw little chance of full acceptance.

Mr. Broido would like the businessmen to serve as a grapevine to report on companies planning to quit New York so that they can be reasoned out of it, and helped where possible. He would also like the businessmen to provide $3 million in debentures at 3 or 4 percent interest.

Palliatives are not what the businessmen seek; they want a radical cure of the troubles which are driving so much manufacturing away, Mr. Richardson said.

The two events which served as background to Mr. Richardson's remarks were these:

Another light manufacturing operation disclosed that it has practically decided to move away. It is the bulk of the Benrus Watch Co. operation at 50 West 44th Street, due to start moving out of New York between late 1966 and the year 1969. The operation will transfer to a 47-acre site in Ridgefield, Conn. About 180 watchmaking jobs will stay at the 44th Street plant because those special skills are unavailable outside New York, but 220 other paychecks will move out. One hundred and fifty jobs in Rockaway also will remain here because the company found space there for needed expansion.

Another city which has had a businessmen's reform movement announced a wide range of successes and cited New York by contrast as an area of at least relative decline. The other city was Atlanta, Ga., where indignant businessmen seized control of a declining situation 3 years ago, elected Ivan Allen, Jr., president of the Atlanta Chamber of Commerce as mayor, forced reforms in expressway construction to relieve traffic jams, and have helped add 20,000 jobs a year for each of the last 3 years. Atlanta's New York publicity agents, the Bell & Stanton Co., pointed out that the Southern city's retail sales have risen 23.2 percent in 2 years compared with New York's rise of 9.1 percent.

As Commissioner Broido packed his bags in hopes of stealing the Southern furniture operation, Julian Lazrus, president of the Benrus Watch Co., told yesterday why he has virtually decided to take another 220 blue-collar jobs from New York.

"You may not like this," he said, "but we also hope to take the people, too. We will make it as attractive as possible for them to come with us, and some of them have told us that because of the present state of their neighborhoods they want to."

TRANSPORTATION SQUEEZE

The key trouble at the Benrus plant is what Commissioner Broido's department has found to be the reason in 70 percent of the cases of factories fleeing New York. The plant needs to expand.

"And how," Mr. Lazrus asked, "are you going to do that in a loft building where we already occupy the whole of the floor we are on?"

For efficient operations the plant also must consolidate four factories in Waterbury and the one on Manhattan's West Side.

"Connecticut has to come here, or New York has to go there," Mr. Lazrus said. "And where am I going to find 10 acres in New York? And at what price? I could never afford it. As it is, some of my directors may be worrying about 47 acres in Ridgefield, but 6 of that is a pond—all the water I need. And there will be 5 acres of parking space. Everybody will be coming to work by car."

Another squeeze is New York transportation. Watches are small but thousands of watches packed in gift boxes become bulky. Then there's the problem of getting them through the New York traffic tangle.

Counterbalancing the disturbing news in part was one New York City government step in the direction of helping afflicted manufacturers. Mrs. Constance Baker Motley, the new borough president of Manhattan, as a board of estimate member proposed the closing of the easternmost half block of 117th and 118th Streets, next to Franklin D. Roosevelt Drive, so that the Washburn Wire Co. can use the space for parking and unloading.

Local residents had objected. Mrs. Motley said neighbors could use a 120th Street overpass to reach the East River promenade. Otherwise, she said, the plant threatens to take another 900 jobs out of New York.

UNITED STATES WILL SET UP FOUR CENTERS IN CITY TO TRAIN AND PLACE YOUTHS IN JOBS

(By Sue Reinert)

The Department of Labor intends to establish four new centers for jobless youths in New York that will have the same function as the six Job Orientation in Neighborhood (JOIN) centers operated by the city.

Both JOIN and Youth Opportunity Centers will train, counsel, and place youths in jobs. But YOC will be run by the State Employment Service instead of the city, and the YOC facilities will also be able to place youths directly in certain Federal training programs.

A spokesman for the Department of Labor said in Washington yesterday that the New York YOC would be part of a nationwide network of 205 centers, but as yet, the program has no specific sum allocated to it.

Mrs. Anne Roberts, executive director of the city's Poverty Operations Board, said the YOC would not be "quite" like JOIN. She said YOC staff had the statutory authority "to place youths in MDTA programs," but JOIN staff did not have the authority. MDTA is short for Manpower Development and Training Act.

In addition, YOC staff will be placed in the six JOIN centers, plus two HARYOU-ACT employment centers and Mobilization for Youth. Mrs. Roberts said the YOC people had "expertise" and could place JOIN, HARYOU-ACT, and MFY applicants directly into MDTA programs, without the YOC staff, JOIN would have to send MDTA candidates to either YOC or the New York State Employment Service (NYSES).

In addition, if the city's community action program, announced Thursday, is approved by the Office of Economic Opportunity (OEO), some of the JOIN centers may also house Community Progress Centers (CPC). That would mean a jobless youth could get the services of the CPC, JOIN, and YOC in one place.

The Labor Department spokesman in Washington said the establishment of YOC would "clarify some of the confusion that exists."

"We don't care if there is confusion in the public mind," said the spokesman, "but if the kids get in the right place, that's all we're interested in."

NEW YORK CITY IN CRISIS—PART LVII

Mr. HOWARD. 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 Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following two articles concern what has been happening with New York City's Puerto Rican population with regard to the increasing number who return to Puerto Rico and the views of the city's Puerto Rican community on the war on poverty.

The articles appeared in the March 14, 1965, edition of the New York Herald Tribune and are part of the "New York City in Crisis" series.

The articles follow:

NEW YORK CITY IN CRISIS: PUERTO RICO IN-MIGRATION—RETURN OF DISENCHANTED

(NOTE.—There are 1 million Puerto Ricans living in the United States today and 700,000 have settled in New York. This is not the story of one of them. It is, instead, the story of one Puerto Rican family who, like a great many other Puerto Ricans, came to New York City expecting a new and better life—and never found it in 17 years here. Their solution: A return to Puerto Rico.)

(By Stephen R. Conn)

SAN JUAN.—"In New York, you run from the muggers, you run to catch the subway trains, you run because you're always on a merry-go-round.

"Here, the only time you run is to get out of the rain—and that is very rare," said Jose Garcia, a powerful-looking man in his late thirties.

Mr. Garcia and his family, living quietly in a five-room wood and stucco home for which they pay $65 a month rent in the San Juan suburb of Bayomon, are part of the phenomenon of reverse migration that is creating vast changes in the life of the island.

It is estimated that more than one-half million of the 2.6 million Puerto Rican population has lived in the United States for more than 1 year.

During the 1950's, more than 40,000 people a year went to the United States from Puerto Rico than went from the United States to the island—and, for a while, most people saw no reason to expect a change.

In 1960, the Puerto Rico Planning Board forecast an average net outmigration (persons leaving Puerto Rico) of 15,000 a year from 1960 through 1965.

It was a poor forecast. By 1961, there were 1,754 more people coming to the island than left in a single year. And, by 1963, the net inmigration had soared to 5,479.

Since 1939, when the migration of Puerto Ricans to the United States was first charted officially, this was only the third time when Puerto Rico showed an inflow from the United States greater than the outflow. The other times: 425 people in 1940 and 1,754 in 1961.

Despite a shift last year (when 1,370 more people left Puerto Rico than came in), it remains apparent that at least some Puerto Ricans no longer regard the United States and particularly New York City, where 70 percent of the country's 1 million Puerto Ricans now live, as the land of unlimited opportunity, as they once did.

"I came to New York in 1947 with dreams for myself and my family. It took me nearly 17 years to know that the United States was not all I thought it would be and that happiness for us was in Puerto Rico," said Mr. Garcia who returned to his homeland to live exactly 1 year ago this month.

In New York Mr. Garcia had a $90-a-week machine foreman's job with Vanderbilt Products, Inc., at 585 Dean St. in Brooklyn. He now makes $54 a week as a property security guard for International Security, Inc., here. However, he feels that his lot is immeasurably better since he no longer has to contend with the higher cost of living in the States, the constant rush of big city life, what he considers to be discrimination against minority groups, inadequate protection against muggers and hoodlums, inadequate protection by law-enforcement agencies, changes in weather and an atmosphere of indifference and unfriendliness.

HOPES FOR CHILDREN

Mr. Garcia feels that there is greater opportunity for his children, Milagras, 18, and Jose Miguel, 20, in Puerto Rico than there would have been in New York and his wife, Eloina, who like her husband is in her late thirties agrees.

"New York was always rush, rush, rush," said Mrs. Garcia, who speaks only Spanish.

"People rush you and push you and shove you in subways, markets, and department stores. Here everything is done without confusion.

"The children may like New York's excitement but they will like this life better, especially when they realize the more opportunities they have here."

The majority of the returning Puerto Ricans have been married couples with small children. Most of the returnees are under 15 or over 35.

But for the children the return to Puerto Rico has not been without problems.

"I had much difficulty with the Spanish language and with school when I first got here," said Milagras, who speaks in the halting English of her father.

"I had to be put in a separate class to learn Spanish again but now I like school here much better than in New York." She plans to enter nursing school in the fall.

EYEING A DEGREE

Jose Miguel, who prefers to be called Mike, as he was in the States, works in the advertising department of the San Juan Star, the island's only English-language paper, and plans to attend night school for a degree in business administration.

He speaks excellent English and said:

"People think you are different and not as good as them if your language is not their native tongue and that is the principal reason why Puerto Ricans are discriminated against in the United States."

Because of the return migration radical changes have been wrought in the educational system of the island. For a good part of the century, Puerto Rico fought to have its public schools taught in the island's native Spanish. Now the system has had to create special classes for the growing number of English-speaking Puerto Rican children.

In the 1950's, when it was expected that the high migration to the mainland would continue, it was estimated that there would be fewer than 500,000 children in school by 1975. Now the Superior Education Council foresees almost 900,000 children by then.

With the present school enrollment at 579,000, it poses a serious problem when school construction and teacher preparation plans were made on the basis of predictions that were off by 400,000.

Since the start of the decade, a growing number of Puerto Ricans in New York have either not found the employment they desire or any employment at all.

Many seem to be returning with no idea of what awaits them in Puerto Rico. Unemployment among returnees is about the same as the 12 percent of the labor force on the island.

But the returnees do bring with them in many instances new skills, chiefly mechanical, picked up in the States. Of 10,000 new professional and technical positions created from 1955–60, 30 percent were taken by returnees.

Paradoxically, the "Americanization" of Puerto Rico is being accomplished not by the Americans who jam the luxurious hotels that line the magnificent beach front in Santurce, nor, by the Americans who run the big clothing plants in San Juan or the huge chemical refineries in Ponce, but by the Puerto Ricans themselves.

With over half a million of the present population having lived in the States for at least a year, it is easy to see why American movies, TV programs, newspapers, magazines, and music have all been so popular on the island.

The most immediate and serious effect of the return migration is on the population. The return migration has complicated the problems brought on by a population explosion averaging 2.4 percent a year.

At this rate of growth, Puerto Rico's population will double in 28 years, putting great pressure on an economy just now emerging from poverty and underdevelopment.

Despite the great strides made under the Operation Bootstrap program of former Governor Luis Munoz Marin, Puerto Rico's per capita income is only $840, about one-half that of Mississippi, poorest of the 50 States, and the average educational level is less than 5 years.

"It may be just as crowded here as it was in New York," said Mike, who had lived with his family in a four-room, $75-a-month apartment in the low-income Bronx River Housing Development at 1460 Bronx River Avenue.

"But there's a big difference. Here all the people are friendly, and it was only a couple of months before I knew all the fellows on the block. In New York it took me 5 years to get to know the people next door.

"I hope I never see New York again."

NEW YORK CITY IN CRISIS: PUERTO RICAN DISPLEASURE IN WAR AND POVERTY

(By Alfonso Narvaez and Barry Gottehrer)

Mayor Wagner's request for $437,030 in Federal funds for an attack on poverty in the city's Puerto Rican community last week was greeted with decidedly mixed emotions by the leaders of the Puerto Rican community.

They are delighted by the fact that, after prolonged delay and indecision by the city administration, some funds have finally been requested.

They are disgusted, however, by the fact that, out of the $12.5 million the Puerto Rican Forum (a nonprofit organization dedicated to the development of Puerto Rican leadership) had requested to run a citywide development program, the mayor slashed the request to only $485,589 (including city funds in addition to Federal).

Yet mixed with the delight and disgust is dissension among the ranks of the Puerto

Rican leaders themselves—struggle for control that threatens the entire program itself regardless of the amount of money appropriated.

News of the struggle first broke last Wednesday, prior to the mayor's announcement and focused attention on the 66-man board of directors of the Puerto Rican community development project.

The project—and its governing board made up of the most influential members of the Puerto Rican community—had been formed initially to coordinate the various aspects of the program the 7-year-old Puerto Rican Forum had hoped to set up with $12.5 million.

CHARGES BRING RESIGNATIONS

At a meeting Wednesday, hurling charges of "disruptive tactics" and "attempted illegal practices," 21 members of the board, many of them members of the forum, which will eventually be responsible for two of the three Puerto Rican programs planned by the city, resigned.

Control of the board of the community development project now rests in the hands of a dissident group headed by Jose Erazo, a lawyer who had been acting chairman of the board.

The new group quickly named the Reverend Ruben Dario Colon, president of the board, and Mr. Erazo, vice president.

Mr. Erazo is also a Democratic district leader from the 16th Assembly District.

Calling the mayor's request "one of most promising programs for Puerto Ricans and other New Yorkers ever proposed by this or any administration," the new board announced late last week that it would hold a press conference Monday afternoon to "discuss our plans on the war on poverty."

Mr. Erazo denied the charges of a "takeover" and said that the members who had resigned had merely walked out of a board meeting.

"I've received no formal announcement of their resignation," he said. "This is only an intraorganizational difference of opinion. I support all of the programs that were submitted in the $12.5 million proposal. This is totally unfortunate and does not present a united front for the Puerto Rican community."

ACTIVITIES LIMITED

Though Mr. Erazo said the present board, which he controls, would now submit other proposals to the city for funds to support a citywide action program for Puerto Ricans, their present activities would seem severely limited.

Since $335,641 of the $485,589 slated for two Forum projects, Mr. Erazo's group would seem to have board control—and little else.

The members of the Forum who resigned from the board made it clear, however, that they were no longer connected with the board in any way and that they had disassociated themselves from any action it might take.

Dr. Francisco Trilla, chairman of the Forum and former chairman of the board of the development project, said that approval of even 3 of the 11 proposals originally submitted by the Forum under the terms of a $49,000 study paid for by the city would "result in great strides in the community's war on poverty."

"While we are pleased that three of the Forum's recommendations were adopted by the city's Antipoverty Board, we are disappointed that they did not approve the entire comprehensive self-help plan to attack poverty as it affects the Puerto Rican," he said. "We are hopeful that other programs which we recommended will still be considered and approved in the near future."

Dr. Trilla said the split in the community development project board would not affect any of the programs already in progress or any of the new programs under the terms of the city's proposal.

Controversy over the community development project was not new to the Puerto Rican Forum. Just 2 weeks ago it announced it was closing the offices of the project at 296 Fifth Avenue because of the city's delay in making a decision on the proposal submitted last October 23.

Josephine Nieves, director of the project, announced the shutdown despite the fact that the city was giving them $10,000 a month to continue a holding operation while a decision was being made.

"JUST SITTING AROUND"

"They had us sitting around here for 4 months," she said, "while the community has this crucial problem facing it. They said that they had over 300 proposals to study and we would have to wait. I can understand the need to study a proposal, but it has been almost 5 months now. The city has a responsibility to get these programs underway."

Dr. Trilla also complained of the long delay.

"We felt that to continue a meaningless holding operation that was costing the city taxpayers thousands of dollars a month was of no benefit to the city, the Puerto Rican community, or the Forum," he said. "We felt that we had no alternative but to close the office. We refused to accept money for just a holding operation."

He said the announcement had created a stir in city hall and that the very next day they were called down to City Council President Paul Screvane's office, where they were informed of the city's decision. Mr. Screvane is chairman of the city's Antipoverty Operations Board, which studies all proposals sent to the city for poverty funds.

STUDY DISREGARDED

Dr. Trilla said that in July 1964 the city had contracted with the Forum for a 4-month study of poverty in the Puerto Rican community. He said that by October the study had been submitted to the city and nothing had been heard until he announced the closing of the office.

The 3-month delay in making a decision on the forum's proposal cost the city taxpayers an additional $30,000 over the cost of the $49,000 study.

The programs which were finally approved by the city include a proposal to help 2,000 Puerto Rican and Spanish-speaking youths between the ages of 16 and 26 plan and prepare for future careers.

There would also be a block nursery program to help 120 East Harlem children with environmentally induced handicaps so that they can enter school with a good command of English and with experiences which would assure them of an opportunity of success in school.

In both of these programs the forum will be the contracting agent with the city.

The third proposal will be under the auspices of the Puerto Rican Family Institute and will promote the rapid integration of newly arrived Puerto Rican families into active participation in the life of the city.

CAPTIVE NATIONS COMMITTEE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] 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 Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, I have long been a supporter of the causes of the captive nations. I have always felt very deeply that their cause was our cause. This belief is derived from the total commitment that I as an American have to the cause of freedom and national independence.

During the past few days Members of the House of Representatives have expressed their support for the creation of a special committee on captive nations.

Mr. Speaker, today I want to add my voice to those who urge the setting up of such a committee. To do this, I believe, is in the national interest, and being so, is a step that should be taken without delay.

Why do I support the resolution to establish this committee?

I support it, first of all, Mr. Speaker, because the message of freedom is not really getting across to the imprisoned peoples of the world. But, most of all, the message of Soviet colonialism is not reaching those underdeveloped areas of the world where its meaning has the most relevance. The word must go out to these people that the real imperialistic and colonial power in the world is not the United States and the other nations of the West, but rather the Soviet Union. The Communists persistently charge that we are the great force for the enslavement of mankind, while they are the liberators. We know wherein lies the truth, and knowing this truth we must convey the message to the world.

The other argument supporting the creation of this committee is similarly a simple one: the House of Representatives is a logical place to have such an instrument for carrying on this most important battle of the cold war. Our Chamber is less inhibited than the executive branch in matters of foreign policy. This fact derives from both the constitutional and political reality of our national life. Therefore, a committee of this House should be created, a committee that can hold hearings, undertake studies, and in general serve as a collecting station for all data concerning the captive nations.

We must harness all our energies in this task of conveying the truth to the peoples of the world.

I throw my weight, therefore, behind this powerful move in Congress to establish a special committee on the captive nations.

GEN. JOHN J. PERSHING

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] 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 Jersey?

There was no objection.

Mr. HULL. Mr. Speaker, the current status of my bill (H.R. 17) has become a matter of active interest to a distinguished group of veterans acting as an ad hoc committee for the erection of a memorial on Pennsylvania Avenue honoring Gen. John J. Pershing, commander in chief of the American Expeditionary Forces during World War I. This committee, under the leadership of Maj. Gen. U. S. Grant III, is performing a patriotic

service in bringing to the attention of the public and the Congress the failure of the Congress to pass the necessary enabling legislation.

When General Pershing returned home in 1919, he had been acclaimed by all of the Allied Powers for his great contribution to victory. Here, at home, he received the adulation of the Nation. He spurned any effort to advance himself in a political sense. He continued as Chief of Staff of the Army until retirement. Thereafter, as Chairman of the American Battle Monuments Commission, he supervised the design and execution of the plans for our magnificent U.S. battlefield cemeteries abroad. He died in 1948 and our Government has erected in his honor only a simple stone over his grave in Arlington.

An article in the Washington Post of April 23, 1965, by Edward T. Folliard, is of current interest. Mr. Folliard is himself an oversea veteran of World War I.

PERSHING MEMORIAL AND GRAND DESIGN CLASH

(By Edward T. Folliard, Washington Post staff writer)

Almost a half century has passed since General of the Armies John J. Pershing led the American Expeditionary Forces to victory in World War I. Yet the only monument to him here is a standard quartermaster gravestone in Arlington Cemetery.

True, there is a plot called Pershing Square, which is set aside for him on the south side of Pennsylvania Avenue between 14th and 15th Streets opposite the Willard Hotel.

The square was not intended as a memorial to gallant Black Jack Pershing, but simply as a pedestal for a monument. Such a memorial was recommended by the American Legion and the Veterans of Foreign Wars back in the 1940's.

Congress authorized the American Battle Monuments Commission to arrange for a design for the memorial, and this the commission has done.

At the moment, the Pershing Memorial is caught in a quandary, brought about by the ambitious plan to rejuvenate Pennsylvania Avenue as the Nation's grand ceremonial boulevard.

Under the plan, there would be a great National Square at the western terminus of the avenue. This would require the tearing down of the Willard and Washington Hotels, the National Press Building, and other structures in the area.

The National Square would embrace the park set aside for the Pershing memorial; but the President's Council on Pennsylvania Avenue, which drafted the plan, did not say whether the memorial would or would not be in the way.

Gen. U.S. Grant III, grandson of the Civil War general, wrote to President Johnson and asked him to back the Pershing Memorial, Mr. Johnson directed Richard N. Goodwin, a special assistant, to write this reply:

"You may be assured that we all recognize the great contribution made by General Pershing to the history of this country. Also, we are in accord with the proposal to erect a memorial on Federal land to this great American.

"The Pennsylvania Avenue Commission is presently coordinating plans for the entire avenue and the Pershing Memorial project is within the area of its consideration. We hope there will be no further delay in proceeding with this project."

General Grant plans to talk today to William Walton, chairman of the Fine Arts Commission and also a member of the Pennsylvania Avenue Commission. He will be accompanied by Gen. Jacob L. Devers, chairman of the American Battle Monuments Commission; Gen. Thomas North, secretary of the Commission, and former U.S. Senator Charles E. Potter, of Michigan.

Also on the committee pushing the Pershing Memorial are Maj. Gen. Graves D. Erskine, USMC (ret.), and Col. James W. Boyer, both of whom fought under General Pershing in France.

The committee plans to ask former Presidents Harry S. Truman and Dwight D. Eisenhower to get behind the campaign for the memorial.

The matter of the overall improvement of Pennsylvania Avenue now in its planning stage is given as a reason for delay. This may be a reason but it is not sufficient excuse to the survivors of the American Expeditionary Forces, whose average age is now 75 years, and who agree with me that General Pershing deserves a memorial in the Nation's Capital.

The Congress sought and secured a plan for the Pershing memorial. It was approved as to form and location by the Senate 5 years ago. Unfortunately the House of Representatives has not taken action.

The American Battle Monuments Commission has furnished me with the following chronological statement of the legislative efforts to memorialize General Pershing covering a period of 17 years.

SYNOPSIS OF HISTORY OF GENERAL PERSHING MEMORIAL

Gen. John J. Pershing, born September 13, 1860; died July 15, 1948.

1948–49. American Legion and VFW national conventions recommended a memorial in Washington, D.C., to General Pershing.

1949. ABMC appointed a committee to consider such monument proposed by Senator Forrest C. Donnell, of Missouri. Senator Maybank introduced S.J. Res. 130 to authorize ABMC to propose a site and submit plans and estimates for memorial to General Pershing. Reported out by Committee on Rules and Administration.

1950. ABMC invited the American Legion, VFW, DAV, AmVets (chartered organizations) to confer with the ABMC committee.

1951. Maybank resolution reintroduced as S.J. Res. 61. ABMC committee and veterans representatives met twice but crystallized no specific ideas. Considered proposals for General Pershing memorial as part of Smithsonian expansion, or as a traditional type monument on Nevius tract (for which it asked allotment of a site), or as a stadium near National Guard armory.

1953. Maybank resolution reintroduced as S.J. Res. 5; enactment urged by the American Legion national convention.

1955. Senator Charles E. Potter reintroduced Maybank resolution as S.J. Res. 95. Mr. HULL introduced companion bill H.J. Res. 537. Enacted as Public Law 461, 84th Congress, April 2, 1956.

ABMC received several recommendations as to the site; e.g., Laclede, Mo., General Pershing's birthplace, Lincoln, Nebr., his longtime home, West Point, his alma mater, but decided that the most appropriate would be in the National Capital where it would be seen and appreciated by the greatest number of visitors including veterans. Requested allotment of site bounded by Pennsylvania Avenue, 14th, E and 15th Streets. After long negotiation, and some help from Federal City Council, this was granted in March 1957 by the National Park Service, Fine Arts Commission, and the Secretary of the Interior on May 8, 1957.

1957. ABMC given legislative authority to spend funds for design, and commissioned Harrison & Abramovitz of New York City as architects.

1959. ABMC approved architects' design after several previous disapprovals and modifications. Design approved also by Fine Arts Commission and by National Capital Parks. December 3, 1959. ABMC submitted plans and estimate to the Congress.

1960. Mr. HULL introduced H.J. Res. 12808 authorizing ABMC to erect the monument on the proposed site, implying that necessary funds should be raised by private contributions. Not passed. Companion bill, S. 3901, passed by Senate.

1961. S. 360 introduced by Senator SYMINGTON with similar intent. Secretary of the Interior recommended postponing action until a National Capital Parks Monument Board could consider it in relation to the entire problem of monuments in the District. Companion bill H.R. 1780 introduced by Congressman HULL. Hearings held by committee on House Administration on June 27, 1961.

ABMC recommended that necessary funds be appropriated, because; (a) ABMC is not qualified to form part of a fund-raising organization; (b) Fund-raising specialists, if employed, would absorb a significant part of contributions; (c) A major part of the cost would be spent on development of park and fountains, civic projects which should be defrayed by public funds.

Bill not reported out.

1963. Mr. HULL introduced H.R. 893, similar to previous bills except that funds would be appropriated. Bureau of the Budget felt that action should be deferred until report of President's Council on Pennsylvania Avenue has been reviewed.

1965. Mr. HULL introduced H.R. 17, similar to H.R. 893.

During these years the Pershing Memorial proposal has been strongly endorsed by the local press, by Members of the Congress, including Senators MORSE, SYMINGTON, and Congressman HULL; also by veterans' organizations as well as private citizens.

"For many years the justification for a memorial to Gen. John J. Pershing has been evident to many persons and to us veterans of World War I. The lack of such a memorial in the Nation's Capital has seemed as undeserved and shameful omission. In my opinion there could be a no more appropriate site than this triangle (Pershing Square)."

This was a statement by the grandson of the Gen. Ulysses S. Grant, who led his victorious Grand Army of the Republic on its last famous march down Pennsylvania Avenue in 1865. There is no living authority who has more profound interest and sentiment in Pennsylvania Avenue than Maj. Gen. U.S. Grant III, retired.

I urge the passage of H.R. 17 which authorizes the appropriation for a Pershing memorial, estimated at $1,375,000. It is my hope that the Congress will never give favorable consideration to any recommendation that Pershing Park be utilized for any purpose other than a site for a memorial to General Pershing.

MINNESOTA DST MUDDLE DEEPENS

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

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

There was no objection.

Mr. FRASER. Mr. Speaker, 2 weeks ago many areas of the United States began daylight saving time. My own State of Minnesota does not go on daylight saving time until May 23. Our neighbor to the east, Wisconsin has already gone on daylight saving time and to keep in step with its neighboring city of Su-

perior, Wis., Duluth went on daylight saving time earlier than Minnesota State law allows.

Now several other communities in northern Minnesota have also decided to ignore State law and go on daylight saving time before the May 23 date of the law.

To compound our confusion two communities in western Minnesota have decided to ignore daylight saving time completely because the communities in nearby North Dakota do not observe it.

All this confusion in just one State points up the need for Federal legislation to provide more time uniformity. I have introduced H.R. 6134 which would have daylight saving time start on the last Sunday in April and end on the last Sunday in October wherever it is used.

I commend the following article from the Minneapolis Tribune to my colleagues:

[From the Minneapolis Tribune, April 30, 1965]

MINNESOTA DST MUDDLE DEEPENS

The muddled daylight saving time controversy in Minnesota gets worse by the hour.

Several Iron Range communities have decided to buck State law and adopt fast time in advance of the May 23 date set by the State. Duluth already is on daylight time, to keep in step with neighboring Superior, Wis.

Silver Bay followed Duluth's lead, and Babbitt went on fast time last week because Silver Bay did.

Tower, Sudan, and Ely will go on fast time Sunday.

Meanwhile, both Moorhead and Breckenridge, on the western border of the State, have decided not to go on fast time at all. Both will remain on central standard time because neighboring North Dakota communities do so.

AZALEA FESTIVAL

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

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

There was no objection.

Mr. HARDY. Mr. Speaker, on April 24 the very lovely and charming daughter of the President of the United States was crowned Queen Azalea XII. I can tell you that Queen Luci captivated the entire population of the city of Norfolk and the representatives of the NATO countries who participated in her coronation.

I was especially gratified that the President, along with Mrs. Johnson and former Queen Lynda, honored the city of Norfolk and my district by attending our Azalea Festival. The President, in turn, had the honor of crowning his daughter Luci as our Queen, and as her first royal act she invited him to address her "subjects".

In his brief remarks, the President said:

Ladies and gentlemen, someone once said that a daughter is a ticklish possession. I am reminded of this on occasions when I have the experience of reading the newspapers about Luci. I never really know when she is going to do what her father does instead of doing what her mother wishes that we would both do.

Luci has been having such a fine time down here at the Azalea Festival that I just could not resist the temptation to come down this afternoon and participate. Luci agreed and gave me clearance to come, mainly because she said she needed some more ball-point pens.

I am proud to be here, as any father would be. While any father with a daughter is lucky, I am convinced that no father could be luckier than I am about both Lynda and Luci.

I am proud to be here at Norfolk in the great State of Virginia as President of the United States.

I am so happy that I could be here in the presence of your distinguished Governor Harrison, your distinguished Senator WILLIS ROBERTSON, and your distinguished Congressman PORTER HARDY, all of whom served with great distinction in Washington.

Your city and this region of Virginia has been a source of great strength as long as we have been a Nation. Today you are making a vital contribution to the strength of the great North Atlantic Alliance for freedom. All Americans value respect and look forward to growing strength for NATO.

So, I am very privileged now to thank you for permitting me to come here and crown the lovely queen of the Azalea Festival of 1965. And it gives me great pleasure to look at the lovely representatives of all of our NATO allies who happen to be with us here this afternoon, and their escorts.

Thank you very much.

OSLEY BIRD SAUNOOKE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. TAYLOR] 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 Jersey?

There was no objection.

Mr. TAYLOR. Mr. Speaker, Osley Bird Saunooke, former Tribal Chief of the eastern band of Cherokee Indians, Cherokee, N.C., and heavyweight wrestling champion of the world for 14 years, died on April 15, 1965, at age 58. This legendary chief was known and respected by Indian leaders throughout the Nation, by Members of this body, and by the giants of the sports world.

But in spite of his success, he did not forget the home folks at Cherokee whom he served with ability and devotion. During recent years, Cherokee has made more progress than any other Indian reservation in America and much of the credit goes to Chief Saunooke. His death was mourned by great and small.

Mr. Speaker, I place in the RECORD at this point, an article written by Bob Terrell, sports editor of the Asheville Citizen and reprinted in the Smoky Mountain Times:

THE CHIEF IS GONE

(By Bob Terrell)

Cherokee will never be the same.

The big man who made the Indian Reservation a model for other tribes to copy, is dead. There will never be another like Chief Osley Bird Saunooke; he was the last in a line of great Indian chiefs who fought for a cause.

He could be likened to such as Chief Joseph of the Nez Perces, Sitting Bull of the Sioux, and the legendary Cochise of the Apache.

But where the others failed, Chief Saunooke succeeded.

His, like that of the others, was a war on poverty among his people, on encroachment of the whites, on anything that hindered progress of the Cherokees. And because he came along a half-century after the others, he had better weapons, the best of which was a silvery tongue that commanded attention when he spoke, and he used it well in the proper places, in the halls of Congress, in the White House, in all the chambers of political regimen where Indian affairs are legislated.

His people prospered under his leadership even though among them rose strong critics. There are always critics for one who does so much, and those the chief could not soothe, he ignored. That way was traditional among the great Indian chiefs.

The chief will be remembered by his people, even his critics, for what he accomplished for them.

He was a man of color, a trait rapidly disappearing among the American people. He was a man you wanted to know more about, a man with whom you naturally wanted to be associated. And those who were his close friends were fortunate, indeed.

THE FIRE ANT PROBLEM

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. O'NEAL] 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 Jersey?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an excerpt from the Bulletin of Georgia Academy of Science. Frederick Bellinger, chairman, Fire Ant Committee, who is now serving with the Engineering Experiment Station, Georgia Institute of Technology, Atlanta, Ga., and who was formerly president of the Georgia Academy of Science composed of 500 members, as president appointed an ad hoc committee to make a comprehensive review of the problem of the imported fire ant. I believe the Members of the House will find this report to be most enlightening.

A REVIEW OF THE PROBLEM OF THE IMPORTED FIRE ANT

(By F. Bellinger,[1] R. E. Dyer,[2] R. King,[3] R. B. Platt[4])

The imported fire ant in the United States has created a "storm" of controversy from many divergent opinions and generalized statements in public press media (1–13), and also a large body of scientific but largely

[1] Engineering Experiment Station, Georgia Institute of Technology.

[2] Professor of medicine (ret.), Emory University; formerly, Director, National Institutes of Health.

[3] School of Civil Engineering, Georgia Institute of Technology.

[4] Biology Department, Emory University.

The authors constituted an ad hoc Fire Ant Committee of the Georgia Academy of Science, which was appointed in April 1963, to review the problem of the imported fire ant and to report substantiated facts on which to base a sound evaluation of control-eradication programs. This paper presents a summarization of the findings of this Committee but does not necessarily represent the position of the Georgia Academy of Science.

uncorrelated data in scientific journals. It has been reported that the fire ant is a significant economic pest, that its venomous stings cause death to wildlife and domestic stock, and that the ant is a menace to humans, particularly children. Others report that the fire ant is beneficial to our welfare through its insectivorous habit (the remains of more than 100 different species of other insects having been found in the mounds of the fire ant) (38), and as an aid in soil genesis through aeration by the tunnels emanating from the central mound which also form a reservoir for rainfall, thus retaining more moisture in the soil and reducing soil erosion (42). However, just the fact that approximately 31 million acres in the Southern United States are now infested with this ant, warrants a careful look at its potential as a pest or hazard.

The authors met with representatives of the State department of agriculture, U.S. Department of Agriculture (Gulfport, Miss., and Macon, Ga., offices), Louisiana State University, U.S. Communicable Disease Center, U.S. Public Health Service, School of Forestry of the University of Georgia, and with the General Chemicals Division of Allied Chemical Corp. (producers of Mirex).

Extensive correspondence was effected with the Department of Entomology of Auburn University; the Fish and Wildlife Service of the U.S. Department of the Interior; the Conservation Foundation of New York; California, Louisiana State, Tulane, and Harvard Universities; many individual scientists; and pertinent departments of the States of Alabama, Florida, Georgia, and Mississippi. Details of other States' programs were obtained from Mr. C. C. Fancher, USDA-Gulfport.

The authors wish to express grateful acknowledgment of the cooperation they received from the Georgia State Department of Agriculture, Mr. Phil Campbell, commissioner. The assistance of Dr. W. E. Blasingame, Director, Department of Entomology, and of Mr. Jack Gilchrist, field director, fire ant eradication program, deserve particular note.

NATURAL HISTORY

Habitat

Detailed accounts of the history of the Fire Ant and its natural history, have been provided by Dr. Edward O. Wilson (61), by Dr. John L. George (37), and by Dr. W. L. Brown, Jr. (24). Dr. Blasingame, in meeting with the Committee in September 1963, stated that there are 122 species of ants in Georgia, 3 of which have been classified, as fire ants, and listed as economic pests.

The fire ants belong to the geminata group of genus Solenopsis. Up to about 1918, three species were known to occur in the United States, of which two, Solenopsis xyloni and S. geminata were in the Southeastern States, and were regarded as a nuisance, not an economic pest of significance. A fourth species appeared in the Mobile, Ala., area about 1918. This was the Solenopsis saevissima, common in Argentina and Uruguay, was a blackish form with a dull orange band at the base of its gaster, and for about 10 years, lived within or near the city limits of Mobile. Then, about 1930, another phase, smaller and light reddish in color appeared, also in the Mobile area. This phase is common in southern Brazil and Paraguay and the weight of evidence points toward a new importation rather than a mutant form. The light red form is aggressive and tends to overcome the populations of the S. xyloni and S. geminata (24). Where both forms live close together, various shades between red and black appear indicating that several genes are involved (26). This new form initiated an active outward migration which now (1963) extends into nine Southeastern States, infesting a land area roughly estimated as 31 million acres (33) in spite of quarantine and control programs.

In the Southeastern United States, the ant shows a decided preference for infrequently disturbed open habitats, such as permament pastures, road right-of-ways, and wastelands. Few colonies are found in frequently disturbed areas (42). Soil type has little influence other than larger and more conspicuous mounds are found in clayey areas, as these are not as subject to the forces of erosion as rapidly as those of more sandy soils. Mature colonies average about 25,000 individuals, but may exceed 200,000. Hays (42) reports that initial infestations may involve 150 mounds per acre but that this number decreases to perhaps 40 mounds per acre as the individuals increase.

Food habits

The food habits of the imported fire ants have been the subject of many publications as reviewed by Hays and Hays (40). A number of investigators including Yeats and Smith (64), Bruce, et al. (25), Wilson and Eades (60), and Lyle and Fortune (55) have reported damage in varying degrees to major agricultural crops, young livestock, new born wildlife, and to pasture grasses. These were based on gross observations, not on analytical studies. The only paper located which was based on an experimental approach to the food habits of the imported fire ant, was that by Hays and Hays (40). In their study, ant mounds were dissected in the field to determine their food storage, and ants were observed at work to determine the food materials collected by the foraging ant parties. Field studies were supported by laboratory observation. Data were obtained in a reproducible manner.

Of 95 mounds studied, 72 contained no food material, 13 contained stored food, and in 10 mounds there was evidence that food had been stored, either in blind and large tunnels or located in the underground portion. These included other insects, such as termites, weevils, and choleopteras insects, cutworms, snails, and other fire ants, indicating some degree of cannibalism. At all openings along tunnels that radiate from the mound, workers were observed bringing various insect parts to the entrance, where they were devoured. Aphids, small spiders, various larvae, and some beetles were included. Fly larvae seemed to be a favorite food, particularly where they were available in cow dung. Live insects placed in wire cages near the mounds were immediately attacked and killed, and the soft portions carried into the mounds. Dead insects placed in the area were carried to the tunnel entrances and devoured. The principal dietary item, as noted in the field, was not vegetation, but other insects, both living and dead. Larval forms, particularly soft forms, were preferred over the harder and perhaps more difficult to handle adult forms.

Results of laboratory studies reveal that of 17 kinds of dry seeds placed on the mounds, only peanuts were eaten. The ants neither damaged nor moved seeds of the other plants. Germinating seeds of the plants were also available to the ants, but only peanuts, okra, and corn were eaten. A thorough examination of roots and above-ground parts of 18 species of seedling plants transplanted into mounds and allowed to grow for 6 weeks revealed no damage. The 18 species of plants produced from seed in the mound grew with no damage to the seed, and damage to okra plants only. Where food was not available, cannibalism occurred.

Reports by Riberio (58), in 1954, and by Hays (38), in 1958, are of particular interest because of their conflicting statements concerning the food habits of the fire ant in Argentina. Riberio stated, in an undocumented paper, that in Argentina "the damages caused by the fire ant to truck crops are enormous. Because in addition to transporting large numbers of small grains from the seed beds and causing losses to the seed beds, they suck the juices from the young and succulent plants, chewing the tender parts of the stalk that they find next to the soil as well as the roots of the same, causing lesions which permit easy entrance of fungi and bacteria." His report continues in the same vein, detailing other damages, including that to young animals such as calves, newborn pigs, and the young of birds. The report that the ant sometimes invades residences to steal food is included.

In sharp contrast Hays, who visited Argentina to study the fire ant, states that "the food of the imported fire ant in Argentina is composed largely on insects. Argentine specialists have not noted injury to vegetation except in the building of mounds. Occasionally, ants have been observed to feed on germinating seed, particularly those of high oil content. Most specialists consider the ant beneficial because of its insectivorous habits. Many reported seeing ants stinging, killing, and carrying numerous harmful species of insects into their mounds. One specialist estimated he had seen 100 different species of insects stored in the mounds of these ants. The specialists, agricultural workers, and farmers of Argentina do not consider the imported fire ant an economic pest. Since little or no hay is harvested, and farmers do not clip or mow their pastures, little or no damage to farm machinery was reported. No deaths of calves or other livestock resulting from fire ant attack have been reported to Argentine authorities."

Natural enemies

Three parasites of the fire ant have been noted in Argentina (38). One species of ant lives on the body of the queen, consumes part of her food and also is reported to eat part of the eggs laid by the queen, thus weakening but not destroying the colony. The larvae of a small wasp parasitizes the prepupa just after the last exuvia has been shed, but the effectiveness of the wasp larvae under field conditions is low. The third parasite, the larvae of a small fly, is but little known.

MEDICAL ASPECTS

The imported fire ant is so-called because of its ability to inflict painful stings, which are followed by a small pustule at the site of each sting. Karo et al. (45) reported on skin responses to the sting of the imported fire ant, and presented diagrams of the anatomy of the stinging apparatus. The ant fist fixates itself with its mandibles to the skin, arches its back and inserts the stinger. It may maintain this position for several seconds, usually 25 or 30, following which it removes the stinger. Then, using the head as a pivot, it may rotate and reinsert the stinger in two or three additional sites. This clustering of stings is reported to be useful in diagnosis. Sometimes two bright red puncta may be seen at the site of entry of the mandibles. At the site of the sting, there is an almost immediate flare, followed by a wheal which may grow to 2, or even 10 millimeters in diameter. This may persist for about 1 hour. Small prominences may be seen at the site of the sting 1½ to 2 hours later. These elevations seem to consist of quite superficial vescicles containing a clear, thin fluid. They then lose this fluid by rupture or drying, producing depressed centers; 8 to 10 hours later, a cloudy fluid may be noted at the puncture areas, soon becoming purulent. After 24 hours, the sting sites are slightly raised pustules, sometimes surrounded by a narrow red halo or perhaps a large painful area. The pustule may remain 3 to 10 days, and then rupture occurs with crust formation.

The nature of the venom has been studied by Blum, et al. (22, 23) Adrouny, et al. (14) and Derbes (30, 31). The venom demonstrates definite antibiotic behavior, and differs from that of any other stinging insect previously studied.

In addition to the local reaction of the area surrounding the sting, which varies from one individual to another, some individuals have demonstrated feverial and allergic systemic reactions. Allergic responses have been elicited in individuals by one or two stings to as many as 50 to 100. However, in all documented cases, a previous history of stings was recorded. People suffering allergic reactions probably have become sensitized to the venom by previous stings by these, or other species of ants. Blum, et al. (22), recognize that there has been at least one and possibly two reactions to ant stings which have been fatal. Favorite (35) reports that of approximately 300 persons reportedly stung by the imported fire ant, five persons manifested allergic reactions, but none were serious. Parish (57) found that all species of ants accounted for only 4 of the 460 fatalities reported from venomous animals in the United States from 1950 to 1959.

The above data demonstrates the fallacy of referring to the "extremely potent venom of the fire ant" since in almost all cases it produced no more than a temporary burning sensation, followed a day later by a small white pustule. Severe reactions are due to allergic conditions rather than the potency of the venom.

INFESTATION IN THE UNITED STATES

The imported fire ants reportedly arrived in this country about 1918, probably at the port of Mobile. George (37) noted that the spread could be considered in three rather distinct periods; the first, 1918–1932, with a peripheral spread of 1 mile per year or less; the second, 1932–1950, with a spread rate of 1 to 3 miles per year; and the third "explosive" spread from "1950 to the present," i.e., 1958, at a rate of 20 miles per year. The "explosive" spread was attributed to secondary infestations transported originally by cars, trains, truck and by shipments of soil and nursery stocks.

Estimated infested areas, not including lakes, bayous, and rivers, have been supplied by Fancher (34) up to nearly the end of 1963. The data are shown graphically in figure 1. (Not printed in the RECORD.) It is seen that a fourth period initiated about 1959 at a rate of about 45 miles per year, with the past 2 years approaching 100. It is ironical to compare these data with attempts to eradicate-control the ant. The first significant effort was made in 1937 in Baldwin County, Ala. Alabama in 1949, and Louisiana in 1952 furnished free or at cost, respectively, quantities of chlordane to provide local control. USDA-State quarantine procedures: treatment of nursery stock, etc., were initiated on a broad scale toward the end of 1958.

Within the State of Georgia, surveys in 1949 revealed localized infestations of 9 of the 159 counties. By 1958, 37 counties, and in 1963, 65 counties had some degree of infestation. Present infested areas totalling some 6.4 million acres are shown in figure 2. (Not printed in the RECORD.) It is noted that a number of noninfested areas occur which are completely surrounded by infested areas, a peculiarity attributed to the absence of nurseries in the clear areas.

A PEST OR A NUISANCE?

There is no clear answer to this question due to divergent definitions, and differences of opinions as to where the magnitude of a nuisance becomes a pest. In its native habitat in Argentina, it is not officially classified as a pest (38). Yet, if one reads only the observations of Riberio (58), the conclusion would be that it is a severe economic pest.

In U.S. farmlands, the mounds interfere with the operation of mowers, rakes, and combines. To workers gathering hay, clearing clogged blades, and so on, who suffer pain when stung by the ant, it is a pest. To 300 soldiers stung by the fire ants while crawling on the ground at Fort Benning, Ga., during night exercises, the ant was more than a nuisance. To farmers whose crops suffered from a loss of quality even if not destroyed, the cause apparently by the ant, the ant is a pest. It was in response to the complaints of so many people, with data available on the alarming rate of spread of infestation, that Congress, in 1957, appropriated $2.4 million for the initiation of a control program, involving the spraying of about 20 million acres with Dieldrin. The fact that sizable funds and efforts have been contributed by individual landowners, by counties and by States, is accepted by some people as evidence that this ant is a pest (59). To others, it is considered possible that the beneficial insectivorous habits of the ant outweigh the minor economic damage attributed to this ant (38, 56). Further, the control measures have resulted in unanticipated high economic losses, through sharp increases in damage caused by other known pests (15, 43, 56).

Economic considerations

Perhaps the uncertainties of "pest or nuisance" can be avoided through a consideration of the economic values involved in relation to the costs and effectiveness of control-eradication programs.

In view of the attention paid the imported fire ant, it is somewhat surprising that the Cooperative Economic Insect Report, issued in May 1958, of the Pest Control Division, USDA, showed only Louisiana and Mississippi as listing the fire ant among their 20 most important economic insects, and then not high on the list (37). In 1949, Arant reported (16) that the imported fire ant was an economic pest; in 1962 he stated (15) that the ant did not cause damage to crops or livestock, this being confirmed by Newsom (56), as regards Louisiana. A 1963 communication from Arant (18) stated that "apparently these (early) reports (of widespread damage to crops, livestock and newborn animals) were erroneous or the ant has changed its habits. Damage to crops is rare. It is possible that an occasional animal has been killed, but we know of no authentic record of such happenings." Wilson (62) uses almost the same words: "In the late forties it was a significant pest in southern Alabama, but in the early fifties it ceased to be significant in this regard. As I understand it, it is no longer a significant agricultural pest. I am convinced that this change is due to some change in the fire ant population itself." The George report (37) presents data showing the difference between "early" reports and verified crop damage. In one instance, crop damage in 1 year in Mobile and Baldwin Counties was claimed to total $535,222. A 1952 work project (No. I–h–8) by the U.S. Department of Agriculture found the fire ant damage to be about $50,000 per year, or about 3 percent of the total crop value for those two counties.

York (65) confirmed the dangers of accepting "reports" of damage when, in 1949, he investigated numerous claims by farmers of damage due to the imported fire ant and found other causes. Yet, some USDA publications lent credence to the belief that the ant was a serious economic pest. A USDA leaflet, No. 350, 1954, stated:

"Imported fire ants seriously damage many vegetable crops by feeding on the young, succulent plants. They soften the tender stems just below the soil, then suck the plant juices. In this way they gnaw holes in roots, tubers, stalks, buds, ears, and pods.

"These pests often extend their attacks to young, unprotected animals; such as newborn calves and pigs and newly hatched quail and poultry. They are very fond of quail; they enter the piped eggs to get them. The ants often chase brooding hens off their nests and eat their chicks."

It is noted that these statements actually are simply descriptive of types of injuries "observed," but furnish no guide as to the economic extent of damage.

The conclusion is, therefore, that the imported fire ant should not now be considered as a significant economic pest, although it is definitely a nuisance and in certain cases, control measures in farmlands prior to harvesting may be helpful.

CONTROL-ERADICATION PROGRAMS

Differences of opinion exist as to the precise meanings of the words "control" and "eradication." The committee has interpreted and based its study on the following: "Control" programs are those which have the purpose of prevention of the spread of infestation; the eradication, more or less completely, in specific and relatively small areas such as individual farms, playgrounds, and highway right-of-way shoulders; and programs to reduce the population of the fire ant, in selected areas, to a degree such that the fire ants will not materially affect the conduct of farm operations or human activities in recreational and privately owned areas. Quarantine procedures, initiated in 1958, applied to shipments of nursery stocks, stump wood, truck crops, and other commodities, fall within this definition. "Eradication" programs are those which have the purpose of complete kill of the fire ant, and reducing the fire ant population to zero.

The magnitude of the subject of insect control, and successes and failures are well and succinctly presented by Brown's paper (24), in which a thorough treatment of data is given to each of four representative large-scale U.S. insect control programs: gypsy moth, fire ant, Mediterranean fruit fly, and screw-worm. The relationship between the degree of success of the programs and prior research on which the programs were based is clear.

Attempts to control or eradicate the imported fire ant have a history in the United States extending back to 1937. The use of insecticides seemed to offer a logical approach. The magnitude of the problem of selecting a suitable pesticide is apparent when one considers that Frear's annual "Pesticide Handbook" (36) listed 7,851 products in the 1960 edition and 9,444 in the 1962 edition. Many materials, and methods, were tried in a sporadic and uncoordinated program by individuals and with county, and later, State assistance. For brevity, this report will deal only with those insecticides which found early and rather widespread use, and with "Mirex," a bait-insecticide, recently developed primarily for use against the fire ant and stated to be safe as regards wildlife, domestic animals, and fish. By 1962, Mirex became the chemical most generally used for control of the fire ant. Information on other insecticides furnished a well-documented history of the hazards of prematurely using insecticides on a broad scale prior to research and controlled experimentation to determine side effects, and prior to research upon the ecology of the pest of immediate concern.

Dieldrin, Heptachlor, and other insecticides

Only a few of the more significant experiments will be included in the interest of brevity and to permit a more complete presentation of information on Mirex which now and for the immediate future is practically "the" insecticide being used. Research work published prior to 1957 has been reviewed by Hays, et al. (39).

The first recorded large-scale program, using calcium cyanide dust, was in 1937, in Baldwin County, Ala. By 1949, Chlordane, Toxaphene, DDT, and other insecticides had been used with varying application techniques, and kills varying from 80 to above 90 percent were obtained (16). Harmful side effects were noted in some cases, but the

potential of these effects was not appreciated. In 1957, Auburn University initiated an extensive study "to develop low cost control with baits containing toxicants that would not be harmful to wildlife, beneficial insects or other inhabitants of the treated area" (41). More than 400 formulations consisting of 29 different insecticides and 104 bait materials were studied. Kepone and Heptachlor were found of most promise in meeting the objectives of the program.

By the middle of 1958, it was apparent that certain chlorinated hydrocarbons had most promise for control-eradication. In fact, the 1957 congressional appropriation contemplated the use of Dieldrin or Heptachlor. Interest was centered on these and Kepone and Chlordane as toxicants incorporated in protein baits. Two to four pounds of toxicant per acre gave effective control for 3 to 5 years; doses of 0.25 to 1 pound per acre gave good control from 1 to 2 years; and winter applications were found less effective than at other seasons (39, 46, 49, 52). Based upon laboratory tests, Lofgren (54) found LD–50 (lethal dose for 50 percent of those exposed) values, expressed in parts per million: Heptachlor Epoxide, 0.0075; Heptachlor, 0.0080; Aldrin, 0.0099; Dieldrin, 0.0243; and Chlordane, 0.0377. Earlier large-scale field tests by Hays and Arant (41) showed the same relative order with Aldrin less effective than would be expected from these LD–50 values.

Residual characteristics are important from at least two aspects: first, the time period of effectiveness and hence the frequency of reapplication needed; and second, effects on other life. With granular heptachlor exposed on soil for 7 months—June 1959–January 1960—20 percent was converted to the epoxide, and an additional 68 percent lost by volatilization (21). Mound treatment with Chlordane did not prevent reinfestation of the area (39). Plane spraying with Chlordane or Dieldrin gave control from 1 to 5 years, but upon loss of effectiveness reinfestation occurred (51), with a greater number of mounds per acre in treated than in untreated areas, typical of newly infested areas (39). These data showed the need for reapplication of insecticides after about 2 years even when long-term insecticides were used.

Ecological factors involved and the effect of the insecticides on other pests were given little consideration until about 1958. Two areas in Louisiana, treated with Heptachlor against the fire ant, resulted, in the case of rice field application, in "the heaviest infestation of the rice stinkbug ever," a thirty-fold increase in the number of adult Draeculacephala, virtual elimination of the crawfish Procombaras, while damselflies, grasshoppers, and the bug Paromius longulus were unaffected (56). In the other case (sugar fields), a 50-percent increase in infestation by the sugar cane borer occurred (43).

Chlordane or Dieldrin or Heptachlor when applied at optimum low doses apparently do not affect grazing cattle or sheep but were found to cause high mortality in quail and 41 other species of animals (17, 20). Jenkins (44) found Heptachlor at 1.25 pounds or less per acre did not affect quail population, and states this information was confirmed in 1962 by Murray in north Florida and by Dewberry in southwest Georgia. Extensive data on the effect of chlorinated hydrocarbons, including Mirex in water on sea life, fresh water fish and certain fowl are presented in circular 143 for 1960, and circular 167, for 1961–62, by the USDI Fish and Wildlife Service.

Barthel (21) reported on the uptake of Heptachlor by grazing cattle with 1 to 3.45 ppm, of residue found in the peritoneal fat, 1 ppm. in raw and cooked meat, and no residue in the brain, liver or kidneys. Lofgren (47) investigated Heptachlor uptake by truck crops and found no residue in 14 of the 16 crops investigated with 0.03 to 0.20 ppm. in onions and radishes, respectively.

However, in 1960, the U.S. Food and Drug Administration placed a zero (whatever zero means) tolerance for Heptachlor in foods and effectively precluded the use of Heptachlor in pastures and wherever food animals could graze.

Mirex

The long-term residual effects of chlorinated hydrocarbon and potential health hazard through uptake of residue in foods and crops, led to intensive research to develop an effective insecticide but which would have low or negligible toxicity to other than fire ants, and would have negligible residual effects.

The General Chemical Division of Allied Chemical Corp. developed Experimental Insecticide Compound GC–1283, which is currently the insecticide being used in airplane spraying programs against the fire ant under the Federal-State program. This compound has the empirical formula: $C_{10}Cl_{12}$ (an analog of Kepone which has the formula: $C_{10}Cl_2O$). The chemical name is dodecachlorooctahydro-1, 3, 4-metheno-2H-cyclobuta(cd)pentalene, and is also known as dodecachloropentalcyclodecane. General Chemical states that this compound is available as a 50 percent wettable powder; is a white, crystalline, non-volatile solid melting at about 485° C; is insoluble in water; is unaffected by sulphuric, nitric, and hydrochloric acid; and is soluble, at 75° F to the extent shown in parentheses in: dioxane (15.3 percent), xylene (14.3 percent), benzene (12.2 percent), carbon tetrachloride (7.2 percent), and methylethyl ketone (5.6 percent). It is further stated to have an LD_{50} (acute oral) value for white rats above 4000 mg/kg. and non-irritating to shaved and abraded skin of white rabbits in dermal tests.

In common usage the word "Mirex" applies to both the compound and to the complete bait. The most widely used complete bait is composed of: Corncob grits as absorbent carrier, 85 percent by weight; soybean oil as attractant, 14.925 percent by weight; Mirex, 0.075 percent by weight.

Dissemination and Effectiveness

Mirex has been shown to have high effectiveness in quick-kill of the fire ant, the quickness being largely weather dependent, under warm moist conditions the ant forages more vigorously than in cool dry weather.

Laboratory tests by Lofgren (48) showed that at low concentrations, of about 0.014 percent, Mirex was more effective with quicker kill than Kepone. Also, that bait containing 0.03 to 0.15 percent of Mirex gave 99 to 100 percent control within four weeks in field tests. In 1963, he (50) reported that bait with 0.075 percent of Mirex, or of Kepone, when applied at from 5 to 20 pounds of bait per acre, gave more than 95 percent control. Kepone was somewhat less effective than Mirex.

Lofgren (53), in the fall of 1961, plane-sprayed 12.5 pounds of bait (4.2 grams of Mirex) per acre over a 960-acre field with only one colony of the approximate total of 760 surviving after 32 weeks. The slow kill was thought due to the onset of cool dry fall weather immediately after spraying. A year later, the area had become reinfested with numerous small mounds. Two complete tests were then carried out with baits containing 0.075, 0.15 and 0.30 percent Mirex and applied at rates of 3, 5, and 10 pounds of bait per acre. One spraying operation was carried out in March, the other in June. A 98-percent kill was estimated for each test. But no counts were made after 16 weeks since the test areas had become reinfested with new colonies. Apparently, therefore, fields treated with Mirex from January through July will become reinfested that fall; or if an area is treated in the fall, it will not become reinfested until the next fall.

Mirex does not get into the pupae. As the time from egg to adult requires from 32 to 40 days, the time of spraying with Mirex is critical. In seasons when rainfall is frequent, Mirex corncob grits bait disintegrates within about 8 to 14 days. No data are available as to the "fate" of Mirex itself.

Residual aspects—side effects

Baker (19) offered an opinion in 1963 that Mirex does not leave a residue that affects ants; that as Mirex has such a short "life" it does not kill all the ants. Mirex can be considered only as a control rather than an eradication agent, an opinion shared by Cope (27). De Witt of the Patuxent Wildlife Research Center said, in August 1963 (32), that they had no data on the development of concentration of Mirex in tissues of animals following exposure, nor of the possible development of resistence to Mirex by the fire ant. Further, that as Mirex is so similar to Kepone that it was assumed that Mirex residue would be detectable in fatty tissues of animals which had ingested Mirex.

Jenkins (44) reported results of a little over 2 years of work with Mirex (using a 0.15-percent Mirex in bait applied at a base rate of 6.25 pounds of bait per acre): no losses of quail, turkeys, chickens, and ducks, in pens treated with 8 to 10 times the recommended field dosage; in aquariums testing with up to 30 times the field dosage, no losses of goldfish, minnows, or bluegills have occurred, while channel catfish survived 15 times the field rate and were not attracted to the bait; the corncob grits bait is not attractive to quail, chicks, chickens, turkeys, ducks, cotton rats, rabbits, goats, nor to catfish, bluegills or goldfish.

Lofgren (53) reports that Darley, in 1962, found no accumulation of Mirex in the butterfat of cows grazing in fields treated at the dosage just referred to by Jenkins (4.2 grams Mirex per acre). Baker found Mirex bait to be harmless to wildlife in pens with dosages up to 1,000 pounds of bait per acre (19). These data are encouraging to those using, or planning to use, Mirex against the ant.

Recent data from pond tests, treated with Mirex at 1 ppm., showed bluegill sunfish to accumulate Mirex residues at rapid rates, reaching "22 ppm. in whole body residues in 72 hours. Uptake in vegetation was also extremely rapid. Serum protein levels in bluegill and microhematocrit levels in bluegills were apparently not affected by Mirex" (28).

Other Methods

Many methods of eradication, some exotic, have been considered but research into the feasibility of using techniques such as attractants, and sterilization of males by exposure to radiation, so effective against the screw-worm, has not developed to a state where a promising technique has been suggested.

Wilson (63) pointed out that research on the biology of the fire ant had been quite "trivial" at the time an eradication program was initiated, a program which essentially was a failure and which provided a focal point of controversy. He suggested that basic research programs sponsored by the USDA be increased manyfold, so that a foundation of facts would be available on which to base a sound control or eradication program.

PROGRAMS WITHIN INFESTED STATES

The information summarized in this section was obtained from letters and maps (from Alabama, Mississippi, and Georgia) from the State departments responsible for the programs, and from comments, in October 1963, by Mr. C. C. Fancher, regional supervisor, southern plant pest control region, USDA, Gulfport, Miss.

Alabama

Alabama carried out the first significant program of eradication in the United States. At present Alabama has the greatest infestation, and in 1962, the fire ant was listed as

one of the 10 most important insects in the State. The Tennessee Valley area in north Alabama has 13 counties free of infestation. Just below this tier, light infestation occurs in about 15 counties, while south of this area, all counties are heavily infested. Approximately 10 million acres of land in the State are known to be infested at this time. It would likely cost in excess of $15 million to treat all infested areas in Alabama at one time" (59).

The on-going program is generally one of containment, with all known infestations in 10 counties in the northern part of the State to be treated in fiscal year 1964. The southern part of the State, where there is general infestation will receive treatment in the peripheral areas. To date, State and Federal funds for control of the ant to prevent further spread of infestation total, roughly, $1.5 million. It is estimated that landowners have expended more than this amount.

Arkansas

All infested areas have been treated with heptachlor and more recently with Mirex.

Florida

The heaviest infestation is in the western five or six counties in the panhandle. Mild infestation occurs in a rather narrow east-west band across the center, and at the southern tip of the State. Mr. H. L. Jones, Assistant Director, Division of Plant Industry, reported in August 1963 that the State entered into an eradication program several years ago, using dieldrin where the white-fringed beetle also existed, and heptachlor in other areas. No adverse side effects were detected. After 2 years, it was found that the effort permitted by the State funds available were insufficient to keep the infestation from spreading, much less annihilate it. The action by the Food and Drug Administration in placing a zero tolerance on heptachlor residue precluded its use on pastures, and the State program was dropped except for regulatory work.

In response to pleas for relief from the western counties, the legislature appropriated $250,000, effective July 1, 1963, to initiate another control program. A 12,000-acre test with Mirex in 1962 had given encouraging results; it is planned to use Mirex in the current program.

Georgia

Through the courtesy of Dr. W. E. Blasingame, Director, Division of Entomology and Plant Industry, State Department of Agriculture, a detailed summary of past and current programs in Georgia was supplied in November 1963, with the location and types of programs shown in figure 2. Certain extracts from this document, amplified with comments received during personal interviews, are appropriate here.

"The [final] objective of the Georgia program is eradication. At the beginning of the program in late 1957, treatment consisted of a single treatment of 2 pounds of Heptachlor per acre applied in a granular formulation * * * the required dosage was (later) reduced to 1.25 pounds per acre. At present, Mirex is being used * * * at only 1/7 ounces per acre. (Heptachlor is being used on isolated areas such as highway shoulders.) Equipment used to dispense the insecticide range from jeep-mounted turbine blowers to multiengine aircraft.

"The plan of operation consists in the treatment of all outlying areas of infestation. Regulatory procedures to retard natural and artificial spread are carried out in periphery counties where eradication treatments are not underway. This is a cooperative program involving Federal, State, and local governments and to date, 2,402,042 acres have been treated, with an estimated 4,031,860 yet to be treated as of November 1963.

"Intensive surveys were begun in the fall of 1957 and have continued to the present time * * * State and Federal quarantines were invoked in 1958 and regulate the movement of materials such as soils, gravel, sand, products with soil attached, and unmanufactured forest products. Inspection, and treatment if necessary, have kept (these materials) moving in normal trade channels, and long distance spread of the pest through these means has thus been prevented."

Louisiana

Heaviest infestation occurs in the southern half of the State. The USDA program hopes to cut infestation southward to the "parish line," that is to about the middle of the State. Control emphasis is largely in the southwest corner of the State. In view of the several instances noted above as to benefits from the ant, it was surprising to find that Louisiana ranked next to Georgia in total local support funds contributed. One parish contributed $39,000 to a program and raised taxes.

Mississippi

Approximately two-thirds of the counties of the State are infested. Only Mississippi still contains the dark form populations originally introduced into the United States. Mr. Si Corley (29), Commissioner, State department of agriculture and commerce, stated that their control program has been one of containment designed to treat outlying infestations first, with the final objective aimed at eradication. Current programs show an intensified effort in comparison with past years.

The State appropriated $25,000 for controls during the fiscal year 1963 and 350,000 acres were treated; however, city and county governments spent $192,600 to eradicate this pest within their own communities. During the fiscal year 1964, the entire State program is to be expanded, and all known infestations are to be treated in 14 counties located in the central and northern portions of the State. Some degree of treatment is to be provided in control programs in 17 counties located mainly in southwestern Mississippi, while 25 eastern counties have no control programs planned at present.

North Carolina

Only seven counties are involved, five of which have been treated, with the remaining two to be treated during 1964. Data on the effectiveness of the treatments were not available.

South Carolina

Seventeen counties have reported mild infestations emanating from nursery stocks. Fourteen of these counties have been treated; three spot areas of infestation totaling about 200,000 acres are to be treated soon as of November 1963. An infested area around Charleston was scheduled for treatment during 1964.

Texas

Infestation has been reported in the southeastern part of the State, and control-eradication programs are receiving support from individuals, cities, and counties in that area.

EVALUATION-SUMMARY

The imported fire ant arrived in the United States about 1918 at Mobile, Ala., from South America. The first imported fire ant was a dark form which spread rather slowly, from 2 to 5 miles per year, with about 700,000 acres infested by 1930. During the 1930's a light form appeared, again apparently imported from South America. This form, which swarms 8 to 10 times a year—Louisiana reported 19 swarms one year—has become the dominant form, and has spread rapidly to where nearly 31 million acres in nine States had become infested by late 1963.

Early reports of fire ant damage to crops, wildlife, fish, and to humans have not been verified, but have been too numerous to discount completely. It appears probable that the "light," now dominant form, is much less an economic pest than was the earlier dark form. At this time, the fire ant is not considered an economic pest in South America, and is low on the list of all but a few of the nine U.S. States with infested areas. Due to its insectivorous habits, many scientists, and others, consider the beneficial results to outweigh the harmful effects. Most colonies become cannibalistic rather than feed on plant material, though, on occasion, they have been observed to carry seeds to the mound.

The aggressive nature of the ant, and the multiple stings received from each individual ant, are quite painful for a short time. The "stings" are sterile in themselves, and, except for allergy-sensitive individuals, cause no effects other than the pain, shock, and the appearance of small pustules which normally disappear in a few days.

To the farmworker who receives stings when harvesting crops, or to the children (and their parents) who are stung while playing, the fire ant is a feared nuisance, to say the least. It was in response to public demand for action against the ant that the U.S. Congress, in 1957, appropriated funds and charged the Department of Agriculture to initiate an eradication program. Quarantine programs are helpful in lowering the spread to noninfested areas. Several chlorinated hydrocarbons were found effective against the fire ant, and widespread application of these pesticides was initiated. It was soon found that these pesticides had harmful side effects such that their widespread use had to be discontinued.

The development of a new pesticide, Mirex, about 1960 gave promise of a highly effective agent against the fire ant without the harmful side effects of the insecticides formerly used. Mirex has been found effective in very small quantities, but due to the relatively short—2 weeks—life of the Mirex bait, it can be considered only as a control agent (19, 26, 59, 62).

It is too early to evaluate the effectiveness of the large area plane-spraying operations and the mopup attention paid to smaller isolated areas of infestation. A number of authoritative comments are similar: That for effective control-containment-eradication of the imported fire ant with Mirex, only a greatly magnified effort has a possibility of success, and the cost involved in such a massive undertaking is not justifiable.

Based on data summarized in this report, the United States should free itself from any illusion that current airplane spray operations with Mirex is anything but a control operation, which will require reapplication more than once a year to the periphery of the infested area, even simply to prevent the spread of infestation. Consideration may be given to a federally subsidized program to provide Mirex to farmers and State agencies, to provide local control where the "nuisance" of the ant so warrants. Wilson (63), in a 1963 appearance before a U.S. Senate subcommittee, stated: "How much, in fact, was learned in advance of the spraying program about the biology of the fire ant? The (USDA) research on this species, other than routine scouting and insecticide tests, was quite trivial. Had but a small fraction of the $2.4 million (for the eradication program) been devoted to basic research, there would now be solid achievements to build upon." The imported fire ant and control and eradication programs initiated in 1957 may well be a classic example of the converse of these recommendations. The results, to date, as indicated by the rate of spread shown in Figure 1, can be characterized by: "too little and too late with too little knowledge."

Quarantine and limited control programs prior to adequate research findings may be warranted to minimize spread and to permit operation in isolated heavily infested areas. Widespread eradication programs

should not be carried out until the scope, program effectiveness, costs, and all ecological factors involved can be evaluated and related to the need.

It is hoped that this report will aid in providing more education to the public, and that it has placed the fire ant problem, at this time, in perspective.

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THE PRESIDENT'S STAND IN VIETNAM

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] 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 Jersey?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have, on a number of occasions recently, congratulated the President on the strong stand that has now been adopted in Vietnam. In my opinion, the posture we have now taken is the most positive action, expressing our determination to halt the growth and expansion of communism, to come from the White House in a great number of years.

It is not surprising that the so-called intellectuals who speak so volubly for the left are heated in their denunciation of this position of strength. I think it is incumbent upon those of us who believe that we have backtracked, apologized and negotiated long enough, to speak up in defense of the President and encourage him to continue the policy we have now adopted.

In this context, I would like to insert here in the RECORD a recent editorial from the Shreveport Times that expresses my sentiments and those, I believe, of the majority of all Americans.

IN THE NAME OF GOD * * *

Secretary of State Dean Rusk's denunciation of "intellectuals" and "educated men" who are conducting a nationwide propaganda drive against President Johnson's course in Vietnam is the strongest, the most encouraging and the most commendable utterance in behalf of standing up against communism that has come from the State Department since cancer forced John Foster Dulles out of the Secretaryship in the late 1950's.

What Mr. Rusk said, in his speech before the American Society of International Law in Washington, could not and would not have been said without full approval of President Johnson. Thus it not only carries added weight in its national and international importance, but brings new commendation to the President for his determination not only to fight in southeast Asia but to stand up against those in his own country who attack him when they should be supporting him.

Further, Mr. Rusk knows whereof he speaks. In the 1940's he was a member of the Institute of Pacific Relations. It fostered propaganda helping the Communist cause in China, then a free republic under Chiang Kai-shek. It pictured the Chinese Communist as "simple farmers" simply trying to elevate their living standards. It was under this and similar propaganda that the Communists took over China and forced the government of Chiang Kai-shek—our staunch ally throughout World War II—into exile on Formosa. It was as a result of these philosophies that the Korean war was fought; and, because it was fought on a no-win basis, Communist China became the second strongest Communist power in the world.

It was from so-called intellectuals and educated men that the philosophies came which made possible the terrible international mess of which Mr. Rusk speaks today. It is to his full credit that he does speak today—with President Johnson's approval; it is also to his credit that he saw the error of his original ways even before the Korean war came. As it approached he denounced Red China as a menace to the world, but it was too late then.

But the issue now is what is happening today and not what was happening then. If we permit a repetition now of the events of the 1940's—and earlier in other ways—then freedom for nations may, indeed, be on its last legs around the earth.

Mr. Rusk did not use the word "clergy" nor did he use the phrase "college faculty members." But his attack is directly on segments of these groups, for it is from within them that "educated men" conduct their anti-Johnson—and, in our opinion, un-American—propaganda today. This does not mean that "the clergy" of the Nation in all-embracing sense, or college faculty people in an all-embracing sense, come under Mr. Rusk's criticism or ours.

But it does mean that the ever increasing effort to encourage backing down from communism by the United States—as has been the course of this country since 1961, with one or two temporary and quickly abandoned "strong stands" intermingled—too often is agitated and urged on fundamentally from within the clergy and within the colleges at the faculty level—with plenty of help from other sources, including Communist or pro-Communist sources at times.

Shortly before Mr. Rusk delivered his speech, a full page advertisement appeared in the New York Times stating that it was sponsored by 2,000 clergymen. We did not count the names printed in it but the total could have been that number. It was a demand on President Johnson, starting out with these words: "In the name of God get us out of Vietnam."

Fundamentally this full page advertisement also was an appeal to other clergymen to send in their names—for use in future ads—in support of the plea, "In the name of God get us out of Vietnam." The result was that 14,000 additional clergymen mailed in their names. Why not? For a postcard they could get their names printed in a paid ad and gratify their ego. They could attain some point and moment of prominence—or at least public attention and notoriety that was gratification to their exhibitionism. They didn't have to send any money—somebody else put up the money to pay for the advertising.

There was nothing in the advertisement to point out that the biggest and strongest and most dangerous enemy of the free world today is communism.

There was nothing to point out that communism is seeking to suppress freedom everywhere it can reach with its claws; that that is the issue in Vietnam.

There was nothing to point out that this Nation has an established foreign policy, set up by President Truman in the 1940's and reiterated over and over by both him and the Congress of the United States and by President Eisenhower and President Kennedy—that whenever a country being attacked by a Communist aggressor nation seeks our help, we will give it, militarily or otherwise.

There was nothing in the advertisement to bring out that we have reached the days for a final issue in this world; either freedom is to survive and exist where it wishes to, or communism is to control wherever it wishes to.

The ministers who signed the original advertisement are the same type who furthered the Nazi cause by encouragement for the organization and flourishing of Nazi fronts in this country in the 1930's. In some instances they are the same identical men—youngsters with no real intelligence then and apparently having gained little in the years that have passed.

They are the same type that, in the years immediately following World War II, again furthered the Communist cause; and in some instances they are the same men. In all of these activities they were ably assisted from college faculty ranks; more so now than in the past.

Some of them are the same men, who, mingling with college professors, took part in the Fair Play for Cuba Committee which was a Castro Communist propaganda agency in this country and which became the haven of Lee Harvey Oswald, accused assassin of President Kennedy.

Around the country one finds the same college professors—or the same type—that were in the past engaged in furthering pacifist or similar leftist-liberal organizations now seeking to break down American opposition to its only real enemy in the world—communism.

In the lists of members of the clergy, members of college faculties, members of so-called intellectual and educated groups denouncing President Johnson for his South Vietnam course also are found many who lead in defiance of law in a manner to bring bloody violence and horrible murder as a result of civil rights demonstrations. And in their own advocacy of defiance of law, and sometimes defiance on their own, who can question that they encourage—perhaps without any intent at all—the widespread violence and lawbreaking and even terror that spreads over the Nation today from teenage groups on the beaches through college campuses and into the streets of the cities? Those who proclaim "In the name of God get us out of Vietnam"—through surrender or the equivalent if need be—would do better to say:

"So long as we have a President who will fight against communism and not back down, in Vietnam or anywhere else, in the name of God support him."

SUPPORT PRESIDENT'S ACTION IN DOMINICAN REPUBLIC

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] 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 Jersey?

There was no objection.

Mr. FUQUA. Mr. Speaker, I rise today to express my support of the President of the United States for his swift and forceful action in the Dominican Republic crisis. Only this bold move prevented yet another nation from falling into the grasp of communism, with the consequence that the United States would have been faced with another Cuba.

The fast-moving events of the past few days saw a revolt begin in that strife-torn nation which had as its avowed purpose a democratic government. This revolt was quickly taken over by Communist conspirators and drastic action was necessary to prevent another Castro-type government in this hemisphere.

Many of these Communist conspirators, who took control of the revolt, had been trained in these very methods in Cuba. It is the type of situation which concerns us greatly, and one which I spoke to the House about nearly 2 years ago, when I pointed to the growing menace of Communists trained in Cuba who seek to infest every land in South America.

As President Johnson expressed so ably to the Nation, we cannot and will not allow another Castro-type government to further infest this hemisphere. Every beachhead they establish means that they will redouble their efforts to establish others, spreading violence and discord in their wake—destroying every vestige of freedom when they are in control.

I support the swift and dramatic action of the President in sending American forces to protect American lives, and then when it became obvious that a Communist takeover was possible, taking forceful action to prevent such eventuality.

This action on the part of the President is part of the new policy of these United States as we seek to halt aggression and the spread of communism through violence, subversion, and deceit. The Communist aggressors understand only force and this Nation must not waver in its determination to halt the spread of this dictatorial plague which seeks to engulf all mankind. This course of action we have embarked upon is a dangerous one, we know, but one which all those who love freedom must be willing to assume.

I support the President in this firm action.

We seek not to dominate our neighbors, but by the same token, we cannot

and must not allow them to fall victims to trained conspirators who seek to place another land under the Communist doctrine, which stifles freedom in all its forms.

I feel that such determined and forceful action on the part of these United States makes crystal clear our determination to preserve freedom, and is the only course of action open to us if we are to ultimately preserve our own democracy.

CONSTITUTIONAL AMENDMENT ON THE VOTING AGE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] 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 Jersey?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, today I am introducing a joint resolution which proposes a constitutional amendment granting American citizens who have attained the age 18 the right to vote.

For many years now, such action has been proposed, discussed, put aside, proposed again, discussed again, and put aside again. I think we ought to understand fully the present factors which make it proper and necessary for citizens of 18 to be entitled to vote.

In the past several years, this country has witnessed a significant growth in the maturity of our younger citizens. Many of these young Americans are actively involved furthering the goals of the Great Society: in civil rights, in the war on poverty, in the Peace Corps, and in the armed services. In the Peace Corps and the VISTA program of the war on poverty, such young citizens are largely responsible for unprecedented successes.

Young men under 21 are spread all over the world as members of our Armed Forces, ready to give their lives to further what we believe to be the rights of all freemen, regardless of nationality. At this very moment, many such young men are dying in southeast Asia.

During this past campaign, an unprecedented number of young citizens offered, without reward, their time and energy to political campaigns all over the country. All of us in this Chamber, I think, realize the extent and, indeed, the importance of this commitment.

Almost every day, I receive intelligent, informed, and well-reasoned letters from young constituents of mine, expressing a wide range of political views. I am constantly impressed by the authority and sophistication of such letters. I also encounter this intelligence and interest when I return to my district to meet with and talk to my constituents in person.

The conclusion seems to me inescapable. Young men and women are already taking part in the American political process, offering their resources and, in many cases, their lives for democratic ideals we all seek to promote. That they should be doing this without the most basic of all political rights—the right to vote—seems to me a serious inconsistency. We are asking our young soldiers to die for our democracy; yet we deny them an electoral voice in the operation of that democracy. We are reaping the benefit of the efforts of young Americans in the war against poverty and the Peace Corps; yet we refuse them basic participation in the system they seek to support and improve. Many of us, regardless of party, find such young people of enormous help in our campaigns, or in summer jobs in our offices. Yet all these young Americans, and all their contemporaries are denied the right to vote.

I strongly urge the adoption of a constitutional amendment to grant that right to citizens above the age of 18.

THE ROLE OF INTERNATIONAL LAW IN THE CONDUCT OF OUR INTERNATIONAL BEHAVIOR

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. DOWNING] 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 Jersey?

There was no objection.

Mr. DOWNING. Mr. Speaker, over the years many of us have been concerned about the role of international law in the conduct of our international behavior.

On Saturday, May 1, 1965, it was my privilege to hear Vice President HUBERT H. HUMPHREY discuss this sensitive and challenging topic at a Law Day celebration at the College of William and Mary in Williamsburg, Va.

The Vice President's remarks, delivered before a large and appreciative audience on a beautiful spring day in the colonial capital of America, reminded me and my fellow Virginians of the importance of applying the ideals of equality and justice to our international relations.

I believe, Mr. Speaker, that my colleagues would welcome an opportunity to read Vice President HUMPHREY's Law Day address, and I include it in the RECORD at this point:

ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY, LAW DAY, COLLEGE OF WILLIAM AND MARY, MAY 1, 1965

Same 350 years ago, the English historian, William Camden, urged: "Agree, for the law is costly."

Today on Law Day his remark carries an important message.

On a day reserved to honor our own legal system, we should remember that its foundation is agreement—a common purpose which permits us to resolve our difficulties and disputes without each time seeking some formal legal remedy.

Camden's advice is vital to our success. For if international law is to prosper, it can only be because we have found matters upon which we can agree.

Our judicial heritage is just that, a slow accretion of statutes and judicial decisions, handed from generation to generation, made to fit the needs of the time and the place, but endowed with the objectivity necessary to fair decision.

Since Camden's day, our system has become a superbly refined instrument for protecting human rights and personal values. Gradually, but irrevocably, we have made broader the obligations owed by society to its members. We have firmly fixed the power to govern upon the consent of the governed. We have eliminated slavery as an institution and a practice. We have maintained respect for the inalienable rights of individuals as our Republic's foundation.

This refinement of our system has brought more and more of our citizens under the law. In fact, the success of our legal system has rested upon its ability to draw nourishment from common agreement upon the basic principles the law embraces.

This is as it must be. For law is meaningless if there is no public will to observe it. And this public will, in turn, can exist only when the law is just and deserving of honor.

Today in the United States we have a consensus on the rules and regulations that govern our society. We have a remarkably effective system of enforcing these rules and regulations.

But even though our legal system is the most advanced the world has come to know, it would be folly to suggest that nothing remains to be done. The Congress and the State legislatures are deluged each year with suggestions for improvement. Arguments range in the legal community and in the public at large on the wisdom of some court decisions.

These ragged edges on our national consensus do not worry me.

What does worry me are the more basic problems we face.

Where we have basic unrest, it is because a consensus continues to elude us.

It is missing because some of our people are denied full participation in their society.

We cannot expect to breed respect for law and order among people who do not share the fruits of our freedom.

Under the leadership of President Johnson we are determined to end poverty and discrimination. We work toward a goal of equal opportunity for all our citizens. Only when this goal is realized will we find a full and healthy respect for law and order in our Nation.

On Law Day in America we have our work cut out for us. But what of Law Day in the world?

There are those who assume that we can only express hope for international law. They look at the state of the world today and ask: How can the concept of law have true meaning when nations are at war, when millions are underfed, when even greater millions live under the yoke of tyranny?

We should frankly acknowledge that the international legal system is rudimentary.

As there is lack of full consensus in the United States, there is much greater lack of consensus in the world.

Efforts to institute and practice collective responsibility for world peace have been beset by the veto in the United Nations Security Council and by refusal of some nations to pay their assessed share of expenses for international peacekeeping.

Since the test ban treaty 2 years ago, the Disarmament Conference in Geneva has not achieved significant progress.

In some parts of the world large sections of the population, or indeed whole peoples, are denied fundamental human rights.

So, at times, the essential questions which face the world—questions of human dignity, war and peace, life and death—seem to loom larger than our capacity to resolve them.

But we should not despair of a world order in which the rule of law is supreme.

The basis of a world under law is growing and expanding: Today we can point to the many areas in which the interests of the

powerful and the weak, the rich and the poor, the free world and the Communist, have reached a common ground.

Perhaps most basic, there can come to be a common recognition that nuclear war has no place as an "instrument of national policy."

Total war as fought in our modern world has become to terrifying and wasteful to permit the recurrence of periodic bloodlettings. Today, few countries deny the need for subjecting national force to rational controls.

Utilizing this measure of common belief, we were able to negotiate a limited nuclear test ban treaty. Today some 100 countries have joined this first concrete action to limit the possibility of a nuclear holocaust.

We are taking steps to encourage the growth of a whole network of measures to reduce the risk of nuclear war. We support an inspected comprehensive test ban. We support efforts in the United Nations and elsewhere to prevent the proliferation of nuclear weapons.

We have proposed a cutoff in production of fissionable material for weapons and a freeze in the levels of strategic nuclear delivery vehicles. Last year in the United Nations, we passed a resolution against the orbiting of nuclear weapons.

In other areas as well, nations have joined together to establish ground rules: The vast preponderance of world trade moves within the framework of the General Agreement on Tariffs and Trade. We have a whole network of aviation agreements. Copyright matters, postal arrangements, health measures, and a vast array of other matters are now subject to multilateral and bilateral agreements, all testifying to the proposition that law does play an essential role in our world.

Specialized agencies of the United Nations are another example of agreement among nations. The World Health Organization (WHO) strives in all countries to stamp out the spread of disease. The Food and Agriculture Organization (FAO) searches for ways to eliminate hunger from the world. The World Bank is a powerful stimulant to world economic development.

In these matters we have achieved international cooperation on day-to-day questions of international behavior. While our problems still make the headlines, we tend to forget that hundreds of times each day countries do shape their actions in conformity with their obligations to the consensus of international law.

We should not, therefore, think of the law only as a series of decrees issued by some high authority and enforced by some police power. Nothing could be further from the truth.

In America we have seen that no matter how "efficient" the enforcement arm of the legal system, law can only succeed if it rests upon agreement within the society that the law is just and should be followed. There are not enough jails, not enough policemen, not enough courts to enforce a law not supported by the people.

In the international framework, we can see that the absence of an international enforcement mechanism has not prevented the development of limited international consensus to guide the decisions of nations. Formal treaties and customs, and even world opinion, delimit the course nations will follow.

Internationally we are building our legal system in a different way than at home. We are adding slowly but continuously to a body of agreed-upon principles and objectives. As this consensus grows, enforcement will begin to take care of itself.

Is there hope of real progress in extending the area where the writ of international law may run? I believe the answer is indicated in the remark of Benjamin Franklin after the Constitutional Convention. Behind the desk of George Washington hung a painting of the sun low in the horizon. Many delegates wondered whether it was a rising or a setting sun. Benjamin Franklin remarked: "We have now signed the Constitution. We now know looking at that picture that it is a rising sun and the beginning of a new day."

If we here today—both those in the law and those in government—do our job we can some day look out—both at home and abroad—on a rising sun and the beginning of a new day. We can some day look out on a world where law reigns supreme.

ARMENIA MUST BE FREE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] 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 Jersey?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, yesterday, May 2, the Armenian community of Cleveland observed the 50th anniversary of the Turkish massacre of Armenians, in a public ceremony at the Sheraton-Cleveland Hotel. This was a solemn occasion, marking one of the saddest chapters in the long history of the Armenian people. It was my privilege to speak on this occasion and I include, by unanimous consent, my address entitled "Armenia Must Be Free":

ARMENIA MUST BE FREE

April is the month of infamy in the centuries-long history of the Armenian nation. For it was during the month of April, 50 years ago, that over 1 million Armenians were slaughtered and another million Armenians were uprooted and disseminated to foreign lands by the leaders of the Ottoman Empire. What had the Armenians done to warrant such evil treatment. They had not conspired against the Turks. They were a peaceful people, seeking only to maintain their ancient Christian way of life.

The Armenian nation had been partitioned and occupied by both imperial Russia and the Ottoman Empire, a situation which created tensions with the outbreak of World War I. But this was not the fault of the Armenian people for they were the victims of imperial partition. The fault rested with the partitioners who had extended their empires at the expense of the Armenian nation. With the Turks and Russians on opposite sides in the war, partitioned Armenia was soon to become a common battleground. In these circumstances the Armenian people were helpless pawns in the hands of the warring imperial powers. It was a foregone conclusion that both the Turks and the Russians would seek to use the Armenian people to further their war aims. Nevertheless, the Armenian people on both sides of the struggle sought to establish their neutrality. Having no government of their own, the voice of the Armenian nation spoke through the Dashnago, declaring neutrality for all Armenians. But this voice of the Armenian people went unheeded.

On the one side the Turks inducted Armenians into their armed forces. On the other side the Russians organized Armenian volunteer battalions. This set the stage to pit Armenian against Armenian and for the bloody massacre which followed. Caught in this vise of disaster, the Armenian people had no course open but to fight for their very survival as a people. Acts of self-defense were branded by the Turks as revolt against the Ottoman Empire. Under this pretense the genocidal slaughter of 1915 was launched and carried out with such heartless abandon that it shocked the conscience of all civilized mankind.

It is little wonder that with the collapse of the Ottoman and Russian Empires there was popular support among the victorious powers to restore an independent Armenian nation. Nothing less could ease the conscience of mankind for what had taken place in Armenian lands during the month of infamy in 1915 and in the years of war which followed.

President Woodrow Wilson proposed the establishment of an American mandate in Armenia to help the Armenians maintain their existence. The authority to do so was not granted to him by Congress. The Russian Bolsheviks then led by Lenin, sensing the power of world opinion favoring the Armenian cause, proclaimed in October of 1917 the right of Armenia to self-determination. But the Bolshevik proclamation turned out to be the essence of duplicity and deception. Six months later the Bolsheviks signed a secret treaty with the Turks which guaranteed the continuing partition of Armenia between the two powers. Independent Armenia which had been restored by the surviving patriots, with no help from the victorious Allies, soon became the victim of this secret pact.

Red Russia installed a puppet Communist regime in one part of Armenia and Turkey simply annexed the other part of the partitioned nation. What a cruel reward this was for the Armenian nation which had seen half its population killed or disseminated during the course of World War I.

Red Russia began a systematic liquidation of all Armenian patriots and intellectuals in that part of Armenia under Communist occupation. The massacre which followed was no less severe than that carried out by the Turks at an earlier date. This brought another popular uprising among the Armenians which drove the Communist puppets out. But the Red army reinvaded Armenia a few months later and reestablished a Communist puppet regime which remains in control to this day.

Fifty years have passed since the massacre of the Armenias by the Ottoman Turks. In that half century we have seen the practice of genocide repeated by power hungry dictators who set out to build vast empires and even conquer the world. Stalin and his henchmen were experts in this evil practice. They eliminated the Chechins, the Ingush, the Crimean Tatars, and the Kalmucks, they ordered the manmade famine in Ukraine during 1922–23, which brought death to no less than 3 million Ukrainians. And Stalin's successors have been attempting to rub out nations under Communist bondage through the tactics of mass deportations and population scrambling.

Hitler did not invent the crime of genocide, even though he was guilty of its evil practice. In an effort to justify his superior race theories and their practice in time of war, Hitler proclaimed: "The world forgot about the Armenians." He then launched a blood bath across Europe, with the active collaboration of Soviet Russia. Hitler perished by the sword and his henchmen were tried and found guilty for crimes against humanity. But the Nuremberg trials did not stop crimes against humanity, because they are practiced today—behind the Iron and Bamboo Curtains, in that vast area of the world held in Communist chains.

After the close of active hostilities in Europe and before the Nuremberg trials commenced the Tito Communists perpetrated a well-planned crime of genocide against the Croatian nation. Twenty years ago this month the Bleiburg tragedy took place. Over 100,000 Croatian prisoners of war and civilians were forced into a death march

from which no more than a handful of survivors remain. Tito Communists slaughtered these people along the route of the march and threw the dead into mass graves.

What crime did these people commit? Their only fault was that they fought for the national independence of Croatia and were enemies of communism. Tito and his henchmen called this a crime and punished the offenders by an act of genocide. Those guilty for this crime have gone unpunished. The terrible truth about this crime was concealed from wide publication until recent years. All the facts have now been published and they serve as further evidence that communism embraces the crime of genocide to extend its empire over nations and peoples.

Time tends to dim the memory of both good and evil events in the life of man. Younger generations are seldom in tune with the lessons of the past because they are preoccupied with events of the present. But we have reached a point in world affairs wherein to reject the harsh lessons of the past is to invite certain disaster for all civilization. It cannot be denied that in our time man's inhumanity to man is more likely to be met with "so what" rather than indignation and public protest. Are we to conclude that the conscience of the West is dormant? Let us look briefly at the record. Take the cause of the captive nations, those once free and independent nations now in Communist chains. Not so many years ago we as a people were openly and vigorously advocating the rights of all those nations to be free and self-governing. Our official protests against the enslavement of those nations were heard in the United Nations, in the Congress, and at public rallies dedicated to peace with universal freedom.

What are we doing about the captive nations today? Aside from those dedicated Members of Congress whose voices of protest are raised in defense of the captive nations cause, it appears that a spirit of "all quiet on the Western front" has possessed our foreign policy.

Can it be that we have been victimized by the claim that the Russians are mellowing, that they are moving in the direction of liberty for individuals and freedom for nations—and that we should do nothing to defend the cause of the captive nations because this would offend the Russians. Or is it more accurate to observe that we as a people have grown weary of the burden which we must carry as champions of human freedom? In either case, events taking place in southeast Asia and in our hemisphere demand that we wake up before it is too late. The so-called Communist war of liberation now underway in Vietnam is nothing less than a war of aggression against a nation of the free world.

What international communism is attempting to do in Vietnam has already been done to such nations as Armenia, Poland, Ukraine, Hungary, Estonia, Latvia, Lithuania, Yugoslavia, Romania, Czechoslovakia, and Byelorussia, just to mention a few. They are in Communist chains. If Vietnam should be conquered by Communist aggression, all the free nations of southeast Asia will soon fall to Communist rule.

We have the same problem right on our doorstep. Cuba is the case in point. That country is now nothing more than a base of Russian operations in the Western Hemisphere. There can be no doubts that Castro-trained Communist agents are playing a leading role in the Dominican Republic in an effort to seize control there. If that effort should succeed, we will see more Communist inspired and directed wars of so-called liberation into communism throughout the Western Hemisphere.

President Johnson has taken the only stand open to him in both instances. It is his sworn duty to defend the United States and he has done what had to be done to fulfill that oath.

Communist aggression, by whatever name it is called, must be stopped. To suggest that Soviet Russia is not involved in the war of aggression in Vietnam is to be blind to the obvious.

To suggest that Soviet Russia is not using its base of operations in Cuba to cause Communist unrest and aggression in the Western Hemisphere is to bury ones head in the sand. Soviet Russia is the prime instigator of crisis throughout the free world community.

It is time we carried the struggle to the heartland of Russian power. It is time we took up the cause of the captive nations, an action which is certain to put the Russians on the defensive and expose the imperial nature of communism. For too long the Russians have made the free world the exclusive battleground of the struggle between tyranny and freedom, between dictatorship and self-government. That struggle must be turned to the battleground behind the Iron Curtain where the millions of people in the captive nations resist their occupier and await moral and political support from the United States.

We must make it clear that we support the right of all people to be free and self-governing.

We must demand the right of self-determination for all captive nations, under United Nations supervision. The louder the Russians protest the louder should be our demand for these basic human rights.

Modern day Turkey has open to it a unique opportunity to amend some of the terrible wrong done the Armenian people 50 years ago.

The wounds of that experience are deep and they have not been healed during the past half century.

Armenians today, in the homeland and throughout the world, long for and work for a restoration of their national independence.

Turkey, by virtue of history and geography, is in a position to provide powerful impetus and support for Armenian national aspirations.

A Turkish declaration of support for Armenian national independence would open the door to a new era in Armenian-Turkish relations which would have a far-reaching effect on the future of human freedom. Such action would advance immeasurably the cause of peace with freedom for all nations and peoples.

ISRAEL'S INDEPENDENCE DAY

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] 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 Jersey?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, today we have set aside time to express our admiration for the thriving democracy of Israel and to send our greetings to the people of that land on the occasion of the 17th anniversary of their proclamation of independence. During these times of great political, economic, and social transition, we are constantly distracted by the troubles and birth pains of new nations. It is comforting, therefore, to turn our attention to the success story of Israel.

Within 17 short years, the small Republic of Israel has managed to assimilate over a million immigrants, a feat unequaled even in our own country during its greatest periods of immigration. An admirable concern for the formation of a nation of responsible citizens led to the early establishment of a system of universal education. This system has been supplemented by education centers for the young and old where the Hebrew language and civics are taught. Today, the system of higher education in Israel is the finest in the Middle East, which means that the majority of Israel's students can stay at home to receive their advanced training.

It is undeniable that these achievements in education have played an important role in Israel's rapid economic development. Today, the country is flourishing, thanks in large part to the hard work of the Israelis and to generous public and private aid from the United States. Where once there were empty coasts there are now thriving ports and tourist centers. Where once there were barren deserts there are now flourishing agricultural communities. Garden cities and light industries have sprung up along the shores of the Dead Sea. Abandoned mines have been reopened; new mines have been built to exploit the slim natural resources of the country.

All these accomplishments would be impressive enough under ordinary circumstances. But in Israel there have been special circumstances that make these accomplishments seem truly extraordinary. Israelis could not turn their attention to economic development until they had first fought a costly war to secure their borders. Surrounded on all sides by hostile neighbors, they have been forced to maintain expensive defense forces and to mount a constant guard against harassing border attacks. Today, the success of their most ambitious project—the use of the waters of the Jordan to irrigate the Negev Desert—is threatened by diabolical Arab schemes to divert these waters. Economic development, then, has proceeded while Israel has remained in a state of armed vigilance. No more difficult circumstances can be imagined.

These circumstances have been surmounted only because the Israeli people have clung tenaciously to their goals and have refused to be discouraged by adversity. It is to be fervently hoped that one day the people of Israel will be permitted to lay down their arms and to devote their genius entirely to peaceful activities. Until that day comes, however, this country must be firm in supporting in every way possible the right of the nation of Israel to exist and to work out its destiny in an area that has been for centuries the promised land for its people.

POLAND—AN INSPIRATION FOR MANKIND

The SPEAKER pro tempore (Mr. ANNUNZIO). Under previous order of the House, the gentleman from Delaware [Mr. MCDOWELL] is recognized for 10 minutes.

Mr. MCDOWELL. Mr. Speaker, May 3 is the Polish national holiday, and it is on this day that Poles celebrate their Constitution Day. Throughout the United States, wherever Americans of

Polish descent live, this holiday is observed with appropriate exercises. It reminds all Americans that Poland was one of the pioneers of liberalism in Europe, and the world.

The significance of this day is that it was on May 3, 1791, that Poland without a coup, a putsch, a revolution, or disorder of any kind, succeeded in reforming her Constitution and her public life. Unfortunately, this rebirth and reformation did not stop or forestall the third partition of Poland in 1795 by Russia, Prussia, and Austria.

However, this internal reformation, and the Constitution which crowned it, cast a light in the darkness of the period that was never to be extinguished. The Polish Constitution, which was adopted only 2 years after our own Constitution was adopted, makes this historic declaration:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the State, the civil liberty and the good order of society, on on equal scale and on a lasting foundation.

The Polish American Congress, whose president is Charles Rozmarek, states, and I think, justifiably, that—

The greatness of the May 3d Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

The Polish American Congress adds that—

The philosophy of government discernible throughout the 3d of May Polish constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

I am pleased to include, as part of my remarks, excerpts from papers supplied me by the Polish American Congress. The information on the Katyn massacre points out that on September 18, 1951, the House of Representatives appointed a select committee to investigate this atrocity. Several of the members of that select committee still grace this body, including its chairman, the gentleman from Indiana [Mr. MADDEN], the gentleman from Pennsylvania [Mr. FLOOD], and the gentleman from Wisconsin [Mr. O'KONSKI].

The excerpts follow:

THE 25TH ANNIVERSARY OF THE KATYN MASSACRE

The Katyn massacre which shocked the world as one of the most brutal acts of genocide in World War II took place 25 years ago in a forest near Smolensk in the Soviet Union.

Mr. Charles Rozmarek, president of the Polish American Congress and the Polish National Alliance, recently presented a study of this international crime. Mr Rozmarek stated in an address delivered in New York City:

"The basic facts of the Katyn massacre are well known to world public opinion.

"The first news of the mass graves at Katyn was announced by the German Radio on April 13, 1943. In the next few days, citing personal documents, identification cards, letters and newspapers found in the graves as well as quoting expert opinion of the pathologists, the Germans accused the Russians of mass murdering Polish officers and intellectuals in the month of March of 1940.

"On April 15, 1943, Radio Moscow not only denied the accusations made, but in turn, charged the Germans with this hideous crime of genocide.

"On April 17, 1943, the Polish Government-in-Exile in London appealed to the International Red Cross at Geneva to conduct an impartial investigation and determine the actual facts of the Katyn crime.

"Nine days later, on April 26, 1943, the Soviet Union severed diplomatic relations with the Polish Government in London, denouncing it falsely as acting in collaboration with Nazi Germany."

* * * * *

With the quoted dates as the background, the following facts were ascertained and established.

The bodies of 4,423 Polish officers, scientists, professors, chaplains, lawyers and students were found in three mass graves in the Katyn Forest. Their last place of imprisonment had been the military prisoners camp at Kozielsk.

Held in another camp at Starobielsk were an additional 3,290 Polish officers, while 6,570 officers were interned in the third camp near Ostashkov. These prisoners of war from the Starobielsk and Ostashkov camps disappeared without a single clue or trace as to their whereabouts. The conclusion is thus inescapable that they met with the same fate as that which befell their fellow officers of the Kozielsk camp. It has not been established as yet whether they rest in some unidentified, up to the present time, mass graves, or were simply heretofore drowned at sea.

Thus, 14,283 Polish officers and intellectuals, taken as prisoners of war by the Soviets in September of 1939, were brutally and inhumanly murdered in one of the most shocking crimes of genocide in the history of mankind.

* * * * *

The second in the series of dates and facts relating to the crime of Katyn Forest is to be found in the United States, due largely to the efforts of the Polish American Congress.

On September 18, 1951, the House of Representatives appointed a select committee to investigate the Katyn massacre. Headed by Representative RAY J. MADDEN, of Indiana, the committee was composed of Representatives DANIEL J. FLOOD, of Pennsylvania; Foster Furcolo, of Massachusetts; Thaddeus Machrowicz, of Michigan; ALVIN O'KONSKI, of Wisconsin, and Timothy P. Sheehan, of Illinois.

After a scrupulous and detailed investigation of the pertinent documents and the hearing of testimony of hundreds of duly identified witnesses, the committee stated in its two reports, one of July 2, 1952, and the second of December 22, 1952, that beyond the slightest shadow of doubt, Russia stands accused of the Katyn massacre, and likewise that Russia planned other crimes of genocide against Poland as early as the year of 1939.

The committee asked the President and the State Department that this indictment with all of the documentary evidence be filed with the United Nations General Assembly, and that, eventually the case be brought before the International Tribunal in the Hague.

POLAND'S MILLENNIUM

Seven years ago Americans of Polish ancestry solemnly commemorated the 350th anniversary of the arrival of the first Poles to the shores of America. They landed in Jamestown, Va., in September 1608.

Poland at that time was one of the great powers of Europe and had been contributing to the growth and development of Western civilization and culture for 624 years, and existed as a state for at least eight centuries.

We are now approaching Poland's millennium of Christianity.

The year of 1966 will mark the 1,000th anniversary of the baptism of the Polish Nation. Through this act, Poland linked her destiny with that of the West and became an integral and creative force in its culture, keeping at the same time, watch on the eastern ramparts of Christendom.

One thousand yesteryears represent one-half of our Christian era, spanning the early Middle Ages through to our times.

In human equation, the millennium represents 40 generations.

These generations of Poland have built one of the most powerful and enlightened states in Europe. They basked in the glories of victories, knew the rich rewards of spiritual progress, the joy of intellectual attainments, the sorrow of defeats, the depth of suffering, the sustaining power of heroism and of faith in the face of mortal dangers.

In time of glory and in periods of adversity they learned how to put into practice the ideal of the brotherhood of man—"Za Wasza Wolnosc i Nasza"—for your freedom and ours.

This is our heritage.

Generally, only the highlights of Poland's history are known.

Generally, we are aware only of the spectacular attainments and of the deep tragedies that were the lot of the land of our ancestry.

This history is replete not only with military victories and political achievements attained in the formulation of the first commonwealth of nations in the European annals; this history does not end with the tragedy of partition and the transitory disintegration of the Republic, nor with the current Soviet occupation.

To a sincere student, Poland's history discloses unexpected depths of political and sociological philosophy, and surprising lights of genius that foretold the development of modern thought and concept.

The Polish-American Congress began preparation for nationwide observance of the thousandth anniversary of the baptism of Poland. Its millennial message to fellow Americans will be as follows: They should know and evaluate Poland, her past and her potentialities for the future, based on exploring the little known, the generally slightly appreciated aspects of her thousand-year-long history.

The Polish-American Jamestown observance called to the attention of Americans the contribution of the Poles in the founding and development of the United States.

The millennial commemorations should bring to full light and recognition Poland's contribution to the Western world not alone as the sentinel upon the eastern ramparts of Western culture, but as a truly creative and pioneering force in the development of Western thought—in political philosophy, in precepts of social justice, in concepts of the brotherhood of man, and in arts and sciences.

This in a proper perspective constitutes the purpose in organizing a nationwide observance of Poland's millennium.

The task is being undertaken by the Polish-American Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. DWYER (at the request of Mr. GERALD R. FORD), for today, on account of death in family.

Mr. CAHILL (at the request of Mr. GERALD R. FORD), for the week of May 3, on account of official business as an adviser to the Intergovernmental Committee for European Migration.

Mr. RODINO (at the request of Mr. SICKLES), for the balance of this week, on account of official business.

Mr. KREBS, for May 4, on account of attending and addressing three important meetings and conferences.

Mr. SCHMIDHAUSER (at the request of Mr. ALBERT), for May 3 and 4, on account of official business.

SPECIAL ORDERS GRANTED

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

Mr. EVINS, of Tennessee, for 35 minutes, on May 4.

Mr. HECHLER, for 15 minutes, today; and to revise and extend his remarks.

Mr. SAYLOR, for 60 minutes; and to revise and extend his remarks.

Mr. MCDOWELL (at the request of Mr. HOWARD) for 10 minutes, today; 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. KLUCZYNSKI and to include extraneous matter.

Mr. BALDWIN and to include extraneous matter.

Mr. KEITH during general debate on H.R. 2986 and to include two pieces of correspondence.

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

Mr. PELLY in two instances.

Mr. MORSE in two instances.

Mr. BERRY.

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

Mrs. KELLY.

Mr. JOELSON.

Mr. CALLAN in two instances.

Mr. RACE.

Mr. FLOOD.

Mr. O'NEAL of Georgia.

Mr. MURPHY of Illinois.

Mr. SWEENEY.

Mr. DORN.

Mr. DANIELS.

SENATE BILLS REFERRED

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

S. 627. An act to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource; to the Committee on Merchant Marine and Fisheries.

S. 1856. An act to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps; to the Committee on Armed Services.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on April 30, 1965, present to the President, for his approval, 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.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 4, 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:

1026. A letter from the Acting Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions program—equipment and facilities, for the quarter ended March 31, 1965, pursuant to subsection 201(1) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1027. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting a draft of proposed legislation to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes; to the Committee on Foreign Affairs.

1028. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred for modernization of combat tanks, Department of Defense; to the Committee on Government Operations.

1029. A letter from the Comptroller General of the United States, transmitting a report of potential savings through procurement of office furniture from General Services Administration sources by Lockheed Missiles & Space Co., Sunnyvale, Calif., Department of Defense; to the Committee on Government Operations.

1030. A letter from the Comptroller General of the United States, transmitting a report of inadequate maintenance and supply support of aviation units of 8th U.S. Army, Korea, Department of the Army; to the Committee on Government Operations.

1031. A letter from the Comptroller General of the United States, transmitting a report of excessive aircraft assigned to Fort Wolters as a result of overstated requirements, Department of the Army; to the Committee on Government Operations.

1032. A letter from the Comptroller General of the United States, transmitting a report of questionable aspects of budget-support loans made to the Government of Ecuador, Agency for International Development, Department of State; to the Committee on Government Operations.

1033. A letter from the Comptroller General of the United States, transmitting a report of followup examination on certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran, Agency for International Development, Department of State; to the Committee on Government Operations.

1034. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred as a result of preferential treatment of Federal retirees in connection with payments of unemployment compensation, Bureau of Employment Security, Department of Labor; to the Committee on Government Operations.

1035. A letter from the Comptroller General of the United States, transmitting a report of significant savings available by replacing sedan delivery vehicles with pickup trucks, Soil Conservation Service, Department of Agriculture; to the Committee on Government Operations.

1036. A letter from the Comptroller General of the United States, transmitting a report of Federal participation in unnecessary project costs resulting from failure to properly recognize effect of intercorporate ownership, Area Redevelopment Administration, Department of Commerce; to the Committee on Government Operations.

1037. A letter from the Comptroller General of the United States, transmitting a report of loss from sale of project land by the St. Louis Housing Authority, Public Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

1038. A letter from the Comptroller General of the United States, transmitting a report of excessive costs charged to the Government by Flexonics Division, Calumet & Hecla, Inc., Bartlett, Ill., George C. Marshall Space Flight Center, National Aeronautics and Space Administration; to the Committee on Government Operations.

1039. A letter from the Comptroller General of the United States, transmitting a report of improper cost allocation practice resulting in selling stamped envelopes at substantial loss, Post Office Department; to the Committee on Government Operations.

1040. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal pursuant to 63 Stat. 377; to the Committee on House Administration.

1041. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application for a loan by the Kays Creek Irrigation Co., Layton, Utah, under the Small Reclamation Projects Act, pursuant to section 4(c) of 71 Stat. 48; to the Committee on Interior and Insular Affairs.

1042. A letter from the Assistant Secretary of the Interior, transmitting a report on the application of the Hooper Irrigation Co. in Weber and Davis Counties, Utah, for a supplemental loan for the rehabilitation and betterment of its present irrigation system, pursuant to section 10 of the Small Reclamation Projects Act of 1965; to the Committee on Interior and Insular Affairs.

1043. A letter from the Secretary of State; Chairman, Civil Aeronautics Board; Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958, as amended, to require air carriers to procure aviation accident insurance for the benefit of passengers on certain journeys subject to the Warsaw Convention, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1044. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of certain orders for the adjustment of status under section 13(b) of the act of Septem-

ber 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

1045. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal and returning to the Immigration and Naturalization Service of the letter dated September 1, 1964, in the case of Danilo P. Quiason, A–14220038, involving suspension of deportation, pursuant to Public Law 87–885; to the Committee on the Judiciary.

1046. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to furnish assistance to certain disabled veterans of the induction period in the purchase of an automobile or other conveyance; to the Committee on Veterans' Affairs.

1047. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to equalize the rates of disability compensation payable to veterans of peacetime and wartime service; to the Committee on Veterans' Affairs.

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. MILLER: Committee on Science and Astronautics. 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; with amendment (Rept. No. 273). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 720. A bill to expand the authority of the Canal Zone government to settle claims not cognizable under the Tort Claims Act; without amendment (Rept. No. 274). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 724. A bill to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General; with amendment (Rept. No. 275). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3596. A bill to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians; without amendment (Rept. No. 276). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 2983. A bill to provide for the disposition of judgment funds on deposit to the credit of the Quinault Tribe of Indians; with amendments (Rept. No. 277). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 4528. A bill to regulate archeological exploration in the Canal Zone; without amendment (Rept. No. 278). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5990. A bill to grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937, and to extend cash relief benefits to widows of recipients; without amendment (Rept. No. 279). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 7059. A bill to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes; without amendment (Rept. No. 280). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HARRIS:

H.R. 7776. A bill to amend the Natural Gas Act to vest jurisdiction in the Federal Power Commission over certain interstate sales of natural gas for industrial use, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7777. A bill to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency; to the Committee on Interstate and Foreign Commerce.

By Mr. BONNER:

H.R. 7778. A bill relating to the use by the Secretary of the Interior of land at La Jolla, Calif., donated by the University of California for a marine biological research laboratory, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 7779. A bill to provide for the retirement of enlisted members of the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H.R. 7780. A bill to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers and acquisitions, and for other purposes; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 7781. A bill to authorize the disposal, without regard to the 6-month waiting period, of approximately 50,000 tons of refractory-grade bauxite from the national stockpile; to the Committee on Armed Services.

By Mr. CUNNINGHAM:

H.R. 7782. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 7783. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 7784. A bill to provide that tires sold or shipped in interstate commerce for use on motor vehicles shall meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. HAGEN of California:

H.R. 7785. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

H.R. 7786. A bill to amend the act of July 4, 1955, as amended, relating to the construction of irrigation distribution systems; to the Committee on Interior and Insular Affairs.

H.R. 7787. A bill to amend subchapter R of chapter 1 of the Internal Revenue Code of 1954 to permit partnerships and proprietorships which have elected thereunder to be taxed as domestic corporations to revoke such elections; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 7788. A bill to amend section 202 of the Federal Power Act to encourage and facilitate the construction of extra-high-voltage electric transmission lines in the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 7789. A bill to amend the act of October 9, 1940 (54 Stat. 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7790. A bill to amend the Communications Act of 1934, as amended, with respect to Commissioners, employees, and executive reservists of the Federal Communications Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 7791. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 7792. A bill to permit the improvement, alteration, maintenance, and repair of Government buildings and property under any lease or concession contract entered into in connection with the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency; to the Committee on Interstate and Foreign Commerce.

H.R. 7793. A bill to amend section 1003 of the Federal Aviation Act of 1958 to authorize common carriers under the jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission to enter into joint rates, provide for their regulation by a joint board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 7794: A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits to persons who served in the Armed Forces on or after January 1, 1962, in combat zones, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HERLONG:

H.R. 7795. A bill relating to the unlimited deduction for income tax purposes of charitable contributions; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 7796. A bill to repeal the manufacturers' excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 7797. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUOT:

H.R. 7798. A bill to provide for expanded research in the oceans and the Great Lakes, to establish a National Oceanographic Council, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KING of Utah:

H.R. 7799. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

By Mr. McMILLAN:

H.R. 7800. A bill to repeal the House Employees Position Classification Act; to the Committee on House Administration.

By Mr. MATSUNAGA:

H.R. 7801. A bill to provide for a Pacific Medical Center in Hawaii; to the Committee on Interstate and Foreign Commerce.

H.R. 7802. A bill to adjust the retirement benefits of certain retired district judges for the district of Hawaii; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 7803. A bill to declare a policy as to the existence of public domain in Wisconsin in lands erroneously meandered and lying between the original meander line and the

lakeshore, and to protect the rights of landowners whose title to waterfronting property has been brought into question by reason of errors in the original survey; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 7804. A bill designating Columbus Day as a national legal holiday; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 7805. A bill to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba; to the Committee on Foreign Affairs.

H.R. 7806. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, optometry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7807. A bill to amend the Civil Service Retirement Act as amended to provide for the recomputation of annuities of retired employees who are receiving reduced annuities because they had not attained the age of 60 years prior to retirement; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 7808. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 7809. A bill extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to certain former officers of the Army; to the Committee on Armed Services.

By Mr. RHODES of Arizona:

H.R. 7810. A bill to provide that chief judges of circuits and chief judges of district courts shall cease to serve as such upon reaching the age of 66; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 7811. A bill to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes; to the Committee on Armed Services.

H.R. 7812. A bill to authorize the loan of naval vessels to friendly foreign countries, and for other purposes; to the Committee on Armed Services.

H.R. 7813. A bill to authorize the loan of naval vessels to friendly foreign countries; to the Committee on Armed Services.

By Mr. ROBISON:

H.R. 7814. A bill to amend the Federal Power Act, as amended, in respect to the jurisdiction of the Federal Power Commission over State canals, river-regulating reservoirs, and facilities or power projects incidental thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 7815. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7816. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHMIDHAUSER:

H.R. 7817. A bill to prohibit nepotism in Government employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H.R. 7818. A bill to authorize a survey for improving the channel at Panama City Harbor, Fla., and for other purposes; to the Committee on Public Works.

By Mr. STRATTON:

H.R. 7819. A bill to establish the Chesapeake and Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YOUNGER:

H.R. 7820. A bill to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act to the Committee on Interstate and Foreign Commerce.

By Mr. FOUNTAIN:

H.R. 7821. A bill to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. CLARK:

H.J. Res. 438. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 439. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.J. Res. 440. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. SLACK:

H.J. Res. 441. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress Building in square 732 in the District of Columbia, to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; to the Committee on Public Works.

By Mr. HORTON:

H.J. Res. 442. Joint resolution to authorize the President to proclaim the last Friday of April of each year as National Arbor Day; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 443. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DORN:

H. Con. Res. 405. Concurrent resolution expressing the approval of Congress relative to the President's decisions in Santo Domingo; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 406. Concurrent resolution to authorize the disposal of approximately 620,000 long tons of natural rubber from the national stockpile; to the Committee on Armed Services.

By Mr. OTTINGER:

H. Res. 361. Resolution to stop the transfer of the Naval Training Devices Center at Sands Point, N.Y., pending an investigation; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

232. By the SPEAKER: Memorial of the Legislature of the State of California, relative to egg prices; to the Committee on Agriculture.

233. Also, memorial of the legislature of the State of California, relative to the New Melones Dam; to the Committee on Public Works.

234. Also, memorial of the Legislature of the State of Delaware, relative to support of the agriculture conservation program and the Soil Conservation Service; to the Committee on Agriculture.

235. Also, memorial of the Legislature of the State of Hawaii, relative to supporting increased pay for personnel of the Armed Forces; to the Committee on Armed Services.

236. Also, memorial of the Legislature of the State of Hawaii, requesting the Congress to continue the operation of the Kilauea Military Camp on the island of Hawaii; to the Committee on Armed Services.

237. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the decision of the Civil Aeronautics Board relative to commercial flights between Boston and Florida; to the Committee on Interstate and Foreign Commerce.

238. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to recognizing and procuring office space for the commissioner of veterans' affairs of the Commonwealth of Massachusetts; to the Committee on Veterans' Affairs.

239. Also, memorial of the Legislature of the State of Nevada, requesting Congress to take appropriate action to insure the minting of silver dollars; to the Committee on Banking and Currency.

240. Also, memorial of the Legislature of the State of Nevada, relative to establishing a Great Basin National Park in Eastern Nevada; to the Committee on Interior and Insular Affairs.

241. Also, memorial of the Legislature of the State of Washington, relative to legislation to establish May 4 of each year as a "Day of Recognition" for firefighters in the United States of America; to the Committee on the Judiciary.

242. Also, memorial of the Legislature of the State of Wisconsin, relative to establishment of a national cemetery in the State of Wisconsin; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mrs. BOLTON:

H.R. 7822. A bill for the relief of Marvin D. Nells; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 7823. A bill for the relief of Chu Kin Ping; to the Committee on the Judiciary.

By Mr. DAWSON:

H.R. 7824. A bill for the relief of Yvon Nazon; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 7825. A bill for the relief of Carlo Bianchi & Co., Inc.; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 7826. A bill for the relief of Maria Guida; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 7827. A bill for the relief of George K. Aikala, Lu Ella Marie Aikala, Vernis J. K. Fish, Vernon S. Fish, Vivian A. Ahmad, and Velma Solomon; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7828. A bill for the relief of Albert Maurice Fowler; to the Committee on the Judiciary.

H.R. 7829. A bill for the relief of Dorothy E. Lampkin and Lucille L. Lampkin, her daughter; to the Committee on the Judiciary.

H.R. 7830. A bill for the relief of Bruce Carlyde Watson and Mayfield E. Watson, his wife; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 7831. A bill for the relief of Sung Nam Han and his wife, Wha Ja Han; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 7832. A bill for the relief of Mr. and Mrs. James Chambers; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 7833. A bill to provide for the granting of patents with respect to certain desert land entries; to the Committee on Interior and Insular Affairs.

By Mr. WATKINS:

H.R. 7834. 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.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

195. By the SPEAKER: Petition of the Director of personnel, 30th A.C. & W. Wing, Osan, Korea, relative to a claim for damages resulting from an accident which has been previously disallowed by the Commissioners of the U.S. Armed Forces Claims Services; to the Committee on Foreign Affairs.

196. Also, petition of the Board of Trustees, Village of River Hills, Wis., relative to a plan for handling expenditures for health, education, and welfare, so as to reduce the costs of administrative expenses; to the Committee on Ways and Means.

SENATE

MONDAY, MAY 3, 1965

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

Dr. James D. Ford, Acting Chaplain, U.S. Military Academy, West Point, N.Y., offered the following prayer:

O God, our Father, Thou searcher of men's hearts, help us to draw near to Thee in sincerity and truth.

We give Thee thanks for this new day, with its many concerns and difficult decisions to be made for the welfare of this Nation, and yet a day of opportunity and hope for the future. Save us, O Lord, from cynicism because of the disappointments of the past, and give us renewed confidence to believe in the potential of each day, placing our faith in the possibilities of a new and brighter life.

Teach us, O Lord, to be willing to give of ourselves and our very best, without counting the cost; to fight the good fight; to run the race; and to gain the victory. O Thou, who knowest all the peoples of the world, and art aware of the needs of each one, in all that we do, make us also conscious of the personal needs of the individual.

We pray for the men of the armed services of our country, both those in our land and those in distant places, that the duty and honor of serving Thee and their country may ever enable them to take pride in their calling, and make them faithful in Thy service.

All these things and whatsoever else Thou seest that we need, we pray in Thy most holy name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 30, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

REPORT ON THE FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 95)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit the annual report on the foreign assistance program of the United States for fiscal year 1964. It demonstrates that our program of international assistance is fulfilling its promise to the world and to America.

We are engaged in this great effort for many reasons. We seek to alleviate poverty, starvation, and disease. We seek also to resist aggression and to promote independence and self-determination for the people of other nations.

In these pursuits there is no conflict between "humanitarian" goals and "national" goals. Our own security rests on the security of others. Their good health is our good health. As they prosper we prosper. Our concern must—and does—transcend national borders.

Neither is there conflict between "economic" goals and "military" goals. Neither purpose is sufficient by itself. Military security without economic and political development brings no lasting benefits; economic help to people vulnerable to aggression would largely be wasted.

In promoting the growth of free nations, the United States must serve both as partner and leader. We travel a difficult road. On the basis of our experience in recent years, I am persuaded that we are on the right road.

The Agency for International Development is successfully applying a hard test of where and how our limited resources will yield the greatest rewards:

By enlisting America's private resources in what is increasingly a joint endeavor. AID specific risk guarantees of American private investment in the less-developed countries, for instance, reached a record of nearly $1.4 billion in fiscal 1964, an amount almost triple that of the previous year.

By centering AID's effort in those countries, relatively few in number, which are able to follow the disciplined and arduous path to progress.

By concentrating more on long-term development which fosters self-sustaining growth and an eventual end to the need for external aid.

In fiscal year 1964, more than 45 percent of the total AID program was in the form of development assistance. This compares to 25 percent 3 years ago.

At the same time AID was able to make savings of more than $9 million by introducing increasingly higher standards of operating efficiency into the administrative structure and by reducing direct-hire employment by more than 1,100.

Statistics cannot tell the whole story. Recipient countries increasingly understand that we are engaged in a common enterprise. The relatively small measure of resources that the United States can provide must largely serve only as a catalyst for their own efforts. Many nations, accustomed to tradition, are finding solutions to modern problems through new techniques: increased savings, effective land reform, efficient tax systems, and other steps toward progress.

Nothing gives me greater satisfaction than the progress of the Alliance for Progress, which with strong U.S. participation is bringing significant changes in Latin America:

In Ecuador, a 146-mile, all-weather highway has been completed connecting the capital city, Quito, and the coastal city of Quevedo. The road traverses some of the most difficult mountain terrain in the world. It has opened up rich coastal land to settlers.

In Chile, a $5 million loan to assist the Central Savings and Loan Bank has supported a nationwide system of new private savings and loan associations. Twenty-two such associations are now operating. These thrift institutions had financed the construction of more than 10,000 homes by the end of 1963, and 10,000 more were to be built in 1964.

In Brazil, an AID agreement is helping improve the living standards of 25 million people in the northeast, one of Latin America's major underdeveloped areas and politically one of the most vulnerable to Communist influence. A total of 270 health units has been constructed or renovated. Water supply units are under construction in 70 cities and towns. Electricity has come to 73 towns. Two thousand two hundred and ninety new homes and two thousand nine hundred classrooms have been built. Twenty-four teacher-training and supervisory centers have been established. An additional 14,000 classrooms are under construction. Agreements for the training of 28,000 teachers have been made; 4,700 have actually completed their courses.

AID's story extends to many other parts of the world:

In West Pakistan, a development loan to expand the capacity of the railway system helped the Pakistan Western Railway to handle the increasing transportation load for the first time in several years.

In India, an intensive effort to streamline the teaching of science and mathematics in order to develop higher skills among Indian youth was conducted with U.S. assistance. AID financed forty-four 6-week institutes at 34 locations in which 80 U.S. college and high school educators demonstrated modern teaching techniques to some 1,700 Indian teachers.

In Israel, work was completed on the modernization of Lod International Airport, near Tel Aviv, which is used by a

dozen international airlines. A local currency loan made earlier by the United States financed the installation of American-made navigation, communications, and radar equipment to improve efficiency and safety at the airport.

In Afghanistan, a U.S. firm of industrial consultants under AID contract is investigating the development possibilities of a variety of local private industries which could produce goods for export or to replace imports, thus strengthening that country's balance-of-payments position.

In Iran, a project conducted by the Iranian Army with the assistance of the U.S. AID Mission and the U.S. Military Assistance Advisory Group, provides training for soldiers in nine vocational fields.

In Taiwan, the Shihmen multipurpose dam was completed in June 1964 with AID assistance. The project includes a 436-foot dam, a 256,000-acre-foot reservoir, two 45,000-kilowatt generators, a new irrigation canal system, and a public water supply system. Besides providing the new power source, the dam project will irrigate about 145,000 acres of double-crop paddy fields and reduce flood damage in the Taipei area.

In Korea, 30 new diesel electric locomotives financed by a U.S. loan are now in operation. Because of greater efficiency and load capacity, they are expected to save more than $1 million a year in foreign exchange expenditures for fuel.

In the Philippines, a new coconut processing system which could revolutionize this food industry was developed in a research project directed by the Armour Research Institute, working with the National Science Foundation under an AID contract.

In Nigeria, AID-sponsored projects at the University of Nigeria and at the Aijetoro and Port Harcourt comprehensive schools are revolutionizing secondary and higher education, adapting it more closely to that country's development needs.

Slowly, but I believe steadily, all these efforts are leading nations to greater economic prosperity and social stability. Countries such as Greece, Taiwan, and Israel, long recipients of our economic support and encouragement, are emerging to a stage of progress where they no longer need our economic assistance. Other nations, poised at the crossroads of political decisions, are watching. We must not—and we will not—falter in building this bridge to a more peaceful future.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 3, 1965.*

EXECUTIVE MESSAGES REFERRED

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

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

ORDER DISPENSING WITH CALL OF THE LEGISLATIVE CALENDAR UNDER RULE VIII

On request by Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON MILITARY CONSTRUCTION CONTRACT AWARDED WITHOUT FORMAL ADVERTISING

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on one Air Force military construction contract awarded without formal advertising, for the 6-month period ended December 31, 1964 (with an accompanying report); to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS PROGRAM—"EQUIPMENT AND FACILITIES"

A letter from the Acting Director of Civil Defense, Department of the Army, transmitting, pursuant law, a report on the Federal contributions program—"Equipment and facilities," for the quarter ended March 31, 1965 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting a draft of proposed legislation to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred for modernization of combat tanks, Department of Defense, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on followup examination on certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran, Agency for International Development, Department of State, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive costs charged to the Government by Flexonics Division, Calumet and Hecla, Inc., Bartlett, Ill., George C. Marshall Space Flight Center, National Aeronautics and Space Administration, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improper cost allocation practice resulting in selling stamped envelopes at substantial loss, Post Office Department, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Federal participation in unnecessary project costs resulting from failure to properly recognize effect of intercorporate ownership, Area Redevelopment Administration, Department of Commerce, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on significant savings available by replacing sedan delivery vehicles with pickup trucks, Soil Conservation Service, Department of Agriculture, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred as a result of preferential treatment of Federal retirees in connection with payments of unemployment compensation, Bureau of Employment Security, Department of Labor, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through procurement of office furniture from General Services Administration sources by Lockheed Missiles & Space Co., Sunnyvale, Calif., Department of Defense, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on loss from sale of project land by the St. Louis Housing Authority, Public Housing Administration, Housing and Home Finance Agency, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on questionable aspects of budget-support loans made to the Government of Ecuador, Agency for International Development, Department of State, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

RECEIPT OF PROJECT PROPOSALS UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a project proposal under the Small Reclamation Projects Act of 1956, from the Hooper Irrigation Co., in Weber and Davis Counties, Utah; to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a project proposal under the Small Reclamation Projects Act of 1956, from the Kays Creek Irrigation Co., of Layton, Utah (with accompanying papers); to the Committee on Interior and Insular Affairs.

ADJUSTMENT OF IMMIGRATION STATUS OF CERTAIN ALIENS

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

REPORTS RELATING TO VISA PETITIONS ACCORDING FIRST PREFERENCE CLASSIFICATION TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according the beneficiaries of such petitions first preference classification (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Danilo P. Quiason from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on September 1, 1964 (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Nevada; to the Committee on Banking and Currency:

"ASSEMBLY JOINT RESOLUTION 24

"Joint resolution requesting the Director of the Mint to begin minting silver dollars and memorializing the Congress and the Nevada congressional delegation to take action to insure the minting of silver dollars

"Whereas Public Law 392 of the 88th Congress appropriating funds for the minting of coins for the fiscal year 1965 was approved August 1, 1964; and

"Whereas $600,000 of the amount appropriated was to be used for the minting of 45 million silver dollars; and

"Whereas the U.S. Senate Committee on Appropriations recommended the appropriation of the funds for the minting of silver dollars after lengthy and penetrating hearings; and

"Whereas the committee cited the facts, among others, that silver dollars had been in use for many years and had been the medium of exchange in several States, that the silver dollar supply of the treasury had been exhausted and the treasury is now using envelopes of silver crystals to redeem silver certificates, that silver dollars are in fact more economical than currency because they last longer, and that Treasury Department officials have assured the committee that the mints could produce all of the lesser coins and 45 million silver dollars during the fiscal year; and

"Whereas the end of the fiscal year is rapidly approaching and no new silver dollars have yet appeared in circulation; and

"Whereas the prompt minting and release into circulation of new silver dollars would restore the confidence of the people of the United States and the world in the money and credit of the United States and would encourage those people now hoarding coins of all denominations to release them into circulation; and

"Whereas the members of the 53d session of the Legislature of the State of Nevada realize that there is a shortage of smaller coins and that the mints are trying first of all to meet the demand for such smaller coins; and

"Whereas recent reports, showing that the Federal Reserve banks now have a supply of smaller coins which greatly exceeds that of 1 year ago, indicate that the supply of small coins is adequate and that the mint can now turn its efforts to the minting of silver dollars: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of Nevada (jointly) That the Director of the Mint is respectfully requested to initiate the minting and distribution of silver dollars; and be it further

"Resolved, That the Congress of the United States, and particularly the members of the Nevada congressional delegation, are respectfully memorialized to take appropriate action to insure that the minting of silver dollars, as was contemplated by the passage of Public Law 88-392, is promptly undertaken; and be it further

"Resolved, That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States, the Speaker of the House of Representatives, each member of the Nevada congressional delegation and the Director of the U.S. Mint.

"Passed by the Senate March 9, 1965.

"LEOLA H. ARMSTRONG,
"President of the Senate.
"PAUL LASALT,
"Secretary of the Senate.

"Passed by the assembly March 3, 1965.

"WM. D. SMIDHAMER,
"Speaker of the Assembly.
"NATHAN T. HURST,
"Chief Clerk of the Assembly.
"GRANT SAWYER,
"Governor of the State of Nevada."

A concurrent resolution of the Legislature of the State of New York; to the Committee on Labor and Public Welfare:

"RESOLUTION 170

"Concurrent resolution of the Senate and Assembly of the State of New York memorializing the Congress of the United States to enact into law H.R. 424 which grants the physically handicapped certain deductions and an additional exemption on their Federal income payments

"Whereas there is an ever-increasing need to alleviate the problems encountered by the physically handicapped individual in the United States; and

"Whereas there are large numbers of physically handicapped persons willing and able to contribute to the Nation's growing economy by engaging in useful occupations; and

"Whereas such physically handicapped persons must expend a substantial portion of their earnings for a multitude of everyday living expenses not encountered by the rest of this Nation's population and, in particular, extraordinary expenses for transportation to get to and from the locale of their employment; and

"Whereas there are a substantial portion of such physically handicapped persons who are kept from engaging in productive endeavors because of these extraordinary transportation, and other expenses; and

"Whereas there is presently pending before the Congress of the United States H.R. 424, which would grant to the physically handicapped person a deduction of up to $600 for transportation and/or an additional exemption on their Federal income tax payments: Now, therefore, be it

"Resolved (if the Senate concur), That the Congress of the United States be and it is respectfully memorialized to enact with all convenient speed H.R. 424 so that the physically handicapped persons of this Nation may be able to earn a livelihood and make their contributions to the economic growth of the United States; and be it further

"Resolved (if the Senate concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives, and one copy to each Member of the Congress from the State of New York.

"By order of the assembly,

"JOHN T. MCKENNAN,
"Clerk.

"Concurred in, without amendment, by order of the senate, April 14, 1965.

"GEORGE H. VAN LENGEN,
"Secretary."

A joint resolution of the Legislature of the State of Delaware; to the Committee on Appropriations:

"HOUSE JOINT RESOLUTION 5

"Joint resolution relating to support of the agricultural conservation program and the Soil Conservation Service

"Whereas the preservation of the soils, water, forests, and wildlife of this Nation, and in particular the topsoil, is necessary; and

"Whereas we believe the preservation of these resources is a responsibility of all people; and

"Whereas farmers and landowners through conservation practices have made Delaware a far more beautiful State for both rural and urban people to enjoy; and

"Whereas the agricultural conservation program and the technical assistance provided the landowners of Delaware by the Soil Conservation Service are a vital link in the overall natural resource conservation movement through the State; and

"Whereas for the past 30 years the U.S. Department of Agriculture, through the agricultural conservation program and the Soil Conservation Service, has done much to maintain and improve these resources, and make landowners and society in general more conscious of the need for such preservation; and

"Whereas during this period Delaware farmers and landowners have put to good use the many conservation practices of the agricultural conservation program; and

"Whereas through the medium of agricultural conservation program farmer-elected committeemen and soil conservation district supervisors throughout the State, farm leadership has been developed to a most helpful degree; and

"Whereas we believe that farmers, particularly through this defense period, should not be forced to exploit their soils in the production of the additional food and fiber needed; and

"Whereas we firmly believe that such would become a necessity should funds to operate the agricultural conservation program and the Soil Conservation Service be curtailed: Now, therefore, be it

"Resolved by the 123d General Assembly of the State of Delaware, That the Congress of the United States be respectfully urged to give the necessary and adequate support to the continuance of the agricultural conservation program and the Soil Conservation Service; and be it further

"Resolved, That Delaware Senators JOHN J. WILLIAMS and J. CALEB BOGGS, and the State Representative in Congress, HARRIS B. MCDOWELL, be asked to give their wholehearted support to the agricultural conservation program, and to vote to continue the annual national appropriation of $250 million for the agricultural conservation program, and to restore the recommended cut of $20 million in Soil Conservation Service funds; and be it further

"Resolved, That an adequate amount be set aside from such appropriation to make it possible to administer the program through the present system of farmer-elected committeemen; and be it further

"Resolved, That the Secretary of State be directed to transmit duly attested copies of this resolution to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives, to the chairmen of the Senate and House Committees on Agriculture, to the chairmen of the Senate and House Committees on Appropriations, to the Secretary of Agriculture, and to the Delware congressional delegation.

"Approved April 22, 1965."

Two concurrent resolutions of the Legislature of the State of Hawaii; to the Committee on Armed Services:

"CONCURRENT RESOLUTION —

"Whereas the Kilauea Military Camp is located on the island of Hawaii, State of Hawaii, and is operated jointly by the Army, Navy, and Air Force; and

"Whereas the Kilauea Military Camp fully utilizes the unique natural wonders of the campsite, being situated close to vast areas of historic lava flows, unique formations of cinder cones and ashes and an active but safe volcano; and

"Whereas, the fresh, cool climate and serene atmosphere are conducive to relaxation and rehabilitation for all military personnel together with their dependents; and

"Whereas increased military activity in the Pacific area mandates efficient rehabilitation and rest centers to provide combat weary troops with needed rest and leisure time activities to improve their physical well-being and their mental attitudes in these times of mounting tension; and

"Whereas the Kilauea Military Camp is the only recreational facility which is available outside the island of Oahu in the State of Hawaii and also serves the troops engaged in large-scale field training at Camp Pohakuloa on the island of Hawaii: Now, therefore, be it

"Resolved by the House of Representatives of the Third Legislature of the State of Hawaii, General Session of 1965 (the Senate concurring), That the Congress of the United States be and it is hereby respectfully requested to continue the operation of the Kilauea Military Camp on the island of Hawaii as a rest and recreation facility for all service personnel and their dependents; and be it further

"Resolved, That duly certified copies of this concurrent resolution be transmitted to the Honorable HUBERT H. HUMPHREY, President of the Senate; the Honorable JOHN W. MCCORMACK, Speaker of the House of Representatives; and to Hawaii's delegation to Congress, the Honorable DANIEL K. INOUYE, HIRAM L. FONG, SPARK M. MATSUNAGA and PATSY T. MINK."

"SENATE CONCURRENT RESOLUTION 55

"Whereas President Johnson stated in a speech at the Industrial College of the Armed Forces on August 21, 1964 that, "I want our uniformed citizens to be first-class citizens in every respect * * * and I want their wives and their children to know only first-class lives;" and

"Whereas the advanced technology used in modern warfare requires the most highly trained professionals to operate and maintain our vital weapons system, and to provide and maintain a strong military posture for our country in the present critical world situation; and

"Whereas there has been a steady erosion of fringe benefits for the military in such areas as dental care, post exchanges, and commissaries; and

"Whereas inadequate compensation for members of the Armed Forces will have a tendency to discourage the more qualified and professionally competent officers and noncommissioned officers from continuing their military tenure in favor of more lucrative civilian pursuits; and

"Whereas the pay of the Armed Forces has fallen behind the pace of the pay of civilians in the Government service; and

"Whereas the House Armed Services Committee recently recommended favorable action on a pay bill for the Armed Forces which will bring about a measure of comparability with the pay of civilians in the Government service: Now, therefore, be it

"Resolved by the Senate of the Third Legislature of the State of Hawaii, General Session of 1965 (the House of Representatives concurring), That said third legislature urges and strongly supports increased pay for personnel of the Armed Forces as recommended by the Armed Services Committee of the House of Representatives of the United States of America; and be it further

"Resolved, That certified copies of this concurrent resolution be transmitted to the President of the United States; to the Honorable HUBERT H. HUMPHREY, President of the Senate; the Honorable JOHN W. MCCORMACK, Speaker of the House of Representatives; the Honorable HIRAM L. FONG, U.S. Senator; the Honorable DANIEL K. INOUYE, U.S. Senator; the Honorable SPARK M. MATSUNAGA, U.S. Congressman, and the Honorable PATSY T. MINK, U.S. Congresswoman.

"The Senate of the State of Hawaii, Honolulu, Hawaii, April 6, 1965:

"We hereby certify that the foregoing concurrent resolution was adopted by the Senate of the Third Legislature of the State of Hawaii, general session of 1965.

"KAZUHISA ABE,
"President of the Senate.
"SEICHI HIRAI,
"Clerk of the Senate.

"The House of Representatives of the State of Hawaii, Honolulu, Hawaii, April 24, 1965:

"We hereby certify that the foregoing concurrent resolution was adopted by the House of Representatives of the Third Legislature of the State of Hawaii, general session of 1965.

"ELMER F. CRAVALHO,
"Speaker, House of Representatives.
"SHIGETA KANEMOTO,
"Clerk, House of Representatives."

A resolution of the Senate of the State of California; to the Committee on Public Works:

"SENATE RESOLUTION RELATIVE TO THE NEW MELONES DAM

"Whereas it has long been apparent that there is an urgent need for the construction of a major dam on the Stanislaus River for the purpose of conserving water and providing much needed flood control protection to the landowners and residents of Stanislaus and San Joaquin Counties; and

"Whereas 35,000 acres of fine agricultural land is subject to flooding by the Stanislaus River; and

"Whereas, recognizing the need for such project, the U.S. Congress authorized the construction of New Melones Dam in 1944 as part of the Federal Flood Control Act of that year, and thereafter enlarged and reauthorized the construction of such project by Public Law 87-874 on October 23, 1962; and

"Whereas, following the reauthorization of the project and in recognition of its great importance, the Congress in 1963 and again in 1964 appropriated funds to finance the advance planning and preconstruction design of the New Melones project; and

"Whereas, once again, during the 1964 Christmas season, the Stanislaus River flooded and inflicted severe damage on portions of Stanislaus and San Joaquin Counties; and

"Whereas the completed New Melones project could have easily stored all of the flood waters of the Stanislaus River and avoided the extensive property damage which occurred as a result of that flood; and

"Whereas it appears to the legislature that the earliest possible completion of the New Melones project is of utmost importance: Now, therefore, be it

"Resolved by the Senate of the State of California, That the Senate respectfully memorializes the Congress of the United States to do all in its power to expedite the completion of the New Melones project; and be it further

"Resolved, That the Senate urges the U.S. Army Corps of Engineers to expedite the final design of this project so that actual construction can commence and be completed as soon as possible; and be it further

"Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, each Senator and Representative from the State of California in the Congress of the United States, and to the Chief of the Army Corps of Engineers.

"Above Senate Resolution 158 unanimously adopted on April 27, 1965.

"J. A. BEEK,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION 13 BY STATE OF NEVADA REQUESTING THE CONGRESS OF THE UNITED STATES TO ADOPT, AND MEMORIALIZING THE NEVADA CONGRESSIONAL DELEGATION TO SECURE PASSAGE OF, LEGISLATION TO ESTABLISH A GREAT BASIN NATIONAL PARK IN EASTERN NEVADA

"Whereas Nevada is the only one of the 13 Western States without a national park or portion of one within its boundaries; and

"Whereas the policy of the National Park Service of the U.S. Department of the Interior is to set aside and preserve for all time sites of unique natural and historical importance; and

"Whereas no area is presently established as a national park to protect or preserve a portion of the Great Basin of the United States; and

"Whereas the Great Basin of interior drainage is unique in the United States and is America's largest example of such a phenomenon; and

"Whereas the particular portion of the Great Basin envisioned as a national park contains groves of bristlecone pine trees (Pinus aristata), identified in 1957 as the oldest living things in the world, exceeding even the giant sequoia and redwood trees in age; and

"Whereas the associated types of flora and fauna found in the Great Basin area under consideration for a national park are not found anywhere else in the Nation; and

"Whereas the area also contains the Lehman Caves National Monument, an example of cave formation famed for its delicate and colorful natural decoration, all of which adds to the diversity of interest which would be available; and

"Whereas the need for additional outdoor recreational facilities and areas in which the people of this Nation may relax and enjoy natural scenery and surroundings has become more and more apparent; and

"Whereas the economy of eastern Nevada would be greatly stimulated by the volume of visitors to such an unusual national park: Now, therefore, be it

"Resolved by the Senate and the Assembly of the State of Nevada (jointly), That the Congress of the United States is respectfully requested to adopt suitable implementing legislation establishing a Great Basin National Park in eastern Nevada and that each member of Nevada's congressional delegation is hereby memorialized to use his best efforts to secure passage of such legislation; and be it further

"Resolved, That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States, the Speaker of the House of Representatives, and each member of the Nevada congressional delegation.

"Passed by the assembly March 17, 1965.

"Passed by the senate March 11, 1965.

"WM. D. SMIDHAMER,
"Speaker of the Assembly.
"NATHAN T. HURST,
"Chief Clerk of the Assembly.
"PAUL LASALT,
"President of the Senate.
"LEOLA H. ARMSTRONG,
"Secretary of the Senate.
"GRANT SAWYER,
"Governor of the State of Nevada."

A joint resolution of the Legislature of the State of Washington; to the Committee on the Judiciary:

"STATE OF WASHINGTON SENATE JOINT MEMORIAL NO. 4

"To the Honorable Lyndon B. Johnson, President of the United States, the President of the Senate, and Speaker of the House of Representatives, and to the Senate and the House of Representatives of the United States, in Congress assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the fire service is a department of government that is called upon at any time of day or night to render emergency assistance to unfortunate citizens who may be faced with disaster from the ravages of fire; and

"Whereas too often the firefighters who risk their lives to save the life or property of another receive little or no public acknowledgment of the value for the service they render; and

"Whereas in 1964, the State of Washington did, by proclamation of the Governor, make an effort to provide such public acknowledgment and appreciation of the service rendered by its firefighters in setting aside May 4 as a day of recognition; and

"Whereas such day was looked upon with favor by both the public and the many fire departments in the State with the result that much attention was called to the dangers of fire and to the fire prevention aids that can reduce the incidence and severity of fires; and

"Whereas reduction in loss of life and property from fire is the goal toward which all good citizens and firefighters are continually working to accomplish; and any project which aids them to reach their goal is a worthwhile public service; and

"Whereas the State of Washington wishes to share with its sister States an idea which it believes can be for the benefit of all the people of the United States;

"Now, therefore your memorialists respectfully petition the Congress of the United States to enact the necessary legislation to establish May 4 of each year as a "Day of Recognition" for firefighters in the United States of America; and be it

"Resolved, That copies of this memorial be transmitted to the Honorable Lyndon B. Johnson, President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Washington.

"Passed the senate April 21, 1965.

"JOHN A. CHERBERG,
"President of the Senate.

"Passed the house April 22, 1965.

"———— ————,
"Speaker of the House.
"A. LUDLOW KRAMER,
"Secretary of State."

A resolution of the House of Representatives of the Commonwealth of Massachusetts, relating to the application of Northeast Airlines for a permanent certificate to run commercial flights between Boston and Florida; to the Committee on Commerce.

(See the above resolution printed in full when presented by Mr. SALTONSTALL (for himself and Mr. KENNEDY of Massachusetts) on Apr. 30, 1965, p. 9019, CONGRESSIONAL RECORD.)

A letter in the nature of a memorial from the Central Louisiana Electric Co., Inc., signed by F. H. Coughlin, president, the Gulf States Utilities Co., signed by J. J. Morrison, chairman of the board, and the Louisiana Power & Light Co., signed by G. C. Rawls, president, remonstrating against a loan by the Rural Electrification Administration to the Louisiana Electric Cooperative, Inc., of New Roads, La., for the financing of certain generation and transmission facilities; to the Committee on Appropriations.

A resolution adopted by the Legion of Estonian Liberation, Inc., New York, N.Y., expressing support for the President's action relating to Vietnam; to the Committee on Foreign Relations.

RESOLUTION OF WASHINGTON STATE SENATE

Mr. MAGNUSON. Mr. President, I present a resolution of the Senate of the State of Washington, which I ask unanimous consent to have printed in the RECORD and appropriately referred.

This resolution requests the Congress to devise and approve legislation for the extension of the Alaska Marine Highway as a part of the U.S. Interstate Highway System to a southern terminus connecting with U.S. Interstate Highway No. 5, in the State of Washington.

I believe that many benefits would be realized to the Western United States and Alaska if the Marine Highway System were linked with the present U.S. Interstate Highway System.

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

SENATE RESOLUTION 1965–EX 7

Whereas there exist broad, valid reasons for an extension of the Alaska Marine Highway as a part of the U.S. Interstate Highway System to a southern terminus connecting with U.S. Interstate Highway No. 5, in the State of Washington among which are the following:

An Alaska Marine Highway System gateway oriented toward the Western United States is required if Alaska is to realize maximum benefits from that system.

Such a gateway would create significant economic gains for the entire northern area of British Columbia, as well as the States of Alaska and Washington.

As the present Marine Highway System grows in popularity and usage, there will be created a demand for its services by travelers and shippers located farther away from Prince Rupert, resulting in an inevitable linking with the present U.S. Interstate Highway System.

The extension of the Marine Highway System to a southern terminus is economically sound from every standpoint.

The Alaska Marine Highway System is considered by the Alaska International Rail and Highway Commission and recognized by the Battelle Institute as a vital part of a coordinated highway system to encourage the development of tourism in the Northwest part of North America. The Commission recognizes the establishment of a marine highway as the most efficient and least expensive way to provide transportation for people and things to and from the coastal cities, whether or not the coordinated highway system is constructed; and

Whereas the State of Washington is actively engaged in a program of industrial development, and few industries offer greater opportunities for expansion and benefit to our economy than tourism; and

Whereas studies have revealed that many advantages would accompany an extension of the Marine Highway System, accruing not only to Alaska and Washington but also to the Province of British Columbia, Canada, and the other Western States through which Alaska-bound tourists and freight would flow: Now, therefore, be it

Resolved, By the senate, that the Congress of the United States is hereby respectfully requested to devise and approve legislation for the extension of the Alaska Marine Highway as a part of the U.S. Interstate Highway System to a southern terminus connecting with U.S. Interstate Highway No. 5, in the State of Washington; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of the senate to the President of the United States, the Senators and Representatives of the State of Washington in the Congress of the United States, the Vice President, the Speaker of the House of Representatives, the chairman of the Public Works Committee of the House of Representatives and the U.S. Senate, the Secretary of the Department of Commerce, and the Chairman of the Alaska Rail and Highway Commission.

BILLS INTRODUCED

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

By Mr. CARLSON:

S. 1870. A bill to amend title 17 of the United States Code, "Copyrights," to bar actions for infringement of copyright in certain instances, and for other purposes; and

S. 1871. A bill for the relief of Dr. Badie Ibraham Naddih; to the Committee on the Judiciary.

By Mr. MORSE:

S. 1872. A bill to amend the act entitled "An act for the retirement of public school teachers in the District of Columbia," approved August 7, 1946; to the Committee on the District of Columbia.

By Mr. TALMADGE:

S. 1873. A bill for the relief of Mrs. Clara W. Dollar; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1874. A bill to amend the Internal Revenue Code of 1954 to make the interest equalization tax inapplicable to acquisitions before September 3, 1964, and to exclude from the application of such tax acquisitions of foreign stock acquired with funds held outside the United States on July 18, 1963; to the Committee on Finance.

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

By Mr. MAGNUSON (by request):

S. 1875. A bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation laws; to the Committee on Commerce.

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

By Mr. BAYH:

S. 1876. A bill for the relief of the town of Bremen, Ind.; to the Committee on the Judiciary.

By Mr. CASE (for himself, Mrs. NEUBERGER, Mr. CLARK, and Mr. HART):

S. 1877. A bill to promote public confidence in the integrity of Congress and the executive branch; to the Committee on Rules and Administration.

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

By Mr. BREWSTER:

S. 1878. A bill for the relief of Elias Lambrinos; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 1879. A bill to recodify, with certain amendments thereto, chapter 19 of title 5 of the United States Code, entitled "Administrative Procedure"; to the Committee on the Judiciary.

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

By Mr. McGEE (for himself and Mr. SIMPSON):

S. 1880. A bill for the relief of Mule Creek Oil Co., Inc., a Delaware corporation; to the Committee on Interior and Insular Affairs.

RESOLUTIONS

ADDITIONAL FUNDS FOR COMMITTEE ON THE DISTRICT OF COLUMBIA FOR STUDY OF CRIME IN THE DISTRICT

Mr. MORSE, for himself and Mr. KENNEDY of New York, submitted a resolution (S. Res. 104) to provide additional funds for the Committee on the District of Columbia for a study of crime in the District, which was referred to the Committee on the District of Columbia.

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

PRINTING OF ADDITIONAL COPIES OF PART 1 OF HEARINGS ON ATOMIC ENERGY COMMISSION AUTHORIZING LEGISLATION, FISCAL YEAR 1966

Mr. PASTORE submitted a resolution (S. Res. 105) authorizing the printing of additional copies of part 1 of the hearings on Atomic Energy Commission authorizing legislation, fiscal year 1966, which was considered and agreed to.

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

INAPPLICABILITY OF CERTAIN STOCK ACQUISITIONS TO INTEREST EQUALIZATION TAX

Mr. MAGNUSON. Mr. President, on September 3, 1964, the Congress passed the interest equalization tax bill which was recommended by the late President Kennedy on July 13, 1963. When this proposal passed it was made retroactive to the date the President recommended the bill for the reason that it was believed necessary, in the interest of our critical balance-of-payments situation, to discourage the flow of American capital into foreign investments while the bill was being considered by the Congress.

Unfortunately, during this period between July 13, 1963, and September 1964, a constituent of mine in Washington State invested abroad. It is his belief that there should not have been any retroactive feature, and he believes that in all equity he should be relieved of the burden of paying a tax that was not in effect at the time the investment was made.

In addition, this constituent also had funds invested in a foreign country and transferred this investment from one foreign asset to another. The interest equalization tax was made to apply to this transaction. He is of the belief that these funds, having already left the country, would no longer have an impact on the balance of payments and should, therefore, not be taxable under the interest equalization tax proposal.

The bill I introduce today on his behalf would correct these two situations. I am hopeful that the Senate Finance Committee will be able to look into this in the near future.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill will be received and appropriately referred.

The bill (S. 1874) to amend the Internal Revenue Code of 1954 to make the interest equalization tax inapplicable to acquisitions before September 3, 1964, and to exclude from the application of such tax acquisitions of foreign stock acquired with funds held outside the United States on July 18, 1963, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Finance.

REPEAL OF, AND AMENDMENTS TO, CERTAIN STATUTES RELATING TO THE COLLECTION OF FEES FOR CERTAIN SERVICES UNDER THE NAVIGATION LAWS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation laws. I ask unanimous consent that the letter from the Secretary of the Treasury requesting the proposed legislation, and the enclosures therein, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and enclosures will be printed in the RECORD.

The bill (S. 1875) to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation laws, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and enclosures presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 26, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill, to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation laws.

The proposed legislation would repeal certain statutes prohibiting the charging or collection of fees for certain services rendered to vessel owners by the Bureau of Customs. It would further repeal fees presently fixed by statute for other services rendered by the Bureau of Customs to vessel interests and thus permit the Secretary of the Treasury, under general authority, to fix fees to be collected upon the rendering of any of these services.

The services for which a fee may or may not now be charged are more specifically set forth in a memorandum accompanying this letter.

Identical legislation was submitted by the Department to the 88th Congress and introduced as S. 2365.

It will be appreciated if you will lay the draft bill transmitted herewith before the Senate.

There is enclosed for your convenient reference a comparative type showing the changes in existing law that would be made by the draft bill.

The Department has been advised by the Bureau of the Budget that the enactment of the proposed bill would be consistent with the administration's objectives.

Sincerely yours,

DOUGLAS DILLON.

ANALYSIS

The proposed legislation would repeal the statutory provisions against the charging and collection of fees by collectors or other officers of customs for any of the following services:

"Measurement of tonnage and certifying same; issuance of a license or granting of a certificate of registry, record, or enrollment; endorsement of change of master; certifying and receiving manifest, including master's oath and permit; granting permit to vessels licensed for the fisheries to touch and trade; payment of entry and clearance fees for vessels engaged in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers; payment of clearance fees for vessels making daily trips between any port in the United States and any port in the Dominion of Canada wholly upon interior waters; granting certificate of payment of tonnage dues; recording bill of sale, mortgage, hypothecation, or conveyance, or the discharge of mortgage or hypothecation; furnishing certificate of title; furnishing a crew list; certificate of protection to seamen; bill of health."

In addition it would abolish certain fees which are prescribed by statute for entry and clearance of vessels, post entry, granting permits to proceed, receiving manifest, change of name of vessel, recording bills of sale, mortgages, hypothecations or other instruments, issuing certificates of ownership and issuing abstracts of title.

The repeal or amendment of these statutes is necessary in order that the Secretary of the Treasury may in his discretion set fees under the provisions of section 501 of the Act of August 31, 1951 (5 U.S.C. 140).

It is contemplated that, in those regulations, fees will be established for, but not necessarily limited to, admeasurement of vessels, registry of vessels, issuance of enrollments, and licenses, or licenses, renewals of

licenses, issuance of special certificates to vessels, authorization for changes of names of vessels, furnishing and recording abstracts of title of vessels, recording of evidence of title to, and encumbrances upon, vessels and the discharge of the latter, entry and clearance of vessels, furnishing certificates of ownership of vessels, furnishing copies of documents, records, or other papers filed in offices of collectors of customs or in the Bureau of Customs, and certifying such copies. There is attached a schedule of proposed fees to be charged for each of the above services. The fees contained in the proposed schedule are based upon the amount of time the average service consumes plus an allowance for overhead cost, and are subject to change to meet changes in the cost of supplying the services.

It is also contemplated that, in addition to any fees which may be established in those regulations, there will also be prescribed therein charges for services performed by customs officers at places other than their official stations, as, for example, admeasuring or readmeasuring vessels at such places, entering or clearing vessels at points which are not ports of entry, furnishing customs supervision over vessels at such points, and the like. It is anticipated that any such charge will reimburse the Government for the compensation of the customs officer concerned while absent from his official station as well as any other expense incurred by the Government in connection with the service rendered.

Certain obsolete portions of section 4382 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 46, section 330), section 4383 of the Revised Statutes (U.S.C., 1958 edition, title 46, section 333), and the act of June 19, 1886 (U.S.C., 1958 edition, title 46, sec. 331), have been included in the comparative type although it is probable that they have been repealed by implication or at least superseded. They are the 16th, 18th, 24th, and 25th items of Revised Statute 4382; the reference to naval officer in Revised Statute 4383; and the last sentence of the act of June 19, 1886.

Proposed fees and estimated revenues from documentation and marine fees

Service	Number of transactions, fiscal year 1964	Present fee	Estimated time, hours	Proposed fee	Estimated revenue
1. Documentation, redocumentation, etc.	[1] 14,984	None	1¼	$8	$119,872
2. Change of trade, original document lost	[1] 4,000	do	¾	5	20,000
3. Renewal of license	[1] 32,324	do	½	3	96,972
4. Change of master	[1] 22,000	do	½	2	44,000
5. Recording	16,503				
(a) Bill of sale	[1] 13,000	20 cents a folio		3	39,000
(b) Mortgages	[1] 1,703	Estimated to be		4	6,812
(c) Preferred mortgages	[1] 1,800	50 cents a page.		6	10,800
6. Certificate of ownership, abstract of title	7,311	$1	1	6	43,866
7. Abstracts of title, additional pages	[1] 3,000	20 cents per folio	¾	5	15,000
8. Change of name of vessel	1,515	$10 to $100	[2]	10–100	20,000
9. (a) Entry of vessel	48,651			6	291,906
(b) Clearance of vessel	47,386			6	284,316
(c) Issuing permit to proceed	40,091			6	240,546
(d) Receiving permit to proceed	40,172	10 cents to $2.50	1	5	241,032
10. Preliminary entry of vessel	45,651	None	1	6	283,906
11. Cruising licenses	[1] 600	do	1	6	3,600
12. Certificate of record	1,000	do	1	6	6,000
13. Certificate of protection	500	do	½	3	1,500
14. Permit to touch and trade	[3]	do	½	3	
Total					1,969,128+

PROPOSED ADMEASUREMENT FEES AND ESTIMATED REVENUES

1. Admeasurement of vessels	Travel and per diem in certain instances.		[4] $6.25	$290,000

[1] Estimated.
[2] Present statutory fee.
[3] No figures available.
[4] Per hour plus cost of transportation and per diem where applicable. Travel and per diem, $44,000.

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY PROPOSED BILL

Changes in existing law made by the proposed bill are shown as follows (existing law proposed to be omitted is enclosed in brackets; new matter in italics):

Section 2654 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 19, section 58).

[There shall be allowed and paid for the use of the collectors the following fees:

[First. To each collector for every entrance of any vessel of one hundred tons burden and upward, two dollars and a half.

[Second. For every clearance of any vessel of one hundred tons burden and upward, two dollars and a half.

[Third. For every entrance of any vessel under the burden of one hundred tons, one dollar and a half.

[Fourth. For every clearance of any vessel under one hundred tons burden, one dollar and a half.

[Fifth. For every post entry, two dollars.

[Sixth. For every permit to land goods, twenty cents.

[Seventh. For every bond taken officially, forty cents.

[Eighth. For every permit to load goods for exportation, which are entitled to drawback, thirty cents.

[Ninth. For every debenture or other official certificate, twenty cents.

[Tenth. For every bill of health, twenty cents.

[Eleventh. For every official document, registers excepted, required by any merchant, owner, or master of any vessel not elsewhere enumerated, twenty cents.]

Section 2792 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 19, section 289, title 46, sections 110, 112 and 124).

[Vessels used exclusively as ferryboats carrying passengers, baggage, and merchandise, shall not be required to enter and clear, nor shall the masters of such vessels be required to present mainifests, or to pay entrance or clearance fees, or fees for receiving or certifying manifests, but they shall, upon arrival in the United States, be required to report such baggage and merchandise to the proper officers of the customs according to law.]

Any passenger vessel engaged triweekly or oftener in trade between ports of the United States and foreign ports shall be exempt from [entrance and clearance fees and] tonnage tax while such service triweekly or oftener is maintained.

Section 2793 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 19, section 288, title 46, sections 111 and 123).

Enrolled or licensed vessels engaged in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, departing from or arriving at a port in one district to or from a port in another district, and also touching at intermediate foreign ports, shall not thereby become liable to the payment of [entry and clearance fees, or] tonnage tax [, as if from or to foreign ports]; but such vessels shall, notwithstanding, be required to enter and clear; except that when such vessels are on such voyages on the Great Lakes and touch at foreign ports for the purpose of taking on bunker fuel only, they may be exempted from entering and clearing under such rules and regulations as the [Secretary of Commerce] *Secretary of the Treasury* may prescribe, notwithstanding any other provisions of law: *Provided*, That this exception shall not apply to such vessels if, while at such foreign port, they land or take on board any passengers, or any merchandise other than bunker fuel, receive orders, discharge any seamen by mutual consent, or engage any seamen to replace those discharged by mutual consent, or transact any business save that of taking on bunker fuel.

Section 4221 of the Revised Statutes (U.S.C., 1958 edition, title 46, sections 113 and 125).

In cases of vessels making regular daily trips betwen any port of the United States and any port in the Dominion of Canada, wholly upon interior waters not navigable to the ocean, no tonnage [or clearance] fees shall be charged against such vessel by the officers of the United States, except upon the first clearing of such vessel in each year.

Section 4381 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 46, section 329).

[The following fees shall be levied and collected from the owners and masters of all vessels except those navigating the waters of the northern, northeastern, and northwestern frontiers, otherwise than by sea:

[First ----
[Second ----
[Third ----
[Fourth ----
[Fifth ----
[Sixth ----
[Seventh ----
[Eighth ----
[Ninth ----

[Tenth. For granting a permit for a vessel not belonging to a citizen or citizens of the United States, to proceed from district to district, and receiving the manifest, two dollars.

[Eleventh. For receiving a manifest, and granting a permit, to unload, for such last-mentioned vessel, on her arrival in one district from another district, two dollars.

[Twelfth ----]

Section 4382 of the Revised Statutes, as amended (U.S.C., 1958 edition, title 45, section 330).

[The following fees shall be levied and collected from the owners and masters of vessels navigating the waters of the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea:

[First ----
[Second ----
[Third ----
[Fourth ----
[Fifth ----

[Sixth. For certifying manifest, including master's oath and granting permit for vessel to go from district to district, ten cents.

[Seventh---------- ----

[Eighth. For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, ten cents.

[Ninth---------- ----
[Tenth---------- ----
[Eleventh---------- ----
[Twelfth---------- ----
[Thirteenth---------- ----

[Fourteenth. Vessels departing to or arriving from a port in one district to or from a port in an adjoining district, and touching at intermediate foreign ports, are exempted from the payment of the entry fees.

[Fifteenth. For a port (sic., POST) entry of such vessel, two dollars.

[Sixteenth. For permit to land or deliver goods, twenty cents.

[Seventeenth---------- ----

[Eighteenth. For permit to load goods for exportation entitled to drawback, thirty cents.

[Nineteenth---------- ----
[Twentieth---------- ----
[Twenty-first---------- ----
[Twenty-second---------- ----
[Twenty-third---------- ----

[Twenty-fourth. For receiving manifest of each railroad car or other vehicle laden with goods, wares, or merchandise from a foreign contiguous territory, twenty-five cents.

[Twenty-fifth. For entry of goods, wares, or merchandise for consumption, warehouse, rewarehouse, transportation, or exportation, including oath and permit to land or deliver, fifty cents.

[Twenty-sixth---------- ----
[Twenty-seventh---------- ----]

Section 4383 of the Revised Statutes (U.S.C., 1958 edition, title 46, section 333).

[Every collector and naval officer and every surveyor residing at a port where there is no collector shall cause to be affixed and constantly keep in some conspicuous place in his office a fair table of the rates of fees demandable by this Title.]

Act of June 19, 1886, c. 421, section 1, 24 Stat. 79, as amended (U.S.C., 1958 edition, title 46, section 331).

That on and after July first, eighteen hundred and eighty-six, no fees shall be charged or collected by [collectors or other officers of customs, or by] inspectors of steam-vessels or shipping commissioners, and clerks of steam boat inspectors, and such allowances for fees of the United States marshals and witnesses for services under the steam boat inspection laws, and for expenses of steam boat inspectors, for the following services to vessels of the United States, to wit: [Measurement of tonnage and certifying the same except that the compensation and necessary travel and subsistence expenses of the officers so measuring or certifying such vessels at the request of the owners thereof at a place other than a port of entry or a customs station shall be paid by such owners; issuing of license or granting of certificate or registry, record, or enrollment, including all indorsements on the same and bond and oath; indorsement of change of master; certifying and receiving manifest, including master's oath, and permit; granting permit to vessels licensed for the fisheries to touch and trade; granting certificate of payment of tonnage dues; recording bill of sale, mortgage hypothecation, or conveyance, or the discharge of such mortgage or hypothecation; furnishing certificate of title, furnishing the crew-list, including bond; certificate of protection to seamen; bill of health;] shipping or discharging of seamen, as provided by title fifty-three of the Revised Statutes and section two of this act; [apprenticing boys to the merchant service;] inspecting, examining, and licensing steam vessels, including inspection-certificate and copies thereof; and licensing of master, engineer, pilot, or mate of a vessel; and all provisions of laws authorizing or requiring the collection of fees for such services are repealed, such repeal to take effect July first, eighteen hundred and eighty-six. [Collectors or other officers of customs,] inspectors of steam-vessels, and shipping commissioners who are paid wholly or partly by fees shall make a detailed report of such services, and the fees provided by law, to the Secretary of the Treasury, under such regulations as that officer may prescribe; and the Secretary of the Treasury shall allow and pay, from any money in the Treasury not otherwise appropriated, said officers such compensation for said services as each would have received prior to the passage of this act; also such compensation to clerks of shipping commissioners as would have been paid them had this act not passed: *Provided*, That such services have, in the opinion of the Secretary of the Treasury, been necessarily rendered.

The Act of February 19, 1920, c. 83, section 3, 41 Stat. 437, (U.S.C., 1958 edition, title 46, section 53).

[That for the privilege of securing such changes of name the following fees shall be paid by the owners of vessels to collectors of customs, to be deposited in the Treasury by such collectors as navigation fees: For vessels ninety-nine gross tons and under, $10; for vessels one hundred gross tons and up to and including four hundred and ninety-nine tons, $25; for vessels five hundred gross tons and up to and including nine hundred and ninety-nine gross tons, $50; for vessels one thousand gross tons and up to and including four thousand nine hundred and ninety-nine gross tons, $75; for vessels five thousand gross tons and over, $100.]

The Act of June 5, 1920, c. 250, section 30, subsection I, 41 Stat. 1002 (U.S.C., 1958 edition, title 46, section 927).

Each collector of customs shall permit records made under the provisions of this chapter to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c), subsection H. [The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.]

DISCLOSURE OF FINANCIAL INTERESTS BY MEMBERS OF CONGRESS AND CERTAIN TOP CONGRESSIONAL AND EXECUTIVE DEPARTMENT EMPLOYEES

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to require annual disclosure of financial interests and sources of income by Members of the House and Senate as well as top congressional and executive department employees.

A new idea must often bide its time waiting for its moment in history.

Seven years ago, I introduced in the 85th Congress a public disclosure bill designed to restore public confidence in the integrity of Congress and the executive branch. This bill follows lines earlier suggested by Senators MORSE and DOUGLAS. Similar legislation was introduced in the three succeeding Congresses. Each time, the bills died, beaten down by a formidable foe—the inertia and apathy of Congress itself.

But while it did not achieve passage, each year support for it has grown. The late Senator Richard Neuberger joined me in introducing the bill in 1959. His wife and successor, MAURINE NEUBERGER, cosponsored it with me in 1961 and 1963, and in the 88th Congress we were joined by Senators CLARK and HART. In addition, each year has seen more and more Members of the House and Senate voluntarily disclose their own financial interests.

Public confidence in the integrity of Congress—particularly the Senate—has been shaken in the last 2 years. For example, a poll taken by Louis Harris just 1 year ago revealed that 50 percent of those polled believed that Members of Congress represent special interests, and only 30 percent felt that Members of Congress represent the public interest. The Senate has been the subject of scornful and embarrassing comments for the less-than-enthusiastic investigation of the Bobby Baker mess. Although the Senate Rules Committee suggested only the most hesitant and timid of remedies, it did recognize the value of the public disclosure principle in its recommendations.

So it is with a measure of optimism for its success that I will reintroduce, for myself and Senators NEUBERGER, CLARK, and HART, our public disclosure bill. The need for passing an extensive, workable public disclosure bill is more obvious today than at any time since I first introduced this bill in 1958. I believe the Members of this body are ready to respond positively to the public demand for assurance that positions of public trust in the legislative as well as the executive branch are not used for private gain.

My bill would require Members of the Senate and House, candidates for those offices, top congressional employees, and top executive branch employees to report annually their sources of income, including gifts worth $100 or more, and their financial assets and liabilities. The public reports would also include a statement of all dealings in securities or commodities and all purchases and sales of real property or any interest therein.

A second part of the bill would also apply the principle of disclosure to all ex parte oral and written communications to regulatory agencies, including those from Members of Congress or from members of the executive branch outside the agency involved.

We are human beings with human failings. We never can eliminate completely the possibility of conflicts of interest. But we can provide mechanisms to protect the public interest through

disclosure and publicity. Passage of this bill will decrease the opportunity for misuse of public position. It certainly will go a long way toward restoring the confidence of the American people in those to whom they have given high positions of public trust.

Mr. President, I ask unanimous consent that the full text of my bill be printed at this point in the RECORD.

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

The bill (S. 1877) to promote public confidence in the integrity of Congress and the executive branch, introduced by Mr. CASE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each Member of the Senate and the House of Representatives (including the Resident Commissioner), each civil or military officer and each employee of the executive or legislative branch of the Government of the United States or any department or agency thereof who is compensated at a rate in excess of $17,500 per annum shall file annually, and each individual who is a candidate of a political party in a general election for the office of Senator or Representative, or Resident Commissioner in the House of Representatives but who, at the time he becomes a candidate does not occupy any such office, shall file within one month after he becomes a candidate for such office, with the Comptroller General a report containing a full and complete statement of—

(1) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by him or by him and his spouse jointly during the preceding calendar year which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him in kind;

(2) the value of each asset held by him, or by him and his spouse jointly, and the amount of each liability owned by him, or by him and his spouse jointly, as of the close of the preceding calendar year;

(3) all dealings in securities or commodities by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year; and

(4) all purchases and sales of real property or any interest therein by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year.

(b) Except as hereinbefore provided, reports required by this section (other than reports so required by candidates of political parties) shall be filed not later than April 30 of each year. In the case of any person who ceases, prior to such date in any year, to occupy the office or position the occupancy of which imposes upon him the reporting requirements contained in subsection (a) shall file such report on the last day he occupies such office or position, or on such later date, not more than three months after such last day, as the Comptroller General may prescribe.

(c) Reports required by this section shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, dealings in securities or commodities, and purchases and sales of real property, when separate itemization is not feasible or is not necessary for an accurate disclosure of the income, net worth, dealing in securities and commodities, or purchases and sales of real property of any individual.

(d) Each report required by this section shall be made under penalty for perjury. Any person who willfully fails to file a report required by this section, or who knowingly and willfully files a false report under this section, shall be fined $2,000, or imprisoned for not more than five years, or both.

(e) All reports filed under this section shall be maintained by the Comptroller General as public records which, under such reasonable regulations as he shall prescribe, shall be available for inspection by members of the public.

(f) For the purposes of any report required by this section, a individual shall be considered to have been a Member of the Senate or House of Representatives, a Resident Commissioner, or an officer or employee of the executive or legislative branch of the Government of the United States or any department or agency thereof, during any calendar year if he served in any such position for more than six months during such calendar year.

(g) As used in this section—

(1) The term "income" means gross income as defined in section 61 of the Internal Revenue Code of 1954.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

SEC. 2. Section 5 of the Administrative Procedure Act (5 U.S.C. 1004) is amended by inserting at the end thereof the following new subsection:

"(e) Communications to agency: All written communications and memoranda stating the circumstances, source, and substance of all oral communications made to the agency, or any officer or employee thereof, with respect to such case by any person who is not an officer or employee of the agency shall be made a part of the public record of such case. This subsection shall not apply to communications to any officer, employee, or agent of the agency engaged in the performance of investigative or prosecuting functions for the agency with respect to such case."

SEC. 3. (a)(1) There is hereby authorized to be established a Commission to be known as the "Commission on Legislative Standards" (hereinafter referred to as the "Commission") which shall be composed of four members to be appointed by the President pro tempore of the Senate and four members to be appointed by the Speaker of the House of Representatives.

(2) The members shall be citizens of the United States (A) who are interested in good government and who by reason of professional training and experience are peculiarly qualified to carry out the duties of the Commission, and (B) who hold no elective or party office or position.

(3) The Commission shall select a Chairman and a Vice Chairman from among its members and shall establish rules for its procedure.

(4) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(5) The members of the Commission shall each receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

(b) Five members of the Commission shall constitute a quorum.

(c)(1) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(2) The Commission is authorized without regard to any other provision of law to reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties and to make reasonable advances to such persons for such purposes.

(d) The Commission shall conduct a thorough study of problems of conflicts of interest and of relations with executive and other agencies which confront Members of Congress with a view to devising and recommending measures and procedures to deal with such problems.

(e)(1) The Commission or any duly authorized subcommittee thereof may, for the purposes of carrying out the provisions of this section, hold such hearings and sit and act at such times and places, administer such oaths, and require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, or the chairman of any such subcommittee (with the approval of a majority of the members thereof), and may be served by any person designated by the Chairman of the Commission or the chairman of any such subcommittee. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this subsection.

(2) The Commission may authorize the Chairman to make the expenditures herein authorized and such other expenditures as the Commission may deem advisable. When the Commission ceases its activities it shall submit to the Appropriations Committees of the Senate and the House of Representatives a statement of its fiscal transactions properly audited by the Comptroller General of the United States.

(3) The Commission is authorized to secure from any department, agency, independent instrumentality of the Government or congressional committee any information it deems necessary to carry out its functions under this section; and each such department, agency, and instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman of the Commission.

(f) The Commission shall submit a final report of its activities and the results of its studies and investigations, together with such legislative recommendations as it may deem advisable, to the Congress not later than January 30, 1967, at which time the Commission shall cease to exist.

(g) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

PROPOSAL TO REVISE ADMINISTRATIVE PRACTICES AND PROCEDURE ACT

Mr. ERVIN. Mr. President, I introduce, for appropriate reference, a bill to revise and codify the Administrative Procedure Act. I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of these remarks.

This is substantially the same bill which I introduced in the 1st session of the 88th Congress as S. 2335. Since I first introduced it as S. 4094 in the 85th Congress, this proposal has been changed substantially and improved as a result of intensive study. The American Bar Association drafted the bill initially after long study following the 1955 report of the Commission on Organization of the Executive Branch of the Government, the Second Hoover Commission, and its task force on legal services and procedure. On the basis of continuing study, the text has been amended from time to time since then.

This bill would supersede the Administrative Procedure Act of 1946. That act was considered a major step forward in providing fair procedures for administrative rulemaking and adjudication and for judicial review of administrative action. It was recognized at the time of its passage that it was not a final solution, but rather a law which would require reappraisal and modification from time to time as the result of experience. It was to this end that the Second Hoover Commission began and completed its study.

In addition to the merits of this bill, its existence as a reappraisal of the Administrative Procedure Act has acted as a catalyst for other legislation which relates to or is a part of this comprehensive revision. Last year for instance, the Senate passed S. 1666 which was based in large part on the public information section of the bill which I am introducing today.

The Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary has announced that beginning May 12 it will hold hearings on S. 1336 of this Congress, introduced by the junior Senator from Missouri [Mr. LONG] and the junior Senator from Illinois [Mr. DIRKSEN], which is also a comprehensive revision of the Administrative Procedure Act. There is no difference in principle between the two bills; my proposal merely embodies a different approach to the subject. It is my feeling that the subcommittee as it considers the subject should have both proposals before it. Under the chairmanship of Senator LONG, the subcommittee has held hearings and its staff had conducted many studies of this problem. It has assembled a distinguished panel of eminent law teachers to help in its work. The subcommittee is doing a splendid job on this very large task. The hearings beginning May 12 will culminate several years of preparatory work which have been spent in preparation of both S. 1336 and the bill which I am introducing today.

Action by Congress is long overdue. The problems of administrative procedure reform have received much attention over the past quarter century, and the time is now ripe for the enactment of a new law to embody the necessary changes and reforms.

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

The bill (S. 1879) to recodify, with certain amendments thereto, chapter 19 of title 5 of the United States Code, entitled "Administrative Procedure", introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1001 to 1011, inclusive, of this Act shall constitute the "Code of Federal Administrative Procedure" and may be cited as such.

DEFINITIONS

SEC. 1001. As used in this Act, except where the context clearly indicates otherwise—

(a) AGENCY.—"Agency" means each authority (whether or not within or subject to review by another agency) of the Government of the United States other than Congress, the courts of the United States, the Tax Court of the United States, the Court of Military Appeals or the governments of the possessions, territories, Commonwealths, or the District of Columbia. Except as to the requirements of section 1002 of this Act, functions of courts-martial and military commissions, and military or naval authority exercised in the field in time of war or in occupied territory, shall be excluded from the operation of this Act. Except as to the requirements of sections 1002 and 1003 of this Act, arbitration and mediation functions shall be excluded from the operation of this Act. No agency or function shall be exempt from any provision of this Act, except by amendment to section 1012 of this Act.

(b) PERSON AND PARTY.—"Person" includes individuals, partnerships, corporations, associations, and public or private organizations of any character other than agencies. "Party" includes any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any court or agency proceeding; but nothing herein shall prevent an agency from admitting any person or agency as a party to an agency proceeding for limited purposes.

(c) AGENCY RULE AND RULEMAKING.—"Rule" means the whole or any part of every agency statement of general applicability and future effect implementing, interpreting, or declaring law or policy, or setting forth the procedure or practice requirements of any agency. "Rulemaking" means agency process for the formulation, amendment, or repeal of a rule.

(d) AGENCY ORDER, ADJUDICATION, AND OPINION.—"Order" means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) by any agency in any matter other than rulemaking. "Adjudication" means agency process for the formulation, amendment, or repeal of an order, and includes licensing. "Opinion" means the statement of reasons, findings of fact, and conclusions of law in explanation or support of an order.

(e) AGENCY LICENSE AND LICENSING.—"License" includes the whole or any part of any agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission. "Licensing" includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, limitation, or modification of a license, and the prescription or requirement of terms, conditions, or standards of conduct thereunder.

(f) AGENCY SANCTION AND RELIEF.—"Sanction" includes the whole or any part of any agency (1) prohibition, requirement, limitation, or other condition affecting the freedom of any person, (2) withholding of relief, (3) imposition of any form of penalty or fine, (4) destruction, taking, seizure, barring access to, or withholding of property, (5) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees, (6) requirement, revocation, or suspension of a license, or the prescription or requirement of terms, conditions, or standards of conduct thereunder, or (7) other compulsory or restrictive action. "Relief" includes the whole or any part of any agency (1) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy, (2) recognition of any claim, right, immunity, privilege, exemption, exception, or remedy, or (3) any other action upon the application or petition of, and beneficial to, any person.

(g) INITIAL DECISION AND INTERMEDIATE DECISION.—"Initial decision" means a decision made by a presiding officer which will become the action of the agency unless reviewed by the agency. "Intermediate decision" means a recommended decision in a rulemaking proceeding made by a presiding officer or any authorized official of the agency.

(h) AGENCY PROCEEDING AND ACTION.—"Proceeding" means any agency process for any rule or rulemaking, order or adjudication, or license or licensing. "Action" includes the whole or any part of any agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

PUBLIC INFORMATION

SEC. 1002. In order to provide more adequate and effective information for the public—

(a) ORGANIZATION, RULES, AND FORMS.—Every agency shall separately state and promptly file for publication in the Federal Register and for codification in the Code of Federal Regulations: (1) descriptions of its central and field organization, including statements of the general course and method by which its functions are channeled and determined, delegations by the agency of final authority, and the established places at which, and the methods whereby, the public may obtain information or make submittals or requests; (2) all procedural rules; (3) all other rules; (4) descriptions of all forms available for public use and instructions relating thereto, including a statement of where and how such forms and instructions may be obtained; and (5) every amendment, revision, and repeal of the foregoing.

(b) ALTERNATIVE METHODS.—An agency may, pursuant to a published rule, use an alternative method of publishing the information specified in subsection (a) or of communicating it to all interested persons, when to do so will achieve economy and expedite dissemination of information to the public. No information published by such alternative method shall be relied upon or cited against any person who had not received actual notice thereof.

(c) ORDERS AND OPINIONS.—Every agency shall promptly publish its orders and opinions or make them available to the public in accordance with published rule stating where and how they may be obtained, copied, or examined.

(d) PUBLIC RECORDS.—Every agency shall promptly make available to the public, in accordance with a published rule stating where and how such records may be obtained or examined and copied, all matters initiating or placed of record in agency proceedings, including but not limited to docket pleadings, evidence, exhibits, reports, and actions taken therein, and all other records, files, papers, communications, and documents, submitted to or received by an agency, con-

nected with the operations of the agency, and all records of action by the agency thereon, except as the agency by published rule finds that the subject matter is exempted from disclosure by subsection (f) hereof: *Provided,* That records, files, papers, and documents submitted by another agency or received from another agency which are exempt in the hands of such other agency under subsection (f) hereof continue to be exempt in the hands of the receiving agency. Every individual vote of the members of the body comprising the agency shall be entered of record and made available to the public.

(e) EFFECT OF FAILURE TO PUBLISH.—No rule, order, opinion, or public record shall be relied upon or cited against any persons unless it has been duly published or made available to the public in accordance with this section. No person shall in any manner be required to resort to organization or procedure not so published.

(f) EXEMPTIONS.—The provisions of this section shall not require disclosure of subject matter which is (1) specifically exempt from disclosure by statute, (2) required to be kept secret in the protection of the national security, (3) submitted in confidence pursuant to statute or published agency rule, (4) the disclosure of which would be a clearly unwarranted invasion of personal privacy, or (5) related solely to matters of internal management. Nothing contained in this section shall be deemed to authorize the withholding of information or limiting availability of records to the public except as specifically stated in this subsection.

RULEMAKING

SEC. 1003. In order to establish procedures for rulemaking by agencies and to accord interested persons an opportunity to participate therein—

(a) NOTICE.—Notice of proposed rulemaking shall be published in the Federal Register and shall state (1) the time, place, and nature of public rulemaking proceedings, which shall not be held less than twenty days after such publication, (2) the authority under which the rule is proposed, and (3) either the terms or the substance of the proposed rule, or a description of the subjects and issues involved. A notice of proposed rulemaking shall not be effective after one year from date of publication, unless extended by renewed publication.

(b) PROCEEDINGS.—Each agency shall adopt and separately state for publication in the Federal Register rules specifying the procedures whereby interested persons may participate in rulemaking. Whenever rulemaking is initiated, public announcement of the initiation may be given and opportunity afforded interested persons to submit views or otherwise participate informally in conferences on the proposals under consideration, for publication in the Federal Register. After notice of proposed rulemaking has been published in the Federal Register, the agency shall afford interested persons an opportunity to participate in the rulemaking through submission of written data, views, or arguments, with opportunity to present the same orally, upon request therefor, unless the agency deems it unnecessary. The agency shall fully consider all submissions. Except with regard to rules of procedure, the agency shall, when requested by an interested person, issue a concise statement of the matters considered in adopting or rejecting the rule and the reasons therefor. Where rules are required under the Constitution or by statute to be made on a record after opportunity for hearing, the proceedings shall also be in conformity with sections 1006 and 1007 of this Act, except that the provision in section 1005(c) requiring separation of functions shall not be applicable and that, in lieu of an initial decision pursuant to section 1007, an intermediate decision may be issued which shall be subject to exceptions before promulgation of the rule. Each agency shall maintain a rulemaking docket showing the current status of published proposals for rulemaking.

(c) EFFECTIVE DATES.—The required publication by any agency of any rule, other than one which solely grants or recognizes exemption or relieves restriction, shall be made not less than twenty days prior to the effective date thereof, except where the agency finds that timely execution of its functions imperatively requires the rule to become effective within a shorter period and publishes its finding together with a statement of the reasons therefor, with the rule.

(d) EMERGENCY RULES.—Emergency rules may be adopted without compliance with the procedures prescribed in subsection (b) above, and with less than the twenty days' notice prescribed in subsection (a) above (or where circumstances imperatively require, without notice) where an agency finds that (1) immediate adoption of the rule is imperatively necessary for the preservation of public health, safety, or welfare, or (2) compliance with the requirements of this section would be contrary to the public interest. Such findings and a statement of the reasons for the action shall be published with the rule in the Federal Register. Emergency rules shall have effect for not more than six months from the adoption thereof unless extended in compliance with subsections (a) and (b) of this section.

(e) PETITIONS.—Every agency shall accord all interested persons the right to petition for the issuance, amendment, or repeal of a rule. Where the agency does not undertake rulemaking on the petition, it shall promptly state and transmit to the petitioner its reasons therefor. Whenever an agency undertakes rulemaking, all related petitions for the issuance, amendment, or repeal of the rule, which have been filed within a period fixed by the agency, shall be considered and acted upon in the same proceeding. The petition and the action taken by the agency, or its statement of the reasons for not doing so, shall be matters of public record.

(f) EXEMPTION.—This section shall not require notice of or public participation in rulemaking (1) required to be kept secret in the protection of the national security, (2) relating to public property, loans, grants, benefits, or contracts to the extent that the agency finds and publishes, with a statement of supporting reasons, that such public participation would occasion delay or expense disproportionate to the public interest; or (3) relating solely to internal management or personnel of the agency.

ADJUDICATION

SEC. 1004. In order that there may be a fair determination in every case of adjudication—

(a) FORMAL ADJUDICATION.—In all such proceedings in which an opportunity for agency hearing is required under the Constitution or by statute, the parties shall be entitled to a hearing and decision in conformity with sections 1006 and 1007 of this Act. Where time, the nature of the proceeding, and the public interest permit, the agency shall afford all interested persons an opportunity, in advance of the hearing, to submit offers for the adjustment or settlement of the controversy, or for limitation of the issues. Persons entitled to notice of the hearings shall be given timely notice of (1) the time, place, and nature thereof, (2) the legal authority and jurisdiction under which it is to be held, and (3) the matters of fact and law asserted. Pleadings, including the initial notice, shall conform with the practice and requirements of pleading in the United States district courts, except to the extent that the agency finds conformity impracticable and otherwise provides by published rule. In fixing the times and places for proceedings, due regard shall be had for the convenience of the parties and their representatives. The parties to a hearing shall be entitled to submit and to have considered proposals for the settlement or adjustment of the controversy.

(b) INFORMAL ADJUDICATION.—In all cases of adjudication not covered by subsection (a) and affecting private rights, claims, or privileges including but not limited to matters relating to public property, loans, grants, benefits or contracts, and determinations based upon inspections, tests, or examinations, decisions of subordinate officers may by rule be made subject to review within the agency by the agency or designated boards or superior officers. If requested, the reviewing authority shall furnish to a party a statement of the reasons for its decision. The decision of the reviewing authority or, if the agency fails to establish an intraagency review procedure, the decision of the subordinate officer shall, subject to section 1009(a), constitute agency action subject to judicial review, in which case the record on review shall be made in the reviewing court.

(c) EMERGENCY ORDERS.—Nothing contained in this Act shall affect existing powers to issue emergency orders where the agency finds, and states of record the reasons for so finding, that (1) immediate issuance of the order is imperatively necessary for the preservation of public health, safety, or welfare, and (2) observance of the requirements of this section would be contrary to the public interest. Where an emergency order has been issued, any person who would otherwise be entitled to a hearing pursuant to subsection (a) hereof shall be entitled upon request to an immediate hearing in accordance with this Act, in which proceeding the proponent of the emergency order shall be deemed the moving party.

AUXILIARY PROCEDURAL MATTERS

SEC. 1005. (a) INVESTIGATIONS.—No process, requirement of a report, inspection, or other investigatory act or demand shall be initiated, issued, made, or enforced by any agency in any manner or for any purpose unless it is within the jurisdiction of the agency and the authority conferred by statute. Every person compelled to testify or to submit data or evidence to any agency shall be entitled to the benefit of counsel and to retain or, on payment of lawfully prescribed costs, to procure a copy of the transcript of such testimony, data, or evidence. Upon a showing of irreparable injury, any Federal court of competent jurisdiction may, in accordance with the provisions of section 1009(g), restrain action clearly beyond the constitutional or statutory jurisdiction or authority of the agency.

(b) SUBPENAS.—Subpenas shall be issued upon request to any party to an adjudication subject to section 1004(a) and shall be enforced with discrimination between public and private parties. Any person subject to a subpena may, before compliance therewith and upon timely petition, obtain from any Federal court of competent jurisdiction a ruling as to the lawfulness thereof. Such suit may be brought in the judicial district in which the subpena is served or wherein the defendant resides. The court shall quash the subpena or similar process or demand to the extent that it is found to be unreasonable in terms, irrelevant in scope, beyond the jurisdiction of the agency, not competently issued, or otherwise not in accordance with law. Any person at whose instance a subpena was issued, or the agency which issued the subpena, may upon timely petition apply to any Federal court of competent jurisdiction for an order enforcing the subpena. In any proceeding for enforcement, the court shall sustain such subpena to the extent that it is found to be in accordance with law and shall issue an order requiring the appearance of witnesses or the production of data within a reasonable time, under penalty of punishment for contempt

in case of contumacious failure to comply with the order of the court.

(c) SEPARATION OF FUNCTIONS.—No presiding or deciding officer acting pursuant to section 1006 of this Act shall be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigatory or prosecuting functions for any agency. Except upon notice and opportunity for all parties to be present or to the extent required for the disposition of ex parte matters as authorized by law, no such presiding or deciding officer or agency or member of an agency acting pursuant to sections 1006 and 1007 of this Act shall consult with any person or party on any issue of fact or law in the proceeding, except that, in analyzing and appraising the record for decisions, any agency member may (1) consult with other members of the agency, (2) have the aid and advice of one or more personal assistants, (3) have the assistance of other employees of the agency who have not participated in the proceeding in any manner, who are not engaged for the agency in any investigative functions in the same or any current factually related case and who are not engaged for the agency in any prosecutory functions; any member of a board specifically authorized by statute to conduct designated classes of proceedings may consult with other members of such board; and any member of such a board, and any other presiding or deciding officer other than an agency member, may have the aid and advice as personal assistants of one or more employees of the agency who have not participated in the proceeding in any manner, who are not engaged for the agency in any investigative functions in the same or any current factually related case and who are not engaged for the agency in any prosecutory functions. "Agency member" as used herein means a cabinet officer, an agency head, or a member of a board or commission, and does not include any person exercising delegated functions.

(d) EXPEDITION AND DENIALS.—Every agency shall proceed with reasonable dispatch to conclude any matter presented to it with due regard for the convenience of the parties or their representatives, giving precedence to rehearing proceedings after remand by court order. Prompt notice shall be given of the refusal to accept for filing or the denial in whole or in part of any written application or other request made in connection with any agency proceeding or action, with a statement of the grounds therefor. Upon application made to any Federal court of competent jurisdiction by a party to any agency proceeding or by a person adversely affected by agency action, and a showing to the court that, notwithstanding due request to the agency, there has been undue delay in connection with such proceeding or action, the court may direct the agency to decide the matter promptly. In any such case the agency may show that the delay was necessary and unavoidable.

(e) DECLARATORY ORDER.—Every agency shall provide by rule for the entertaining, in its sound discretion, and prompt disposition of petitions for declaratory orders to terminate actual controversies, or to remove uncertainties in actual controversies as to the applicability to the petitioners of any statutory provisions or of any rules or orders of the agency. The order disposing of the petition shall constitute agency action subject to judicial review.

(f) NATIONAL SECURITY.—In the case of agency proceedings or actions which involve the national security of the United States and for that reason must be kept secret, the agency shall provide by rule for such procedures parallel to those provided in this Act as will effectively safeguard and prevent disclosure of classified information to unauthorized persons with minimum impairment of the procedural rights which would be available if classified information were not involved.

HEARINGS

SEC. 1006. In order to assure that all parties to agency hearings governed by section 1004(a) or rulemaking required under the Constitution or by statute to be made on a record after opportunity for hearing shall be accorded due process of law—

(a) PRESIDING OFFICERS.—At the taking of evidence only one of the following may preside: (1) the agency, (2) one or more members of the body which comprises the agency, if authorized by law, (3) a hearing commissioner, or (4) an individual or a board specifically authorized by statute to conduct designated classes of proceedings. All evidence, whether written or oral, shall be submitted to and considered by the presiding officer. The functions of all presiding officers, as well as officers participating in decisions in conformity with this Act, shall be conducted in an impartial manner. Any such officer may at any time withdraw if he deems himself disqualified, and, upon the filing in good faith by a party of a timely and sufficient affidavit of personal bias or disqualification of any such officer, he shall forthwith determine the matter as part of the record in the case. In any case in which a presiding officer is disqualified or otherwise becomes unavailable because of extended illness or absence, another presiding officer may be assigned to continue with the case, unless substantial prejudice to any party is shown to result therefrom. In the event of substantial prejudice the agency may determine the manner in which and the extent to which the case shall be reheard.

(b) POWERS OF PRESIDING OFFICERS.—Presiding officers shall have authority to (1) administer oaths and affirmations; (2) sign and issue subpenas; (3) rule upon offers of proof and receive evidence; (4) permit or require depositions or discovery upon oral examination or written interrogatories for the purpose of discovery or for use as evidence in the proceeding, and dispose of motions relating to the discovery and production of relevant documents and things for inspection, copying, or photographing; (5) regulate the course of the hearings, set the time and place for continued hearings, subject to agency calendar practice, and fix the time for the filing of briefs and other documents; (6) direct the parties to appear and confer to consider the simplification of the issues, admissions of fact or of documents to avoid unnecessary proof, and limitation of the number of expert witnesses, and issue appropriate orders which shall control the subsequent course of the proceeding; (7) dispose of motions to dismiss for lack of agency jurisdiction over the subject matter or parties or for any other ground; (8) dispose of motions to amend, or to dismiss without prejudice, applications, and other pleadings; (9) dispose of motions to intervene, procedural requests or similar matters; (10) make initial decisions; (11) reprimand or exclude from the hearing any person for any improper or indecorous conduct in their presence; and (12) take any other action authorized by agency rule consistent with this Act or, in the absence thereof, in accordance to the extent practicable with the procedure in the United States district courts.

(c) INTERLOCUTORY APPEALS.—A presiding officer may certify to the agency, or allow the parties an interlocutory appeal on, any material question arising in the course of a proceeding, where he finds that to do so would prevent substantial prejudice to any party or would expedite the proceeding. The presiding officer or the agency may thereafter stay the proceeding if necessary to protect the substantial rights of any party. The agency, or such one or more of its members as it may designate, shall determine the question forthwith, and further proceedings shall be governed accordingly. No interlocutory appeal shall otherwise be allowed, except by order of the agency upon a showing of substantial prejudice and after a denial of such appeal by the presiding officer.

(d) EVIDENCE.—Except as otherwise provided by statute, the proponent of an order shall have the burden of proof, and every party to the proceeding shall have the right to present his case or defense by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Subject to these rights and requirements, where a hearing will be expedited and the interests of the parties will not be substantially prejudiced thereby, a presiding officer may receive all or part of the evidence in written form. In rulemaking subject to this section and in cases of adjudication involving the approval of prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances thereof, or valuations, costs, or accounting, or practices bearing upon any of the foregoing, any reliable and probative evidence shall be received. In all other cases, the rules of evidence and requirements of proof shall conform, to the extent practicable, with those in civil nonjury cases in the United States district courts. The complete transcript of the record shall be made available to the parties upon payment of lawfully prescribed costs which shall be equitably divided among the parties and the agency.

(e) OFFICIAL NOTICE.—Agencies or any presiding officer in an agency proceeding may take official notice of judicially cognizable facts and technical, scientific, and other facts within their specialized knowledge. When an agency takes official notice of a fact, other than a judicially cognizable fact, not appearing in the record and that fact is material to the decision of the case, the agency or presiding officer shall bring that fact to the attention of the parties and shall afford every party before decision an opportunity to controvert the fact or dispute its bearing upon the decision.

(f) AGENCY PARTICIPATION.—Whenever an agency shall find upon its own motion or that of a party in a proceeding that the public interest may be substantially affected by the outcome of that proceeding, the agency shall act to protect that interest by appointing such members of its staff or such counsel or consultants as it may deem necessary to appear in the proceeding and develop whatever evidence and make whatever arguments may be required to clarify all the issues material and relevant to a determination of the proceeding in accord with that interest.

DECISIONS AND AGENCY REVIEW

SEC. 1007. In cases in which a hearing is required to be conducted in conformity with section 1006 of this Act—

(a) SUBMITTALS AND DECISIONS.—Prior to each decision by an agency which presides, or the initial decision by a presiding officer in an agency proceeding, the parties to the proceeding shall be afforded an opportunity to submit (1) proposed findings of fact and conclusions of law, and (2) both written and oral argument. The record shall show the ruling upon each material finding or conclusion presented. Upon review of any initial decision, the agency shall, by rule, afford the parties an opportunity to submit (1) written exceptions to the decision, and (2) written briefs. Upon review of initial decisions, a party shall be granted opportunity for oral argument upon request, unless the agency deems it inappropriate or unwarranted. All decisions and initial decisions shall include a statement of (1) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and (2) the appropriate rule, order, sanction,

relief, or denial thereof; and such decisions and initial decisions shall become a part of the record. The grounds for any decision shall be within the scope of the issues presented on the record.

(b) RECORD FOR DECISIONS.—For the purpose of the decision by the agency which presides or the initial decision by a presiding officer, the record shall include (1) all pleadings, motions, and intermediate rulings, (2) evidence received or considered, including testimony, exhibits, and matters officially noticed, (3) offers of proof and ruling thereon, and (4) the findings of fact and conclusions of law proposed by the parties. No other material shall be considered by the agency or by the presiding officer. In cases in which the agency has presided at the reception of the evidence, the agency shall prepare, file, and serve upon the parties its decision. In all other cases the presiding officer shall prepare and file an initial decision which the agency shall serve upon the parties, except where the parties to the proceeding, with the consent of the agency, expressly waive their right to have an initial decision rendered by such officer. In the absence of an appeal to the agency or a review upon motion of the agency within the time provided by rule for such appeal or review, every such initial decision shall thereupon become the decision of the agency.

(c) RECORD FOR REVIEW BY AGENCY.—For the purpose of review by the agency of the initial decision of the presiding officer, the record shall include (1) all matters constituting the record upon which the decision of the presiding officer was based, (2) the rulings upon the proposed findings and conclusions, (3) the initial decision of the presiding officer, and (4) the exceptions and briefs filed. No other material shall be considered by the agency upon review. By consent of the parties, the records for review may be reduced or the issues therein limited. The grounds of the decision shall be within the scope of the issues presented on the record. The findings of evidentiary fact, as distinguished from ultimate conclusions of fact, made by the presiding officer shall not be set aside by the agency on review of the presiding officer's initial decisions unless such finds of evidentiary fact are contrary to the weight of the evidence. The agency either may remand the case to the presiding officer for such further proceedings as it may direct or it may affirm, set aside, or modify the order or any sanction or relief entered thereon, in conformity with the facts and the law.

LICENSING

SEC. 1008. (a) PROCEEDING.—In any case in which application is made for a license required by law, the agency, with due regard for the rights and privileges of all interested persons, shall set and conduct the proceedings in accordance with this Act unless otherwise required by law.

(b) TERMS AND CONDITIONS.—Terms, conditions, or requirements limiting any license shall be valid only if reasonably necessary to effectuate the purposes, scope, or stated terms of the statute pursuant to which the license is issued or required.

(c) REVOCATION, SUSPENSION, AND MODIFICATION.—No revocation, suspension, annulment, limitation, or modification by any agency of a license shall be lawful unless, before institution of agency proceedings therefor, the agency shall have (1) given the licensee notice in writing of facts or conduct that may warrant such action, (2) afforded the licensee opportunity to submit written data, views, and arguments with respect to such facts or conduct, and (3) except in cases of willful violation, given the licensee a reasonable opportunity to comply with all lawful requirements. Where the agency finds that the licensee has been guilty of willful violation, or that the public health, safety, or welfare imperatively requires emergency action, and incorporates such findings in its order, it may institute revocation proceedings without compliance with the provisions of this subsection. Where the agency finds that the public health, safety, or welfare imperatively requires such action, and incorporates such finding in its order, it may summarily suspend the license pending proceedings for revocation which shall be promptly instituted and determined upon the request of any interested person.

(d) RENEWAL.—In any case in which the licensee has made timely and sufficient application for the renewal of a license or for a new license for the conduct of a previously licensed activity of a continuing nature, the existing license shall not expire until (1) such application has been finally acted upon by the agency and, (2) if the application has been denied or the terms of the new license limited, judicial review has been sought or the time for seeking judicial review has elapsed or, if no time for seeking judicial review is specified, then sixty days after the denial.

JUDICIAL REVIEW

SEC. 1009. In order to assure a plain, simple, and prompt judicial remedy to persons adversely affected or aggrieved by agency action, and notwithstanding any limitation by statute on the minimum jurisdictional amount in controversy—

(a) REVIEWABLE ACTS.—Every agency action made reviewable by statute and every final agency action which is not subject to judicial review in an action brought by a person adversely affected or aggrieved shall, except as expressly precluded by Act of Congress hereafter enacted, be subject to judicial review under this Act: *Provided*, That such judicial review shall not be exclusive of remedies otherwise available including actions for declaratory judgment or proceedings to restrain or compel agency action or for habeas corpus. Any preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by the statute, agency action otherwise final shall be final for the purposes of this subsection whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise required by rule and provides that the action meanwhile shall be inoperative) for an appeal to superior agency authority.

(b) STANDING TO SEEK REVIEW.—Any person adversely affected or aggrieved by any reviewable agency action shall have standing to seek judicial review thereof, except where expressly precluded by Act of Congress hereafter enacted.

(c) FORM OF ACTION.—A person may obtain judicial determination of the jurisdiction or statutory authority of the agency in a civil or criminal case brought by the agency, or in its behalf, for judicial enforcement of such agency action, regardless of the availability or pendency of administrative review proceedings with respect thereto, except where expressly precluded by Act of Congress hereafter enacted. All other cases for review of agency action shall be commenced by the filing of a petition for review in a United States district court of appropriate jurisdiction, except where a statute provides for judicial review in a specified court. Proceedings for review may be brought against the agency by its official title, in any judicial district where a petitioner resides, where all or a substantial part of the events or omissions giving rise to the claim occurred, or, if any property is involved in the proceeding, where all or a substantial part of the property is situated. The petition shall state (1) the grounds upon which jurisdiction and venue are based, (2) the facts upon which petitioner bases the claim that he has been adversely affected or aggrieved, (3) the reasons entitling him to relief, and (4) the relief which he seeks.

(d) INTERIM RELIEF.—Upon a finding that irreparable injury would otherwise result and that the balance of equities favors such action, (1) the agency, upon application therefor, shall postpone the effective date of the agency action pending judicial review, or (2) the reviewing court, upon application therefor and regardless of whether such an application previously shall have been made to or denied by any agency, shall issue all necessary and appropriate process to postpone the effective date of the agency action or to preserve the rights of the parties pending conclusion of the review proceedings.

(e) RECORD ON REVIEW.—In every case of agency action subject to sections 1006 and 1007 of this Act, the record on review shall, unless the parties concerned stipulate to something less, include (1) all matters constituting the record for action or review by the agency, including the original or certified copies of all papers presented to or considered by the agency, (2) rulings upon exceptions, (3) the decision, findings, and action of the agency, and (4) as to alleged procedural errors and irregularities not appearing in the agency record, evidence taken independently by the court. In all other cases, the record on review shall be made in the reviewing court.

(f) DECISION ON REVIEW.—If the court finds no error, it shall affirm the agency action. If it finds that the agency action is (1) arbitrary or capricious, (2) a denial of statutory right, (3) contrary to constitutional right, power, privilege, or immunity, (4) in excess of statutory jurisdiction, authority, purposes, or limitations, (5) not in accord with the procedures or procedural limitations of this Act or otherwise required by law, (6) an abuse or clearly unwarranted exercise of discretion, (7) based upon findings of fact that are clearly erroneous on the whole record in proceedings subject to sections 1006 and 1007 of this Act, (8) unsupported by the evidence in cases in which the record is made before the court, or (9) otherwise contrary to law, then in any such event the court shall hold unlawful and set aside the agency action and shall (i) restrain the enforcement of the order or rule under review, (ii) compel any agency action to be taken which has been unlawfully withheld or unduly delayed, and (iii) afford such other relief as may be appropriate. In making the foregoing determinations, the court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error. In all cases under review the court shall determine all relevant questions of law and interpret the statutory and constitutional provisions involved and shall apply the court's own interpretation to the facts duly found or established.

(g) PROCEEDINGS IN EXCESS OF JURISDICTION.—Upon a showing of irreparable injury, any Federal court of competent jurisdiction may enjoin at any time the conduct of any agency proceeding in which the proceeding itself or the action proposed to be taken therein is clearly beyond the constitutional or statutory jurisdiction or authority of the agency. If the court finds that any proceeding contesting the jurisdiction or authority of the agency is frivolous or brought for the purpose of delay, it shall assess against the petitioner in such proceeding costs, a reasonable sum for attorneys' fees (or any equivalent sum in lieu thereof), and damages (which may include damages to the public interest) incurred by other parties, including the United States.

When any such case is brought, the Attorney General may file with the clerk of court a certificate that the case, in his opinion, is of general public importance. Said certificate shall be immediately furnished by said clerk to the chief judge of said court who

shall upon receipt thereof immediately designate a judge to hear and determine the case. The judge so designated shall set the case for hearing at the earliest practicable date and he shall cause the case to be in every way expedited. Said case shall have precedence on the calendar of the trial court and of the appropriate appellate courts and Supreme Court at every stage.

LIMITATIONS OF AUTHORITY

SEC. 1010. In the exercise of any power, authority, or discretion by any agency or by any officer or employee thereof—

(a) AUTHORITY.—No agency action shall be taken except within the jurisdiction delegated to the agency and as authorized by law. Agency action shall not be deemed to be within the statutory authority and jurisdiction of the agency merely because such action is not contrary to the specific provisions of a statute.

(b) PUBLICITY.—Agency publicity, which a reviewing court finds was issued to discredit or disparage a person under investigation or a party to an agency proceeding, may be held to be a prejudicial prejudging of the issues in controversy, and the court may set aside any action taken by the agency against such person or party or enter such other order as it deems appropriate.

GENERAL PROVISIONS

SEC. 1011. (a) CONSTRUCTION AND EFFECT.—All laws or portions thereof which are inconsistent, or conflict, with the provisions of this Act are hereby repealed: *Provided, however,* That nothing in this Act shall be interpreted to diminish the constitutional rights of any person or to limit or repeal any additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. Every agency shall have all the powers necessary to enable it to carry out the provisions of this Act, including the authority to make and enforce rules thereunder. The courts shall have all the powers necessary to enable them to carry out the provisions of this Act. No subsequent legislation shall be held to supersede or modify the provisions of this Act except to the extent that such legislation shall do so expressly. The affirmative requirements and specific prohibitions of this Act shall be broadly construed, and exemptions from, and exceptions to, this Act shall be narrowly construed.

(b) SEPARABILITY.—If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

(c) EFFECTIVE DATE.—This Act shall supersede the Administrative Procedure Act of 1946 and take effect on the one hundred and eightieth day after the date of its enactment, but (1) insofar as the amendments made by this Act to the Administrative Procedure Act of 1946 provide for changes, requirements imposed by such changes shall not be mandatory as to any agency proceeding with respect to which hearings under title 5, United States Code, section 1006, have been commenced prior to the effective date of this Act; (2) the amendments made by this Act to title 5, United States Code, section 1009 (relating to judicial review of orders and decisions), shall not apply with respect to any action or appeal which is pending before any court on the effective date of this Act.

REPEAL OF EXEMPTIONS FROM ADMINISTRATIVE PROCEDURE ACT

SEC. 1012. All laws or parts of laws in force on the one hundred and eightieth day after the date of enactment of this Act which, either expressly or impliedly, grant exemption from the provisions of the Administrative Procedure Act of 1946 are hereby repealed, including specifically such parts of laws as the following:

1. Section 483 of the Federal Coal Mine Safety Act, title 30, United States Code.
2. Section 2027 of the Export Control Act of 1949, title 50, United States Code, appendix.
3. Section 2231 of the Atomic Energy Act of 1954, title 42, United States Code.
4. Section 5 of the Second Decontrol Act of 1947 (61 Stat. 323).
5. Section 501(b) of Public Law 155, Eighty-second Congress, first session (65 Stat. 364).
6. Section 1221 of the Renegotiation Act of 1951, title 50, United States Code, appendix.
7. Section 1642(i) of the International Wheat Agreement Act of 1949, title 7, United States Code.
8. Section 2159 of the Defense Production Act of 1950, title 50, United States Code, appendix.
9. Section 3 of Public Law 564, Eighty-second Congress, second session (66 Stat. 732).
10. Section 463 of the Universal Military Training and Service Act, title 50, United States Code, appendix.
11. Sections 1881–1884 and 1891–1902 of the Housing and Rent Acts, title 50, United States Code Annotated, appendix.
12. Sections 1622 and 1641 of the Surplus Property Act of 1944, title 50, United States Code Annotated, appendix.
13. Sections 1822, 1830, and 1833 of the Veterans Emergency Housing Program, title 50, United States Code Annotated, appendix.
14. Sections 101, 103, and 105–125 of the Termination of War Contracts Act, title 41, United States Code Annotated.
15. Sections 1738, 1739, 1743, and 1744 of the War Housing Insurance Act, title 12, United States Code Annotated.
16. Sections 1226(a) and 1252(b) of the Immigration and Nationality Act of 1952, title 8, United States Code Annotated (to the extent that they authorize special procedures).
17. Section 401(b) of Public Law 534, Eighty-second Congress, second session (66 Stat. 624).

CRIME SURVEY FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, on behalf of myself and the Senator from New York [Mr. KENNEDY], I send to the desk a resolution, the resolving clause of which reads:

That the Committee on the District of Columbia or any duly authorized subcommittee thereof is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of any and all matters pertaining to crime in the District of Columbia.

I set forth the specific proposals for conducting such a survey. I ask unanimous consent that the resolution be appropriately referred, and that it be printed at this point in my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD as requested by the Senator from Oregon.

The resolution (S. Res. 104) was referred to the Committee on the District of Columbia, as follows:

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

SEC. 2. For the purposes of this resolution the committee, from the date of the approval of this resolution to June 1, 1966, inclusive, is authorized (1) to make such expenditures; (2) to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (3) to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) to take such testimony; (5) to employ, upon a temporary basis, all such technical, clerical, and other assistants and consultants; and (6) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government as it deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $200,000 for the period ending June 1, 1966, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

CHANGE OF REFERENCE

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of Senate bill 1681, to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs, and that it be referred to the Committee on Government Operations.

This bill, cited as the "Uniform Relocation Act of 1965," deals with many of the relocation problems that are covered in Senate bill 1201, to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs. The latter was introduced by Senator SPARKMAN on February 18, 1965, and was referred to the Committee on Government Operations. Both measures, then, deal with the general problem of relocation. Wisdom would seem to indicate that they should be analyzed in conjunction with one another.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? The Chair hears none, and it is so ordered.

VOTING RIGHTS ACT OF 1965—AMENDMENTS

AMENDMENT NO. 135

Mr. ERVIN proposed an amendment to the Mansfield-Dirksen amendment (No. 124), in the nature of a substitute,

to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which is pending.

AMENDMENTS NOS. 136, 137, AND 138

Mr. ERVIN also submitted three amendments, intended to be proposed by him, to the Mansfield-Dirksen amendment (No. 124), in the nature of a substitute, to Senate bill 1564, supra, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENTS NOS. 139 THROUGH 141

Mr. MILLER submitted three amendments, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. HART. Mr. President, on behalf of the junior Senator from South Dakota [Mr. McGOVERN], I ask unanimous consent that the name of Senator KARL MUNDT be added to his bill, S. 1838, and that Senator MUNDT's name appear on the bill at its next printing. The measure authorizes purchase of dairy products when necessary to meet the requirements of supply programs for schools, domestic relief, community action and foreign distribution programs.

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

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of April 22, 1965:

S. 1807. A bill to provide for an objective, thorough, and nationwide analysis and evaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation: Mr. CHURCH, Mr. DODD, Mr. GRUENING, Mr. MCCARTHY, Mr. MOSS, Mr. RANDOLPH, and Mr. YARBOROUGH.

Authority of April 26, 1965:

S. 1824. A bill to provide for the appointment of three additional judges for the Court of Appeals for the Sixth Circuit: Mr. COOPER, Mr. HART, Mr. MCNAMARA, and Mr. YOUNG of Ohio.

NOTICE OF HEARINGS ON 5-YEAR RECORD OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. MUSKIE. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Intergovernmental Relations and the House Intergovernmental Relations Subcommittee have scheduled joint hearings to evaluate the record of the Advisory Commission on Intergovernmental Relations with respect to its assigned functions, to further define the direction in which we are moving in the intergovernmental relations field, and to analyze the future role of the Commission in our Federal system in light of changing conditions.

The hearings are scheduled for May 25, 26, and 27. Any Senator or other person wishing to testify at the hearings should notify the Senate Subcommittee on Intergovernmental Relations, room 357, Old Senate Office Building, and request that he be scheduled as a witness.

WATER DESALINATION HEARINGS

Mr. JACKSON. Mr. President, for the information of the Senate, I would like to announce that hearings have been rescheduled on the status of the water desalination program before the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs.

The hearings will be held in room 3110 of the New Senate Office Building, beginning at 10 a.m. on May 18 and 19. It is the intention of the committee to explore and receive testimony on the status of progress of our desalination program, including S. 24, the bill now pending to extend and expand the program. Those Members of the Senate and interested persons from private industry or universities and elsewhere are most cordially invited to attend and participate in our hearings.

THE GREAT FALLS TRIBUNE CHANGES OWNERSHIP

Mr. MANSFIELD. Mr. President, recently it was announced that Montana's largest daily newspaper would be sold to out-of-State interests.

I greeted this announcement with mixed emotion. The sale of the Great Falls Tribune means the end of one of the pioneer families in Montana journalism. The Great Falls daily was purchased in 1895 by O. S. Warden and William M. Bole. The Warden family has had an active interest in the production and management of the Tribune since that time. O. S. Warden was one of the towers of strength in the development of the Treasure State. He was succeeded in 1951 by his sons, Alex Warden, who became publisher, and Robert I. Warden, executive editor. Both men are retiring on April 30.

I have had many years of fine association with Alex and Bob Warden. They are most deserving of their retirement but they will be missed. The Great Falls Tribune, both its morning and evening editions, has maintained a high standard of independence, fairness, and objective reporting.

While we are witnessing the passing of a great family in the world of publishing, we do not need to fear the passing of a good daily newspaper. The new owners, the Minneapolis Star & Tribune Co., is a newspaper chain in the finest traditions. In this modern and complex age chain ownership of newspapers has proven to be good economics. Montana has benefited in the past and I am sure we will again. I am looking forward to my contacts with the new publisher, William A. Cordingley, and the staff that will remain.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a news story from the April 11, 1965, edition of the Great Falls Tribune, and editorials published in the Hungry Horse News of April 16, 1965, the Lewistown Daily News, April 13, 1965, the Western News of Hamilton, April 15, 1965, and the Great Falls Tribune, April 30, 1965.

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

[From the Great Falls (Mont.) Tribune, Apr. 30, 1965]

MINNEAPOLIS STAR-TRIBUNE AGREES TO PURCHASE TRIBUNE CO. ASSETS

The Minneapolis Star & Tribune Co. has concluded an agreement to purchase the assets of the Tribune Co. of Great Falls.

Simultaneous announcement was made Saturday by Joyce A. Swan, executive vice president of the Minneapolis newspaper publishing company and by Alexander Warden, the Great Falls publisher.

The Great Falls firm publishes the Tribune, a morning and Sunday newspaper with circulation of 36,000 morning and 42,000 Sunday over the northern half of Montana, and the Leader with evening circulation of 9,000, primarily in Great Falls. The company also owns a printing firm and office supply store.

New publisher of the Great Falls newspapers will be William A. Cordingley, national advertising manager of the Minneapolis Star & Tribune, Swan announced. Cordingley and his family will move to Great Falls after April 30, when the purchase will be completed.

Principal owners of the Great Falls newspapers have been members of the Warden family. Publisher Alexander Warden and executive editor Robert D. Warden are both retiring from management of the newspapers as of April 30. Advertising director Scott A. Warden of the two newspapers and manager Jock F. Warden of the printing and office supply division will continue to be associated with the new ownership.

Purchase price of the Great Falls company was not disclosed.

Retiring publisher Alexander Warden made the following statement:

"After a lifetime of publishing in our native Great Falls, there are inevitable regrets by the retiring ownership. Our best consolation lies, however, in firm conviction that the new owners are seasoned and thoroughly competent newspaper people who will give our readers publications at least as good as have prevailed. In Minneapolis they have fine newspapers that rank high in the metropolitan field and there is every reason for confidence in their performance here."

"The Great Falls newspapers have a rich history of public service in Montana and we are proud and pleased to accept the responsibility for carrying on their heritage in western journalism," Swan said.

NEW OFFICERS

Swan will be president and Cordingley vice president of the Great Falls Tribune Co., a newly organized subsidiary of the Minneapolis Star & Tribune Co.

"Bill Cordingley, as publisher, will be in charge of all aspects of the Great Falls operations," Swan said.

Cordingley, 47, was born in Des Moines, Iowa, and was graduated from Harvard College in 1940.

He joined the national advertising department of the Minneapolis newspapers shortly after his graduation. He enlisted as a private in the Army in 1941 and while serving in the North African and European campaigns for 34 months he rose to the rank of lieutenant colonel.

Returning to the Star and Tribune in 1946, Cordingley worked in the retail and national advertising departments and was appointed national advertising manager in 1950.

Cordingley has been active in civic and educational affairs in Minneapolis, including service for the Sales Executives Association, chamber of commerce, and the Curative Workshop. He was a trustee of Breck School and is an officer and member of the board of governors of Hazeltine National Golf Club.

He captained the Harvard golf team his senior year and has continued a strong interest in competitive golf, ranking as a semifinalist in the Minnesota State amateur tournament four times.

Cordingley and his wife, Mary, have three children: William, Jr., 16; Thomas, 15; and Constance, 9.

START AS WEEKLIES

Both the Great Falls Tribune and the Great Falls Leader had humble origins as weeklies back in the eighties. The morning Tribune originated in Sun River, a pioneer town 20 miles west of Great Falls, in 1884. Several of the first copies were printed on silk and auctioned for as much as $75. Moved to fledgling Great Falls in 1885, the weekly became a daily in 1887. The evening Leader was founded in the spring of 1888, blossoming into a daily later in the same year.

After varying ownership and fortunes, the Tribune was bought in January 1895 by two young New Englanders, O. S. Warden and William M. Bole. With a freshly acquired sheepskin from Dartmouth College, Warden had come west in 1889 to work for the Leader, arriving in Helena just as the constitutional convention for the new State of Montana was adjourning. Vermonter Bole was a printer by trade, having learned his trade setting type by hand in the famous Riverside Press in Boston. One of Riverside's jobs at this time was setting the current King James version of the Holy Bible. Blessed with that rare gift of total recall for the rest of his life and through years as an editor, Bole could pull any Biblical allusion verbatim out of his head, identifying book, chapter, and verse without ever picking up a Testament. An itching foot drifted him to St. Paul to become a rural mail carrier and, on the side, a hip-pocket real estate broker, capitalizing on the human yearning of the city dweller for the joys of rural living and the farmer for urban residence. One day he was worth $60,000; the next day he was flat broke, as the panic of 1893 hit. He then headed west on a $5 rail excursion rate for homeseekers and landed in Great Falls, a printer again.

Drawn together because of their New England origins and because of Scottish forebears, Warden and Bole bided their time until the chance came to buy the Tribune for $6,000. This they didn't have, but were able to close the deal with $200 that Warden dug up and a like amount that Bole raised with a chattel mortgage on his library.

They were just getting their heads above water at the turn of the century, when the Clark-Daly Senate fight posed a threat of a new Clark paper in Great Falls. A fast look at their hole card, and they sold to Clark. Bole bought the Bozeman Chronicle, not finding out who really had owned it until a year and a half after his purchase. Warden stayed on as a business office manager for the Clark ownership.

BUY PAPER AGAIN

The shifting political scene gave Warden and Bole opportunity to buy the paper back again, which they did in 1905. They continued as owners and partners until Bole's retirement and death, at which time the controlling ownership passed to Warden. O. S. Warden died in 1951.

During these years the Leader had been stumbling through troublous times and was finally acquired by the Tribune, but except for joint mechanical facilities it was published by a separate staff and in its own location until recent years.

The present Tribune building was built in 1916, housing Tribune and allied operations which included a newly formed Tribune Printing & Supply Co., the bimonthly Montana Farmer-Stockman, sold in 1964 to the Cowles farm paper interests in Spokane; majority ownership in Great Falls radio station KMON from its inception in 1948 until disposal in 1958.

[From the Hungry Horse News, Apr. 16, 1965]

THE BIG INDEPENDENT

Noted with regret is the sale of the Great Falls Tribune and Leader, announced by the Warden family to the Cowles interests that own the Minneapolis Star and Tribune.

Long the largest daily in Montana, the Tribune has been the State's most influential newspaper. In recent years, the flashy and enterprising Billings Gazette passed the Tribune in circulation, but the Tribune remained the daily with best capitol and Statewide coverage and in its responsible way gave editorial leadership to Montana journalism.

The Tribune, with 36,686 morning circulation and 9,312 for the evening Leader, was also a daily that endorsed some top Democratic candidates in 1960 as well as in 1964. This is unique. Newspapers in the Main Street pattern are more conservative politically than the majority of their readers.

Evolution of journalism in Montana follows a national pattern to chain ownership, and it is good economics.

Montana benefited when the Anaconda Co. sold its papers to the Lee chain—publishing is their business. This chain owns the Billings Gazette. The Montana Press Association directory is the source for these weekday circulation figures. The Gazette has 36,924 paid mornings and 11,202 evenings; next is the Montana Standard at Butte with 24,273, followed by the Daily Missoulian with 18,159 mornings and 2,500 for the evening Sentinel. The Lee chain also owns the Helena Independent-Record, 8,514, Anaconda Standard, 5,189, and the Livingston Enterprise, 2,901.

The Scripps League has three Montana papers, the Daily Inter Lake of Kalispell, 6,895; the Bozeman Daily Chronicle, 5,111, and the Havre Daily News, 4,066.

Largest Montana-owned daily newspaper now is the Miles City Star with 4,609. Ken Byerly, now a University of North Carolina teacher, is principal owner of the Lewistown Daily News, 3,749.

Evolution of Montana journalism has come to the point where the Hungry Horse News, published in Columbia Falls, has the largest audited paid circulation of any Montana-owned newspaper, weekly or daily. Last quarterly Audit Bureau of Circulation figure was 4,773.

At the same time, a weekly newspaper is never a substitute for a daily. The Hungry Horse News hopes that every subscriber also gets a daily, and Montana's have been getting better.

It is interesting to note that sale of the Tribune was to an organization new to Montana journalism; namely the Cowles interests of Minneapolis (associated with Des Moines but not Spokane). The sale could have been to one of the chains already in the State, and having a third chain ownership is some diversification.

There will be considerable interest in the Cowles operation of the Great Falls Tribune, and whether or not the paper will keep and develop its State image established by the late O. S. Warden and William M. Bole.

[From the Lewistown (Mont.) Daily News, Apr. 13, 1965]

THE END OF AN ERA

It is with profound regret that we see the Great Falls Tribune leave the most capable and honored leadership of the Warden family.

On May 1 the grand old Great Falls Tribune will pass into the hands of out-of-State ownership.

Perhaps because of sentimentality more than anything else, many Montana journalists see this transfer of ownership as the end of the great era of Montana newspapering.

The Tribune, first under the guiding hand of the late O. S. Warden, and for the past 15 years under the very capable leadership of Alex Warden, has trained many of Montana's present-day newspaper publishers and produced several outstanding authors.

There was Joseph Kinsey Howard, of "Montana, High, Wide, and Handsome" fame; Dan Cushman, who has gained immortality with "Stay Away Joe"; popular columnist Chick Guthrie; Jack Travis, former publisher of the Havre Daily News; Sam Gilluly, former editor of the Glasgow Courier and now publications editor of the Montana Chamber of Commerce; Fred Martin, publisher of the Park County News.

Paul Verdon, publisher of the Libby Western News; Bob Gilluly, editor of the Ravalli Republican; Earl Mizen, publisher of the Belt Valley Times; George Brammer, publisher of Townsend Star; and countless others who have moved on to the New York Times, Milwaukee Journal, Denver Post, and a host of other great metropolitan newspapers.

As for myself, the Tribune was my home for fully a fifth of my life and nearly half of my newspaper career.

So we say hail and farewell to the Warden family, which has done such an outstanding job in Montana newspapering for so many, many years.

And we offer good wishes to the Cowles syndicate, which will assume the reins of Montana's great newspaper on May 1.

[From the Western News and Libby Times, Apr. 15, 1965]

THE END OF AN ERA

Without discounting the achievements of the 39th legislature, probably the most significant development in Montana this year is the sale of the Great Falls Tribune properties.

The acquisition of Montana's largest and most influential newspaper by a Minneapolis company may have far-reaching effects upon Montana and upon the Tribune which has always aimed at deserving the title "Montana's best newsgatherer." Through the years it has earned the name.

Founded more than 80 years ago at Sun River, the controlling interest in the Tribune ownership for many years has been vested in the family of O. S. Warden, whose sons have guided the paper since their father's death. Younger members of the Warden family will continue to be associated with the paper, but ownership after April 30 will go to the Minneapolis Star-Tribune Co.

Most of us who grew up or lived long periods in northern or eastern Montana consider the Tribune as a member of the family. For this writer, the Great Falls paper has a special meaning. My first reading practice was on its comic pages, and for most of my life the morning Tribune came before breakfast. For 17 years, beginning as a student at MSU journalism school, I have been almost continuously a Tribune correspondent, staff member, or contributor.

The factor that always distinguished the Tribune from the other major daily newspapers of the State was its local ownership. Every other paper large enough to be considered a competitor with the Tribune for

Statewide prestige has been owned either by a large industrial corporation to whom publishing was an unprofitable sideline dictated by political purposes or by a large newspaper chain headquartered in the Midwest and with no true understanding of the Montana which we natives know and live.

The Tribune served the Treasure State well because it was of, by, and for Montanans.

This great service may continue if the new ownership recognizes the importance of preserving the Tribune image throughout the State.

We salute the Great Falls Tribune; we thank the Tribune for outstanding service to Montana for more than three-quarters of a century; and we look forward to continued leadership in the future.

[From the Great Falls (Mont.) Tribune]

L'ENVOI

After more years than we care to count, the senior management of the Tribune companies steps down and out today as new ownership and direction take over the reins.

What will we do? Where will we go? How do we feel about retiring? Well, we'll do whatever we can find to do—here in Montana where our roots run deep and where our old friends live. We don't know how we feel. After years of punching the time clock, this is a new experience. We'll have to wait and see.

There's been one great reward for us. Many of our friends and associates here and all over Montana tell us now that it isn't true that we wear horns and that after all our newspapers haven't been so bad.

It's nice to listen to such encomiums, praises usually withheld until the recipients can't hear them because they have just shuffled off this mortal coil. In a box surrounded by lighted tapers and cloying posies, who can hear well?

We have no qualms—else we wouldn't have sold—about the papers deteriorating under the new regime, and we don't expect decisions to be delayed until Minneapolis speaks.

These newspapers were here before we came; they'll be here long after we've gone. We're just glad to have played a role on the stage of their history.

ALEXANDER WARDEN,
Publisher.
ROBERT D. WARDEN,
Executive Editor.

ARMY EQUIPMENT AND MATERIEL

Mr. STENNIS. Mr. President, I have previously advised the Senate that the staff of the Preparedness Investigating Subcommittee has been making a comprehensive study of the equipment and materiel status of Army combat divisions and units. One of the more important aspects of this study is the impact which our operations in Vietnam, coupled with other unprogramed requirements, have had upon the Army's overall equipment and materiel situation.

The staff inquiry, which commenced in January, has now been developed to the point that hearings can be held on this very important matter. These will commence tomorrow, Tuesday, May 4, at 10 a.m. At the first session we will receive a report from members of the subcommittee staff on the results of their 3-months inquiry into this matter. At subsequent sessions we will hear from representatives of the General Accounting Office, which has assisted us in this study, and the Department of the Army.

This hearing deals directly with the combat readiness and preparedness of the Army. It is perhaps the most important hearing which the subcommittee will conduct in the field of preparedness this year. In these days of spiraling overseas involvement and mounting international tension, it is imperative that the Congress be fully informed of the quality and quantity of the Army's inventory of arms and equipment, and its ability to perform its assigned mission.

I have been concerned about this matter for several months. My concern has mounted with the constant increase in the tempo of the fighting in Vietnam and the resultant increase in the requirements for men, equipment, arms and ordnance in that theater. The recent dispatch of our fighting men to the Dominican Republic has levied yet another requirement upon the Army. The total impact of these widely separated operations is yet to be felt.

These and other requirements have not yet been separately programed for and funded. For the time being they are being met by the withdrawal of funds, equipment, personnel and other assets from the Regular Army inventory. The impact which this has had and will have on the Army as a whole must be inquired into very thoroughly. We must be certain that we have the men, equipment, and materiel to fulfill our commitments in Vietnam, the Dominican Republic and elsewhere. At the same time, we must be certain that the drain of these activities does not result in an unacceptable impairment of the readiness and combat effectiveness of other high priority combat units in the continental United States and elsewhere.

The subcommittee will inquire into this matter as exhaustively as is necessary. Because of the nature of the subject matter, it will be necessary that the testimony be taken in executive session. At the conclusion of the hearing an appropriate report will be made to the full Senate Committee on Armed Services and, through it, to the Senate. If the hearings show a need for additional funds for Army procurement, I am certain that they will be provided promptly by the Congress.

THE DOMINICAN REPUBLIC

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial that appeared in this morning's issue of the New York Times entitled "Dominican Troop Buildup," and also an article, under two headings, appearing in the Times for Sunday, May 3, "Bosch 'Surprised' by Johnson Charge of Red Leadership" and "Bosch Holds United States Responsible."

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

[From the New York Times]

DOMINICAN TROOP BUILDUP

In ordering several thousand more marines and paratroopers into Santo Domingo Saturday night, President Johnson reiterated that their sole mission was to protect and evacuate endangered Americans and other foreign nationals. Last night the President went on television to confirm what Congressmen and correspondents in Washington had been told privately from the start of the Dominican rebellion—that the primary aim of the U.S. military involvement is to prevent another Cuba.

Thus, the official explanation has finally caught up with the one consistently given by authoritative administration briefings. The President now tells the Nation that the revolt began as an action dedicated to social justice but it took a sinister turn when Communists seized control.

What remains unexplained is why no slightest expression of sympathy for the revolt's aims came from Washington in the period when the massing of American troops was decided upon. The clear effect of their influx was to strengthen the ruling military junta in its efforts to block the restoration of Juan Bosch as President. In a television interview taped on Saturday Professor Bosch, who is no Communist, said that the revolt had been won until Washington intervened. He vehemently denied that the Communists exercised any position of control.

The President's unwillingness to see another Communist state established in this hemisphere will command national support. But the question that needs a much clearer answer is whether a rightwing dictatorship in Santo Domingo has not traded on U.S. fears of communism to preserve its power in a country still scarred by three decades of brutal repression under Generalissimo Trujillo.

Restoring political stability in the Dominican Republic is the rightful responsibility of the Organization of American States. This responsibility has been acknowledged by President Johnson; it is being exercised by the O.A.S. through its dispatch of a five-man mediation mission to Santo Domingo. If that delegation finds a need for an inter-American peace force to help maintain a cease-fire or to ward off subversion, the O.A.S. is the proper instrumentality for bringing the peace force into being.

The massing of American marines and paratroopers in ever-increasing numbers already has stirred bitter recollections throughout Latin America and the world of the excesses of "gunboat diplomacy." A unilateral decision to assign these troops an active role in helping the Dominican military junta put down the revolt would run counter to all the principles of "Progress, democracy and social justice," for which Mr. Johnson appealed in his televised remarks Friday evening.

Such an abuse of our strength would do more to spread communism in this hemisphere than the Castroite agents it was directed against. As the President repeatedly pointed out in the 1964 election campaign, the United States cannot bulldoze its way to security, nor should it try. The inter-American system, to which the President has pledged full support, is our best assurance—and the hemisphere's.

[From the New York Times, May 3, 1965]

BOSCH "SURPRISED" BY JOHNSON CHARGE OF RED LEADERSHIP

SAN JUAN, P.R., May 3.—Former President Juan Bosch, of the Dominican Republic, was surprised tonight by President Johnson's remarks on television that Communists had taken over the Dominican revolt.

"If the President says so, then maybe I have been mistaken all my life," Mr. Bosch said. "How is it possible for the Communists to make a revolution with democratic soldiers and democratic people?"

"Who is the leader who made this happen so quickly in a few days?" Mr. Bosch asked.

The exiled former President, in whose name the revolt began a week ago said: "I am so surprised, I shall inspect President Johnson's statement tomorrow and then maybe have more to say."

Mr. Bosch added that he had talked "three or four times today with the military headquarters in the Dominican Republic and as far as I know the cease-fire is being observed. Nobody mentioned Communist takeover to me."

BOSCH HOLDS UNITED STATES RESPONSIBLE

WASHINGTON, May 2.—Mr. Bosch said today that the Dominican revolt had been won until the United States intervened, so that it was now Washington's responsibility to bring democracy to his country.

Asked if he proposed that the United States carry on the revolution begun 8 days ago by forces backing his return, Mr. Bosch replied: "The duty is to do that. The United States must do in the Dominican Republic what the people in the Dominican Republic want and were fighting for."

He said he had abandoned hope of a military victory for his backers, saying that "this stage of the revolution is ended for now."

Mr. Bosch, interviewed on the Columbia Broadcasting System radio and television program, "Face the Nation," said the uprising was democratic, was not in any way under Communist control and had crushed the forces of Brig. Gen. Elias Wessin y Wessin until American marines were brought in.

The program was taped in San Juan, P.R., yesterday and broadcast today.

Mr. Bosch said he thought President Johnson's order sending in the first troops last Wednesday had been based on a desire to protect American lives and to return peace to the Dominican Republic, but in the end changed the course of the fighting.

"When they landed they found Wessin y Wessin was defeated * * * 24 hours more and the Dominicans would have solved their own problems," he said.

Mr. Bosch also said U.S. forces had broken the cease-fire that was arranged at one stage of the fighting.

Commenting on reports that Communists had become quite active in the continuing fighting in Santo Domingo, Mr. Bosch said: "The revolutionary forces are not Communists; they had no control."

Mr. MORSE. Last Friday, as chairman of the Subcommittee on Latin American Affairs, I said that, in response to a notification by the military government of the Dominican Republic that they could not protect Americans and nationals of other nations, the President had a right to send in marines for the limited purpose of evacuating those nationals.

At that time I also warned that if the evidence should disclose that the United States went beyond the protection of nations and became a party to the revolt in the Dominican Republic by supporting one side, it would be acting outside its treaty obligations under the Organization of American States Charter. It would be acting outside the Act of Bogotá, the Act of Punta del Este, and the Washington Act of a year ago. I stated that I would wait final information before making any further comment on the subject.

Today I have called for a meeting of the full Committee on Foreign Relations. In the absence of such a meeting, I shall call a meeting of the Subcommittee on Latin American Affairs. I have been assured by the acting chairman of the Foreign Relations Committee, the Senator from Alabama [Mr. SPARKMAN], that a briefing is being called for this afternoon.

I shall withhold further comment until that briefing is over, except to say now that I am greatly disturbed about allegations that have appeared in the press over the weekend that we have gone beyond the evacuation of Americans in the Dominican Republic, and that it may be that we are acting unilaterally by taking sides in this matter. If we are, we are once again clearly outside another treaty obligation of the United States, which I hope will not continue to be a foreign policy practice of the Johnson administration.

However, it is highly important that the Organization of American States and the members thereof live up to their obligations under the charter and under the various acts to which I referred on Friday and have briefly mentioned again today.

I regret that the Johnson administration recognized the military junta, for I appeared with other Members of the Senate at the White House with the lone voice dissenting from the proposed recognition recommended by the Department of State after it had played its cracked record again that the only way to achieve stability in the Dominican Republic would be to recognize the military junta. I warned then that to recognize the junta would create serious problems for the United States in Latin America and for the distinguished leaders of the free nations in Latin America.

I said to the President, "If you would call in those free leaders—if you would call in Muñoz-Marín, the Governor of Puerto Rico; the President of Costa Rica; the President of Colombia; the President of Venezuela; the President of Chile; and other friends in Latin America—they would give you advice directly opposite to the advice being given by the State Department. I do not think you can justify recognizing a military junta that has destroyed constitutionalism in the Dominican Republic."

I said, "I hold no brief for Bosch, because I do not know what led to his overthrow; but I do hold a brief for the Constitution of the Dominican Republic, and that Constitution calls for an order of succession in case there is a vacancy in the Presidency; it does not call for a military takeover."

There is no question that General Wessin y Wessin is the military dictator who has destroyed the Constitution of the Dominican Republic, and we should not recognize him and should not continue to recognize his new government. We should recognize the fact that now the Organization of American States, not the United States of America, has the primary responsibility of restoring constitutionalism in the Dominican Republic.

Mr. MANSFIELD. Mr. President, I well recall the meeting at the White House to which the distinguished senior Senator from Oregon has just referred again on the floor of the Senate. I am delighted to know that he is calling together the subcommittee of which he is the chairman and which has performed so outstandingly in the affairs of Latin America, with respect to which that subcommittee has a responsibility.

Mr. President, in view of the situation which has developed in the Dominican Republic, I feel it incumbent upon me to say a few words at this time. I support the humanitarian purposes of the President in dispatching marines to Santo Domingo to evacuate our nationals and those of other countries who desire to leave. It is my hope that once this is accomplished and a responsible Dominican Government assumes office that American forces can be withdrawn. I am sure that the President would like nothing better. However, we must keep in mind that there is a very confused situation in Santo Domingo and that at present and for some days past, there has been no government in control. In the meantime, confusion and chaos reign in certain parts of the city of Santo Domingo and many hundreds of lives have been lost and many hundreds of people have been wounded.

I think it wise that a protective zone has been set up for refugees within and on the outskirts of the city. I approve of what the papal nuncio has done to bring about a cease-fire and I am happy that the Secretary General of the OAS, Jose Mora, is in Santo Domingo and that subsequent to his arrival a five-man delegation representing the OAS has landed on the island, in order to assist in the process of making the cease-fire effective and in bringing some degree of order out of the chaos and disorder which exist.

I would hope that the OAS would take an even stronger stand and would consider the possibility of organizing an inter-American police force for the purpose of handling not only this situation but situations of this kind in the future.

I would suggest that the 20 states comprising the membership of the OAS could well consider the possibility of a contribution of 1 company of men numbering 300 under the direction of the OAS and to be under the command of an officer or officers from countries in the OAS other than the United States. This sort of unified OAS command could serve to inter-Americanize the present unilateral humanitarian role of the United States. The role of this unified command would be to protect noncombatants but not to engage on one side or the other in this struggle pending an OAS decision.

The President has indicated that we support no faction and no individual but that we are in Santo Domingo primarily for humanitarian purposes.

I realize, as well as does the President, that the landing of the marines awakened slumbering memories. That is understandable and is seen in some of the reactions which have followed the action. But I am glad to note that our Government is in contact with former President Juan Bosch in Puerto Rico as well as with Romulo Betancourt of Venezuela and Jose Figueres in Costa Rica. I also approve the action of the President in dispatching Ambassador Averill Harriman to Latin American for the purpose of explaining our position and former Ambassador Teodoro Moscoso for the same reason. It is well that these actions have been undertaken so that the

governments and the people of Latin America can be as well informed of what we are doing as are our own people and aware of the reasons for the undertaking.

It is my belief that unless and until order is restored in Santo Domingo, the present difficulty may spread elsewhere and the situation in the Caribbean will take a turn for the worse.

It is my hope that the prompt action taken by President Johnson will help to hasten the day when order is restored, when free elections will be held which I would hope would be within the period of 30 to 90 days, and which will bring about, on the basis of a return to stability, a withdrawal of American forces and a return to the Dominicans of a government of their own choosing to chart their own future.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the President's address to the Nation.

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

JOHNSON'S STATEMENT ON ISLAND CRISIS

(NOTE.—The following is a text of President Johnson's statement last night on the revolt in the Dominican Republic.)

Good evening, ladies and gentlemen. I have just come from a meeting with the leaders of both parties in the Congress, which was held in the Cabinet room of the White House. I briefed them on the facts of the situation in the Dominican Republic. I want to make those same facts known to all the American people and to all the world.

There are times in the affairs of nations when great principles are tested in an ordeal of conflict and danger. This is such a time for the American nations.

At stake are the lives of thousands, the liberty of a nation, and the principles and the values of all the American Republics.

That is why the hopes and the concern of this entire hemisphere are on this Sabbath of Sunday focused on the Dominican Republic.

In the dark mist of conflict and violence, revolution and confusion, it is not easy to find clear and unclouded truths.

But certain things are clear. And they require equally clear action. To understand, I think it is necessary to begin with the events of 8 or 9 days ago.

Last week our observers warned of an approaching political storm in the Dominican Republic. I immediately asked our Ambassador to return to Washington at once so that we might discuss the situation and might plan a course of conduct. But events soon outran our hopes for peace.

REVOLT ERUPTS

Saturday, April 24—8 days ago—while Ambassador Bennett was conferring with the highest officials of your Government, revolution erupted in the Dominican Republic. Elements of the military forces of that country overthrew their government. However, the rebels themselves were divided. Some wanted to restore former President Juan Bosch. Others opposed his restoration. President Bosch, elected after the fall of Trujillo and his assassination, had been driven from office by an earlier revolution in the Dominican Republic.

Those who opposed Mr. Bosch's return formed a military committee in an effort to control that country. The others took to the street and they began to lead a revolt on behalf of President Bosch. Control and effective government dissolved in conflict and confusion.

Meanwhile, the United States was making a constant effort to restore peace. From Saturday afternoon onward, our Embassy urged a cease-fire, and I and all the officials of the American Government worked with every weapon at our command to achieve it.

On Tuesday, the situation of turmoil was presented to the Peace Committee of the Organization of American States.

On Wednesday, the entire Council of the Organization of American States received a full report from the Dominican Ambassador.

Meanwhile, all this time, from Saturday to Wednesday, the danger was mounting. Even though we were deeply saddened by bloodshed and violence in a close and friendly neighbor, we had no desire to interfere in the affairs of a sister republic.

DANGER CITED

On Wednesday afternoon, there was no longer any choice for the man who is your President. I was sitting in my little office reviewing the world situation with Secretary Rusk, Secretary McNamara, and Mr. McGeorge Bundy. Shortly after 3 o'clock I received a cable from our Ambassador and he said that things were in danger, he had been informed the chief of police and governmental authorities could no longer protect us. We immediately started the necessary conference calls to be prepared.

At 5:14, almost 2 hours later, we received a cable that was labeled "critic," a word that is reserved for only the most urgent and immediate matters of national security.

The cable reported that Dominican law enforcement and military officials had informed our Embassy that the situation was completely out of control and that the police and the government could no longer give any guarantee concerning the safety of Americans or any foreign nationals.

Ambassador Bennett, who is one of our most experienced Foreign Service officers, went on in that cable to say that only an immediate landing of American forces could safeguard and protect the lives of thousands of Americans and thousands of other citizens of some 30 other countries. Ambassador Bennett urged your President to order an immediate landing.

In this situation, hesitation and vacillation could mean death for many of our people, as well as many of the citizens of other lands.

LANDINGS ORDERED

I thought that we could not and we did not hesitate. Our forces, American forces, were ordered in immediately to protect American lives. They have done that. They have attacked no one, and although some of our servicemen gave their lives, not a single American civilian and the civilian of any other nation, as a result of this protection, lost their lives.

There may be those in our own country who say that such action was good but we should have waited or we should have delayed, or we should have consulted further, or we should have called a meeting. But from the very beginning, the United States, at my instructions, had worked for a cease-fire beginning the Saturday the revolution took place. The matter was before the OAS Peace Committee on Tuesday, at our suggestion. It was before the full Council on Wednesday and when I made my announcement to the American people that evening, I announced then I was notifying the Council.

When that cable arrived, when our entire country's team in the Dominican Republic, made up of nine men—one from the Army, Navy, and Air Force, our Ambassador, our AID man, and others—said to your President unanimously: Mr. President, if you do not send forces immediately, men and women—Americans and those of other lands—will die in the streets. Well, I knew there was no time to talk, to consult, or to delay. For in this situation delay itself would be decision—the decision to risk and to lose the lives of thousands of Americans and thousands of innocent people from all lands.

I want you to know that it is not a light or an easy matter to send our American boys to another country, but I do not think that the American people expect their President to hesitate or to vacillate in the face of danger just because the decision is hard when life is in peril.

TRAGIC TURN

The revolutionary movement took a tragic turn. Communist leaders, many of them trained in Cuba, seeing a chance to increase disorder, to gain a foothold, joined the revolution. They took increasing control. And what began as a popular democratic revolution, committed to democracy and social justice, very shortly moved and was taken over and really seized and placed into the hands of a band of Communist conspirators.

Many of the original leaders of the rebellion, the followers of President Bosch, took refuge in foreign embassies because they has been superseded by other evil forces, and the secretary general of the rebel government, Martinez Francisco, appealed for a cease-fire. But he was ignored. The revolution was now in other and dangerous hands.

When these new and ominous developments emerged the OAS met again and it met at the request of the United States. I am glad to say they responded wisely and decisively. A five-nation OAS team is now in the Dominican Republic acting to achieve a cease-fire to insure the safety of innocent people, to restore normal conditions, and to open a path to democratic progress.

This is the situation now.

I plead, therefore, with every person and every country in this hemisphere that would choose to do so, to contact their ambassador and the Dominican Republic directly and to get firsthand evidence of the horrors and the hardship, the violence and the terror and the international conspiracy from which U.S. servicemen have rescued the people of more than 30 nations from that war-torn land.

Earlier today I ordered two additional battalions—2,000 extra men—to proceed immediately to the Dominican Republic. In the meeting that I have just concluded with the congressional leaders—following that meeting—I directed the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to issue instructions to land an additional 4,500 men at the earliest possible moment. The distribution of food to people who have not eaten for days, the need of medical supplies and attention for the sick and wounded, the health requirements to avoid an epidemic because there are hundreds that have been dead for days that are now in the streets, and other protection and security of each individual that is caught on that island require the attention of the additional forces which I have ordered to proceed to the Dominican Republic.

EVACUATED 3,000

In addition, our servicemen have already, since they landed on Wednesday night, evacuated 3,000 persons from 30 countries in the world from this little island. But more than 5,000 people, 1,500 of whom are Americans—the others are foreign nationals—are tonight awaiting evacuation as I speak. We just must get on with that job immediately.

The evidence that we have on the revolutionary movement indicates that it took a very tragic turn. Many of them trained in Cuba, seeing a chance to increase disorder and to gain a foothold, joined the revolution. They took increasing control. What began as a popular democratic revolution that was committed to democracy and social justice

moved into the hands of a band of Communist conspirators. Many of the original leaders of the rebellion, the followers of President Bosch, took refuge in foreign embassies and they are there tonight.

The American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere. This was the unanimous view of all the American nations when, in January, 1962, they declared, and I quote: "The principles of communism are incompatible with the principles of the inter-American system."

This is what our beloved President John F. Kennedy meant when, less than a week before his death, he told us: "We in this hemisphere must also use every resource at our command to prevent the establishment of another Cuba in this hemisphere."

This is and this will be the common action and the common purpose of the democratic forces of the hemisphere. For the danger is also a common danger, and the principles are common principles.

AMBASSADORS SENT

So we have acted to summon the resources of this entire hemisphere to this task. We have sent, on my instructions the night before last, special emissaries such as Ambassador Moscoso of Puerto Rico, our very able Ambassador Averell Harriman and others to Latin America to explain the situation, to tell them the truth, and to warn them that joint action is necessary. We are in contact with such distinguished Latin American statesmen as Romulo Betancourt and Jose Figueres. We are seeking their wisdom and their counsel and their advice. We have also maintained communication with President Bosch, who has chosen to remain in Puerto Rico.

We have been consulting with the Organization of American States and our distinguished Ambassador, than whom there is no better; Ambassador Bunker has been reporting to them at great length all the actions of this Government and we have been acting in conformity with their decisions.

We know that many who are now in revolt do not seek a Communist tyranny. We think it is tragic indeed that their high motives have been misused by a small band of conspirators who receive their directions from abroad. To those who fight only for liberty and justice and progress I want to join with the Organization of American States in saying, in appealing to you tonight, to lay down your arms, and to assure you there is nothing to fear.

The road is open for you to share in building a Dominican democracy and we in America are ready and anxious and willing to help you. Your courage and your dedication are qualties which your country and all the hemisphere need for the future. You are needed to help shape that future. And neither we nor any other nation in this hemisphere can or should take it upon itself to ever interfere with the affairs of your country or any other country. We believe that change comes and we are glad it does, and it should come through peaceful process. But revolution in any country is a matter for that country to deal with. It becomes a matter calling for hemispheric action only—repeat only—when the object is the establishment of a Communist dictatorship.

SUPPORT NO FACTION

Let me also make clear tonight that we support no single man or any single group of men in the Dominican Republic. Our goal is a simple one. We are there to save the lives of our citizens and to save the lives of all people. Our goal in keeping with the great principles of the inter-American system, is to help prevent another Communist state in this hemisphere. And we would like to do this without bloodshed or without large-scale fighting.

The form and the nature of the free Dominican Government, I assure you, is solely a matter for the Dominican people, but we do know what kind of government we hope to see in the Dominican Republic. For that is carefully spelled out in the treaties and the agreements which make up the fabric of the inter-American system. It is expressed, time and time again, in the words of our statesmen and the values and hopes which bind us all together.

We hope to see a government freely chosen by the will of all the people.

We hope to see a government dedicated to social justice for every citizen.

We hope to see a government working, every hour of every day, to feeding the hungry, to educating the ignorant, to healing the sick—a government whose only concern is the progress and the elevation and the welfare of all the people.

For more than three decades the people of that tragic little island suffered under the weight of one of the most brutal and despotic dictatorships of the Americas. We enthusiastically supported condemnation of that government by the Organization of American States. We joined in applying sanctions, and when Trujillo was assassinated by his fellow citizens we immediately acted to protect freedom and to prevent a new tyranny; and since that time we have taken the resources from all of our people at some sacrifice to many, and we have helped them with food and with other resources, with the Peace Corps volunteers, with the AID technicians; we have helped them in the effort to build a new order of progress.

EXPRESSES SYMPATHY

How sad it is tonight that a people so long oppressed should once again be the targets of the forces of tyranny. Their long misery must weigh heavily on the heart of every citizen of this hemisphere. So I think it is our mutual responsibility to help the people of the Dominican Republic toward the day when they can freely choose the path of liberty and justice and progress. This is required of us by the agreements that we are party to and that we have signed. This is required of us by the values which bind us together.

Simon Bolivar once wrote from exile: "The veil has been torn asunder. We have already seen the light and it is not our desire to be thrust back into darkness."

Well, after decades of night the Dominican people have seen a more hopeful light and I know that the nations of this hemisphere will not let them be thrust back into the darkness.

And before I leave you, my fellow Americans, I want to say this personal word: I know that no American serviceman wants to kill anyone. I know that no American President wans to give an order which brings shooting and casualties and death. I want you to know and I want the world to know that as long as I am President of this country, we are going to defend ourselves. We will defend our soldiers against attackers. We will honor our treaties. We will keep our commitments. We will defend our Nation against all those who seek to destroy not only the United States but every free country of this hemisphere. We do not want to bury anyone as I have said so many times before. But we do not intend to be buried.

Thank you. God bless you. Good night.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. The Senator from Montana says he is in full accord with what the President has done. Does the Senator believe that as many as 14,000 to 15,000 soldiers are required to remove the few Americans who are in Santo Domingo now?

Mr. MANSFIELD. I understand there are more than a few Americans remaining. It is my understanding that at the present time there are 5,000 nationals of other countries in the Dominican Republic, and that of these approximately 1,500 are Americans.

Mr. ELLENDER. Why should we protect the others?

Mr. MANSFIELD. Someone should protect them. We are the only power, evidently, that is capable of doing so. I think this is a good humanitarian purpose.

Mr. ELLENDER. I have no doubt of that so far as American personnel are concerned; but I do not know how we shall be able to explain this action to the world in view of what we are doing in South Vietnam.

Mr. MANSFIELD. The President has done his best to explain the situation.

Mr. ELLENDER. I heard him.

Mr. MANSFIELD. I think he had a right to undertake the action he took on his own responsibility to evacuate Americans who were in peril and who may well be in peril, because a certain part of the city of Santo Domingo is still very unsafe.

There is a question of taking care of not only nationals other than Dominicans but of Dominicans as well, because I understand that disease is rampant, and that there is a need for medical and Red Cross facilities, for food, and for other items which are very badly needed at the present time.

I think anyone would approve of the humanitarian aspects of what the President of the United States has done.

Mr. ELLENDER. Have we been given assurance that our forces in the Dominican Republic are not taking sides?

Mr. MANSFIELD. We have been given that assurance by the President. They have taken no sides so far as any group is concerned, nor have they taken any sides so far as any individual is concerned.

Mr. ELLENDER. The group that is in control there now, as the Senator from Oregon [Mr. MORSE] has just stated, is a junta that was installed 2 or 3 years ago. I understand it is consulting with Mr. Bosch, who was thrown out by the present junta.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The 3 minutes allotted to the Senator from Montana have expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

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

Mr. ELLENDER. Mr. President, I wish the Senator from Montana would give his view on that aspect, since we are consulting with Mr. Bosch, and, doubtless with the junta that is there now, and since the present junta and Bosch are alined one against the other.

Mr. MANSFIELD. Mr. President, we shall probably be accused of taking sides. However, we can accept the word of the President of the United States that we

will not take sides with any individual or group, and that includes General Wessin y Wessin, who is the man in charge of the Army tank corps, I believe, in Santo Domingo, and who participated in the revolt—in what way, I am not at all clear at the moment. However, so far as I am concerned and know, he is not the government in Santo Domingo because there is no government in existence at this time.

Mr. ELLENDER. Mr. President, I express the hope that our marines will be out of Santo Domingo at an early date. Anytime anything occurs in the world, we seem to be the only country that does the job of protecting the lives of people. Also, I presume, we shall be called upon to feed the people of that area.

It would seem to me that the quicker the OAS can get to work and send in their own resources instead of letting us carry the ball, the better off we shall be.

Mr. MANSFIELD. I agree with that statement. I wish that the OAS would take a greater responsibility. I wish we in this hemisphere could react in a cooperative manner when such incidents occur in the Latin American States. The primary responsibility is not ours. It is the responsibility of the Organization of American States. However, if they do not act, we do not have much choice.

Mr. ELLENDER. Mr. President, does not the Senator from Montana find it strange that one of the chief critics of the position we are now taking in Santo Domingo is the Government of Venezuela. If I am to judge from what is reported in the newspapers, the Government of Venezuela says that we should not have gone in there. Yet, as I understand, one of the reasons which caused the overthrow of Trujillo was the pressure brought to bear by the Government of Venezuela. There was never any love lost between Betancourt and Trujillo.

I do not say we aided in bringing it about, but Trujillo was thrown out and later assassinated. There was a promise, as I remember, that the Government of Venezuela would exert its efforts in trying to throw Castro out. We delivered on our promise, but they did not. Of all people, the Government of Venezuela should be the last to find fault with what we are now doing in Santo Domingo.

Mr. MANSFIELD. Mr. President, I have noted the reaction of Venezuela and other Latin American nations as well. I can well understand, at least in part, how they feel. What has been done in Santo Domingo, despite the fact that it was being done for humanitarian purposes, has revived memories of American intervention over the decades stretching back to 40 or 50 years ago.

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

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. Mr. President, I commend the Senator from Montana for the statement he just made.

It is my understanding that the President has sent the Marines and other troops into Santo Domingo to protect American lives primarily. It is our responsibility to protect American lives. The Organization of American States, as I understand it, is set up under terms which make it difficult for it to act quickly. It is also my understanding that we certainly will share the responsibility with the Organization of American States as soon as the Organization of American States is capable or willing to take its share of the responsibility.

It is also my understanding that we are taking no part at the present time in Santo Dominican affairs because there is realy no government down there with which we can take part. However, the Senator from Louisiana has brought up the issue of the lives of other nationalities. These individuals are human beings, and if we have the resources to go down there and protect our American citizens and save their lives, which is our obligation, then if we can also save the lives of other human beings, I am in favor of doing so.

I commend the Senator from Montana for his statement. I believe his statement accurately reflects the policy of our Government at the present time, with which policy I am in full accord.

Mr. MORSE. Mr. President, I had not intended to make any further comments, but the colloquy which has taken place causes me to say to the Senator from Massachusetts [Mr. SALTONSTALL] that we had better keep in mind that two issues are involved. One is the right of the United States to protect the lives of Americans in the Dominican Republic.

When I spoke on Friday afternoon, I said that there was no question about the right of the President to take that action. I made it perfectly clear that the exercise of that right did not give the United States any right to take sides in the revolution that was taking place. However, I shall wait, before making a final commitment, for the briefing this afternoon. There seems to be a strong indication that we have, in effect, stopped the revolution, on the ground that some Communists may be involved in it. As former President Bosch said, it may be that some Communists are involved. Communists will be involved in every uprising in the world—let us face up to that. However, President Bosch also made clear that the Communists are not in control of the situation.

I am particularly worried that the facts may support the charge that we put down the revolt by aiding the tyrannical military junta which we should never have recognized in the first place. From the very beginning we have given our aid and assistance to that military junta. We have strengthened the military control over the people in Santo Domingo. To that extent, we have suppressed freedom in another Latin American country. Once again, we have played into their hands by proving that whenever the chips are down in Latin America, with a junta involved, the United States always ends up on the side of the junta.

That is the warning that I gave at the White House many months ago. That warning has proved to be true, as has been the case for too long a time in Latin America.

I say to my friend the Senator from Massachusetts [Mr. SALTONSTALL], that the Organization of American States is not as impotent as the remarks of the Senator would lead one to believe.

The Organization of American States can move quickly in regard to a political issue. It should try to move quickly in regard to humanitarian issues. I do not want at this time to be associated with the approval of announcements which have been coming from the White House over the weekend, to the effect that we are going to stand guard in cooperation with a revolt such as this on the ground that it is thought that some 58 Communists are associated with the revolt.

I would be surprised if there were not more than 58 individuals who have Communist leanings. However, the fact is that the revolt is being conducted by a segment of the army that was in revolt against the military junta in the Dominican Republic.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oregon be permitted to continue for an additional 3 minutes.

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

Mr. MORSE. Mr. President, there was a substantial amount of the Dominican Republic that was behind Bosch when he was President. They had no objection to the carrying out of the policy of Bosch that the military should be under the control of the civilian government. The tyrant General Wessin ran the show and finally got the support of the United States. It was a sad day when the Johnson administration recognized that military tyranny in the Dominican Republic.

I agree with the Senator from Montana. I completely support his recommendation that there ought to be an Organization of American States takeover so far as jurisdiction is concerned in respect to the political issue that is involved.

Mr. President, are we really going to announce to the world now that, in the Western Hemisphere, or elsewhere, whenever we think there is going to be a revolution, American military forces are going to be sent in? Have we lost our minds? Have we become militarily power drunk? Do we really think we can use our military might for regulating the world? If that is our policy, I say to the American people, "You had better take stock of the policy of the American Government." That is why I said on Friday, and I repeat today, that the Foreign Relations Committee had better get busy and start to exercise its responsibility to the people by exercising the responsibility of the checks which are placed in the Congress as contained in the Constitution. Last Friday, I said that it was an "iffy" question. It still is, so far as the facts are concerned. But if we seek to intervene in the Western Hemisphere, or elsewhere, whenever we think the issue of Communists has been raised, in connection with refugees, that is not the way to beat the Communists. The way to beat the Communists and to hold them in check is to take our case to the other

nations likewise bound by their treaty obligations, and obtain joint action, instead of American unilateral action, because that is where we are headed. The signatories to the Organization of American States Charter have already signed three agreements to stand together to prevent the spread of communism. That is the way to get appropriate action.

So far as the remarks of the Senator from Montana and the broad outline he has stated are concerned, I associate myself with him in wanting to get the OAS into the picture, and quickly.

Mr. ELLENDER. Mr. President, it may be that we are talking ahead of time because the facts of the situation are not yet fully known. But I cannot help recalling that prior to this occurrence we have spent in excess of $103 million *in order to assist* the people of that area, since the fall of the Trujillo regime. This year we are in the process of spending more money. There must be something wrong with our intelligence that the Dominican danger could not be detected before it occurred so we could have obtained assistance from other nations or made recommendations to the OAS.

As the Senator from Oregon has stated, whenever there is trouble in South or Central America, it seems necessary for us to send marines to protect our own people; and here we have sent as many as 14,000 to take care of 1,500 Americans. There is something highly suspect about that. The situation did not arise in the past 7 or 8 days. It must have been going on for quite a time. The danger should have been foreseen by our intelligence.

We took it on ourselves to recognize a government which was not a democratic government by far. I would not even begin to compare it with the government of Trujillo. The government of Trujillo was far superior to that of Bosch or any of his predecessors.

Mr. LONG of Louisiana. Mr. President, prior to sending the Marines to Santo Domingo the President consulted with the leadership on both sides of the aisle, both the leaders and the whips of both Houses, Democratic as well as Republican Members. He explained the situation as he saw it. He asked us if there were any questions or what our suggestions would be.

As one Member of this body, I would say that if the President had sat idly by while the Communists took over another nation, the American people would have been slow to forgive him.

Any time this Nation must resort to force in its foreign policy, it does so with reluctance.

Had a previous President, several years ago, recognized the possibility of a takeover in Cuba by a Communist power and put 15,000 men there, including a high percentage of Marines, Castro would not now be holding Cuba in his control and we would not have a Communist dagger pointed against the heart of America.

The President has used the best judgment available to him. In the view of this Senator, he has made the right decision. In my opinion, the President has acted on the best advice available to him, and has acted to protect America's interest.

So far as this Senator is concerned, I could have advised no differently. If the President believed that American lives were in danger; that there was no real government in the country involved, and that the Communists were about to take over, it is my judgment that it became his duty to the American people to see that the interests of our hemisphere, and particularly of our own Nation, were protected. This Senator is one who advised the President to take the action he did; and I do not regret it.

POLAND: IN TRIBUTE TO A GREAT NATION

Mr. PROXMIRE. Mr. President, today we commemorate the anniversary of the May 3 Constitution. For Poland, this was a joyous occasion. It gave the Polish people an instrument through which constitutional government and national stability could be achieved. It held the promise of a great national destiny.

On the morning of May 3, 1791, the Polish Diet convened, and King Stanislas produced the draft of the new Constitution which he had been in the process of drafting since September 1789. The document was read aloud and submitted to the Diet. By an overwhelming vote the Constitution was accepted. Only a small number of reactionaries dissented. Immediately, Stanislas, rising on his throne, took an oath to the new Constitution. Then, with the assembled legislators, dignitaries, and people he marched in a procession to the nearby Church of St. John where a Te Deum was sung. That evening all Warsaw celebrated. This was a joyous occasion for all Poles, and for the next week celebrations were staged throughout the cities and towns of Poland. According to one historian, all Poland "seemed intoxicated with joy."

News of the May 3 Constitution was praised abroad as a solid achievement. Edmund Burke called it "a great work."

> Humanity must rejoice and glory—
>
> He wrote—
>
> when it considers the change in Poland.

In America, President Washington hailed these "unexpected strides toward liberty" in Poland as reflecting "great honor" on the Polish King.

The great significance of the May 3 Constitution lies in the fact that Poland now had within its possession the essential instruments that could mean the flowering of constitutional democracy. The principle of ministerial responsibility, undoubtedly the most important key to democratic constitutionalism, was a prominent feature of this document. Political representation was extended, and the peasantry, long subjected to the arbitrary will of masters, was brought under the protection of the law. According to Burke, the Polish Constitution "contained seeds of continuous improvement, being built on the same principles which make our British Constitution so excellent."

The promise of this Constitution was not, however, fulfilled. The fault lay not in the Constitution; it lay not in the Polish people; it lay in the greed of Russia. For the Russians, eager for expansion westward, intervened militarily, destroyed the Constitution, and partitioned a defeated Poland. The Russians could not tolerate a strong and independent Poland. But, more important, was the fact that the Russians could not tolerate a Poland whose Government was founded on the principles of democracy.

Russia destroyed Poland's chance for freedom then, and it has ever since sought the reduction of Poland to the status of a vassal state. In the opening phase of World War II, the Russians joined Nazi Germany in an invasion of Poland which ended in the total destruction and partition of the Polish State. Not content to destroy the institutional structure of government, the Russians destroyed the flower of Polish leadership in the forests of Katyn. There, in the spring of 1940, 25 years ago, the Soviets murdered thousands of young Polish officers. Many thousands more have never been accounted for. By destroying these young men, the Russians were eliminating one substantial obstacle to their eventual conquest of Poland.

As World War II came to an end, Poland, along with the other nations of Eastern Europe, had been virtually consumed by the conquering Soviet armies. The United States, then carrying the brunt of the fighting in Western Europe, had never been able to extend its power beyond Central Europe. Unfortunately for all Eastern Europeans, the Russian armies got there before the Allies; and it is a significant fact that Soviet political conquests had never exceeded the boundaries of their military conquest. It was the Red Army that established the Iron Curtain. Moreover, the United States had also been burdened with the great task of defeating Japan in the Pacific, a war which by the best military judgment was expected to extend into 1947. Circumscribed by the harsh realities of this situation, the American people could do only what was in their power; namely, to formulate an international agreement insuring free and unfettered elections in the liberated areas of Europe. However, the Soviets were not prepared to permit freedom in Poland or anywhere else in Eastern Europe where their military power had been asserted and established. That the Soviets were prepared to resort to the most ruthless devices in order to achieve their goals was demonstrated by the massacre at Katyn, the Warsaw uprising of 1944 in which the Russians permitted the destruction of the Polish underground by Nazi forces, and finally the seizure of the Polish underground government.

Since those dismal and tragic days of 1945, Poland has been a nation imprisoned. Her people continue to suffer from an oppression that bears down upon the whole land. Will the Polish people survive this new ordeal that history has thrust upon them? Perhaps, our best answer to this question is to cite the historical reality that Poland this year is

now celebrating its 1000th anniversary as a formally established nation-state. In those years the Polish people have known glory and tragedy, freedom and tyranny; but they have survived and lived to flourish again as a nation. And this they shall do again.

Mr. SALTONSTALL. Mr. President, on May 3, 1791, 174 years ago today, a new constitution was adopted by the Polish nation. It established, for the first time in that country, the principle of the responsibility of the ruler to the representatives of the people. That was a momentous occasion for the Polish people; and it is remembered today by all people of Polish extraction, many of whom reside in their native land without the freedoms which their countrymen had so valiantly worked to obtain in 1791.

The constitution of 1791 not only established a constitutional monarchy and a responsible cabinet, but also erased class distinctions and extended the protection of the laws and the guarantee of civil liberties to all the people. It embodied the basic philosophy of the inherent dignity of the individual and his inalienable right to enjoy the blessings of life, liberty, and the pursuit of happiness, which was the philosophic cornerstone of our own Constitution, adopted 2 years earlier. The constitution gave promise to the Poles of a new and better life.

But the freedom gained under the new constitution was of short duration. At the direction of Catherine the Great, Poland was invaded by Russian armies on April 8, 1792. The ensuing war ended in her defeat and subsequent partition.

The Poles have made many significant contributions to the enrichment of life here in the United States. It has been my privilege to know and to work with many of them who have settled in Massachusetts.

Today, we join with the more than 7 million Polish-Americans and people of Polish ancestry throughout the world in observing this 174th anniversary of Polish Constitution Day. We hope the time is not far off when freedom and independence will again be restored to that nation.

Mr. MUSKIE. Mr. President, today is Constitution Day for citizens of Polish origin throughout the world. Wherever Americans of Polish descent live, this Polish national holiday is observed with appropriate exercises, to pay tribute to the Polish nation. On this day, I remind my Senate colleagues that Poland was one of the first pioneers of liberalism in Europe.

As we look at a world in continuing revolutionary disorder today, it is amazing to note that on May 3, 1791, Poland succeeded in reforming her public life and in erasing her internal decline, without bloodshed.

But, as history tells us, this great rebirth and assertion of liberal view and social enhancement came to the Poles, only to be blighted in 1795 by the third partition of Poland by Russia, Prussia, and Austria. That partition set the stage of Poland's history to this day.

Nevertheless, the light of liberalism shed in 1791 has continued through the years, and remains today a threat to tyranny and despotism in Russia and Germany. The words of the Polish 3d of May constitution which lit the torch of European liberalism still echo, along with the words of our American Founding Fathers in the halls of liberty. They are worthy of repetition today in the Senate Chamber.

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Mr. KENNEDY of Massachusetts. Mr. President, within 2 years after the adoption of the American Constitution by its Constitutional Convention, Poland wrote its own charter of freedom affirming its commitment to "the preservation and integrity of the state, the civil liberty and the good order of society." Today is the anniversary of that historic May 3, 1791, when a liberal democracy was established in Poland without bloodshed or disorder. Born of the same recognition of individual uniqueness, the importance of personal freedom, and the necessity for united endeavors, the Constitutions of the young American nation and the historical Polish state have joined and sustained both our countries in the long fight to guarantee and preserve these liberties for our citizens.

The ideals which animated the Polish Constitution of 1791 have withstood and survived the numerous onslaughts upon her governments. It is fitting that today, we also commemorate three historical incidents which are milestones in the Polish effort to implement their ideals. Twenty-five years ago it was discovered that thousands of courageous scientists, professors, chaplains, and civilians had given their lives during the Katyn massacre in an effort to preserve the integrity of the state against the demoralizing forces of the Soviet Union. This year marks the 20th anniversary of the imprisonment of 16 members of free Poland's underground government who were willing to sacrifice personal freedom as a consequence of determined efforts to assure civil liberty to their countrymen. Poland is now approaching the anniversary of the date when, 1,000 years ago, it adopted Christianity and thereby joined its civilization to that of the West. During the ensuing millennium this nation has, through the creative force of its good and ordered society, contributed to the cultural development and defense of the European nations.

The commitment to individual freedom in a united democratic society is very much alive today. When I was in Poland in 1962, I was most impressed by the spiritual strength and progressive outlook of the people—especially evident in the churches and schools where a nation looks for guidance. When I spoke to the university students who will be leading their country to a dynamic future, I was encouraged by their strong belief in the Catholic faith and by their deep interest in achieving professional competence.

Here, in the United States, we should be proud and grateful not only for the great deeds of Polish heroes such as Casimir Pulaski who gave his life for us during the American Revolution, but also for the fine work being done by Americans of Polish ancestry in councils and as individuals throughout the country as they continue the effort to keep the world aware of the sacrifice a nation is willing to undergo for freedom. This is a sacrifice which we, as Americans, should understand and share because, as part of the brotherhood of man, it is "Za Wasza Wolnosc i Nasza," for your freedom and ours.

Mr. CASE. Mr. President, today we join millions of Americans of Polish heritage in honoring the creation of the Polish Constitution exactly 174 years ago. It is symbolic of our shared heritage that the Polish Constitution was signed only 2 years after the adoption of our own Constitution.

The tragic fact that Poland is now ruled by a Communist puppet government should not deter us from marking this day. Rather, let us use this occasion to renew our conviction that justice will win out, and the Polish people will again enjoy the independence envisioned in their 3d of May constitution.

DIRKSEN APPORTIONMENT AMENDMENT WOULD RESULT IN MORE POWER IN WASHINGTON

Mr. PROXMIRE. Mr. President, if there is one fixed constellation in the great galaxy of principle that guides the Republican Party, its liberal and conservative wings, it is the settled conviction that more power, more responsibility, and more action to solve the public problems of Americans should be at the State and local levels, not at the Washington level.

Many in the Democratic Party who call themselves Jeffersonian Democrats support the same principle.

The principle makes sense. Certainly, the government which is closer to the people is the more democratic government and the more responsive government—the government which should be more conscious of the realities and practicalities of life.

Under these circumstances, Mr. President, one would think that the leaders of the Republican Party in the Senate would be working hard to forward measures which would give the States the power and authority to act as swiftly and expeditiously as possible.

The 10th amendment to the Constitution which reserves to the States all powers not explicitly delegated by the States to the Federal Government is the constitutional cornerstone for such action.

The unquestioned constitutional primacy of the States in dealing with the great problems of education and welfare should form the basis for positive efforts to invigorate State government, and to streamline it.

Certainly in the myriad newly developing problems of rapid urban and suburban development, the great conservative party of this Nation, and all those who support the principle of local primacy, should be trying with all their ingenuity to help the States move ahead and overcome the slow, feeble pace which too many States have pursued for too long.

But, what do we find?

The Republican Party in the U.S. Senate has almost unanimously—that is, every Republican Senator with a single distinguished exception—sponsored the so-called Dirksen amendment to the Constitution that would embody the feet of the State government in solid concrete.

This amendment is calculated to assure the country that State government—which has been too timid, too backward, too reluctant, and as a result has seen its power and initiative go to Washington—will be slowed down to a molasses pace indefinitely.

It would do so by striking down the greatest opportunity in many years which the States have had for swift progress.

Mr. President, the U.S. Supreme Court, in Reynolds against Sims, decided that every American citizen shall have an equal vote in his State legislature henceforth.

The great significance of this historic decision for State government is that henceforth both branches of the State government would be elected on the same principle, and would represent the same fundamental interest; namely, the interest of the majority of the people of that State.

Now comes the Dirksen amendment to provide that one house of America's two-house State legislatures would not have to be organized on the one-man-one-vote principle.

This would mean, Mr. President, that the big opportunity for streamlining the State legislature which the Supreme Court has given to the States of America, so that they can move promptly ahead with their heavy responsibilities, would be stopped cold.

Mr. President, what will happen if the Dirksen amendment is adopted is that the posture of State governments to meet their growing responsibilities will be impaired. Especially, the perplexing urban and suburban problems will not be met at the State level. They will grow and fester until the Federal Government steps in and moves—often unwisely, often extravagantly—to meet problems which have worsened as they have festered.

Mr. President, Roscoe Drummond, a sympathetic friend of the Republican Party and the conservative principle of local and State responsibility, has written of this impact very persuasively, and I should like to quote from his article as follows:

> The Dirksen amendment, therefore, would arrest the most needed political reform in the United States—that of the egregiously malapportioned legislatures.

I ask unanimous consent to have this article, entitled "Backward Goes DIRKSEN, Senator's Apportionment Amendment Would Result in More Power in Washington," printed in the RECORD.

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

BACKWARD GOES DIRKSEN—SENATOR'S APPORTIONMENT AMENDMENT WOULD RESULT IN MORE POWER IN WASHINGTON

(By Roscoe Drummond)

The Dirksen amendment to mute the Supreme Court decision that State legislatures be apportioned on a population basis seems to me an unwise and backward step.

Senator DIRKSEN's plan would permit a majority in a State to give some citizens enlarged and others reduced voting power in one House. This would be the effect of apportioning one House on the basis of "factors other than population."

Further—and worse—the Dirksen amendment would make it impossible for a majority of the voters of a State ever to change the situation.

Two questions go to the heart of the matter. What is the one political trend which all conservatives, most moderates, and many others want to see arrested and reversed? Answer: The massive and mounting trend to center more and more political power in Washington. Is there anything which will stop this trend? Answer: one thing—more representative, more responsive, more modern legislatures prepared to deal with the social, economic, and urban problems which have caused cities to turn to Washington.

Charles S. Rhyne, past president of the American Bar Association and a specialist in legislative reapportionment, puts the case accurately when he says:

"State legislatures have shirked their responsibilities in meeting the social, economic, and political needs of the people. For the past 30 years and more the people have bypassed State legislatures and have turned to Washington for solutions to one problem after another: housing, mass transportation, public works, health, airports, highways, crime prevention, education, poverty, and on ad infinitum. States today are largely administrative provinces of the Federal Government in carrying out Federal aid programs. The vacuum created by State legislative inaction has been filled by congressional action."

The central reason why State legislatures have been unresponsive to public needs is because they have been unrepresentative of the electorate—the fewest voters have elected the most legislators.

The Dirksen amendment, therefore, would arrest the most needed political refom in the United States—that of the egregiously malapportioned legislatures.

Dr. Robert G. Dixon, professor of law at George Washington University Law School and a distinguished scholar in this field, opposed that part of the Dirksen amendment which would "give a State carte blanche to put one House of the legislature on a mixed representation basis" and keep it that way until a majority of sitting legislators was willing to make a change.

"This," he says, "would open the way to a further political freeze, and I am afraid the slogan 'SOS'—translated as 'save our seats'—would carry the day."

Dr. Dixon favors what he calls the middle way which is to permit a State to use a mixed representation system in one House on two conditions: (1) approval by a majority of the voters and (2) an opportunity to change the system every 10 years by popular vote.

THE SPACE RACE

Mrs. SMITH. Mr. President, it is well to keep our thinking and reactions in calm and realistic perspective even in an atmosphere of urgency. This is particularly the case in our competition with Russia on achievements in space and when, at times, the American people are inclined to be jarred by the Russian spectaculars.

That is why it is gratifying to read such an excellent editorial as that of the Bangor, Maine, Daily News in its April 27, 1965, edition, entitled "Taking a Look at the Space Race."

I ask unanimous consent to place that editorial in the body of the RECORD at this point and I invite the reading of it.

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

TAKING A LOOK AT THE SPACE RACE

The Soviet Union continues to keep ahead of the United States in manned spacecraft achievements. It has been said that the United States is from 1 to 2 years behind its Soviet rivals in the so-called space race.

Yet, we are not so sure. This Nation has finally matched the Soviets in the firepower of its launching rockets after a poor start. The United States has outdone the Soviets in unmanned moon research flights.

Last week the Russians announced with considerable pride the successful launching of a communications satellite, Molynia. But it appears to be no more advanced than the American Telstar 1, which was launched 3 years ago. Today, the United States has a communications satellite swirling in space in synchronous orbit with the earth, thus serving as a constant relay for communication between the United States and Europe. Similar ones are to be launched, providing worldwide round-the-clock relay service.

Soviets are ahead of the United States in terms of "spectaculars," but from a strictly scientific viewpoint it appears the American program is moving ahead very well. In the long run, it may be the winner.

AIRFREIGHT'S ROLE IN "INCREDIBLE YEAR"

Mr. BARTLETT. Mr. President, this year marks the 25th anniversary of the establishment of the first direct scheduled air service between Alaska and continental United States. Pacific Alaska Airways, later merged with Pan American, inaugurated service between Seattle and Juneau on June 20, 1940.

In aviation, where the first half-century has been marked with so much dynamic progress, one can always look back on dramatic milestones or, better yet, look ahead to greater accomplishments. It is particularly appropriate that an Alaskan do this. To be sure, scheduled air service has an impact every day on the lives of all Americans but in an Alaskan's life, perhaps more than in the lives of residents of other States, this impact is more strikingly apparent.

Alaska, because of its size, its terrain, and its location, has used air freight as a regular, daily transport and economic tool for many years; but in no year have the work-a-day aspects of airfreight been more important than during the past year as Alaskans rebuilt after a devastating earthquake and destructive tidal waves.

Newspapers in Alaska use the telling phrase "the incredible year" to describe the massive efforts which have taken

place since the giant quake of March 27, 1964.

Nothing short of "incredible" describes the extensive rebuilding of schools, homes, roads, bridges, factories, and terminal facilities for all forms of transport.

In the largest sense, credit for the past year's progress must go to a determined, hard-working, indomitable people; but there were many specific roles in this rebuilding which should be analyzed—for laudation, yes; but even more so for lessons learned and new applications which can be made in Alaska as it continues building for its future and throughout the country.

The role played by the airlines as movers of all kinds of freight presents a case in point.

Early last April I had occasion to examine this role in its emergency aspects. By then the airlines had flown hundreds of tons of emergency supplies, including drugs, food, water, electrical insulators, oxygen, blankets, flashlight batteries, heaters, and even sterile baby bottles to the disaster areas. They had also flown in engineers and architects to inspect and restore damaged buildings, and electricians and natural gas workers to restore utilities.

Airlines, with planes and flight crews ready to fly immediately, formed the backbone of the immediate relief effort. One carrier supplied a jetliner with a full crew to the Red Cross. It flew in 15 Red Cross workers and 5,000 pounds of disaster kits. Two Alaskan carriers made planes available to civil defense. They were used to fly doctors and thousands of pounds of medical supplies into the disaster areas.

Cattle were saved by the airlift of feed.

Later, cement was flown to construction sites. And, during the months of rebuilding, the construction industry found a new use for airline freight capacity in helping speed the job of replacing destroyed homes.

New homes were airlifted. These were prefabricated homes whose component sections weigh a total of 30,000 pounds. Component sections needed for complete homes were airlifted to places like English Bay, for example.

Alaska is one vast laboratory for innovations in the movement of commodities by air. Some of these innovations have been of an emergency nature because of the earthquake and its aftermath. Others have a year-round application.

Airfreight, for example, is being used to develop a large area of Alaska near the Arctic Ocean.

Six of the Nation's largest oil companies, supported by a group of exploration, drilling, and construction companies, have made firm commitments with the government to drill in the region north of the Brooks Mountain Range. Until very recently, such development encountered the difficult problem of moving in equipment by barge and moving it only during those 5 or 6 weeks each year when the Arctic Ocean ice breaks enough to permit water transport. Now one of our scheduled airlines is using a new 25-ton capacity propjet freighter to airlift heavy machinery, oil drilling equipment, large tracked vehicles, construction materials, and outside cargoes from Anchorage and Fairbanks to remote sites on Alaska's arctic slope.

A few weeks ago, the heaviest vehicle ever airlifted commercially, a 45,000 pound bulldozer, was flown from Fairbanks 350 miles to a primative gravel airstrip at SAG 1, a remote base near the arctic shore. In less than 2 hours after being loaded aboard the aircraft, the huge D–8 "cat" was at work crunching through snow and ice.

Road graders, trucks, cranes, caterpillar vehicles, lumber, petroleum, and general freight are being flown to such points as Nome, Utopia Creek, Unalakleet, Anchorage, and Galena and Eielson Air Force Bases.

Airfreight is also moving bulk commodities. In a recent experiment aimed at finding new markets for Alaska coal, a U.S.-flag carrier transported enough coal from Alaska to Japan to operate a steel mill in Tokyo for an entire day.

Admittedly, this was unusual. The aim here was the one-shot long-distance transport of enough coal so that a reasonable test could be made. Usually airfreight serves our economy in ways that are more routine, although every bit as important.

For many years, piston-powered aircraft such as the reliable C–46, widely used in freight transport by our airlines, have been moving such everyday items as household furniture and new cars within Alaska. In the jet age, 45-ton-capacity long-range cargo jets and the cargo holds of passenger jets are being used for the 3-hour movement of produce, dairy products, and fresh meat from Seattle to Alaska cities.

It is not unusual for these and other items to leave warehouses in Seattle, make the 1,520-mile flight to Fairbanks and be on our supermarket shelves the next morning, hours before the same type commodities have been distributed by delivery truck to suburban markets within a 25-mile radius of Seattle.

One day last July, a single flight from Seattle to Fairbanks carried 25,527 pounds of cargo—nearly 25 tons of groceries—in addition to 2,860 pounds of passenger baggage, 373 pounds of mail, and 68 passengers.

Perishable groceries account for more than half of Alaska's incoming airfreight, an illustration of the use of air for more effective marketing. In the same vein, airfreight has broadened markets for Alaska's seafood industry.

As part of our transportation system within the State and to and from the State, the airline movement of freight during the past year demonstrates a threefold importance that can be applied elsewhere.

First. There is the emergency use of airfreight capacity during times of disaster. This capacity is now being applied all over the world. And each time it is applied, whether in the case of our own disaster, or the earthquakes in Chile or in flood-stricken areas of our own country, a storehouse of knowledge is accumulated, making airlift a more effective instrument of rescue and supply.

Second. There is the use of airfreight capacity to circumvent natural delays in getting heavy building materials and machinery to points in mountains and elsewhere which, because of their location, can be reached by surface transport only at great expense in manpower, money, and time. This was done daily during our incredible year. Here time was the important element; but what can be done by air on a regularly scheduled basis in our far North, can also be done to facilitate highway and bridge building, for example, in other parts of the United States or to make economic development more rapid and less costly in remote areas throughout the world.

Third. There is the regular use of air freight to move a lengthening list of commodities practically any place any night or any day. Here is where Alaska's role as a laboratory for new uses of air freight is most important.

The time is most appropriate for innovations in airfreight. They are being picked up and applied quickly. We live in an era when airfreight is growing spectacularly in both volume and variety of commodities moved.

In 1964, for example, the U.S. scheduled airlines accounted for 1.3 billion tonmiles of airfreight service—a gain of 25 percent over 1963.

Today's commodities moving by air range from machine parts to fresh vegetables. Alaska, of course, pioneered here. But the large-scale shipment of fresh fruits and vegetables from the west coast to the east coast of continental United States is now evolving into a pattern of transport which is actually changing eating habits of millions of Americans and often lengthening growing seasons in some regions to meet the new demand.

One airline alone carried nearly 6 million pounds of fresh berries during a 7-month period of 1964, compared with less than 100,000 pounds in 1963. One California co-op in 1964 shipped 5 million pounds of strawberries by air from the west coast to midwestern and eastern markets.

Earlier I mentioned the use of airfreight to move machinery to remote points in my own State. For the United States as a whole, machine parts now account for the largest single share of the air freight market. Automotive accessories are next, followed by electrical products and printed matter.

Every indication points to further growth in airfreight. New equipment is one indication. Airlines began buying jet freighters less than 2 years ago. Now they have 32 jet freighters, with 38 more on order for delivery in 1965 and beyond. This represents an investment of $475 million. Each of these aircraft can carry up to 92 million pounds of freight.

The airlines operate about 400 other jets in passenger service but each of these is really a combination passenger-cargo aircraft. To get a concrete idea of the new airfreight capacity this affords, let us go back a few years for purposes of comparison.

When the airlines began their first regularly scheduled all-cargo common carrier service 21 years ago, they used the DC–3. A few years later, the large

DC–4 was also used. Today, even with a full passenger load, a combination passenger-cargo jet has as much room in its cargo-hold as there was in an all-cargo DC–4.

Other freight moves on piston and propjet aircraft—from 6,000 to 19,000 pounds can move in the cargo hold of each of the 10,000 airline passenger flights scheduled daily.

Fundamentally, the effectiveness of any transport mode is determined by the degree to which it functions as an integrated national transport system. Airfreight now functions as an integrated system for commodity transport not only nationally, but internationally.

The short-range and intermediate-range jets which the airlines have now ordered and the short-range jets and propjets rapidly coming into use on the local service airlines means that an already integrated system of scheduled airfreight transport will become even more effective. The smallest of communities, the most remotely located communities will benefit from new dimensions of speed and accessibility in reaching new markets and as markets themselves.

Regularity of service also determines the effectiveness of an integrated system of freight transport. The growth in airfreight volume by the U.S. scheduled airlines attests to achievement in this area. New all-weather landing systems now coming into use will increase this important reliability element still further.

These new strides in airfreight speed, capacity, and all-weather dependability come at a most propitious time.

Significant new uses of airfreight were demonstrated during Alaska's incredible year. Now, in the spirit of turnabout being fair play, this successful freight transport experience can be applied for the benefit of communities throughout the country by an air transport system more adequate than it has ever been and a system giving every promise of making an ever-increasing contribution to our economy.

ESTABLISHMENT OF OCEANOGRAPHIC CHAIR AT THE UNIVERSITY OF HAWAII

Mr. FONG. Mr. President, I wish to call attention to a recent announcement in Honolulu concerning oceanography and its potential significance to Hawaii and the Pacific Ocean area. The Honolulu Advertiser, a daily newspaper with farsighted vision, has established a professional chair in oceanography at the University of Hawaii and provided $25,000 a year for the services of whatever distinguished scientist the university selects to fill it.

This will enable the University of Hawaii to augment its State-supported staff in oceanography—a field in which Hawaii as the only island State of the Union, is uniquely situated to exploit. This fact was underscored by Mr. Thurston Twigg-Smith, publisher of the Advertiser, in announcing the oceanography chair, when he said:

> It is increasingly evident that the sea around us offers a tremendous potential, both for the advancement of man's knowledge and for future economic development of the only American State surrounded by water.

The chair has been appropriately named for Capt. James Cook, the great explorer who discovered the Hawaiian Islands in 1778. Captain Cook's discovery signaled the start of a remarkable development of this island community. Today, Hawaii serves as a vital crossroads of the Pacific—a center for trade, communications, education, culture, and tourism. The 50th State is now expanding into new fields of endeavor, notably oceanography.

Hawaii's strategic location in the middle of the Pacific offers many opportunities for the study and use of our ocean resources, and the University of Hawaii is now embarking on this exciting scientific journey.

Impetus for the new thrust behind oceanics research in Hawaii and elsewhere can be provided effectively at the national level by legislation pending in Congress. As a cosponsor of S. 944, I am happy to associate myself with this bill to create a top-level National Oceanographic Council to coordinate the Nation's efforts in oceanographic and marine science activities.

Hearings on S. 944 have been conducted by the Senate Commerce Committee under the able chairmanship of the distinguished senior Senator from Washington State [Mr. MAGNUSON]. Numerous witnesses who are knowledgeable in oceanography and related fields have voiced strong support of the bill. The views of those in industry and the scientific world have been particularly forceful in endorsing the objectives of S. 944. They are concerned that the United States is lagging in this field, that we are not doing enough in cultivating the use of the sea, and that a coordinated governmental apparatus must be set up to develop and carry out a dynamic program.

It is vital that we do much more in oceanography for our national interest and S. 944 will go a long way toward helping our Nation achieve our vast potentialities in this field.

S. 944 provides for expanded oceanic research of the scope and stature hoped for by communities like Hawaii. The Honolulu Advertiser's establishment of an oceanographic chair at the University of Hawaii is a splendid example of a farsighted action on the State level. Enactment of S. 944 will greatly strengthen and encourage similar efforts by local and State agencies and groups.

A STRONG VOTING RIGHTS BILL FAVORED IN CAMBRIDGE, MD.

Mr. TYDINGS. Mr. President, two summers ago, many of my Maryland colleagues and I were disturbed to see the name of Cambridge, Md., spread across the front pages of our national press. The stories were ugly ones; and a long, hot summer of racial violence and National Guard occupation did not make for pleasant reading.

It was, therefore, with great pleasure that I read in the Cambridge Daily Banner of March 19 an editorial asking Congress to speedily enact a strong voting rights bill. I sincerely believe that the editorial reflects the feelings of the majority of the people in Cambridge, as well as of all the people of Maryland.

I ask unanimous consent that the editorial be printed at this point in the RECORD; and I recommend its reading to all Senators, who now are engaged in debating the voting rights bill.

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

[From the Cambridge (Md.) Daily Banner, Mar. 19, 1965]

THE RIGHT TO VOTE

If Congress acts speedily to give the President a strong voting rights bill, the cause of the Negro in the South will have taken a big step forward. For more than a century, the Chief Executive told this week's joint session of Congress, white officialdom below the Mason and Dixon line has used every strategem in the book to deny nonwhites the right to participate in elections.

Two sections of the voting bill are expected to exert strong pressure: The use of Federal registrars and the threat of impoundment of ballots. Where local voting registrars continue to resort to tests and other devices to keep the Negro off the election rolls, Federal registrars would have the authority to enter a community and do the job.

Even more effective in keeping the political power structure honest would be a threat of ballot box impoundment. Any voter who felt he was improperly disenfranchised could present his case to the courts which would have the power to impound ballots until a determination could be made. One of the keys to success is speedy court action.

The majority of Americans who enjoy the right to vote know that no privilege of citizenship is more important than that of selecting our officials and representatives at all levels. It is expected that the vote in the hands of the Negro in the South would be the means by which politicians will be forced to represent the interests of all their people. This is a goal which civil rights leaders have increasingly emphasized in recent months.

It is impossible to escape the conclusion enunciated by the President the other night that there is one overwhelming reason for enacting a voting law: Because it is right and just to do so. It is as true in Cambridge as it is in Washington or Selma that no citizen of a democracy can be completely free until all men enjoy the same rights pledged to them under the Constitution.

ENDORSEMENT BY THE COMMISSION ON HUMAN RIGHTS OF THE CITY OF NEW YORK OF THE HART-CELLER BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Mr. JAVITS. Mr. President, I call the attention of the Senate to a resolution of support for new Federal immigration law, in the form of S. 500 in the Senate and H.R. 2580 in the House, issued by the City Commission on Human Rights of the City of New York and transmitted by Mayor Wagner with a strong endorsement. As I serve on the Judiciary Committee, I think it is appropriate that I should ask unanimous consent that the resolution be printed in the RECORD, and that it be made a part of my remarks, together with a letter of transmittal from the mayor. I wish to express my appreciation for the support of both the com-

mission and the mayor for this legislation—which implements urgently needed immigration reform policy.

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

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, N.Y., April 27, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: The Commission on Human Rights of the City of New York, a duly constituted governmental commission of New York City, has requested that I transmit to you a resolution endorsing the Celler-Hart bill to amend the Immigration and Nationality Act. I consider it a privilege to comply with this request. Accordingly, I am enclosing a copy of the resolution. I do so with my strong endorsement.

As mayor of New York City, I consider the passage of the Celler-Hart bill essential. This legislation is long overdue to rectify past injustices in our immigration policy.

Sincerely,

ROBERT F. WAGNER,
Mayor.

CITY COMMISSION ON
HUMAN RIGHTS OF NEW YORK,
New York, N.Y., March 30, 1965.

RESOLUTION OF SUPPORT FOR NEW FEDERAL IMMIGRATION LAW (CELLER-HART BILL)

The Commission on Human Rights, charged by New York City local law 55 to "encourage and bring about mutual understanding and respect among all groups in the city, eliminate prejudice, intolerance, bigotry, discrimination, and disorder occasioned thereby and give effect to the guarantee of equal rights for all assured by the constitution and the laws of this State and of the United States of America," has been convinced since its creation in 1955 that to find solutions to the serious problems of prejudice and discrimination confronting our city, the united effort of all citizens is required to bring all of us to an appreciation of the unique needs and aspirations of each group and the contributions each is making to our progress. For this reason the commission adopts the following resolution:

"Whereas the New York City Commission is charged by local law 55 to insure, protect, defend, and extend the human rights of all people of the city; and

"Whereas the commission recognizes that the denial and abrogation of the rights of any one person, or group, is the denial and abrogation of the rights of all citizens and groups; and

"Whereas the commission recognizes that the de facto exclusion of people from southern and eastern Europe and from Asia, in the present immigration laws, is based solely on place of origin, and therefore is unjust and discriminatory; and

"Whereas the New York City Commission on Human Rights believes that these immigration laws psychologically cripple Italian, Greek, Polish, Hungarian, Chinese, Japanese, Malaysian, and other children just as the 1954 Supreme Court decision declared segregated schooling cripples minority group children; and

"Whereas the commission believes that our present immigration laws create in southern and eastern European and Asiatic peoples the same frustrations which have produced demonstrations by Negroes in Birmingham, Selma, and Montgomery, Ala., as well as here in New York City; and finally

"Whereas the commission is further convinced that the present immigration law and the frustrations it creates are part and parcel of the entire struggle for civil rights in America and for the equal opportunity for all people to contribute their unique heritage to the progress and welfare of America: Therefore be it

Resolved, That the New York City Commission on Human Rights strongly supports liberalizing our present immigration laws through passage of the Celler-Hart bills, H.R. 2580 and S. 500, and urges the citizens of New York to marshal their efforts in support of it;

Further, That the New York City Commission on Human Rights, through the office of the mayor of the city of New York, asks the New York City congressional delegation and Senators JAVITS and KENNEDY to assert responsibility to the people of New York, and the Nation, by obtaining swift passage of the Celler-Hart bill.

RESIGNATION OF ALEXANDER F. "CASEY" JONES AS EXECUTIVE EDITOR OF THE SYRACUSE HERALD-JOURNAL AND HERALD-AMERICAN

Mr. JAVITS. Mr. President, on Easter Sunday one of the most respected newspapermen in the country, Alexander F. "Casey" Jones, resigned as executive editor of the Herald-Journal and the Herald-American of Syracuse, N.Y.

Throughout his 53-year career as a newspaper reporter and editor, Casey had the reputation within his profession as a "low-boiling-point crusader with a tremendous capacity for doing something to cure the situations that made him indignant." I have known Casey Jones for many years and can personally testify to his courage, integrity, and talent as a newspaperman and his personal concern for the rights of people as individuals.

I know that I will miss his hard-hitting editorials that showed no partisan or social or economic bias. As anyone who had the privilege of knowing Casey personally can testify, he "called them the way he saw them" when he wrote these editorials. And he saw them very well indeed, to the lasting benefit of the city of Syracuse, the State of New York, and the country as well. I know I echo the sentiments of hundreds of his friends in Syracuse, Washington, and throughout the country when I wish him many more years of health, happiness, and good fortune.

Mr. President, I ask unanimous consent to place in the RECORD the retirement editorial of Alexander F. Jones which appeared in the Syracuse Herald-American of April 18 and an article by Philip A. Hofmann in Editor & Publisher of April 24, 1965.

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

[From the Syracuse (N.Y.) Herald-American, Apr. 18, 1965]

"IT HAS BEEN NICE TO HAVE KNOWN YOU"

(By Alexander F. Jones)

Every story has an ending.

Every song has its last chord.

And to most men the time comes when the fellow with the stethoscope shakes his head and says "You have got to hang up your gloves, old chap, you have had it."

So it is with me.

I cannot challenge that decision, for, after all, I have had more than 50 years of magnificent fun—some people might call it work—editing and reporting for newspapers, which is the most fascinating job in the world.

This, then, is my swan song, my valedictory.

In it there will be no tears shed, no regrets expressed, no charges made, no maudlin viewing with alarm.

It has been my privilege to have had a ringside seat at many of the events that have made the 20th century the most eventful period in the history of man. Its statesmen, many of them, have been giants, its political ideas have been precedent-shattering, its wars have been colossal and its struggles to advance the freedoms and liberties of mankind inspiring. At no other time in all history have men penetrated so profoundly into the innermost secrets of nature. So far have we gone in this penetration that fears are expressed that the future of civilization itself hangs in the balance.

Books have been written, and are being written, on the wonders, and the horrors, of the 20th century and many more will follow.

It is not my purpose to pontificate on any single aspect of world trends.

All I want to say is that what I know for sure, after watching the parade go by for half a century, is that this old world is a better place to live in today than when I first came on the scene.

The struggle in the free world to make life more livable and to give all men the dignity they deserve never stops. Indeed, the pace is accelerating at an unbelievable rate.

What was decried yesterday as socialism and the end of our democratic form of government is accepted today as something that fills a longtime social need and we wonder why it was so long delayed.

In 4-year intervals, since 1912, I have seen ideas advanced in political platforms that, despite terrific tossing about, eventually became the law of the land.

Yesterday's dreams became today's reality.

And this is true the world over.

The black man is emerging as an individual after 5,000 years of servitude.

Whatever may be said of Communist motives, it is an undeniable fact that the socialistic principles of Karl Marx have had a gretter impact on people in this 20th century than any idea since the birth of Christianity. Without Marx there would be no communism and any argument that life in the Soviet Union for the individual is worse than under the czars is untenable. And the closer communism comes to capitalistic principle, the better it works.

Wherever you look in this world of ferment and struggle men are asking something better than what they have known.

This is true right here at home where a formerly somnolent and often myopic town has been shaken into alert aggressiveness by sharp leadership—and today is on the road to a real place in the sun.

It has been exhilarating to be a part of this burgeoning forward march, however small the role.

On a personal note, I am well aware that this announcement will be the signal for dancing in the streets in certain quarters—spontaneous and gleeful hornpipes and arthritic versions of the Watusi by geriatrics I could name.

Let these characters know then that I reserve the privilege of doing an occasional piece in the future.

Americans have a notorious weakness for falling in love with palpable phonies every so often. It will be nice to be in a position of bringing in a minority dissent now and then.

Besides there are rainy and windy days when a fisherman cannot get out on a stream or a lake.

Seriously, it has been a superb privilege to work on these newspapers of ours in central New York, where a sturdy citizenry knows what it wants and is going to get it come hell

or high water. There are thousands of good sluggers among our readers—articulate men and women whose arguments keep an editor on his toes every minute.

This, I like to think, is why I have lasted until I am 73 years old.

But I also like to think that I have been counted out standing up.

Well, as Ding Darling, the famous cartoonist, said on his retirement, "It has been nice to have known you."

Au revoir—and happy Easter.

[From Editor & Publisher, Apr. 24, 1965]

CASEY JONES RETIRES FROM EDITOR'S CHAIR

(By Philip A. Hofmann)

SYRACUSE, N.Y.—After 53 years of newspaper work, Alexander F. (Casey) Jones has traded his typewriter for a fishing pole.

Mr. Jones saved his scoop about his retirement as executive editor of the Herald-Journal, Herald-American for himself. The announcement was contained in an editorial titled, "It Has Been Nice To Have Known You."

Thus ended a career which included reporting in the Midwest, a 15-year tenure as managing editor and assistant to the publisher of the Washington Post and 15 years as executive editor here in the Newhouse group.

Mr. Jones, a past president of the American Society of Newspaper Editors, said in his farewell editorial:

"Every story has an ending.

"Every song has its last chord.

"And to most men the time comes when the fellow with the stethoscope shakes his head and says, 'You have got to hang up your gloves, old chap, you have had it.'

"So it is with me."

LOW BOILING POINT

A Washington Post profile of Mr. Jones, written in 1943, presented this picture of its then managing editor: "Casey is a ripsnortin', fire eatin', low-boiling-point crusader with a tremendous capacity for doing something to cure situations that make him indignant."

In a parting shot at his critics, Mr. Jones said in his farewell:

"On a personal note, I am well aware that this announcement will be the signal for dancing in the streets in certain quarters—spontaneous and gleeful hornpipes and arthritic versions of the Watusi by geriatrics I could name.

"Let these characters know then that I reserve the privilege of doing an occasional piece in the future.

"Americans have a notorious weakness for falling in love with palpable phonies ever so often. It will be nice to be in a position of bringing in a minority dissent now and then."

Mr. Jones concluded his farewell with this observation:

"But I also like to think that I have been counted out standing up."

Mr. Jones, who is 73, said his plans include a long fishing trip, possibly to his favorite spot down at Bimini.

Mr. Jones got his first newspaper job on a Wisconsin daily in 1912. He was born in that State in 1891 and attended the University of Wisconsin from 1911 to 1914.

Early in his career he was assigned to travel with "Fighting Bob" La Follette, Wisconsin Governor and U.S. Senator.

Then came a stint as a reporter for the Minneapolis Journal from 1916 to 1917 before he joined the Allied Expeditionary Force in Europe.

After the war Mr. Jones served as a reporter for the old United News. He returned to the Journal in Minneapolis in 1923 and later became city editor and sales and promotion manager of the Tribune.

In 1932 he returned to the Journal as city editor, a position he held until 1935 when he went to the Washington Post.

When Casey left the Post in 1950, the newspaper said editorially:

"It is hard for us to lose the services of a man who has endured the heat and burden associated with the creation of an institution out of a bankrupt property. Most of his 15 years of service were uphill years.

"His devotion to his responsibilities was catching, his interest in his works unflagging. Yet he found time to spare for good works in the community. 'Casey' could be called with justification a newspaperman's newspaperman."

In retirement, Mr. Jones and his wife, Edna, probably will do some traveling, and he will keep going after "the big ones."

When asked about what he intended to do, he quoted a remark by a fishing buddy who retired a few years ago:

"Do? I didn't think I had to do anything."

COAST GUARD HAS DOUBLE MISSION

Mr. BARTLETT. Mr. President, once again the U.S. Coast Guard has been called upon to carry out a hazardous wartime mission. I am confident the crews of the 17 patrol cutters assigned to Vietnam will perform their duties in the highest tradition of their gallant service.

The need for these cutters once again points up the double mission of the Coast Guard. Because of its assignment to patrol the coast of this Nation in peacetime as well as war, the Coast Guard is uniquely qualified to combat the smuggling of men and arms into South Vietnam.

However, the lawmakers and the executive branch too long have ignored the double mission, the double responsibility of the Coast Guard.

Fortunately there has been a replacement program for cutters of the size we are sending to Vietnam. But, Mr. President, we only have 44 of these 82-foot cutters, all of which are on active duty. In other words, 27 cutters will be assigned the task of carrying out duties heretofore performed by 44 vessels.

The primary mission of these cutters is search and recovery operations, an increasingly important mission as recreational boating grows in the Nation.

I do not think I need point out that a new boating season is about to open.

My purpose today is not to debate the wisdom of sending these cutters to Vietnam. Rather, it is to again call attention to the missions of the Coast Guard and the need to treat it as a major arm of the military as well as an important peacetime service. If the Coast Guard is to be used in combat situations as it was in the Korean war, it should be kept in the same combat stage of readiness as the other branches.

The Coast Guard has come up with a 10-year program to build a modern fleet. The average yearly cost will be $105 million.

This year, the Committee on Commerce has approved an authorization of $71,316,000 for vessel construction and modernization.

This money would be used to replace three vessels constructed in 1944, two vessels built in the 1930's, and four which have been in service since the 1920's.

Let us not tarry any longer. Let us get on with the task of upgrading and modernizing the Coast Guard which serves this Nation so well in peace and in war.

ANTI-UNITED STATES INCIDENTS AND VIOLENCE

Mr. CURTIS. Mr. President, I have been very much concerned about the increasing frequency and violence of attacks made against U.S. properties and personnel abroad, and about the low ebb of American prestige which these attacks bring into sharp focus.

Many of the countries where these attacks have occurred, where mobs have torn down U.S. flags, and desecrated U.S. embassies, have been—and still are—receiving substantial aid from the United States.

On February 26 of this year, I wrote to Secretary of State Dean Rusk, detailing many of these incidents, which had been reported in the press, and asked him three questions:

First. What action had been taken by the United States in each instance; and what further action, if any, is contemplated in each instance?

Second. Which countries where the incidents have occurred have been receiving U.S. aid, and in what amounts?

Third. To which of the countries is aid being continued since the incidents?

Recently, I received a reply from the State Department; and I ask unanimous consent that both my letter and the Department's reply be printed in full in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CURTIS. Mr. President, there does not seem to be any end to the kind of anti-American violence to which our properties and personnel are being subjected. Since my letter of February 26 to Secretary Rusk, a number of further incidents have been noted.

March came in with a bombing in Saigon which killed four children and wounded a dozen adults, including two U.S. servicemen. On March 4, a mob of about 3,000 stormed the U.S. Embassy in Moscow, hurling rocks and ink bottles against the building, and shouting insults against the President.

March ended with the terrorist bombing of our Embassy in Saigon, killing 20 persons, including 2 Americans, and wounding 175, 40 of whom were Americans. Our Embassy building was damaged extensively.

In between the Saigon bombings, and almost unnoticed, there was a series of marches in Belgium, involving some 15,000 persons, climaxed by a mob shouting anti-United States slogans in front of the U.S. Embassy in Brussels. Seven policemen were injured, in addition to an undetermined number of the demonstrators, when the mob tried to fight its way into the building.

As late as April 19, demonstrators in New Zealand stopped the automobile of the U.S. Ambassador, kicked it, and tore off the U.S. flag. Inside the car were Ambassador Herbert B. Powell and Henry Cabot Lodge, the President's special appointee, on the first stop of a six-

nation tour to explain this country's position with respect to Vietnam.

Thus, Mr. President, two new countries—Belgium and New Zealand—have been added to the growing list of those where anti-United States incidents have occurred.

Just last week, President Johnson ordered the Marines to protect U.S. citizens in the Dominican Republic and to escort them safely out of that country, because of the internal struggle in progress and because an outbreak of anti-United States sentiment was feared.

Mr. President, what is happening to the United States? What is happening to our prestige in the world? An accounting is due the American people.

EXHIBIT 1

FEBRUARY 26, 1965.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

MY DEAR MR. SECRETARY: I am deeply concerned about the increasing incidents of disrespect shown for the United States around the world. I refer particularly to the mob action and rioting in the vicinity of our embassy buildings, libraries, and other properties. The press has carried accounts of the following incidents, among others:

In Caracas, Venezuela, on February 16, a rioting mob shouted insults against the United States and hurled rocks and bottles of ink at the United States embassy building before being driven off. An American press association office was wrecked.

In Uganda, the U.S. flag was hauled down from our embassy in the capital city of Kampale. A high official of Uganda accused the United States of a "campaign of genocide" against African people, according to press dispatches.

The new African nations of Zambia and Tanzania issued a statement condemning the United States because Congolese Premier Tshombe's government allegedly used some old U.S. made planes in attacking Communist-led rebels. The United States made it clear the planes were not under the control of this country.

President Sukarno's Indonesian Government seized the U.S. Information Service cultural center in Jakarta on February 15, after an estimated 20,000 anti-United States demonstrators marched on the nearby U.S. Embassy and then tried to storm the USIA library. The crowd burned effigies of President Johnson. The Indonesian flag was hoisted over American property.

This same cultural center and its library were sacked last December by Indonesian mobs under the guise of protesting U.S. rescue operations in the Congo. Another crowd all but destroyed the USIA library in the east Java city of Surabaja. Last August, a mob seized the USIA library in the central Java city of Jogjakarta, and this property of the United States still is in the hands of the local branch of the National Youth Front.

The U.S. legation in Sofia, Bulgaria, was damaged in an anti-U.S. demonstration on February 15; in Tokyo, an estimated 16,500 Communist-organized demonstrators on the same day paraded through the streets shouting insults at the United States for helping South Vietnam. Also on the same date, several hundred demonstrators picketed our consulate in Montreal in protest against U.S. military action in Vietnam.

In Manila, there have been six violent anti-U.S. demonstrations in the past month. Demonstrators have marched on the U.S. Embassy shouting for an end to all agreements between the United States and the Philippines, including the military bases treaty. They have brandished insulting signs and some mobs even have had sound trucks blaring insults against the United States.

During the past month, anti-U.S. riots have occurred in Saigon itself and in other South Vietnam cities. A mob sacked the USIA library in Hue, burning thousands of books. South Vietnam police reportedly did not interfere with the arsonists.

Last December, mobs attacked the U.S. Embassy in Cairo, Egypt, burning 24,000 books and causing damage estimated at $500,000. President Nasser has said the United States could go "jump in the lake." Several privately owned planes operated by U.S. companies were destroyed in another outburst.

Scores of other attacks have been made against U.S. Embassy buildings, consular offices, and USIA libraries in, among others, the following places: Hungary, Panama, Taiwan, Cyprus, Greece, Turkey, Brazil, Algeria, Sudan, Yugoslavia, Bolivia, Nigeria, and Moscow.

I would like to know if these reports are true. If they are not, which reports are inaccurate?

I would like to know also what action has been taken by the United States in each instance, and what further action, if any, is contemplated in each instance.

Which countries where these incidents have occurred have been receiving United States aid and in what amounts?

To which of these countries is aid being continued since these incidents?

Thanking you for your reply, I am

Sincerely yours,

CARL T. CURTIS,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, April 23, 1965.

Hon. CARL T. CURTIS,
U.S. Senate.

DEAR SENATOR CURTIS: This is in further reference to your letter of February 26 and this Department's interim reply concerning mob action and rioting in the vicinity of our embassy buildings, libraries, and other properties around the world. The reports as carried in the press are substantially correct.

I am enclosing a booklet giving the proposed mutual defense and development programs for fiscal year 1966 in which you will also find the figures on both economic and military assistance (loans and grants) to all countries (cumulative fiscal years 1948–64). The following is in response to your questions on the incidents mentioned in your letter.

Venezuela: On February 16, 1965, a group of about 100 demonstrators appeared before our Embassy building in Caracas. The ostensible motive for their protest demonstration was recent U.S. actions in Vietnam. Some rocks and ink bottles were thrown at the building. Venezuelan security forces dispersed the crowd, which consisted mostly of students, and there were no casualties.

A few minutes after the demonstration, President Leoni, through the Director General of the Foreign Office, expressed to our Embassy his extreme indignation and regret over what had occurred. The President said he had personally ordered increased police protection for the Embassy.

On the same day a small group of demonstrators broke into the United Press International office where they did some damage to communications equipment. In this connection the Government of Venezuela told our Embassy that it was taking increased security precautions at all American installations, both Government and private.

In view of the President's expression of regret, and the Venezuelan Government's assurances of increased protection, the Embassy did not believe that any protest was called for in relation to either incident. However, the Embassy has communicated with the Venezuelan Ministry of Foreign Affairs bringing to its attention the attacks on U.S. property. It has also requested that we be informed of the results of any investigation the Government of Venezuela is making to apprehend and punish those guilty of damaging U.S. property. The communication also expresses our confidence that the Government of Venezuela will take all necessary measures to avoid a recurrence of this type of incident.

The U.S. AID program in Venezuela for fiscal year 1965 is $1.5 million. No steps have been taken to eliminate this program because of the friendly and cooperative relations existing between our two Governments.

Panama: Damages to U.S. Government property during Panamanian riots of January 1964.

1. No formal demand has been made on the Panamanian Government by the U.S. Government for payment of damages to U.S. Government property which occured during the riots of January 1964. However, U.S. Government officials have stressed informally to Panamanian Government officials the need to establish agreed upon procedures for adjudicating all claims, both public and private. It is anticipated that the question of claims will be dealt with during the general treaty negotiation between the United States and Panama. At that time, the matter of payment by Panama for damages to U.S. Government property will be pressed.

2. Since 1946, Panama has received $148 million in economic aid from the United States.

3. United States aid is still being furnished to Panama. However, no new projects were initiated for an 8-month period following the January 1964 riots.

Brazil: 1. (a) Following the resignation of Brazilian President Janio Quadros, a mob of students attacked the U.S. Embassy at Rio de Janeiro on August 25, 1961, and smashed Embassy windows. Police forces guarding the Embassy entrance were reinforced and quickly drove off the student mob. Due to sufficient police protection for the duration of the crisis, there was no further damage to the Embassy.

(b) Although the Government of Brazil paid for the full repair of damages to the Embassy, the Embassy reported that there was no indication of negligence by the Government.

2. (a) In December 1962, a small group of vandals marred the entrance area of the USIS office located in Fortaleza, Ceara, prior to the opening of the office.

(b) This damage was very minor (estimated at $100) and no representation was made to the Brazilian Government.

3. (a) On February 8, 1963, a bomb exploded at the consular residence in Porto Alegre, Rio Grande do Sul, causing slight damage. There were no casualties and both the State and Federal authorities offered immediate and adequate protection.

(b) In view of the satisfactory action on the part of Porto Alegre police, the Embassy made no approach to the foreign office.

4. (a) In September 1963, students, protesting a hike in bus fares, caused minor damage to the USIS office at Fortaleza, Ceara. The USIS office was only one of numerous downtown office buildings which suffered from this student mob action.

(b) Total damage was estimated at $25 and no restitution was claimed.

5. U.S. foreign assistance to Brazil totaled $408.8 million in fiscal year 1964.

6. Of the total U.S. aid in fiscal year 1964, Public Law 480 programs under titles I, II, and III totaled $197.7 million, or about 48 percent of the total.

7. From July 1, 1964 to February 28, 1965, U.S. foreign assistance to Brazil has totaled

$192.8 million, of which Public Law 480 assistance amounted to $27.8 million.

8. As the largest country in Latin America and a valuable partner of the United States under the Alliance for Progress, Brazil is expected to continue to receive U.S. foreign assistance.

Bolivia: There have been a number of demonstrations in Bolivia. The demonstration causing the most damage to the U.S. Government occurred in March 1959. The Government of Bolivia indicated a willingness to pay for the damage and has recently been reminded of this. On minor damage occurring since 1959 for which the Embassy has not as yet requested repayment, the Department has recently asked for further information and the Post's judgment as to whether the damage arose from a breakdown of law and order and therefore that a request should be made for repayment.

Since Bolivia has already indicated a willingness to repay major damage which occurred in 1959, there has been no effect on Alliance for Progress assistance to Bolivia. However, the amount projected for fiscal year 1965 is about one-third of that extended in fiscal year 1964. Public Law 480 funds have accounted for about one-third of all AID funds expended in Bolivia.

United Arab Republic: Following the attack on our library in Cairo last November, our Embassy submitted a note to the United Arab Republic Government strongly protesting the failure of the United Arab Republic authorities to extend adequate protection during this incident. In a formal note of reply, the United Arab Republic Government regretted the incident and promised to pay compensation for the damages. Subsequently President Nasser expressed his personal regret to our Ambassador and in addition offered a gift of 1,000 books toward establishing a new library. This was neither offered nor accepted as a substitute for the full compensation which we are claiming. An itemized bill has been prepared and submitted to the United Arab Republic Government. Discussions are now being held with the United Arab Republic Government to determine the method by which, under U.S. Treasury regulations, payment may be made.

The United Arab Government has also provided rent-free, suitable interim quarters for a library, pending construction of a permanent new installation.

The downing of the John W. Mecom Co. aircraft by United Arab Republic interceptor aircraft was protested by our Embassy on December 24. Subsequently this incident was investigated informally by two U.S. air accident experts. Their report found that a number of procedural errors had been committed by the pilot. Most serious of these was the departure of the plane from normal commercial air corridors into a militarily sensitive area marked "prohibited" on all air charts.

While accepting that some procedural errors may have been committed, the U.S. Government does not consider these as constituting sufficient justification for the extreme United Arab Republic action of destroying an unarmed private aircraft.

Greece: In Greece, in 1964, there were a few demonstrations at our Embassy, consulate general, and USIS offices on the issue of the U.S. stand on the Cyprus dispute. These gatherings consisted mostly of students and, while noisy, were not violent. They could not be consider attacks on our facilities. The only case of property damage was during a small demonstration last year before the USIS office in Rhodes, during which some stones were thrown and one or two windows were broken. The mayor of Rhodes offered to pay the nominal cost of this damage.

Following vigorous representations by our Ambassador in the spring of 1964, the Greek Government made a strong public statement condemning unmannerly demonstrations before diplomatic and consular establishments, and has since maintained extra police protection for these buildings. A recent demonstration on Vietnam, organized by leftists, was not permitted by police to approach the Embassy.

Cyprus: The Embassy building in Nicosia was bombed by unknown extremists February 4, 1964. No one was injured and the damage was relatively slight.

The Ambassador made an immediate strong protest to the President of the Republic. The President personally visited the Embassy, inspected the damage, and expressed his deepest sympathy for the bombing. Expressions of sympathy and concern were sent by the Acting Foreign Minister and many other top-level officials. The Minister of Interior personally undertook responsibility to insure the safety of American lives and property.

The Government of Cyprus promptly repaired all damage at its own expense. No violence has been directed against any official American property on Cyprus since that date.

Turkey: In Turkey, there was a series of demonstrations before the American Embassy (and other embassies) in Ankara during the last days of August 1964. Damage was negligible. In fact, the crowds were generally well-behaved and the buildings before which they demonstrated were protected by Turkish police. These demonstrations were basically political, growing out of Turkish frustrations in the Cyprus crisis; they were not aimed at Americans personally. There were some similar, smaller demonstrations in Istanbul and Adana. Following these events, there was a more serious demonstration in Ismir, where crowds did considerable damage to the American exhibit (and others) at the international fair there. Turkish officials not only apologized for this action, but also paid for all damages. Senior Americans in both Washington and Ankara stated our deep concern about all of these events to the Turkish Government, which replied with its "profound regrets."

Algeria: On October 15, 1963, at the time of the Moroccan-Algerian hostilities, a gang of about 100 hoodlums inflicted about $100 damage on the American consulate at Constantine. Algerian police took prompt action against them. There have been no other incidents since Algeria became independent in 1962.

Nigeria: In a 1961 demonstration in Lagos over the death of ex-Congo Premier Patrice Lumumba, crowds demonstrated before the American and certain European embassies. Several windows of the American Embassy were broken. Apologies were received from the Nigerian Government. There have been no other attacks on our properties in Nigeria.

Sudan: On October 22, 1964, during mob demonstrations directed primarily against the regime then headed by General Abboud, the U.S. Embassy and USIA library were entered and approximately $660 damage inflicted. On November 10, 1964, during a Communist attempt to seize control in the Sudan, the U.S. Embassy was spattered with mud and a flag torn down. Damage in monetary terms was nominal.

The United States protested these incidents and demanded protection. This has been provided. The Sudanese Government was never involved in encouraging or condoning the demonstrations.

Uganda: During a demonstration in front of our Embassy in Kampala, an attempt was made to haul down the flag flying on the top floor. It did not succeed. The flag was recovered by a member of our Embassy. Later a crude copy of the flag was burned at another demonstration.

The Ugandan Government made strenuous efforts to break up the demonstrations. The ringleaders were thrown out of the political party which makes up the Prime Minister's government. Even during the worst of the anti-American feelings over the Congo-Uganda border incidents, telephone calls and letters from Ugandans of all walks of life were received expressing friendship for America and deploring these events.

The statement about a "campaign of genocide" was made by Director of Planning John Kakonge, well-known leading leftist member of the Ugandan Government, at the Nairobi meeting of the Economic Commission for Africa in February. Our delegation, headed by Deputy Assistant Secretary Samuel Z. Westerfield, walked out of the meeting and sharply protested the charges.

Zambia: We have no knowledge that a statement condemning the United States for the Congo plane incidents ever was made by the Government of Zambia. Foreign Minister Kapwepwe was quoted, however, by BBC as recommending that the United States withdraw its planes from the Congo.

Tanzania: The United States has repeatedly informed the Tanzanian Government that the planes used by the Congolese Government in the Congo were entirely under that Government's control and that the issue, therefore, should be taken up with the Congolese, not the United States.

Bulgaria: On February 16, 1965, the chancery of the American Legation in Sofia, Bulgaria, was attacked by a mob of about 150 students of which the majority were Afro-Asians. The demonstration was in connection with events in Vietnam. The Bulgarian militia broke up the demonstration after about 20 minutes but not before many of the legation windows were broken and some lighting fixtures torn out. One legation official vehicle was damaged. Following the attack on the chancery, the Minister's residence was assaulted by a small group of students. Windows on all floors were smashed, the front door was broken in, and the U.S. seal pulled down before the demonstrators were dispersed by the Bulgarian militia. The American Chargé d'Affaires in Sofia immediately lodged a strong protest with the Bulgarian Foreign Minister. In Washington, the Bulgarian Chargé d'Affaires was summoned to the Department of State when a report of the incident was received. The Assistant Secretary for European Affairs delivered a vigorous protest to the Chargé. In reply to these protests, the Bulgarian Government apologized for the incident, repaired most of the damage, agreed to pay for the remaining damage, and gave assurances that special measures would be taken to provide adequate protection for American diplomatic property in Sofia. No further U.S. action is contemplated in the circumstances. Bulgaria has not been a recipient of U.S. aid.

Czechoslovakia: On November 26, 1964, the chancery of the American Embassy in Prague was attacked by a mob of about 80 African students in connection with events in the Congo. The Czechoslovak militia broke up the demonstration after about 15 minutes but not before some 375 window panes in the chancery were broken and 12 Embassy vehicles, both official and private, were damaged by 20 of the demonstrators who invaded the chancery courtyards. The American Ambassador immediately lodged a strong protest with the Czechoslovak Foreign Ministry. The Czechoslovak Ambassador was summoned to the Department of State when a report of the incident was received. The Assistant Secretary for European Affairs delivered a vigorous protest to the Ambassador. The Czechoslovak Government apologized for the incident, assumed responsibility, replaced the 375 panes of glass and paid in excess of $10,000 to cover the costs of repairs to the damaged vehicles,

Czechoslovakia also gave assurances that special measures would be taken to provide adequate protection for American diplomatic property in Prague. These measures were subsequently implemented on February 12, 1965, when police kept demonstrators protesting events in Vietnam more than 200 feet away from the Embassy chancery. No further U.S. action is contemplated in the circumstances. Czechoslovakia has not been a recipient of U.S. aid.

Hungary: On February 13, 1965, a mob of several hundred students, mostly Afro-Asians and Cubans, demonstrated against the American Legation in Budapest, Hungary, in connection with events in Vietnam. Many windows in the chancery were broken, one official and one private Legation car were extensively damaged, and some students broke into the Legation snackbar and movie projection room but were quickly ejected by the Hungarian police. The Legation immediately protested vigorously to the Hungarian Ministry for Foreign Affairs. In Washington, the Hungarian Chargé d'Affaires was summoned to the Department of State as soon as news of the demonstration was received. The Assistant Secretary for European Affairs delivered a strong protest to the Chargé. In reply to these protests, the Hungarian Government apologized for the incident and gave assurances that appropriate measures would be taken to prevent the recurrence of any such incidents in the future. It has made full restitution for the damages. No further U.S. action is contemplated in the circumstances. Hungary has not been a recipient of U.S. aid.

Yugoslavia: There have been no mob attacks upon U.S. diplomatic property in Yugoslavia during the last 12 years.

U.S.S.R.: The incidents in Moscow on February 9, 1965, and March 4, 1965, are covered in the attached statement.

Republic of China: Immediately after the sacking of the U.S. Embassy in Taipei on May 24, 1957, the Embassy lodged a protest and a demand for compensation with the Chinese Government. The Chinese Government expressed its profound regret and paid in full for all damage from its foreign exchange reserves.

Since the Chinese Government apologized for the incident, and reimbursed the United States in full for the damage to American property and personnel, no further action is contemplated.

Vietnam: The American consul in Hue made a formal protest after the demonstration on January 23, 1965. General Nguyen Chan Thi, the 1st Corps commander, made a formal apology to the USIS branch public affairs officer and to the consul. Apologies were also made by the 1st Division commander, the province chief and the rector of the university; Prime Minister Huong expressed his regrets.

Indonesia: The series of deplorable demonstrations against USIS libraries in Indonesia were strongly protested and full compensation for damages requested of the Indonesian Government. (These damages, I might add, were far less severe than reported in the press.) When it became clear that the Indonesian Government was unwilling to take adequate steps to protect our libraries, the U.S. Government terminated USIS activities in Indonesia in early March 1965.

Philippines: Recent anti-American demonstrations in the Philippines were stimulated primarily by the shooting of two Filipinos on U.S. bases by American guards. (In one instance, the guard, who was off duty when he shot and killed the victim, was convicted of unpremeditated murder by a U.S. military court.) The shootings gave rise to a considerable amount of public criticism among elements both friendly and unfriendly to the United States. The latter group, a tiny core of leftist political activists unrepresentative of the generally pro-U.S. public, largely organized and led the demonstrations.

Press accounts of the demonstrations were exaggerated; the rallies, although abusive in some respects, were nonviolent in nature and no damage was done to American property or Americans. As the demonstrations were neither officially condoned nor encouraged, no protest to the Philippine Government would be in order.

If I may be of any further assistance to you, please do not hesitate to call on me.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

DEMONSTRATIONS AT THE U.S. EMBASSY IN MOSCOW

On February 9, 1965, Vietnamese and Chinese Communist students led over 2,000 demonstrators in a 1-hour protest against U.S. policy in Vietnam in front of our Embassy in Moscow.

Immediately following the demonstration, Ambassador Kohler made a strong protest to the Soviet Foreign Ministry, stating that police protection had been inadequate and that the Soviet Government was responsible for the demonstration and for the damages.

On February 9, a State Department spokesman stated: "It is deplorable that demonstrators are permitted by the police to damage and deface our Embassy. Here in the United States we protect the Soviet missions and other missions from this kind of outrage in accordance with international law and custom."

On the following day the White House issued the following statement on the demonstration: "The President takes a most serious view of the fact that police protection furnished the American Embassy in Moscow yesterday was wholly inadequate despite prior notification to the Soviet Government of an impending demonstration. The U.S. Government must insist that its diplomatic establishments and personnel be given the protection which is required by international law and custom and which is necessary for the conduct of diplomatic relations between states. Expressions of regret and compensation are no substitute for adequate protection."

The Soviet Foreign Ministry proceeded immediately to make necessary repairs to the Embassy building and to reimburse the Embassy for materials provided by our Government for the repairs.

On March 4, 1965, the Embassy was informed that another demonstration was going to be held at the American Embassy. The Ambassador immediately requested an appointment at the Foreign Ministry and stated that the Embassy expected the Soviet Government to fulfill its responsibility to provide the Embassy and its personnel with protection required by international law and custom.

The demonstration occurred later that afternoon. Six hundred Soviet policemen were assembled at the Embassy, and a metal barrier and a line of 30 snowplow trucks had been placed in front of the building. The demonstrators broke through the police line and barriers. The Soviet Government first sent in mounted policemen and then Soviet Army troops to break up the demonstration. Several soldiers, policemen, and rioters were severely injured.

Ambassador Kohler met with Soviet Foreign Minister Gromyko that evening and stated that the extensive damage suffered by the Embassy showed that police protection was again inadequate. The Foreign Minister expressed regret for the damage, promised that the Embassy would be compensated for repairs, and indicated that supplementary measures for protection of the Embassy would be taken in the future. The Soviet Government began to repair the damage on the day following the demonstration.

The Department believes that the expression of our serious concern after the demonstration of February 9 was an important factor in the Soviet Government's decision to take unprecedented steps to attempt to control the demonstrators who caused damage to our Embassy on March 4. We believe that repeated and emphatic expressions of our concern over incidents of this kind are an effective way to show the Soviet Government that it will, in fact, be obliged to take the protective measures promised by Mr. Gromyko on March 4 if it wishes to avoid the damaging effects that such demonstrations have on Soviet-American relations.

The Soviet Government has also received protests from Communist China in connection with the demonstration of March 4. A small protest demonstration was even held at the Soviet Embassy in Peiping.

In a strongly worded note to the Communist Chinese Embassy in Moscow of March 12, the Soviet Foreign Ministry rejected Chinese charges of police brutality, accused the demonstrators of "premeditated provocation" against Soviet authorities and against a foreign embassy, and stated that any similar violation of public order would be "resolutely cut short" and that the offenders would be arrested and tried under Soviet law.

THE CONTINUING THREAT OF SOVIET BLOC ESPIONAGE

Mr. MUNDT. Mr. President, the headlines of today involving the international struggle which we refer to as the "cold war" deal mostly with the problems confronting the free world in such areas as South Vietnam and the Dominican Republic.

But it is well for us to not forget that the cold war struggle knows no boundaries as far as the Communists are concerned. The threat that confronts liberty is constituted of many facets—aggression in the form of infiltration and armed attack by the Vietcong, so-called revolutionary activities by the Communists in Santo Domingo, or espionage by those who wish to confiscate for their own use our military secrets.

It is to this latter concern that I call attention today to an article written by the Director of the Federal Bureau of Investigation, John Edgar Hoover.

Mr. Hoover discusses this problem in a forthright and most informative manner and what he has to say, I believe, is of interest to all Americans.

Mr. President, I ask unanimous consent to include in the RECORD this important article by Director Hoover, which I am privileged to carry in my newsletter report of May 4, for my constituents.

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

THE CONTINUING THREAT OF SOVIET-BLOC ESPIONAGE

(By John Edgar Hoover, Director, Federal Bureau of Investigation, U.S. Department of Justice)

America's military secrets in the hands of the Soviets. A sobering thought. And we dare not make the mistake of dismissing this unhappy prospect as mere fantasy—the grim facts reveal that it could well happen.

Information regarding our military facilities and operations is a priority target of Soviet-bloc countries. Their spy networks

strive ceaselessly to ferret out data vital to our security. No effort or tactic is spared by these conspirators as they seek to accomplish their mission.

Recent arrests bring into sharp focus the danger we as a nation face from the espionage threat. Just days ago, two men—one an Army sergeant and the other a former Army sergeant—were arrested by the FBI and indicted on charges of delivering U.S. defense secrets to the Soviet Union. The secrets related to military facilities and weapons, missiles and missile sites, codes and Army intelligence activities. This data was then allegedly transmitted to a number of Soviet agents who went under a variety of nicknames. Among the devices used to conceal the material were hollowed-out batteries, shoe heels, and cigarette lighters, along with codes, ciphers, and secret writings. The indictment further charged the two men with receiving large sums of money from the Soviet Union to carry on their activities.

In another case, just 3 months earlier, an Air Force veteran, Robert Thompson, was arrested by the FBI and charged with conspiring to furnish the Soviets data relating to military installations and equipment, missile sites, code books, and the like. Thompson has since pleaded guilty to spy charges.

In still another instance, a Federal court in December of 1964 found an American electronics engineer guilty of engaging in an espionage plot with the Russians. The American, whose work at an electric company pertained to a military communications system, has passed documents to the Soviets.

In many cases Americans involved in espionage activities have furnished data to Soviets stationed in this country on official business. Herein lies much of the potential of Communist spy efforts—the vast reservoir of their diplomatic personnel in the United States available for use on intelligence-gathering assignments. As of April 1, there were 780 Soviet-bloc officials in this Nation; they were accompanied by 1,185 dependents. A large percentage of these personnel, who in addition to their official duties are assigned to illegally obtain intelligence data, seek out contacts with Americans having military, scientific, or industrial connections. Through trickery, bribery or blackmail, these culprits hope to wheedle strategic data from these individuals.

The intensity of Soviet spy efforts cannot, of course, be gaged by arrests or prosecution of persons involved. Because of the nature of espionage and the possibility of revealing sources and investigative techniques, court action is not always feasible. The FBI's responsibility in this field is largely preventive in scope, with the purpose of disrupting spy activities and preventing the acquisition of strategic information by the Communists.

Anyone who receives an indication of spying or other subversive activities should immediately report the matter to the FBI. No investigation should be attempted by private individuals. Espionage is a deadly crime and dealing with it requires trained and experienced personnel.

The alertness of Americans is an important weapon in combating this menace. Never can we afford to relax our guard—our military secrets in Soviet hands could well play havoc with our national security.

THE 50TH ANNIVERSARY OF THE ARMENIAN MASSACRE

Mr. YARBOROUGH. Mr. President, April 26 marked the 50th anniversary of the atrocious and shocking Armenian massacre. Because of the unspeakable nature of this horrifying event, it is worthy of attention and commemoration by this body, in honor of the Armenians who lost their lives in that cruel tragedy.

The Armenian massacre will stand out as one of the starkest and most unfortunate instances of brutality and unrestrained inhumanity to man in modern history.

This Nation is fortunate to have many Armenians as its citizens, for they are unsurpassed in their citizenship and their loyalty to the basic principles and ideals of this Government and the rights and freedoms of America. The Armenians are admirable in their friendliness, warmth, and other fine qualities.

I commend the Armenian people and their leaders for their patience and forbearance, and for the wonderful virtues they have displayed in their personal and family lives and in so loyally contributing to the greatness of the United States by their patriotism and devotion to this country and to the cause of peace and freedom.

THE DEPARTMENT OF AGRICULTURE, THE AGRIGULTURAL STABILIZATION AND CONSERVATION SERVICE, AND CIVIL RIGHTS—STATEMENT BY SENATOR McGOVERN

Mr. HART. Mr. President, the junior Senator from South Dakota [Mr. McGOVERN] has asked me to insert in the RECORD, for him, a statement he has prepared, commending the Department of Agriculture for actions of the Agricultural and Stabilization and Conservation Service to employ Negro citizens and to include Negro farmers on its committees in areas where there is a substantial Negro population.

I ask that his statement be printed in the RECORD.

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

THE USDA, ASCS, AND CIVIL RIGHTS—STATEMENT BY SENATOR G. McGOVERN

I wish to pay tribute to the job being done by the Department of Agriculture, under the leadership of Secretary Orville L. Freeman, in the field of civil rights. Recent actions taken by the Agricultural Stabilization and Conservation Service of USDA are particularly noteworthy.

On April 2, Secretary Freeman announced that for the first time Negro farmers have been named to serve on ASC State committees. They are George W. Spears, Mound Bayou, Miss.; Caldwell McMillan, Annapolis, Md.; and John Gammon, Jr., Marion, Ark. It is now USDA policy that qualified Negro farmers will be considered for any vacancy that occurs on the committee for any State where Negroes constitute more than 10 percent of the total farmers in the State.

ASCS State and county offices are providing equal employment opportunities for all full-time and temporary jobs. In each State the goal will be to achieve a minority group employment percentage equal to the percentage of nonwhite farmers in the State. This summer ASCS expects to hire 2,806 temporary office employees and 12,828 temporary performance reporters in the 15 Southern States.

An advisory committee of Negroes will be established in the States of Texas, Louisiana, Alabama, Mississippi, Tennessee, Arkansas, Georgia, Florida, North Carolina, South Carolina, and Virginia to work with ASCS Administrator Horace D. Godfrey in carrying out the Civil Rights Act as it applies to activities of the Agricultural Stabilization and Conservation Service.

ASC county committees will place on the ballot for community committee elections each year the names of Negro candidates in at least the same proportion as there are Negro farmers in the county.

Segregation of employees or discrimination in the use of facilities is being eliminated. In some cases this requires arranging for and moving to office space where equal opportunities can be provided.

Mr. Godfrey also has stated that he expects every State committee to be prepared to take over the operation of any county ASCS office which does not operate in line with these goals and objectives.

These are excellent goals. I think Mr. Godfrey means what he says when he tells State and county ASCS committees and their staffs that full and equal opportunities will be extended to Negro and white alike—both for employment and for farm program participation.

THE AMERICAN INDIANS

Mr. HARRIS. Mr. President, the history and culture of the American Indians are an important part of our national heritage. I am sure all of us realize that the first Americans were the Indians.

Probably I am reminded of this fact more often than most Senators, since my wife and children are enrolled members of the Comanche Indian Tribe.

The different Indian tribes developed their own societies and customs, many of which were unique, and in striking contrast to those of the white man. It is fitting and proper that this early Indian culture should be preserved, and I am pleased that efforts in this regard have been increased during recent years. I am especially pleased that my home State of Oklahoma—which has a larger Indian population than that of any other State—has taken a lead in these efforts.

In Oklahoma, Indian artifacts and Indian paintings are displayed at many museums, including the Woolorac, near Bartlesville; Philbrook, at Tulsa; and the Great Plains Museum, at Lawton.

The town of Anadarko, in southwestern Oklahoma, is becoming a center for Indian culture. Authentic Indian villages have been recreated at Indian City, near Anadarko. Also at Anadarko are the Plains Indians Museum and the National Hall of Fame for Famous American Indians. A colorful, weeklong Indian exposition is held there each August, and it attracts thousands of visitors.

In the hall of fame are busts of many famous Indians. The latest entry—coming this year—is a bust of Pocahontas, who, more than 350 years ago, not too far from here, reportedly saved the life of Capt. John Smith. In 1614, Pocahontas married John Rolfe. In 1617, while on a visit to England, she died.

This bust was procured by the National Society of Colonial Dames, 17th Century. Mrs. Olen Delaney, of Oklahoma City, served as national chairman for the project.

The bust of Pocahontas was unveiled last month, in an impressive ceremony at Jamestown, Va. Dr. Muriel H. Wright,

noted Oklahoma historian and author, and the granddaughter of a Choctaw chief who gave my home State its name, was the principal speaker at the unveiling ceremony; and other Oklahomans, including Mrs. Delaney, participated.

I commend the National Society of Colonial Dames, 17th Century, and the Oklahoma State Society for this accomplishment. Also, I ask unanimous consent that two newspaper articles—one, from the Virginia Gazette, on the unveiling ceremony; the other, from the Daily Oklahoman, relating background on the project—be printed at this point in the RECORD.

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

[From The Virginia Gazette (Williamsburg, Va.), Apr. 30, 1965]

POCAHONTAS PRAISED IN CEREMONY HERE

Dr. Muriel H. Wright, speaking at the recent unveiling ceremony at Jamestown of a portrait bust of Pocahontas, described the Indian princess as a "great American woman."

The sculpture, commissioned by the National Society Colonial Dames XVII Century, will eventually be placed in the American Indian Hall of Fame in Anadarko, Okla.

Over 100 members of the society gathered at Jamestown for the ceremony, along with a dozen direct lineal descendants of the Indian princess credited with saving the life of Capt. John Smith and contributing to the survival of the beleagured settlement.

Dr. Wright commented: "Pocahontas is truly noted as a remarkable person who had an important place in the play for power between Powhatan's confederated tribes and the early English settlers."

Later baptized and married to John Rolfe, Pocahontas died in England in 1617, on the eve of a return voyage.

Delivering the invocation at the recent ceremony was Canon Selwyn Gummer, rector of St. Peter's in Gravesend, in whose graveyard Pocahontas is buried.

Dr. Wright's grandfather was a Choctaw chief who in 1869 applied the name Oklahoma (meaning red people) to the territory which later became the 47th State.

[From the Daily Oklahoman, Mar. 17, 1965]

INDIAN MAIDEN HAS DAY

(By Roy P. Stewart)

By long and diligent effort we have almost succeeded in avoiding an excessive swelling of the cranium—but after receiving this correspondence from Mrs. Olen Delaney, restraint is difficult.

Or, as the man said, we could have stayed on the wagon if we hadn't gotten up to give our seat to a lady.

What Mrs. Delaney sends is an invitation to attend the unveiling of a portrait in sculpture of Pocahontas at Jamestown, Va., on April 14. The invitation, she says, is indication that a column of ours dated April 23, 1958—also enclosed—had a far reaching effect.

In it we mentioned that there was some sentiment in the Old Dominion that Pocahontas be recognized in the National Hall of Fame for Famous American Indians, at Anadarko, but more Virginia support was needed.

We also recounted some history of that lovely daughter of Chief Powhatan who, after saving the life of adventurous Capt. John Smith, married John Rolfe, went to England and was belle of the ball at the British court.

The bust to be unveiled at historic old Jamestown, where much of our history began, later will be on display in Washington for a time, then brought to Anadarko for permanent emplacement. It will be presented by Mrs. Logan Billingsley of Katonah, N.Y., representing the shrine in Oklahoma.

"Since founding of the National Indian Hall of Fame in 1952," Mrs. Delaney writes, "it has been the desire of many Virginians that Pocahontas be given her rightful place in that assembly.

"Colonial Dames 17th Century concurred in this desire and set about to implement it. Who better could sponsor raising of funds to commission a sculptor than this national society, whose ancestors lived during colonial times and were protected through efforts of Pocahontas?

"The project was presented in Oklahoma City to William Rives Chapter by Muriel Wright, member of Colonial Dames XVII Century and first vice president of the Indian Hall of Fame. The national society approved. In 2 years sufficient funds were collected to commission Kenneth F. Campbell, formerly of Oklahoma, now in the art department of Wisconsin State University, to do the sculpture."

Mrs. Delaney modestly avoids claiming credit for this achievement as national chairman of the Pocahontas fund committee.

It would be nice to visit restored Jamestown. We have missed that, although seeing most other historic places in Virginia and adjacent areas.

Tough old John Smith, of Jamestown, himself was the best press agent for Pocahontas. He wrote to Queen Anne: "Two or three years, she, next to God, was still the instrument to preserve this colony from death, famine and utter confusion."

Historian Henry Adams said Pocahontas was the most romantic figure in our history, and that her visit to the British court highlighted the year 1616. The poor gal died there, probably from the lousy winter climate, the next year.

Not only are we complimented by Mrs. Delaney's words and the invitation; we are pleased as punch that anyone thought enough of a column clipping to keep it around this long and that Pocahontas joins our Oklahoma Indian pantheon.

BANK MERGERS

Mr. ROBERTSON. Mr. President, it is now almost a month since I introduced S. 1698, my bill to eliminate the confusion which has arisen in the bank-merger field by exempting bank mergers from the Sherman Act and the Clayton Act, and by making approval of such mergers under the Bank Merger Act of 1960 final and conclusive.

During that month, the American Bankers Association has strongly supported my bill; the Independent Bankers Association has adopted a resolution opposing it; and the Federal Reserve Board has transmitted its report recommending enactment of the bill. In addition, many letters expressing support of the bill have been received by Members of the Senate.

I ask unanimous consent to have printed in the RECORD a resolution adopted by the American Bankers Association, my letter to the president of the Independent Bankers Association commenting on the resolution adopted by that group, and a letter from the Federal Reserve Board in support of my bill.

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

RESOLUTION —

Whereas it was the expressed purpose and intent of Congress when it passed the Bank Merger Act of 1960 to make certain that control of bank mergers should be in the hands of the appropriate banking supervisory agencies—the agencies equipped with the special knowledge necessary to regulate intelligently the American banking system;

Whereas these uniform and clear standards have been repudiated by the Supreme Court of the United States in the Philadelphia National Bank and the Lexington Bank cases, which decisions have given the final word in bank mergers to the Justice Department and, in effect, relegated the regulatory authorities to advisory roles; be it

Resolved, That this association endorses and supports bill S. 1698 introduced in the U.S. Senate on April 5, 1965, restoring the original intent of Congress as contained in the Bank Merger Act of 1960 that regulation of bank mergers be in the jurisdiction of the appropriate banking supervisory agency, and providing that no proceeding shall be instituted or prosecuted by the Department of Justice under the general antitrust laws with respect to any bank mergers heretofore or hereafter approved by the appropriate Federal regulatory agency pursuant to the Bank Merger Act of 1960 or with respect to any mergers consummated before May 13, 1960, which were approved by the appropriate State or Federal bank supervisory agency.

THE AMERICAN BANKERS ASSOCIATION.

U.S. SENATE COMMITTEE
ON BANKING AND CURRENCY,
April 28, 1965.

Mr. RALPH L. ZAUN,
President, Independent Bankers Association, Grafton State Bank, Grafton, Wis.

DEAR MR. ZAUN: I have received a copy of the resolutions adopted at the 31st Annual Convention of the Independent Bankers Association earlier this month. One of these resolutions, which relates to my bill, S. 1698, to exempt bank mergers from the Sherman Act and the Clayton Act and to make approval of such mergers under the Bank Merger Act of 1960 final and conclusive, reads as follows:

"BANK MERGERS

"Whereas there has been newly introduced into the Congress legislation providing that the antitrust laws not apply to banking mergers; and

"Whereas this legislation would, in effect, give a blank check to banking merger negotiation and agreement without regard to lessening of the competitive factors; and

"Whereas the Department of Justice application of antitrust statutes has provided a most effective check against bank mergers that result in lessened competition in cities and communities served: Now, therefore, be it

"*Resolved*, That the Independent Banking Association opposes any legislation which would exempt banking mergers from the provisions of existing antitrust statutes."

The basic purpose of your resolution, I take it, is to promote competition and to prevent monopoly in the field of banking. I agree fully with this objective. I believe that this objective is in the best interests of banking and of the individuals and business firms served by banking, and that it will promote most effectively the growth and development of the United States. I am convinced, however, that a competitive, aggressive, and effective banking system will be best provided by regulating bank mergers under the Bank Merger Act of 1960, and not

by superimposing on that act the inappropriate and unsuitable requirements of the Sherman Act and the Clayton Act.

You will recall that the Bank Merger Act was reported from the Banking and Currency Committee in 1959 and, after amendments in the House, was enacted in 1960, in order to end an undesirable situation.

Before the enactment of the Bank Merger Act, it was agreed that section 7 of the Clayton Act did not apply to bank mergers and that the Sherman Act was entirely ineffective. Accordingly, there was general agreement that Federal legislation to restrict bank mergers was necessary. Testimony to this effect was received from the three banking agencies, from the Department of Justice and the chairman of the House Judiciary Committee, from the American Bankers Association and the National Association of Supervisors of State Banks, from the American Bar Association and from Mr. Ben DuBois, secretary of your association. Several of the witnesses, including Mr. DuBois, recommended a number of amendments to the bill, some of which were later accepted, for example the requirement that the Justice Department must be consulted on all questions of monopoly and competition.

The purpose of the Bank Merger Act was to promote competition and prevent monopoly. In reporting the bill, the committee intended to leave no doubt as to their belief in the desirability of competition in the field of banking, as the following quotation from the report I filed makes clear:

"Vigorous competition between strong, aggressive, and sound banks is highly desirable; lack of competition, restraints on competition, and monopolistic practices are undesirable. Competition in banking takes many forms—competition for deposits by individuals and corporations and by personal and business depositors; competition for individual, business, and governmental loans; competition for services of various sorts. Competition for deposits increases the amounts available for loans for the development and growth of the Nation's industry and commerce. Competition for loans gives the borrowers better terms and better service and furthers the development of industry and commerce. Vigorous competition in banking stimulates competition in the entire economy, in industry, commerce, and trade. There is no question that competition is desirable in banking, and that competitive factors should be considered in all aspects of the supervision and regulation of banks."

At the same time the committee agreed fully that banking was vested with a public interest and that regulation of banking was essential and must be continued. Banks are an integral and essential part of our fiscal and monetary system. The interest of Government, business and industry, and private citizens requires a sound and dependable banking system. To this end the Federal and State Governments have regulated banks very strictly. Entry into the banking business is subject to approval. Bank mergers, bank branches, bank holding companies, bank loans, interest rates, and many other phases of banking are subject to regulation and control, and frequent bank examinations are held in order to insure compliance with these controls. In order to provide further assurance of a sound, dependable banking system, such major agencies as the Federal Reserve System and the Federal Deposit Insurance Corporation have been created, as well as the national bank system.

I am glad to see that your resolutions include one supporting the dual banking system. In my judgment, the dual banking system has been of major importance in promoting competition and in preventing monopoly in banking. The 50 different State banking systems and their national bank counterparts make it virtually impossible to have in the field of banking a great nationwide monopoly of the sort which threatened to take over the steel, tobacco, oil, aluminum, and other industries and made it necessary to enact the Sherman and Clayton Acts. The differences between a regulated industry like banking—or like the railroad industry, the pipeline industry, the aviation industry, the communications industry—was recognized in the original Clayton Act and in the 1950 Celler-Kefauver amendment to section 7 of the Clayton Act. When an industry is regulated and controlled, particularly when entry into it or expansion of it requires the approval of a public body, the competitive considerations are entirely different from those surrounding an industry where entry, expansion, and mergers are regulated only by the antitrust laws.

It was for these reasons that the Congress clearly and definitely decided, when we passed the Bank Merger Act of 1960, to reject the strict standards of section 7 of the Clayton Act, under which a merger must be rejected if there is a threat of a substantial loss of competition in any line of commerce in any section of the country. Instead, we chose the broader standards of the Bank Merger Act under which competition and the public convenience and necessity must be weighed together, and the final decision based on the public interest.

The decisions of the Supreme Court in the Philadelphia and Lexington cases imposed on bank mergers the strict standards of section 7 of the Clayton Act and what apparently have become the equally strict standards of the Sherman Act. Clearly, these decisions have changed the situation on which the Bank Merger Act was based. If these cases had been decided before 1959, the Bank Merger Act would have been considered unnecessary. Now, with the Bank Merger Act and also the Sherman and Clayton Acts applied to bank mergers, the situation has become extremely confusing, and threatens to do serious harm to the banking industry and to the industries and the individuals who depend on it. If all banks which have merged under the Bank Merger Act, and there being no statute of limitations, all banks which have merged in the past 10 or 20 years are subject to attack by the Justice Department, with the threat of being split up, the effect on these banks, on their correspondents, on their depositors, and on those borrowing from them can be disastrous.

The Bank Merger Act applies to banks the basic principles which underlie the antitrust laws—the principles of promoting competition and preventing monopoly which underlie our free enterprise system. The bill takes into consideration the views and recommendations of the Department of Justice in the field of competition and monopoly, and it provides for consideration of the special circumstances surrounding the important and sensitive field of banking. The Bank Merger Act was intended to call for the most careful consideration by the Federal banking agencies, on the basis of advice from the Justice Department, of the competitive factors and tendencies to monopoly which might be involved in any bank merger which might be proposed.

S. 1698 is not intended in any way to weaken the significance given to competitive factors in the deliberations of the banking agencies under the Bank Merger Act. On the contrary, all that S. 1698 seeks to do is to provide for specialized consideration of the special competitive situation in the field of banking.

In order to make clear my strong support for competition in banking, under the dual banking system, I should appreciate it if you would make the views I have expressed in this letter available to your members.

With kind regards, I am

Sincerely yours,

A. WILLIS ROBERTSON,
Chairman.

BOARD OF GOVERNORS,
OF THE FEDERAL RESERVE SYSTEM,
Washington, April 27, 1965.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U. S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This refers to your requests of April 6 and April 7, 1965, for a report on your bill, S. 1698, which would amend the Bank Merger Act (12 U.S.C. 1828 (c)) to exempt bank mergers from the Federal antitrust laws.

Under the bill, the authority of the Board, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation to approve mergers and other transactions covered by the Bank Merger Act would be "exclusive and plenary." Banks participating in transactions approved under the act would be relieved by the bill, as to such transactions, from the operation of the Sherman Antitrust Act and the Clayton Act. This would be true whether the particular transaction "has been or is hereafter consummated." The bill also would exempt from the antitrust laws any bank merger or similar transaction consummated pursuant to the approval of the appropriate State or Federal bank supervisory authority prior to the date of enactment of the Bank Merger Act (May 13, 1960). In introducing the bill on April 5, 1965, you indicated that it is intended "to be applicable not only to future mergers but to all mergers heretofore consummated pursuant to appropriate regulatory approval including mergers now under attack by the Department of Justice under the antitrust laws."

Because banking is a licensed, strictly regulated, and closely supervised industry that offers problems acutely different from other types of businesses, the Congress, in enacting the Bank Merger Act, deliberately chose to place the authority to pass on bank mergers in the Federal bank supervisory agencies. Of course, the competitive effects or possible antitrust implications of bank absorptions obviously were the major reason prompting adoption of the measure. It is abundantly clear from the legislative history of the act, however, that the Congress did not believe the public interest would be served best if the legality of bank mergers were to be tested by competitive factors alone, to the exclusion of banking factors, including offsetting benefits to the public.

The Bank Merger Act contains no specific exemption from the antitrust laws for bank mergers, and the legislative history of the act indicates that this was not an inadvertence. On the other hand—and as the legislative history emphasizes—at the time of enactment of the act it was generally understood that section 7 of the Clayton Act, as amended in 1950, was inapplicable to bank mergers, and there was little or no experience by which to judge the usefulness of the Sherman Act in dealing with such matters.

In any event, the Congress specifically rejected a proposal that antitrust standards be adopted as the criteria for approvals of bank mergers, as well as a proposal that the Attorney General be permitted to intervene and obtain court reviews in bank merger cases pending before the Federal bank supervisory agencies. Instead, the Congress, in deciding to rely on the requirement for advance approvals by the banking agencies, concluded that agency consideration in such cases of the antitrust implications would be aided sufficiently by the requirement in the Bank Merger Act for advisory reports from the Attorney General on the competitive factors involved. And, in the words of your committee in reporting the measure, "The advance approval feature is important in halting bank acquisitions before they are consummated and in preserving the depositors' confidence in an institution which might otherwise be destroyed by an attempt to un-

scramble assets after an acquisition has been completed." (S. Rept. No. 196 on S. 1062, Apr. 17, 1959, p. 22.)

Well known are the problems that have resulted from the recent antitrust court cases involving bank mergers. This litigation makes unmistakably clear that banks and their customers now face the uncertainty that, even though merger proposals receive the advance approval of the appropriate Federal banking agency, the transactions are subject to veto in the courts on the basis of competitive or antitrust considerations alone. Indeed, protracted antitrust litigation to unscramble a merger risks detrimental effects on the bank involved and the public.

The Board believes that the Congress should examine the situation with a view to prompt correction and urges enactment of legislation such as that proposed in your bill.

Should the Congress, however, be unable to agree on the approach to the problem proposed in S. 1698, it might wish to consider other, although less positive, measures. One such possibility would be to amend the Bank Merger Act to allow a specified time necessary for the filing of an antitrust action in court to prevent consummation of an approved transaction, after which, in the absence of such an action, the merger could be consummated and would be exempt from the antitrust laws. Because the Attorney General receives ample notice of pending mergers under the procedure in the act for the submission of competitive factors reports, the specified period should be relatively short.

Sincerely yours,

WM. MCC. MARTIN, Jr.

GUADALUPE MOUNTAIN REGION PRAISED FOR NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the mountainous Guadalupe region offers one of the areas with the most scenic potential for a national park now available for acquisition in the United States. This wondrous area is conveniently located between Carlsbad Caverns, in New Mexico, and the Big Bend National Park, in Texas, and is a largely unvisited area, with maximum beauty and attraction to the citizens of this Nation as a national park.

In the April 25, 1965, San Angelo, Tex., Standard-Times, an article entitled "Guadalupe Park Top Texas Asset," and written by Ed Syers, points out another virtue of this region: It can be a year-round park, whereas many of our northern national parks have to close during the winter. Because of the importance which the Guadalupe Mountains hold for our country, and because of the excellence of this article, I ask unanimous consent that it be printed at this point in the RECORD.

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

[From the San Angelo (Tex.) Standard-Times, Apr. 25, 1965]

GUADALUPE PARK TOP TEXAS ASSET—IN THE MAKING NOW

(By Ed Syers)

Our projected Guadalupe Mountains National Park, magnificently wedging Texas northwest, holds but one disappointment. You cannot see it yet.

It is undiscovered Yosemite—if visually less mighty, then more wildly profuse and overtowering, because encountered at arm's length. Its rims gaze a hundred miles; but below, its hidden McKittrick Canyon is close quarter experience.

En route Carlsbad Caverns, your next trip west, stop awhile at U.S. 180's roadside park, up the foot of crouching El Capitan and Guadalupe Peak. You see the park's sheer outer ramparts, piercing 70,000 acres of Texas—a precipice-walled thrust, the very shape of our State's own south tip.

A giant edge view, this—a vertical mile above the salt flat deserts south. And though in itself awesome, it is still outer wall and will hide its forested summits, blue depths and canyon heights until Congress—likely this year—greenlights the Park Service. Add perhaps 2 more years, you'll begin to see the halls of these mountain kings behind.

For 3 days' hiking, muleback and contemplation, I've barely glimpsed them.

There are two distinct vistas. Trail, camp, and finally road will rim high. Far beneath, hiker and rider will peer up dizzyingly from twisting, timbered canyon.

First, then, let's look from below.

From the roadside, El Capitan dominates desert sea like Gibraltar, with Texas' highest, Guadalupe Peak, west, and Pine Top over the pass north. Ten miles beyond, McKittrick pierces the mountain wall, cuts forested behind it, then slashes narrowing, 20 miles across.

Eight miles inside (and presently through three locked gates), the mile-wide, well-timbered canyons will shade scores of campgrounds for year-round, sunshine use. McKittrick's wonders, afoot and horseback, lie beyond what will be canyon camp.

Even you and I will recognize an incredible botanic crossroads, the trails above, where ponderosa pine dwarfs the giant faxon yucca, bigtooth, maple flames over daggered maguey, sotol, and lecheguilla; and gold chinquapin looks on madrone's naked Indians—woman limbs.

Up those cliffhung trails, we'll top out, startled to shell-like formation, the very summits. Geology knows these Guadalupes for fossil barrier reefs, the exposed world's mightiest, from quarter-billion-year-ago Permian seas.

We'll marvel at forest-shadowed elk, fleeting bighorn, the crags away high, and, in the bubbling-down crystal pools, at rainbow trout, here only in Texas. Then finally, the visual avalanche of castellated crag, battlement, half-dome, of uphung precipice like gray-green titan drapes, cave-pocked, grotto-toed, scoop-sheltered, and natural bridged to pinnacles above, tiny-tufted with 100-foot Douglas fir, edging mountain meadows where the high campers look down on us, ants below.

More than one has called McKittrick America's perfect box canyon. It isn't boxed; its chasmed zigzags seem it so.

I hiked a leisurely 8 miles with J. C. Hunter, Jr., Abilene rancher-oilman. At 50, he has spent over half a lifetime holding this mountain beauty as virgin as Geronimo's Apache left it; holding it for ultimate park use. Hunter rides an easy saddle, hikes strongly, speaks softly; his mountains explain it.

Outside his lodge, where trail begins gradual, stream crisscrossing climb, the narrowing canyon walls rear to fluted, sleek, and jagged height, changing color and form with shadow and light. Here are Brice's minarets in giant scale; here, upper Zion's massive walls, to tinted filagree; high yonder, Sequoia's looming Moro Rock; beyond it, Yosemite's Half Dome—all relatively loftier than their 1,800-foot thrust, because you pass so close to them.

McKittrick turns and turns, changing each hundred yards, closing its riffing stream in stereophonic echo, stirring late morning breeze, drifting back the canyon wren's trill-down and narrowing the blue silk sky. You lunch in a stalactite-hung grotto and ponder if this could be a collapsed part of Carlsbad Caverns, 25 air miles north.

You wander building-sized boulders, under spires like 20-story galley prows, pinnacles like giant lighthouses, high windows opening on lesser peaks like castles. McKittrick unfolds finally to a block-long, vaulting overhang that could shelter a Mesa Verde cliff dwelling. Beyond are the narrows, closing to 30 feet and climbing to the deep, spring-fed pool that heads the canyon stream.

There, your trail—park graded to comfort—turns back for an easy day's hike, year round. In lower canyon's late afternoon grays and golds you still sense McKittrick's close moods—whether in winter's stark grandeur, spring's green veil, summer's scent and lazy sound, or autumn's blaze.

Back at the lodge, you consider the ultimate park. You sampled one hike; there will be several, as many saddle trails. For this, though most spectacular, is but one of a dozen canyons that lace and interlace virgin wilderness. You'll get an idea of the others with muleback rimride, a hundred switchbacks to top out, tomorrow.

You'll better sense the link park planners discuss—for hiker, rider, and ultimately motorist—down the lofty knife of Blue Ridge, over the mountain-meadow forests and along the cliffs from Carlsbad Caverns.

Ultimate park? It offers what northern parks cannot: year-round use—high-timbered as though rain-forested, yet delightfully crisp sunshine, even the cold months.

And for Southwest, a missing tourist link. McKittrick will send the traveler on: Big Bend, El Paso, and Mexico, and Padre's long gold beaches.

So stop awhile at U.S. 180's roadside park, look up at the great sheer wall and think what waits inside. We know that labyrinth hides Old Prospector Bill Sublett's treasure; and I promised to report on it. High up one north face are three caves that took his name. It's as far as I got, with Sublett's lost gold.

The real treasure—rarely duplicated in America—is chasmed and pinnacled beauty.

ORDER OF BUSINESS

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

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564), to enforce the 15th amendment of the Constitution of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by its title.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

The PRESIDING OFFICER. Without objection, the Senate will resume consideration of the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and the following Senators answered to their names:

[No. 62 Leg.]

Aiken	Byrd, W. Va.	Ervin
Allott	Carlson	Fannin
Anderson	Case	Fong
Bartlett	Church	Gruening
Bass	Curtis	Harris
Bennett	Dirksen	Hart
Bible	Douglas	Hartke
Boggs	Eastland	Hayden
Brewster	Ellender	Hickenlooper

Hill	McNamara	Russell, S.C.
Holland	Metcalf	Saltonstall
Inouye	Miller	Smith
Javits	Mondale	Sparkman
Jordan, Idaho	Montoya	Stennis
Kennedy, Mass.	Morse	Talmadge
Kuchel	Moss	Thurmond
Lausche	Mundt	Tydings
Long, Mo.	Muskie	Williams, N.J.
Long, La.	Nelson	Williams, Del.
Magnuson	Pastore	Yarborough
Mansfield	Prouty	Young, N. Dak.
McCarthy	Proxmire	Young, Ohio
McClellan	Randolph	
McGee	Robertson	

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from North Carolina [Mr. JORDAN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Rhode Island [Mr. PELL], are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from Washington [Mr. JACKSON], the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. BASS in the chair). A quorum is present.

What is the will of the Senate?

Mr. ERVIN. Mr. President, last week, at the request of the majority leader, I withdrew my amendment No. 83 so that the majority leader and the minority leader might offer an amendment in the nature of a substitute. That amendment in the nature of a substitute has now been offered, and I wish to call up my amendment, which is at the desk, and to advise the Senate that the amendment is similar to my amendment No. 83, which has been adapted to the form of amendments to the Mansfield-Dirksen amendment in the nature of a substitute for the bill. My amendments would amend several portions of the bill. For that reason, I ask unanimous consent that they be considered and ultimately voted on en bloc.

The PRESIDING OFFICER. The amendments of the Senator from North Carolina will be stated.

The legislative clerk read the amendments, as follows:

AMENDMENT No. 135

Amendments to enforce the 15th amendment to the Constitution of the United States

On page 2, line 8, change the figure "6" to the figure "5".

On pages 4 to 8, both inclusive, strike out sections 4 and 5 in their entirety and insert the following in lieu thereof:

"SEC. 4. When he has reason to believe that any State or political subdivision of a State is engaged in denying or abridging the rights of citizens to vote on account of race or color, the Attorney General may institute an action in the name of the United States in the district court of the United States against such State or political subdivision in the district in which the capital of the State in question is located or in which the political subdivision in question is situated, against such State or political subdivision, alleging that it is engaging in denying or abridging the rights of citizens to vote on account of race or color. Upon demand of the Attorney General, such action shall be tried by a three-judge district court convened in the manner prescribed by 62 Stat. 968 (28 U.S.C. 2284). In case the court finds on the trial on such action that the State or political subdivision in question is denying or abridging the rights of citizens to vote on account of race or color, the court shall so adjudge and shall authorize the appointment of examiners by the Civil Service Commission in accordance with section 5 to serve for such period of time and in such political subdivisions of such State or such political subdivision as the court shall determine is appropriate to enforce the guaranties of the 15th amendment."

On pages 8 and 9, strike out everything from the semicolon on line 22 of page 8 through the word "amendment" on line 4 on page 9 and insert in lieu thereof the folowing "or section 4."

On page 19, lines 14 and 15, strike out the words "any declaratory judgment pursuant to section 4."

Renumber sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 as sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina? The Chair hears none; and it is so ordered.

Mr. THURMOND. Mr. President, initially, let me acknowledge that I am aware that for the most part, and by most of those to whose attention it comes, any opposition to the proposed Voting Rights Act of 1965 will be written off as just another manifestation of "racism." This is particularly true if the opposition originates from one who happens to be from a Southern State. Such is the emotional climate in the Nation today.

For what it is worth, however, let me say for the record, with complete sincerity, that I oppose the denial of the right to vote to any qualified person. Denials of the privilege of voting on account of race or color are unconstitutional, inconsistent with the basic principles on which our Nation was founded, and devoid of any legal or philosophic justification.

With absolute consistency, I oppose enactment of the "Voting Rights Act of 1965," for it is equally unconstitutional, equally inconsistent with the basic principles on which our Nation was founded, and equally devoid of any legal or philosophic justification. Two wrongs do not make a right; and legislative flouting of the Constitution under the pretense of upholding the Constitution will not advance civil rights.

Mr. President, rarely, if ever, has the genesis of a legislative proposal been of more pertinence to the consideration of a measure than is the case with S. 1564, the proposed Voting Rights Act of 1965. No realistic evaluation of this bill's breadth, its scope, its operation, or its consequences is possible in the absence of an understanding of its origin and the environment from which it sprang. It is my purpose, therefore, before commenting in any detail on the provisions of the bill itself, to review the circumstances which gave birth to this proposal.

Mr. President, the proposed Voting Rights Act of 1965 is before the Congress today as a consequence of what has been generally described as "mass demonstrations." It is somewhat difficult to pinpoint the precise point in time when the so-called civil rights movement took to the streets, but several years have passed since the so-called demonstrations attained enough momentum to draw the focus of public attention to such activities. Although we have all been witnesses through the media of television and the printed word to these mass activities, and although each of us has been influenced to some degree and in some direction by such activities, there remains little understanding of either the precise nature, pattern, or actual purpose and effect of such an activist movement.

The names of the participating organizations, many of which have sprung up seemingly overnight, have become household words—the Southern Leadership Conference, SNCC, CORE, just to name a few. We are also familiar with the names of the leaders—King, Rustin, Shuttlesworth, Abernathy, Farmer—again, just to name but a few. We have watched and read of their so-called demonstrations in Birmingham, New York, Montgomery, Chicago, Jackson, Philadelphia, Charleston, St. Augustine, and in countless other cities across the Nation.

For all the familiarity with the incidents, the places, the organizations, the people—there is obviously precious little comprehension of what is occurring. It is almost as though the Nation has viewed these occurrences through the mind's window of emotion, never daring to crack that shutter of the mind which might subject these activities to the perceptiveness of reason.

For the most part, the so-called demonstrations are well organized. The leaders have largely succeeded in exercising the slight degree of control which is possible over large masses of aroused people. They have been diligent in training those activists who participate regularly in techniques long since perfected for this type of activity. Only to the uninitiated, and only to the careless observer, do the so-called demonstrations appear either spontaneous or unmanipulated. They comprise one of the most successful, calculated propaganda operations ever undertaken.

The so-called demonstrations, themselves, constitute the professional application of the art of civil disobedience. Part and parcel of the operation is a massive verbal barrage, professing and acclaiming such activities to be the essence of nonviolence. Indeed, the term "nonviolence" has become almost an automatically accepted adjective for such activity, so successful has been the campaign of oral and written propaganda. The demonstrations have, in fact, actually been surprisingly nonviolent, particularly in view of the violent tendencies inherent in mob psychology.

It is a tribute to the professional capabilities of the leaders of the so-called civil rights movement that the massive civil disobedience which they have aroused, instigated, and inspired has been largely nonviolent. But nonviolence is only one of the two major elements which compose the successful civil disobedience operation. For civil disobedience success, nonviolent a demonstration should be, but provocative it must be; for provocative is the other adjective, rarely enunciated, never advertised, which is the key to the success of the civil disobedience operation which we are witnessing and have witnessed for several years.

A careful study of the so-called civil rights demonstrations proves clearly that nothing is more unsuccessful than a demonstration which provokes no resistance. Such is the nature of these nonviolent provocative operations, however, that those activities which have failed to elicit some type of resistance merely evidence poor planning by the leaders or poor execution by the trained participants.

If a demonstration in the streets does not elicit a response from city officials, the demonstration is moved into the official's office. If entry into the official's office does not evoke any substantial resistance, the demonstrators remain, refusing to leave until the absolute requirement of order necessitates the demonstrators' ejection. By the nature of the operation, it is almost invariably possible to mount an essentially nonviolent activity, which is at the same time so provocative that it will require even the most benevolent authority to respond with resistance, which resistance usually requires the use of force. For instance, no one could accuse either the Attorney General or the President of the United States of being other than benevolent toward the so-called civil rights campaign of civil disobedience. Yet, within recent weeks, both the Attorney General and the President have found it necessary to resist so-called nonviolent, but provocative, demonstrations in the form of sit-ins by having law enforcement officers physically eject the demonstrators from the Department of Justice and the White House, respectively. Mayors from Chicago to Selma have experienced the necessity to react similarly.

If massive demonstrations at noon in the city square are ignored and provoke no response, demonstrations are rescheduled from noon to 11 p.m., and to residential neighborhoods rather than the city square. Such was the case, for instance, in St. Augustine, Fla.

Thus, are nonviolence and provocation the two ingredients which constitute the essence of the civil disobedience operations commonly referred as to civil rights demonstrations. The careful cloak of nonviolence provides shelter from the potential disapproval of a fair-minded public which takes note of the operation from afar—not being directly affected by the particular demonstration. The element of provocation insures application of resisting force, which can be used to effectively gain the sympathy of that same public witnessing from afar. The more brutal and excessive the resisting force which can be provoked, the more successful becomes the particular civil disobedience operation.

This is the nature and the pattern of the organized civil disobedience which has engulfed our Nation over the past several years.

I have described the so-called mass demonstrations as operations of civil disobedience. This is no chance choice of terms. I use "civil disobedience" as a deliberate and accurate expression for the activities which have become so familiar. The term "civil" embraces the nonviolent appearance and ostensible character of the demonstrations, and distinguishes such activities from those of a similar nature and purpose which utilize military as contrasted to civil means. The term "disobedience" embraces the provocativeness of such activities, but it also includes and describes another aspect of the demonstrations. Disobedience embraces lawlessness, and the term is accurately applied to the so-called civil rights demonstrations, because they are inherently lawless. The disobedience is disobedience to duly enacted and prevailing law. Those laws to be disobeyed are selected at the discretion, usually, of the directors of the civil disobedience operation, but occasionally the participants expand the scope of the laws chosen by the leaders to be disobeyed. The majority of the laws disobeyed—or, more accurately, defied—have been for the most part those enacted in exercise of that portion of governmental authority known as the police power. Such laws range in purpose from the regulation of traffic, to the maintenance of public order, to the protection of the human right to the enjoyment and use of private property.

A distinction should be made at this point between the grievances to which the massive civil disobedience is ostensibly directed at correcting, and the laws which are disobeyed in the process of the activity, for rarely are the object of the ostensible grievance and the laws which are disobeyed either identical or related. For example, the grievance to which the demonstrations are often ostensibly directed is voting discrimination, while the laws disobeyed are often traffic regulations or trespass prohibition ordinances.

It becomes apparent, therefore, that the civil disobedience is defiant of legitimate rules of society which are unconnected, from a causal standpoint, with the ostensible object or grievance of the group engaged in the civil disobedience operation. It is the provocative disobedience of law, unrelated to the ostensible grievance, which distinguishes this as an insurrection rather than a reform movement. Because the campaign of civil disobedience seeks to undermine, through defiance, a whole spectrum of the rules of society, the movement denies and seeks to undermine the rule of law itself among the society. Necessarily, it also undermines the political order which the society has instituted for its own government.

The movement, therefore, is nothing more or less than a war against society and the existing political order—in short, an insurrection.

Mr. President, our Nation, our society, and our political structure have the admirable quality of being tolerant toward and susceptible to reforms. Never in the history of man has a political system been so well devised to permit successful political, social, and economic reforms to be accomplished than has ours. Successful reforms in this country have ranged the broad horizons from child labor to maltreatment of dumb animals; from the provision of social welfare for citizens to the provision of sanctuaries for birds.

Indeed, reforms under our political system have been so relatively easy to bring about that we are inclined to overlook the fact that only under a political system which provides order and stability are reforms possible at all. Such an obvious fact should not be hard for any contemporary American to perceive. We have vainly attempted to accomplish relatively meager social, political. and economic reforms, by our own standards, in areas of the world where there was and is no political structure which could provide order and stability. We have found that reforms in the Congo are not possible until stability is achieved. We have found it nearly impossible to achieve social and economic reforms in Vietnam—again, because of the lack of order and stability. Repeatedly, our well financed reforms in Latin American countries fell prey to disorder and instability—all too often taking the form of a revolution.

If, therefore, the objective of the so-called civil rights movement is reform for the purpose of alleviating legitimate grievances, our political structure provides a legitimate means for such reform within its prescribed process and through its constitutional institutions. Insurrection, on the contrary, institutes the very conditions of disorder and instability which preclude lasting reforms.

Insurrections are wars against society and undermine the entire political structure—the good elements as well as the bad. By its very nature, a revolution strikes at the whole political structure through which all the laws are instituted, those with which we agree as well as those with which we disagree. When one chooses individually to openly defy a law, he becomes a criminal. When one conspires or joins an organized effort to defy a whole spectrum of laws, he becomes an insurrectionist; and his participation constitutes a declaration of war on the society in which he lives.

Mr. President, it is indeed refreshing when evidence comes to light that there are those in our society who perceive the true nature and meaning of the current pattern of civil disobedience. Not surprisingly, one of those who evidences a clear and penetrating understanding of this subject is the Senate's own Chaplain, Dr. Frederick Brown Harris. In his weekly column which appeared in the April 11, 1965, edition of the Sunday Star, Dr. Harris discussed "Broken Law and Broken Freedom." He stated:

In these days of tortured turbulence there is nothing that our social order needs more than to realize that to break the law means to break our freedom which makes laws. There is a frightening description in the April FBI Bulletin of a scene last Labor Day weekend in a New England State where 7,000 arrogant, profane, and insulting young people stormed from the beach area, drinking and destroying property as they shouted "kill the cops, let's have a riot." In addition to this attitude on the part of youth in various parts of the Nation, the amazing doctrine is now being broadcast in the bitter campaign for civil rights that to reach certain social goals lawbreaking is a virtue. The startling thing in the contemporary agitation for the removal of unjust discrimination is that this lawless conception is espoused by some leaders in the realm of morals and ethics as uncontrolled street demonstrators trampled roughshod over legally enacted regulations. Some riders on crusading white horses covet a martyr's halo, rather than obedience to laws of which they do not approve.

In an address at Colby College, Adlai Stevenson observed: "Even a jail sentence is no longer a dishonor but a proud achievement. Perhaps we are destined to see in this law-loving land people running for office, not on their stainless records, but on their prison records." To break legal enactments by simply appealing to a higher law is to punch a hole in the legal dike which holds back the flood of anarchy.

Justice William O. Douglas of the Supreme Court has pointedly said, "An individual or marauding group who defies the law to strike a blow for the particular kind of freedom they espouse is indeed destructive of the rule of law."

The present-day gospel of "overcoming" by disregarding laws, even on the way to worthwhile objectives, endangers the very cause, as it thus prostitutes unworthy means as a route to desired ends. At the same time it puts in jeopardy other worthy causes waiting for their day in a lawfully constituted court. The Communists shout out in glee to high heaven at the reported attitudes of representative U.S. citizens that a law to which any person objects is like piecrust—made to be broken.

A prominent leader in the civil rights movement has said: "There are just laws and there are unjust laws. I submit that an individual who breaks the law that conscience tells him is unjust and willingly accepts penalty is, in reality, expressing the highest respect for law." That is transparent sophistry.

Let us state unequivocably that this lawbreaking doctrine is not, as some allege, a Christian view. A recognized modern theologian has commented on the contemporary attempt to make blatant breaking of law an allowable Christian practice. He declares, "The early Christians under the teaching of the apostles were enjoined to obey the laws of the state—a pagan state, mind you—whether they held the laws to be just or unjust, so long as the state did not claim for itself the worship and allegiance owing only to God." Whatever may be said for civil disobedience it is certainly not a Christian doctrine as St. Paul in Romans makes clear. Those who claim Abraham Lincoln as their patron saint ought to listen to him as he solemnly admonishes, "There is no grievance that is a fit object of redress by mob rule."

There is no magic formula which guarantees to bring about in one day, or a thousand, the equality which is at the heart of democracy. Mad insistence on individual wills and whims crowds out sober obedience. Fiats, not fists, are the effective weapons for righting wrongs. A keen young thinker with splendid university training, gazing with anxious eyes at the present ominous scene, has written, "Once it is stated that law need not be obeyed unless it is good law, the beginning of an end to rule by law has been initiated. If each individual, or group of individuals, decides for himself which laws he will follow, and which laws he will disobey, the entire fabric of law is broken down. The fact is that Negro equality can exist only in the same proportion as respect for laws exists. What a tragedy it would be if Negroes succeeded in destroying our system of law and in the very same process destroyed the very thing which can make them free."

But, alas, in the present orgy of lawlessness in America, there are many well-intentioned citizens who desperately need to be reminded that broken law is the direct path to broken freedom. The way to alter existing law is the legislative path and not the lawbreaking path. Civil disobedience is a long first step in the direction of an invasion of lawlessness in which order and freedom and liberty would be lost.

Over the headquarters of every cause in this day of social ferment there might well be written the inscription which is lifted up in great letters over the courthouse in Worcester, Mass., "Obedience to law is liberty!"

Would that many more had the insight and vision of Dr. Harris.

Let us turn now to the effects of this civil disobedience insurrection.

One of the most frequent purposes of government, and most specifically an enunciated purpose of our Government, is to "insure domestic tranquillity." Domestic tranquillity is one of the most prized and precious of the blessings of a stable government. It is a blessing most dear to responsible citizens and one for which they have demonstrated their willingness to sacrifice; and it is on the affection and desire for the blessings of domestic tranquillity that the campaign of civil disobedience seeks to capitalize and make its destructive advances.

The immediate effects of civil disobedience operation is to negate domestic tranquillity in the community to which it is applied. Appalled and distressed at the loss of tranquillity, responsible citizens willingly make concessions, some of which even compromise the nature of the political structure itself.

These, however, are the immediate short-range effects—local in nature, and comparatively minor when considered in connection with the broader objectives. It is through the high official level of government that the chief effects are realized. The accomplishments of the current civil disobedience operations through responses at the highest official levels of government have been unbelievably significant.

In 1963, the President of the United States sent to Congress a so-called civil rights bill as a direct reaction to the campaign of civil disobedience. No amount of camouflage could conceal the fact that its extreme provisions were designed, not primarily for reform but essentially to attempt to satisfy, and thereby halt the rampage of civil disobedience outbreaks. Quite obviously, the bill failed in this purpose, for the civil disobedience campaigns have resumed after a brief moratorium during the political election. The Congress in 1964 passed this so-called civil rights bill. In so doing, it compromised not just the supreme law of the land as written in the Constitution, but also the very spirit of the rule of law on which our political structure is based. This, unfortunately, was only the beginning.

The judicial branch of government has also attempted to deal with the civil disobedience campaign, not through application of law, but through compromises of the rule of law. In December 1964, for instance, the Supreme Court overturned convictions for offenses committed prior to the passage of the 1964 civil rights act. The Court's decision, in effect, gave retroactive effect to that congressional enactment, and in so doing, they severely compromised the very rule of law from which whatever authority they exercise stems.

Now we find ourselves engaged in a repeat performance of congressional action in 1964—only the ante has been raised. We are asked this time—or was it a demand?—to violate the fundamental law of the land to an even greater degree than was done in 1964. Let us look at the specific series of activities which prompted this proposal.

In the early weeks of this year, a campaign of civil disobedience was launched in Selma, Ala., which lies in the county of Dallas, under the leadership of Martin Luther King, a resident of Atlanta, Ga. The campaign of civil disobedience took the form of mass demonstrations in the usual pattern—for the most part nonviolent, but provocative. Marches on the courthouse, where the registration board is located, became routine. As time went by, the crowds participating grew—made up not only of applicants for voting registration, but also of nonresidents of the State of Alabama and, to a major extent, of juveniles drawn from the schools of Selma.

Even when the campaign of civil disobedience began in Selma, a suit was pending in Federal court for relief of those denied the right to register and vote. The court action was brought under provisions of the Civil Rights Acts of 1960 and 1964. On February 4, 1965, almost at the beginning of the campaign of civil disobedience, the Federal court issued the following order:

This court specifically finds that the defendants have deprived Negroes of the right to vote without distinction of race or color and such deprivations have been pursuant to a pattern and practice.

It is the order of this court that the defendants, registrars of voters of Dallas County, Ala., are hereby restrained and enjoined:

1. From failing or refusing to receive and process expeditiously applications for registration to vote;

2. To expedite the registration of voters in Dallas County by receiving and processing at least 100 applications on each registration day, provided that number of persons present themselves for registration;

3. To provide adequate personnel and facilities for the registration of voters so that

at least eight applicants can apply for registration simultaneously;

4. To observe the following procedures for the receipt of applications for registration to vote in Dallas County:

(a) Applicants shall be permitted to apply for registration in the order in which they appear at the registrar's office for that purpose.

(b) Applicants who appear to apply for registration shall be requested to immediately sign an appearance sheet and shall be issued successive numbers in the order in which they appear and shall be permitted to apply for registration in that order without having to wait in line.

(c) An appearance sheet shall be maintained showing the name of each person who offers himself for registration and the priority number assigned to him.

(d) At the end of each registration day the defendants shall post in a conspicuous place in the courthouse and on the door of their office the date of the next registration day, the first number which will be called on the next registration day, and the numbers if any which were called that day but were not answered.

(e) Any prospective applicants who fail to appear when their numbers are called shall be called first on the next registration day in their proper sequence, but any prospective applicant who fails to appear on two successive days shall lose his priority and must obtain a new number if he still desires to apply for registration.

5. From administering to applicants for registration to vote the insert part III test now in use. The literacy of applicants shall be judged by their writing in filling out part II of the application form now in use;

6. From denying registration to Negro applicants on the grounds that they made formal, technical, or inconsequential errors or omissions in filling out their application forms;

7. To submit to this court on or before the fourth Monday of each month a photocopy of the appearance sheet showing each entry not previously submitted to the court with the symbol "A" indicating all applications accepted, the symbol "R" indicating all applications rejected, and the symbol "F" indicating all persons who failed to appear when their number was called. No applications shall be allowed to remain in a pending status.

8. In the event the defendants are unable, except for good cause shown, by the end of the special registration days in July 1965, to receive and process all of the applications from persons who have signed the priority sheet and have presented themselves at the provided time to be processed prior to July 1, 1965, this court will deem that all such persons, not processed, have been denied the opportunity to register within the meaning of 42 United States Code 1971(e) and will instruct the voter referee, already appointed by this court, to receive and process applications submitted by them.

The court also wishes to make clear that any rejected Negro applicant from this date forward may apply to this court for registration in accordance with the provisions of 42 United States Code 1971(e).

From this order, it is apparent that the remedy to voting denials had been provided through the orderly prescribed process of law. The order insured that all eligible persons in Dallas County, Ala., would be registered to vote long before the next election, and even made provision for registration by the court-appointed voter referee should the registration board not comply with the court's order. The order even provided that a minimum of 100 applicants be registered on each registration day.

The only effect of this order, recognizing and remedying the ostensible grievance of the demonstrators, was to increase the tempo and provocativeness of the demonstrators. The responsible citizens of the city had little choice but to avoid the areas in which the larger and larger demonstrations were taking place, leaving only the demonstrators, harassed law-enforcement officials, and few others who were not seeking excitement or trouble. The provocation often took the form of law breaking, particularly of the laws for the regulation of traffic and for the maintenance of order. The resistance to the demonstrations began at a low level and slowly grew.

Persistently increasing provocation finally achieved the purpose of the civil disobedience. On March 8, the Alabama State troopers and the Dallas County sheriff's officers used force to break up and stop an attempted mass march from Selma to Montgomery. A number of the participants in the civil disobedience were injured. It should be noted that a number of the demonstrators abandoned the nonviolent rule, and fought the police with bricks and bottles.

Subsequently, a minister who had flown to Alabama from Boston to participate in the demonstrations, was killed in an affray with several white men from Selma.

These were the events which finally accomplished the goal of the civil disobedience campaign. Many of those who answered the renewed call for additional demonstrators discovered too late, if ever, the real purpose for which their presence was desired. One, however—a rabbi at the University of Pittsburgh—caught on, and publicly announced that people at his school were misled. What the leaders of the civil disobedience campaign wanted, according to the rabbi, were martyrs, people to shed their blood and die.

Matters became so tense that the Federal court temporarily enjoined the proposed grand finale of the Selma campaign—the mass march to Montgomery. The State of Alabama signified its intention to abide by whatever final decision the court made as to when and if the march should be permitted.

At this point the leader of the campaign of civil disobedience removed any doubts which may have lingered that the demonstrations were lawful: Martin Luther King announced that the mass march to Montgomery would take place, regardless of the decision of the court.

At this time, the proposed "Voting Rights Act of 1965" was born.

The President announced that he would send to the Congress a bill on voting, and the Nation resounded with reports of the comings, goings, and doings in preparation of the bill.

On March 15, 1965, the President addressed the people of the Nation in the context of an appearance before a joint session of Congress. It was an emotion-packed address, even more so than his usual.

The President told the Nation that the denial of voting rights to Negro citizens in Selma, Ala., had demonstrated the need for a new law.

The President did not tell the Nation that on February 4, 1965, a Federal court, acting under the Civil Rights Acts of 1960 and 1964, had made it possible for all Negroes who could read and write in Dallas County, in which Selma is located, to register and vote in the next election, and that the court order provided that the Federal voting referee, already appointed by the court, would register all who wanted to register and were not registered by July 1965.

The President told the Nation that present law could not secure the ballot for Negro citizens.

The President did not tell the Nation that in Selma, Ala., itself, the right to vote in the next election had already been insured under existing law for all Negroes who could read and write. He did not tell the Nation that there are already 16 Federal laws, 6 criminal and 10 civil, on the books to protect voting rights, including laws to protect voting rights of minorities enacted in 1957, in 1960, and in 1964. He did not tell the Nation that the Civil Rights Act of 1960 already provides for the appointment of Federal voting referees.

The President told the Nation that the only way for a person to qualify to register to vote in Alabama was to present a "white" face.

The President did not tell the Nation that there are already 115,000 Negroes registered to vote in Alabama, more than 20 percent of the vote cast in the 1960 presidential election.

The President told the Nation that his proposed law would strike down State literacy requirements for voters.

The President did not tell the Nation that as late as 1959 the Supreme Court, itself, upheld the constitutional power of the States to impose literacy requirements for voters.

The President told the Nation that the 15th amendment to the Constitution prohibited the denial or the right to vote because of race, color, or previous condition of servitude.

The President did not tell the Nation that the 15th amendment is self-executing—that is, that it can be enforced by the courts without any legislation being passed by the Congress. He did not tell the Nation that article I, section 2 of the Constitution provides that those who may vote to elect Members of the U.S. House of Representatives are those who "shall have the qualifications requisite for electors of the most numerous branch of the State legislature," or that this exact language is used again in the 17th amendment, which provides who shall be eligible to vote in elections of Senators.

The President told the Nation that Congress had the right to pass legislation enforcing the 15th amendment.

The President did not tell the Nation that the 15th amendment did not repeal the constitutional right of the people for each State to establish qualifications for voting, and that any law passed by Congress purporting to supersede those qualifications, as does the law proposed by the President, is patently unconstitutional.

The President told the Nation that people have a right to demonstrate and that he would use the full power of the National Government to protect that right.

The President did not tell the Nation that although all Negroes in Selma, Alabama, who could read and write were already insured of the right to vote, that thousands of people from all over the country, led by an outsider, had conducted mass public demonstrations for over 8 weeks, completely disrupting the affairs of peaceful and law-abiding citizens. He did not tell the Nation that the agitation was designed by its leader primarily to induce violence, which would in turn provide headlines and money-raising potential across the country, and not to secure the right to vote.

The President told the Nation that his legislation would override State eligibility requirements wherever 50 percent of eligible voters are not registered to vote or did not vote.

The President did not tell the Nation that his voting law formula is so drawn that it would apply to the entirety of six States, five of which just happen to have cast their electoral votes against him in the election last fall, and in some of which, such as South Carolina, there have been no restrictions and no complaints whatever against registration and voting of any qualified person.

I would be remiss, Mr. President, if I failed to note my belief that the President's speech and bill were not motivated solely as a response to the nonviolent, provocative campaigns of civil disobedience conducted in Alabama. There were undoubtedly numerous other influences which bore on the President's decision.

In this connection, there appeared an article in Life recently, which, if true, has significance. The article, entitled "Target: New Negro Votes," states:

> Scarcely off the drawing board, the President's voting rights bill has already opened a vast and beckoning political frontier. The Democratic National Committee has very quietly launched a mammoth project to register every qualified Negro in the South (hopefully, of course, as a Democrat). A secret Democratic get-together at the Mayflower Hotel last week included National Chairman John Bailey, Presidential Aide Cliff Carter, and faithful party leaders from the five Southern States which voted for Goldwater last November: Alabama, Mississippi, Georgia, South Carolina, and Louisiana. Any Democrats who had backed Barry were excluded. "We invited only the loyalists," said one top Democratic official.
>
> By working in secrecy and with as little fuss as possible, the Democrats hope (1) to beat the GOP to the punch in lining up voters and (2) to minimize a backlash of white resentment. They admit the drive is bound to embarrass—and hurt—some segregationist Democratic Congressmen. Privately, the top party men expect the voter enlistment to cost at least a half dozen southern Democrats their congressional seats.

As we all know, Congress reacted to the President's charge with the same tune. Congress heeded the words of the President and obeyed the Executive mandate for action forthwith. Priorities were rearranged, schedules and deadlines were established, and wheels churned as Congress proceeded to go through the form of the legislative process with little or no regard for substance.

Since the conception of the proposed Voting Rights Act of 1965, speed has been the watchword. Every effort, from drafting through hearings, has been bent to keeping ahead of the demonstrations. Congress seems to have adopted the motto of Mr. Satchel Paige, "Don't ever look back, something may be gaining on you." Underlying it all is obviously the fear that a slow or measured pace might permit the demands of the leaders of the civil disobedience campaign to overtake and surpass even this radical appeasement at the cost of the rule of law.

Down deep, we all know that the demands will continue to grow and will never be satisfied with less than the total destruction of any structure of society based on the rule of law.

Can we, in violation of the Constitution, destroy the equality of the several States and call it reform?

Can we categorically negate the constitutional power of the States—or some of them—to establish eligibility requirements for voting and call it reform?

Can we impose a requirement of prior court approval as a prerequisite for validity of State Legislative Acts and call it reform?

Is Congress above the Constitution? Is it not at least as bad for Congress to violate the basic law of the land as for local officials to violate the Constitution?

Is a sham in the form of legislative process which ignores the substance of the rule of law less lawless because of solemn procedure?

Will we advance the cause of constitutional rights by joining and participating in the destruction of the rule of law itself?

Is it inevitable that Congress must now out-do the conflict of excesses with excesses of its own?

Let there be no mistake about it. To pass the proposed "Voting Rights Act of 1965" in anything like or approximating its present form would be to further the insurrection.

It is almost too much to hope that Congress at this late stage of the proceedings will recognize the campaigns of civil disobedience for the insurrection that they are. There is little time left to pierce the veil of emotion and reestablish a grasp on the reality of reason.

Yet if Congress is to halt, rather than further, the unswerving purpose of the campaign of civil disobedience to destroy the very fabric of our society and the basis of our political structure, it must return now to an adherence to the rule of law.

For the sake of all citizens of the Nation, I pray that perception, reason, and the rule of law shall yet prevail in this body on this issue.

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

Mr. THURMOND. I yield.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator from Mississippi is recognized.

Mr. EASTLAND. Mr. President, the point the Senator is making is that one of the driving forces behind the bill is the campaign for civil disobedience which has occurred and is occurring in the country.

Mr. THURMOND. The Senator is correct.

Mr. EASTLAND. Mr. President, where does the Constitution of the United States place the power to set voter qualifications?

Mr. THURMOND. Article I, section 2, is as plain as it can be. Any fifth grade child can read there that the Constitution has placed with the States the right to fix voter qualifications. It is as clear as crystal. I challenge any Senator to say that that is not the proper construction of the Constitution.

Mr. EASTLAND. Has that construction been challenged?

Mr. THURMOND. That construction has been adhered to even by the Supreme Court of today, liberal as it is. In 1959, the Supreme Court handed down a decision which upheld the construction that the States had the right to fix voter qualifications.

In March of this year, the Supreme Court handed down a decision which once again reaffirmed this construction of the Constitution.

Mr. EASTLAND. I am sure that the distinguished Senator from South Carolina has heard statements made with respect to suspending the Constitution. Does any power exist anywhere to suspend the Constitution of the United States?

Mr. THURMOND. I do not know of any power given in the Constitution for Congress, any Government agency, or any State to suspend the operation of the Constitution of the United States. To me, such a statement is ridiculous. It is absurd. I am amazed that any Member of Congress would even suggest the idea.

Mr. EASTLAND. Is there any power contained in the Constitution to suspend any provision of the Constitution?

Mr. THURMOND. There is no such power. There is no provision contained in the Constitution of the United States for suspending the operation of any provision of the Constitution for any period of time.

Mr. EASTLAND. Is the Constitution not a great declaration of rights to protect the people of this country only in the limited areas in which the United States Constitution takes effect?

Mr. THURMOND. The Senator is eminently correct. The Constitution was written as the basic law of the land, to be adhered to not only by the people, but also by all three branches of the Government and every Government agency.

That includes, of course, the Congress of the United States, which is now considering a measure that would tend to negate and to destroy a portion of the provisions contained in article I, section 2 of the Constitution.

Mr. EASTLAND. The distinguished Senator is making one of the ablest speeches I have ever heard made on this question.

Mr. THURMOND. I thank the Senator.

Mr. EASTLAND. But let me ask the Senator what we shall have left in this country if the bill is enacted. One branch of the Government is the Congress of the United States. The Constitution provides that the States shall have the power to fix the voting qualifications of its citizens. If this bill is passed what would become of this Union of sovereign States?

Mr. THURMOND. If Congress should pass the bill and it should be upheld by the Supreme Court, it would mean that the Congress could go into any field of activity which was never conceived of by those who wrote the Constitution. It would mean that a precedent had been established for abolishing, nullifying, and abrogating any provision of the Constitution in the future.

Mr. EASTLAND. The Senator agrees, does he not, that the Government of the United States, the Congress of the United States, the President of the United States, the Supreme Court and the lower courts of the United States are creatures of the States? That is correct, is it not?

Mr. THURMOND. The entire Federal Government is a creature of the States.

Mr. EASTLAND. And the only power the Federal Government has is that which is given to it by the sovereign States. Is that correct?

Mr. THURMOND. The Senator is correct.

Mr. EASTLAND. All other powers were reserved to the States and the people; is that not correct?

Mr. THURMOND. That is correct; and after the American Revolution, the war ending in about 1783, for 4 years there was no union. The Thirteen Colonies, or States, were really independent nations. During those 4 years my own State of South Carolina had two Presidents. John Rutledge, who was later appointed as the second Chief Justice of the Supreme Court of the United States, was the first President of South Carolina. During that period every one of the Thirteen Colonies, or States, or nations, ruled itself. Then it was determined that there should be a union, mainly for two purposes. One purpose was to do away with tariffs and duties on goods going from one State to another. The other purpose was to establish a national defense system which could protect all the States against external enemies. They were the two main purposes. Of course, there were numerous other purposes.

Mr. EASTLAND. The main purpose was to enable the Federal Government to conduct our foreign affairs, was it not?

Mr. THURMOND. Article I, section 8, lists the powers given by the States to the Congress under the Constitution. They are listed on one page. That is all the power the Congress has. It is all contained in that one article and in certain of the 24 amendments enacted since the adoption of the Constitution.

Mr. EASTLAND. I understand from my distinguished friend that this bill is one of the greatest grabs for power on behalf of the Federal Government in the history of this country.

Mr. THURMOND. There is no question about it. In a later speech I expect to discuss some of the unconstitutional aspects of the bill.

Mr. EASTLAND. Is it not true that there could be only one way to grab for power greater than that contained in the bill, and that would be the setting up of a dictatorship by the use of the military? This grab for power would not be as great as that, but it would come very close. It comes close to being an absolute power for destruction of powers inherent in the States and the people.

Mr. THURMOND. In reference to the question, if the bill passes, the precedent will have been set for establishing a totalitarian form of government which, of course, invariably results in a dictatorship. If the powers reserved to the States are destroyed and given to the National Government, instead of there being a division of powers as written in the Constitution, there will be laid the bedrock for a totalitarian form of government.

Mr. EASTLAND. If the bill passes, will we not be setting a precedent for an absolute form of government?

Mr. THURMOND. It will go a long way in that direction, because when Congress deprives the States of the right to fix the voter qualifications of their citizens, and when Congress has passed such legislation as was passed in the so-called 1964 civil rights bill, telling a man whom he can hire, whom he can fire, whom he can promote, whom he can demote, it is taking away individual liberties and destroying the freedom guaranteed by the Constitution.

Mr. EASTLAND. I agree with the distinguished Senator, but does it not appear to be a part of a pattern? One of the parts of that pattern was the school aid bill, which will give the Federal Government control of the school systems of this country.

Mr. THURMOND. That is correct. For many, many years the Federal Government has been trying to enter the field of education, in a general way. It was done this year under the theory of combating poverty and helping underprivileged children and compensating for the lack of school equipment, and so forth. Congress entered the field. It is the beginning of Federal control of education, because Federal control follows Federal aid. When the school districts receive the aid, the Federal Government can prescribe the curriculums. It can say what books shall be used and read; it can lay down the rules. I can see men sitting in ivory towers in Washington and New York writing the books, establishing social reforms, and directing the pattern of education for the children of this Nation to follow.

Mr. EASTLAND. But the Senator realizes, does he not, that, step by step, we are moving into a totalitarian form of government?

Mr. THURMOND. I agree with the Senator's statement that step by step we are doing that. If Congress tried to do all these things at one time, I can visualize the people of the Nation rising in horror and public opinion being crystalized against it, to the extent that it would be stopped almost immediately. But when the Federal Government goes into this program little by little, taking away the rights of the States, and destroying individual rights, people do not realize, or do not seem to realize, what is happening to them.

Mr. EASTLAND. This is the result of drives by pressure groups who desire a strong totalitarian form of government. They told the schoolteachers that this bill would mean an increase in salary, but they did not tell them anything else about it.

Mr. THURMOND. The Senator is correct.

Mr. EASTLAND. Does the Senator agree that the ultimate goal is a socialistic economy?

Mr. THURMOND. I agree that the ultimate end will be socialistic control of the Nation, if we continue down the path we are now on.

Mr. EASTLAND. Control of the minds of children is one step toward a socialized economy.

Mr. THURMOND. If control of the books and, thereby, control of thinking along economic and other lines is centralized in one authority, socialism will have made a gigantic stride forward.

Mr. EASTLAND. The Senator from South Carolina is making a very able speech.

Mr. THURMOND. On the subject of Martin Luther King going to Alabama to conduct demonstrations, he went there for a very obvious purpose. Although the demonstrations are called nonviolent, they are designed to be provocative. That is the purpose: provocation, designed to produce resistance, which almost invariably leads to violence in some degree. That is what occurred. He got exactly what he wished. There comes to mind at least two reasons for wishing this result: First, to raise money all over the Nation.

I was in front of the White House in Lafayette Park one Sunday recently, immediately after the demonstrations began, and I saw buckets into which money was being poured. All over the country, I understand, money is being raised to send to Martin Luther King. He wanted to raise money. That was one of the reasons for fomenting violence. The other reason was to create the kind of emotionalism which could demand that Congress take some action.

What action would Congress take? It would be action to bring about further centralization of power in Washington. It would be action to destroy the rights of the States as given to them by the Constitution and bring that power to Washington. He was successful in trying to do so, and in getting the bill now pending before the Senate.

Mr. EASTLAND. This bill is one of his products, is it not?

Mr. THURMOND. This bill is a part of what Martin Luther King wanted to do. He wanted to get Congress to enact a law to bring more power to Washington; and that is exactly what the pending bill would do.

There is only so much power. It is merely a question of whether we leave that power where the Constitution put it—that is, with the States and the people at that level of government. Those

who wrote the Constitution decided the distribution of power in 1787—how much they wished to bring to Washington and how much they wished to leave with the States and the people.

Since then, of course, there has been an effort, year after year, to take away that power and bring more and more of it to Washington.

During the past 10 years, Congress has gone further than in any previous 10-year span. If we go much further, there will be no more powers left with the States. All the power will be in Washington, and in a few years, the States will be nothing more than territories.

Then will tyranny come to the people of this Nation.

The history of government shows that wherever too much power is lodged in one level of government, the people suffer. If there is a king, potentate, emperor, or kaiser who has life and death powers—unlimited powers—the people suffer under tyranny.

Down through the years history will show that people have suffered where there was strong centralized government. That is exactly what I have been trying to avoid since I became a Member of the Senate. I wish to see the division of powers maintained between the States and the National Government. I wish to see the system of checks and balances retained among the three branches of our tripartite system of government; namely, the Congress which makes the laws, the executive branch, headed by the President, which administers the laws, and the judicial branch headed by the Supreme Court which interprets them.

We have hardly any checks and balances any longer.

Today the executive branch of Government is wielding greater influence in this Government than I believe any Executive has in our history.

Today, the Supreme Court of the United States is handing down, on a greater scale and to a greater extent than ever before in the history of this country, decisions tending to nullify the Constitution.

The Senator is well aware of the reapportionment case, and many others which I could mention, if time permitted. All such decisions bring more power to Washington.

Last year, it was asserted that the civil rights bill contained every conceivable provision, and that if it passed no more laws on the subject would need to be enacted. The Senate is now being asked to pass another bill.

Mr. EASTLAND. Did the Senator believe that last year?

Mr. THURMOND. I did not believe it. Even if the pending bill were enacted today, they would be back again, this session of Congress, because Martin Luther King is not going to be satisfied. Martin Luther King wants the government to be centralized in Washington. He wants all power to emanate from Washington, along with his opportunity to raise money.

Mr. EASTLAND. The Senator is exactly correct. He is making a very fine speech. I see that the distinguished Senator from Michigan [Mr. HART] is in the Chamber. He needs enlightening, and I hope that he will listen carefully to what we are saying.

The Senator mentions the right to vote. Is there such a right as the right to vote?

Mr. THURMOND. The vote is a privilege.

Mr. EASTLAND. Is not the right to vote limited by the State, except that there can be no discrimination because of race, creed, color, or previous condition of servitude; is that not the only limitation?

Mr. THURMOND. The Constitution provides that the States shall fix the qualifications for voting. The Constitution is as clear as it can be on that point. That is provided for in article I, section 2, of the Constitution. Some have said that when the 15th amendment to the Constitution was adopted—providing that there shall be no denial or abridgement of the right to vote on account of race, color, or previous condition of servitude—it had the effect of overriding or nullifying this portion of article I, section 2, of the Constitution.

There is no evidence to sustain that opinion in the decisions of the court. There is no evidence anywhere to sustain that position. But, if it did sustain that position—which it does not—the 17th amendment used the identical verbiage of article I, section 2. The 17th amendment was adopted 40 years after the 15th amendment, and the inclusion of identical language has had the effect, then, of overcoming such assertions.

Mr. ELLENDER and Mr. HART addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. I have been listening, and until the recent reference made to the 15th amendment by the Senator from South Carolina, I thought I understood his position. I thought his position was that there was not a 15th amendment. I take it, then, that the Senator——

Mr. THURMOND. Has the Senator from Michigan ever heard the Senator from South Carolina advocate denying anyone the right to vote? Does the Senator from Michigan claim that anyone in South Carolina today is unconstitutionally denied the right to vote? If so, the Senator from South Carolina demands proof.

I make the statement that no one in South Carolina is unconstitutionally denied the right to vote. There have been no valid complaints by anyone.

The FBI investigated one county in South Carolina because a small number of Negroes were registered and were voting. This was McCormick County. They were down there for many weeks. They thought that they could drum up a case because only a small number of Negroes were voting in that county. Obviously, they could not find a single instance of anyone who had been denied the right to vote, unlawfully or unconstitutionally, because no cases have been brought.

Anyone in South Carolina can register and vote, regardless of race or color, if he qualifies under the simple test provided by law, simply that of being able to read and write.

Mr. HART. Then I believe that the Senator from South Carolina need not be concerned with the reaching of the pending bill, so far as South Carolina is concerned. He should put his mind at rest.

Mr. THURMOND. Then take South Carolina out from under the bill. Why is South Carolina under it? Why is my State included in this bill?

Mr. HART. For the same reason that my own State of Michigan is also included under the bill. If, in fact, we could establish that we do not meet the standards in the bill and could persuade the country that there is no discrimination in Michigan, we are subject to the bill, just as the State of South Carolina will be.

Mr. THURMOND. The way the original bill was drawn it applied to five States which voted Republican last fall. The Senator knows that.

Mr. HART. Under that definition, I believe Michigan would be clear; but the pending bill as it is now drawn applies to 50 States if they fail to satisfy the tests.

The point I rose to inquire about, so that we could all understand, is that the Senator from South Carolina does not argue that there is reserved to the States power to apply literacy tests or other tests or devices, in the fashion that denies one the right to register and to vote because of race. Is that true?

Mr. THURMOND. My position is that the United States have the right to fix voter qualifications.

Mr. HART. Consistent with the 15th amendment to the Constitution.

Mr. THURMOND. If anyone claims he is denied the right to vote there are in effect not only numerous State laws but also 16 Federal laws. There are 6 criminal laws under which a person can be fined or put in jail if he tries to deny someone the right to vote. There are also 10 civil laws in effect under which a person can be punished for contempt and put in jail.

Mr. HART. That does not answer the question. Does not Congress have the power, if tests and devices are being used in a fashion that abuses the 15th amendment, to suspend those powers?

Mr. THURMOND. If anyone claims he is denied the right to vote because of the administration of such tests or devices all he has to do now is go to court and obtain a court order.

In Alabama—and this is something people do not know generally—on February 4th, about the time the demonstrations began, a Federal judge issued an order which provided that anyone who had not been registered by July by local or State officials, would be registered by his own appointed Federal registrar. Those people had been guaranteed the right to register and had been guaranteed the right to vote. Therefore there was no need for the demonstrations.

Instead, Martin Luther King went ahead and held the demonstrations, even though the people had been guaranteed the right to register and vote. Why did he hold the demonstrations?

Mr. ERVIN. Mr. President, will the Senator yield for a question on the point raised by the Senator from Michigan?

Mr. THURMOND. I am pleased to yield to the Senator from North Carolina.

Mr. ERVIN. Did I correctly understand the Senator from Michigan to ask the Senator from South Carolina if the Senator from South Carolina did not concede that the 15th amendment gave Congress the power to suspend the provision of the Constitution giving the States the right to fix voter qualifications?

Mr. THURMOND. Is that the Senator's position?

Mr. HART. My purpose in asking the question of the Senator from South Carolina was to ask whether there was any authority in the rights reserved to the States which would protect a State from suspending a test or device.

Mr. ERVIN. I believe that was his question.

Mr. HART. Does the Senator deny that right?

Mr. ERVIN. Does the Senator from South Carolina agree with the Senator from North Carolina that the Supreme Court gave an answer to the question asked by the Senator from Michigan, in the celebrated case of *Ex parte Milligan*, reported in 4th Wallace, at page 121? I ask the Senator if this is not the law as he understands it to be on the subject:

> No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions—

Provisions of the Constitution, that is—

> can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

I ask the Senator from South Carolina if he does not agree with what the Supreme Court said in the Milligan case, and the view of the Senator from North Carolina, that no doctrine involving more pernicious consequences was ever invented by the wit of man than that Congress or anyone else can suspend any provisions of the Constitution.

Mr. THURMOND. The Senator from North Carolina has made a correct statement. I had already expressed such an opinion in my answer to the question of the senior Senator from Mississippi, that it was my judgment that Congress does not have the right to suspend any section of the Constitution.

Mr. ERVIN. I ask the Senator from South Carolina if the bill we are now considering does not prove the truth of the assertion of the Supreme Court in Ex parte Milligan that such a doctrine as this leads directly to anarchy or despotism?

Mr. THURMOND. There is no question about it. If we destroy the provisions of the Constitution of the United States, as is proposed to be done in this case, with regard to the fixing of voter qualifications, we approach a totalitarian state in which there will be despotism and tyranny.

Mr. ERVIN. Does not the Senator from South Carolina agree with the Senator from North Carolina that the provisions of this bill represent the lowest kind of despotism; and does not the bill select 7 States out of the 50 States of the Union and condemn them for violation of the 15th amendment upon an artificial formula, without judicial trial and without evidence?

Mr. THURMOND. That is the way the bill was originally introduced. I believe there have been nine versions of it since then. After tomorrow's meeting of liberal Senators, we shall see what they will agree upon. Perhaps they will arrive at a final version. As the bill was originally introduced, there is no question that it would carry out the purpose which the Senator has described.

Mr. ERVIN. Does not the Senator from South Carolina agree with the Senator from North Carolina that no more despotic power can be exercised by any government than to condemn even the commonest criminal, much less a State or political subdivision of a State, for violation of the Constitution of the United States without a trial?

Mr. THURMOND. The Senator from South Carolina agrees with the Senator from North Carolina and that is why I asked the Senator from Michigan why the bill was prepared so that it would apply to a State in which there has been no discrimination with regard to registering and no discrimination with regard to voting. I challenged him then and I challenge him now to point to one case in which anyone has unconstitutionally or unlawfully been denied the right to register or the right to vote in the State of South Carolina. Why should the State of South Carolina be included in the bill? I believe the bill is unreasonable to begin with, but why should the attempt be made to put South Carolina under the provisions of the bill when there is no proof or even allegation that anyone has been denied the right to register or the right to vote, unlawfully or unconstitutionally?

Mr. ERVIN. Does not the Senator from South Carolina know that when the Attorney General of the United States appeared before the Judiciary Committee he admitted, in response to a question posed by me, that there was no evidence that any of the North Carolina counties covered by the bill were engaged in any violation of the Constitution.

Mr. THURMOND. The testimony showed that to be the fact.

Mr. ERVIN. Can the Senator reconcile fairplay and a fair bill with the action of the Attorney General in demanding that 34 counties in North Carolina be included in this bill when he admitted he had no evidence of any of these counties being guilty of any violation of the 15th amendment.

Mr. THURMOND. I understand that the record showed he said that.

Mr. ERVIN. I asked the Senator from South Carolina if there is not such a constitutional doctrine as the doctrine of equality of States; and that under this doctrine every State is declared to be of equal dignity and power with every other State?

Mr. THURMOND. The Senator is eminently correct.

Mr. ERVIN. Does not the bill provide that of the 21 States—north, south, east, and west—which have literacy tests, 7 States would be denied the right to use literacy tests, whereas the other 14 States would be permitted to continue to use them?

Mr. THURMOND. That would be the effect of the bill. There is a literacy test in South Carolina. It is a very simple test. It provides that a man shall be able to read and write the Constitution. If he can do so, he is entitled to vote. If he cannot read and write, but owns $300 worth of appraised property, he is entitled to vote. If a man in my State cannot read and write and does not own $300 of appraised property, he is not entitled to vote, and he is not eligible to vote.

Under the bill as it was originally introduced, a citizen in my State would be allowed to vote even though he were illiterate. If that same illiterate person moved to the State of New York, which has an eighth grade education requirement for voting, he would not be allowed to vote there.

The effect of the bill would be that an illiterate would be permitted to vote in South Carolina, and yet the same illiterate would not be permitted to vote if he moved to New York. Does that sound like equality? Does that sound like justice? Does that sound like fairness?

Mr. HART. Mr. President, will the Senator yield to me so that I may make one comment?

Mr. THURMOND. Mr. President, I am pleased to yield to the distinguished Senator from Michigan.

Mr. HART. I apologize for interrupting the Senator in his presentation of his prepared remarks, to which I have listened and shall continue to listen with attention. I should like to make very clear the position of those who feel that the bill is desirable. We believe that the 15th amendment to the Constitution of the United States is a part of the same Constitution, and has the same standing, as the 1st amendment.

We believe that Congress is authorized—indeed, directed—to give life, meaning, and protection to the guarantees of the 15th amendment.

We feel that there is no sanctuary in the temple of States right to argue that there is reserved to any State the right to apply tests or devices which violate the 15th amendment.

I thank the Senator from South Carolina.

Mr. THURMOND. In response to the distinguished Senator from Michigan, I would say that I do not favor any State denying the right to vote to anyone who is qualified under the laws of that State to vote. But the Senator from South Carolina maintains that the bill is unconstitutional, unjust, unnecessary and unfair, if the bill would have the effect of striking down the literacy requirements in any State. The States have the right to fix those literacy requirements under article I of the Constitution and under the 17th amendment of

the Constitution. Therefore, the measure is an unconstitutional piece of proposed legislation. I repeat that I favor allowing anyone to vote who is qualified under the laws of the State in which he lives.

Mr. ERVIN. Mr. President, will the Senator from South Carolina yield for one question?

Mr. THURMOND. I am pleased to yield.

Mr. ERVIN. Can the Senator from South Carolina find any portion of the Constitution which provides that in case one State or seven States violate the 15th amendment to the Constitution, that violation would nullify the second section of the 1st article of the original Constitution, would further nullify the 17th amendment, and would further nullify the 10th amendment to the Constitution?

Mr. THURMOND. I am in hearty accord with the position of the Senator from North Carolina.

Mr. ERVIN. Yet, is it not the position of the proponents of the bill that a violation of the 15th amendment would authorize the Congress to nullify at least three other provisions of the Constitution?

Mr. THURMOND. I am in hearty disaccord with any such interpretation as the Senator from North Carolina has stated, as I have stated earlier today to the Senator from Mississippi and to the Senator from North Carolina.

Mr. ERVIN. Is it not a familiar and sound principle of constitutional construction that the Constitution must be interpreted in such a manner as to give due effect to all of its provisions?

Mr. THURMOND. The Senator is correct.

Mr. ERVIN. Has not the Supreme Court held in a number of cases, notably such cases as United States against Reese, that the only effect of the 15th amendment on the Constitution is to prohibit the denial or abridgement of the right to vote on account of race or color, and leaves in full force and effect all the provisions of the Constitution giving the States the power to prescribe the qualifications for voters?

Mr. THURMOND. The Senator is eminently correct.

Mr. ERVIN. Yet the bill would nullify the provisions of the Constitution conferring upon the States the power to fix the qualifications for voters, would it not?

Mr. THURMOND. That is exactly what the bill would do. I am sure that no proponent of the bill could state otherwise if he understood the Constitution.

Mr. ERVIN. I should like to ask the Senator from South Carolina if section 9 of the first article of the Constitution does not provide that Congress shall not pass any bill of attainder or ex post facto law.

Mr. THURMOND. The Senator is correct.

Mr. ERVIN. I will ask the Senator from South Carolina if a bill of attainder is not a legislative act which condemns, without a judicial trial, either named persons or identifiable persons.

Mr. THURMOND. The Senator is correct.

Mr. ERVIN. Would not the bill condemn States, in whole or in part, without a judicial trial and without evidence?

Mr. THURMOND. The Senator is correct.

Mr. ERVIN. Does not the provision of the Constitution prohibiting Congress from passing an ex post facto law provide in effect that an ex post facto law is a law which makes one's guilt depend upon an act which occurred in the past before the enactment of the law making the act a crime?

Mr. THURMOND. The ex post facto law is a law which would make an innocent act in the past a crime in the present. That would be the practical effect of the proposed law.

Mr. ERVIN. Would not the bill make seven States guilty of a violation of the 15th amendment by an artificial formula based upon an act that had happened in the past, namely, the presidential election of November 1964?

Mr. THURMOND. The Senator is correct. The provision to which the Senator referred is article I, section 9, concerning a bill of attainder and an ex post facto law. I believe that is the provision to which the Senator referred.

Mr. ERVIN. Yes; section 9 of article I.

Mr. THURMOND. Yes.

Mr ERVIN. Does not the formula provided by the bill for establishing guilt contain the following elements: First, that the State has a literacy test; second, that less than 50 percent of its citizens of voting age voted in the presidential election of 1964; third, more than 20 percent of its people of voting age are nonwhites: Would not conformity to that formula make conforming States guilty, regardless of whether they were guilty or not?

Mr. THURMOND. Those were the provisions which were contained in the bill as originally introduced.

Mr. ERVIN. Would not the bill make guilt depend in large measure, though not entirely, on the question of whether a State is exercising one of its constitutional powers, namely, that of prescribing a literacy test?

Mr. THURMOND. The Senator is correct.

Even assuming that there is no present discrimination, but assume there was back in 1964; the proponents would still feel that under the terms of the bill those States should be punished for what happened perhaps last year or several years ago.

Mr. ERVIN. Those States would be punished, in a large part, because they had literacy tests. This means that they would be punished because they exercised a power which the Constitution vests in them. Is that not true?

Mr. THURMOND. That is correct.

Mr. ERVIN. Does the Senator know any way in which a State could compel people to vote?

Mr. THURMOND. The Senator from South Carolina knows of no way in which people can be compelled to vote.

I was asked that very question at Indiana University last weekend when I was there. The question was, "Why do so few people vote in certain counties in South Carolina?" They had the figures.

I said, "I do not deny your figures, but no one has been unlawfully denied the right to register; no one who is registered has been denied the right to vote. If the people do not vote, it is because of apathy or indifference on their part." If the people can meet the qualifications for voting in South Carolina, they can vote.

Mr. ERVIN. So the tests I enumerated a while ago, which automatically condemn Southern States in whole or in part, are based, first, upon the exercise of their constitutional right, namely, the right to prescribe a literacy test as a qualification for voting and, second, upon the basis of something which a State cannot control, namely, the failure of its people to vote.

Mr. THURMOND. Is it not an equal denial of freedom to try to force a man to vote as it is to force him not to vote?

Mr. ERVIN. Yes.

Mr. THURMOND. The main underlying purpose of our government, as I see it, and as visualized by those who wrote the Constitution, was to preserve the freedom of the people. The preamble to the Constitution uses the following words: "* * * secure the Blessings of Liberty".

Is it liberty, is it freedom to try to force a man to vote or force him not to vote? Does he not have a right to make that choice?

Mr. ERVIN. Certainly; yet under the formula to which I directed the Senate's attention a moment ago, a State would be penalized and condemned without a judicial trial and without any evidence being produced because of something the State could not control, namely, the number of its people who had voted.

Mr. THURMOND. The Senator is correct. The State will be condemned without a hearing. The State will be condemned without a right to present witnesses. The State will be held up to the ridicule of other States, the people of the Nation, and the states of the world as being a State that practices discrimination when actually there is no discrimination.

Mr. ERVIN. Is it not true that under the bill a State could register every person of voting age in the State without discrimination, but yet would stand condemned under the bill if those people did not see fit to vote to the extent of 50 percent of their number?

Mr. THURMOND. The Senator is correct.

Mr. ERVIN. Has it not been the proud boast of America that we believe in the administration of justice everywhere, in all places, and at all times?

Mr. THURMOND. That is a common expression that is used all over the Nation.

Mr. ERVIN. Would not the bill close every courthouse in the United States to the States and the political subdivisions of the States being condemned by the artificial formula of the bill, except the U.S. District Court for the District of Columbia?

Mr. THURMOND. That would be the effect of the bill. It would close every Federal district court and every circuit court of appeals in the Nation, except the U.S. District Court for the District of Columbia, as if to say to the judges in those States, "You are not honorable, you are not just, you are not objective; you will not be allowed to hear a voting rights case arising in your State. We shall bring it to Washington and have an honorable judge here try the case."

Mr. ERVIN. Do not the State of the Senator from South Carolina and my State of North Carolina have competent Federal judges, who are available to the people, to entertain jurisdiction of matters relating to the Federal Government?

Mr. THURMOND. They certainly have. Even the Department of Justice knows that. The Department has recommended the appointment of several such judges during the time I have been a Member of the Senate. At least three out of four have been appointed since I first came to the Senate, and they have all been appointed under Democratic administrations—under Kennedy and Johnson. If they are not honorable men, why were they appointed?

Mr. ERVIN. Would not the voting rights bill prohibit Federal judges in North Carolina and South Carolina from having anything to do with the enforcement of its provisions?

Mr. THURMOND. That is correct. Those States would be put to expense, time, and trouble, and would be embarrassed by having to come to Washington to have their voting rights cases heard, when competent Federal judges are already stationed in those States.

Mr. ERVIN. Can the Senator from South Carolina imagine any reason why the proponents of the bill wish to deny all the Federal judges who sit in States south of the Potomac River any jurisdiction under the bill, unless they believe either that those judges do not have sufficient character to be judges or that they are not sufficiently subservient to the Department of Justice?

Mr. THURMOND. The Senator from South Carolina can imagine no reason in the world why the Department of Justice does not want those judges to hear voting rights cases, unless it is because it is felt that those judges are not subservient to the Department of Justice or do not have the character to be honorable and objective and are not able to hand down fair decisions. That is the only possible conclusion anyone could reach.

Mr. ERVIN. Does not the Senator from South Carolina agree with the Senator from North Carolina that the Department of Justice inflicts an unjustified insult upon every Federal judge serving the territories south of the Mason-Dixon line when it advocates the passage of a law that would deny to those judges jurisdiction of the provisions of the voting rights bill?

Mr. THURMOND. The Senator from South Carolina feels that it is an intentional, willful, and malicious insult to say to the judges of the States where voting rights cases arise, "You are to be disqualified; we shall take the cases to Washington, D.C., where honorable judges will try them."

Mr. ERVIN. If a man were charged in Federal court with treason against the United States, would he not be presumed to be innocent of the charge?

Mr. THURMOND. That is correct; that is a basic provision of our jurisprudence.

Mr. ERVIN. So would he not be placed on a higher plane than that on which seven States are placed by the bill, because the seven States are presumed to be guilty?

Mr. THURMOND. That is true.

Mr. ERVIN. If a man were charged with treason against the United States, would he not have a right to be tried in the Federal court of the district in which the case arose? He would have a constitutional right to be tried in the district in which his alleged treasonable act occurred, would he not?

Mr. THURMOND. The Senator is correct. Furthermore, throughout the history of English jurisprudence, and also American jurisprudence, it has always been considered that a person charged with a crime should be tried where it was alleged to have been committed. That is a well-known principle of law. A man is sued where he lives, but he is tried for a crime where the crime is alleged to have been committed.

Mr. ERVIN. Would not the bill degrade seven States below the position of a man charged with treason against the United States, in that it compels the seven States to journey by all the courthouses in those States and come to the District of Columbia to prove their innocence of charges which have not been proved against them?

Mr. THURMOND. That is correct. The bill virtually says to the courts in those States, to those who are supposed to administer justice, "We have no faith in the decisions you might make; therefore, we shall take the casess to Washington, D.C., and have them tried there."

Mr. ERVIN. Does not the Senator from South Carolina agree with the Senator from North Carolina that it is a disgrace to justice to propose that every courthouse in the United States be closed except one; and, that persons be required to journey as far as a thousand miles in order to disprove their assumed guilt in that one courthouse?

Mr. THURMOND. That is correct. I hold in my hand a copy of the Constitution of the United States. Article III is the article that pertains to the judicial branch of the Government. Section 2, clause 3 of that article contains these words:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; * * *.

Mr. ERVIN. Does not the sixth amendment of the Constitution of the United States provide that every person charged with crime shall have available to him compulsory process to obtain witnesses to testify in his behalf?

Mr. THURMOND. That is correct. The fifth amendment contains a due process of law clause.

Mr. ERVIN. Does not the present statute applicable to the District of Columbia provide that its subpenas shall not be effective more than 100 miles from the District of Columbia?

Mr. THURMOND. That is correct.

Mr. ERVIN. As a consequence, the counties of North Carolina affected by the bill and the States of South Carolina, Georgia, Mississippi, Lousiana, and Alabama could not even get witnesses to come to the District of Columbia to testify in their behalf if the witnesses were not willing to come, could they?

Mr. THURMOND. I do not know of any way in which that could be done under the law, because those States and counties are out of the jurisdiction of the District of Columbia Court.

Mr. ERVIN. Mr. President, I thank the Senator from South Carolina for his answers to these questions. I commend the Senator on the very excellent speech he is making, pointing out that the bill is not only inconsistent with the constitutional provisions, but also with the fundamental principles of fair play.

Mr. THURMOND. Mr. President, I commend the able Senator from North Carolina for the great contribution he is making in helping to preserve the Constitution of the United States and also for the magnificent work he has done in opposing this particular piece of legislation.

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

Mr. THURMOND. I yield.

Mr. ELLENDER. Mr. President, the basis of the bill, as I understand—and it may have been changed since it was introduced—is that it is an effort on the part of Congress to enforce the 15th amendment to the Constitution.

I am sure that my good friend the Senator from South Carolina has read the history of the 15th amendment. The 15th amendment provides that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Has the Senator from South Carolina found any decisions of the Supreme Court which would remotely hold that the 15th amendment gave Congress the right to fix qualifications of voters?

Mr. THURMOND. The Senator from South Carolina has found no such decisions. I have had this subject researched carefully. It is my opinion that there are no such decisions. The Senator refers to enforcing the 15th amendment to the Constitution. That is the very title of the bill.

Mr. ELLENDER. Mr. President, a moment ago when I mentioned the basis for the bill, I was reading from the title of the bill.

Mr. THURMOND. That is the way the title reads:

> A bill to enforce the 15th amendment to the Constitution of the United States.

Mr. ELLENDER. It is alleged by the distinguished majority and minority leaders that the provision in the committee bill concerning poll taxes should be stricken because it is unconstitutional.

Mr. THURMOND. It is clearly unconstitutional.

Mr. ELLENDER. Of course it is. As the Senator has pointed out on many occasions, the right to fix the qualifications of voters is reserved in the Constitution to the States. The fact that the bill would suspend the laws and the Constitution in certain Southern States and permit the Attorney General to fix the qualifications of voters means that Congress would be giving the Attorney General the right to fix qualifications.

Mr. THURMOND. It would mean that Congress is passing a law which would suspend the provisions of the Constitution of the United States which leave with the States the right to fix voter qualifications, and would transfer this power to the Attorney General of the United States. In my opinion, such action by Congress is clearly unconstitutional.

Mr. ELLENDER. As I understand the pending amendment, offered by the distinguished Senator from North Carolina, it would provide an opportunity for the affected States to show the conditions that exist in those States. The States would be able to show what the law is, and that they have tried to conform to the Constitution. If the pending amendment were agreed to, the bill would be a little more palatable.

I am surprised and disappointed no end to discover that the proponents of the bill are anxious to have the bill enacted so that it will apply only to six of our Southern States and parts of North Carolina. That is unconscionable. I am hopeful that when the real debate starts on the bill, more Senators will be in attendance. There are only four Senators present in the Chamber, three of whom are southerners. The Presiding Officer, the distinguished Senator from Wisconsin [Mr. NELSON], is, of course, also present.

No Senators are present to listen. What will happen when the time comes to vote? Senators who have not been present during the debate will ask the clerks, "How shall we vote?"

Representative government is almost coming to an end here when there is debate with no Senators listening or taking heed of what is happening. I believe that it is wrong.

Mr. THURMOND. Mr. President, if the television stations, the radio stations, and the press would carry more objective reporting of the views of those who oppose the bill, it would be most helpful.

Mr. ELLENDER. That would be sensational.

Mr. THURMOND. The public is not receiving a true view of the bill. I am convinced that if the people knew what the bill contains, they would not favor the bill. I do not believe that the people would favor the passing of an unconstitutional bill merely to appease Martin Luther King, James Farmer, and the other leaders. However, because of the emotionalism and violence which has been fomented the stage has been set for Congress to pass such a bill.

There is a law which was relied upon in Alabama to guarantee the right to vote to all who qualify. Why was there any need for demonstrations there? There will be continued demonstrations even if we pass the bill. I predict that we shall continue to have demonstrations. The demonstrations have a deeper root and cause than voting rights or other rights.

Mr. ELLENDER. Mr. President, I am in thorough sympathy with what the Senator stated earlier in this debate about the reason why men like Martin Luther King go south and provoke trouble. It is a sad thing that those who will suffer the most by bills such as are being fostered now are the people whom these leaders claim they are trying to help.

In my State quite a number of things have been done concerning civil rights since the laws have been passed in the past few years. When the 1964 act was passed by Congress, although I fought it with all my power, and lost—even before the President signed the bill—I suggested to the citizens of my State that the bill had become the law of the land and that they should obey it. Frankly, I thought that would be the end of it. However, as the Senator states, those laws have not satisfied anyone. I doubt that the pending measure would satisfy them if it were passed.

Does not the Senator agree that under the acts of 1957, 1960, and 1964, not only have we provided ways and means for court action in any part of the country, but also for people who claim they have not been permitted to register or vote, to be registered and vote in groups of 1,000 or 2,000 if they so choose? The Attorney General can carry the burden of litigating these suits and secure court action on large groups of people. Why he has not done this I do not know.

Mr. THURMOND. The Senator is absolutely correct. As I said a few moments ago, every State has laws to protect the right to vote. There are 16 Federal laws to protect the right to vote, 6 criminal and 10 civil. No one can truthfully say he has been denied the right to vote and has no remedy. If he says he has been denied the right to vote, he can obtain a court order from a Federal judge. They got it on February 4 in Alabama. It guaranteed the right to register and the right to vote. In spite of that, Martin Luther King held his demonstration there.

Mr. ELLENDER. The Senator will remember that the civil rights law of 1960 provided that if the Attorney General found a pattern of discrimination in any part of the country he could go to court and present the facts to the court. Judicial relief could then be swiftly granted if a case were made out.

Mr. THURMOND. The Senator is correct; and the 1960 law also provides for the appointment of Federal registrars.

Mr. ELLENDER. Yes.

Mr. THURMOND. Under that law the Federal judge in Alabama appointed a Federal registrar.

Mr. ELLENDER. That is correct. In the 1964 law it was provided that a three-judge court could give relief overnight, if it were necessary.

Mr. THURMOND. The Senator is correct.

Mr. HART. Mr. President, will the Senator from South Carolina yield to me without losing the right to the floor?

Mr. THURMOND. I yield with that understanding.

Mr. HART. I think in fairness to our colleagues who are not in the Chamber at the moment, and in view of the comment made by the distinguished Senator from Louisiana, it should be noted that the legislation we are considering was introduced in the middle of March. A number of days of hearings were held. For about 2 weeks there has been available to each of us a rather full report. The matter has been debated at length every day. Copies of the RECORD have been available to us.

As one of the proponents, I disagree with the Senator fram Louisiana when he says some Senators will vote on this measure based solely on the whispered consultation with some clerk when he comes in the door.

Mr. ELLENDER. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I yield.

Mr. ELLENDER. I have been sitting in the front row for quite some time. This whispering would not be peculiar to this bill. I have heard Senators come in the door, not knowing what was in a bill, and ask, "How shall I vote?"

Mr. THURMOND. The Senator is correct. I have heard Senators ask such questions.

Mr. ELLENDER. The bill was introduced by the Senator from Montana [Mr. MANSFIELD] for himself and 65 other Senators. I would wager that less than 2 percent of them knew what was in the bill when they permitted their names to be appended to it.

Mr. THURMOND. I doubt if 10 read the bill before they permitted their names to be added to the list of cosponsors.

Mr. ELLENDER. We have been debating this bill since the 21st of April, and I have been asking the proponents of the bill to take the floor and debate it and tell us what is in it. I can see why they have not done so. It is because the bill came from committee without recommendation. It was a bill different from the one orginally submitted without recommendation. Only today another new bill was presented to the Senate by way of a second substitute.

The Senator from South Carolina is the fourth southern Senator in the past 2 weeks who has spoken about the bill. There are many more to be heard from.

I should like to make a plea to the leadership, and to my good friend from Michigan, to have some Senator on their side explain the bill so that the contents of the bill will be made known to the American people.

Mr. THURMOND. Only last Friday a new bill, in the form of a substitute, was introduced in the Senate. I am informed that the so-called liberal Senators are to meet tomorrow, perhaps to write another bill. There have been various amendments and forms of amendments written until we are not sure what is or what is not in it. All they want is to get some action to appease Martin Luther King and the other leaders.

Mr. ELLENDER. The second substitute was dropped in the hopper last Friday with the understanding that it would be printed that day and sent to all Senators who would like to read it so that over the weekend they could spend their time studying the bill. Today is Monday. This is the first day of the meeting of the Senate after Friday, when the bill was made available to us. I thought there would be a thorough explanation of the bill made by its many sponsors, but there seems to be no Senator here to present it.

Mr. THURMOND. Mr. President, I have seen a number of editorial comments and newspaper articles which, by and large, agree with my comments. I should like to share some of them with my colleagues.

The Augusta Chronicle carried an editorial dated Friday, April 30, 1965, entitled "The Political Religion." I wish to read this editorial into the RECORD:

Let every American, every lover of liberty, every wellwisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of 1776 did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty * * * let it be taught in the schools, in seminaries and in colleges, let it be written in primers, in spelling books, and in almanacs, let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the Nation.

That is the opening paragraph of the editorial. Those were not the original words of the editor who wrote the editorial, but are the words of Abraham Lincoln.

The editorial proceeds with the second paragraph:

Tomorrow is May 1, an ancient festival of spring which the Communists in recent decades have tried to pervert into a holy day for an unholy doctrine.

In Moscow the tanks will roll. In Peiping the jetplanes will scream overhead. In Havana, Fidel Castro will rant Hitler-style. And in South Vietnam, Americans will no doubt die, trying to stem the flood which would enslave the bodies and corrupt the minds of men.

Here in America, we can give thanks that a counterforce is being exerted by the American Bar Association, to make the day meaningful in our campaign to preserve the laws which assure individual liberty.

In Augusta, specifically, it will mark the start of a series of appearances in the schools sponsored by the Augusta Bar Association, to stress the need for observing law.

Tonight, on the eve of annual Law Day, the local bar members and their wives will assemble for the presentation of one or more Liberty Bell awards to individuals who will be recognized for their leadership in inspiring the better understanding and observance of law.

The great opportunities for service in the field by instilling the proper attitude toward the law are revealed in the activities which may be considered for these Liberty Bell awards:

Activities which promote a better understanding of our form of government, and especially the Bill of Rights.

Activities which encourage greater respect for law and the courts.

Activities which educate people to the contrast between communism and freedom under law.

Activities which stimulate a deeper sense of individual responsibility to the end that citizens recognize their duties as well as their rights.

Activities which contribute to the effective functioning of our institutions of government.

Activities which inculcate a better understanding and appreciation of the rule of law.

These objectives are splendid, and the only misgiving one might have is that we may expect them to be accomplished by community leaders only. The truth is that they will be accomplished with greatest effectiveness in all the homes all over our communities. Preschool children and elementary school children will have their characters largely formed in their early years, and will be prepared to follow patterns which support law, or which scorn law.

And let it not be thought that communism will restrict its promotion of totalitarian faith to overt ceremonies in Red capitals. Much more important to its cause is the creeping propaganda at work in democratic countries, which seeks—all too often successfully—to promote a spirit which puts selfish and emotional willfulness ahead of law.

The Communists know that when they can cause freemen to obey the laws only if and when they wish, they have the battle for totalitarianism half won, without firing a shot.

Mr. President, that is an excellent editorial on observing the rule of law. I commend it to all Senators. I commend it to the American people. It is worthy of reading and rereading.

When Martin Luther King announced that a mass march on Montgomery, Ala., would take place regardless of the decision of the court, that man held himself up as being a man who does not favor the rule of law.

I wish the RECORD to show this. I wish it to go down in permanent print for future generations of this Nation to read, so that they will know that one of the leaders of the recent demonstrations was not a man who was willing to observe the law; and that he was a man willing to observe only laws of which he approved, but not the rule of law.

Mr. President, on March 22, 1965, Station WBT Television, Charlotte N.C., presented the following editorial to its listeners. It is entitled, "Government by Mob Rule."

We have stated time after time that we believe every Negro in the United States should enjoy every right as a citizen that every white person has.

But we have been equally emphatic in our opposition to government by pressure groups and organized lobbies. No crowds marching in the streets should be allowed to browbeat legislative assemblies into doing their will. Unauthorized visitors sitting on the White House floor should be expelled like any other violators of Presidential privacy.

We were ready to applaud President Johnson when he said he would not allow himself to be "blackjacked" into taking hasty action in the organized disorders at Selma, Ala. Yet in his broadcast speech, he recited the refrain of the demonstrators' theme song. Then he sent to Congress a bill that met practically all the demands made by Martin Luther King in an article in the New York Times a week before.

We do not quarrel with the necessity for Government action, although both the 14th amendment and the existing Civil Rights Act provide plenty of channels for enforcement of voting rights. We agree with the President that there is no constitutional issue insofar as national elections are concerned, although we seriously question the jurisdiction over State and local elections.

But there is an issue which he did not even mention, which is vital to the stability of our American governmental system. This is the issue we stated at the beginning—government by intimidation and the same kind of double standard being applied by the Federal Government against certain States that it accuses the States of using against some of its citizens.

Martin Luther King knows very well that voter registration is governed by State laws. He knew that Dallas County had no power to change the laws of Alabama. Yet he organized marches even after they had led to rioting, bloodshed, and even murder. He called on the National Council of Churches for nationwide demonstrations by the clergy to make his case a religious issue. We cannot honestly believe that the purpose was anything other than to bully the Congress into enacting a national law on registration.

He defied a legitimate Federal court injunction not to proceed with the Montgomery march, while expecting others to obey such injunctions when they agree with his goals.

Why did he not do as the Negro leaders did in Louisiana? They challenged the registration law in the courts and won their case without spilling a drop of blood.

It is not enough to say that it was in a good cause that one small city was made the scapegoat of a national emotional binge. Government by street demonstration is divided by only a thin line from mob rule. If it keeps on, there won't be any civil rights left to argue over.

Mr. President, if there is a Member of this body who wishes to defend Martin Luther King for violating the Federal court order in Alabama, I wish him to take the floor during this debate and try to defend him in this action.

Those who oppose the pending bill have the right to hear from those who are proposing the bill in defense of Martin Luther King. It was Martin Luther King's action in Alabama in creating there a volatile situation, in causing the wheels to be set in motion which resulted in violence, which in turn resulted in emotionalism all over this Nation, and which brought the demand for the so-called voting rights law of 1965.

If they wish to defend Martin Luther King for violating that court order, we wish to hear them. The law they are trying to have enacted by Congress originated in violence, originated with a man who has intentionally and willfully and maliciously violated a Federal court order at Selma, Ala.

The U.S. News & World Report on March 29, 1965, presented an editorial entitled "Bowing to the New Extremists," written by David Lawrence. The editorial reads as follows:

BOWING TO THE NEW EXTREMISTS

(By David Lawrence)

The Government of the United States appears to have bowed to a new set of extremists.

The President, in an emotional address to a joint session of both Houses of Congress, described in general terms an unprecedented

piece of legislation on voting rights and demanded that it be promptly passed. The text of the bill, however, wasn't even made public until later in the week. Members of the Supreme Court, attired in their judicial robes, sat in the front row in the House Chamber during the proceedings and joined in the applause for the President's speech.

The sweeping proposals which the President virtually ordered Congress to pass were pressured by street demonstrations, violent and nonviolent, sit-ins and lie-ins in many parts of the country and even inside the White House, as well as the Capitol and other Federal buildings. All this was designed to stampede the Chief Executive and Congress to brush aside the Constitution and to accept the extremist doctrine that "the end justifies the means." The tactics of the demonstrators triumphed.

The Constitution explicitly gives to each State the power to determine the qualifications of voters in National, State and local elections. The Constitution also declares that the right of citizens to vote shall not be denied or abridged on account of race or color.

The new proposal arbitrarily singles out those States in the Union which, on November 1, 1964, happened to have registered less than 50 percent of the persons of voting age residing in the State or in any political subdivision, or in which less than 50 percent of such residents voted in the presidential election last November.

This is a statistical yardstick which would automatically adjudge as guilty of discrimination a State which had used any literacy test if in such a State less than half of the population of voting age had been registered to vote or if "any person acting under color of law" had in the previous 10 years engaged in any act denying the right to vote because of race or color.

An appeal to a three-judge court—only in Washington—would be allowed. Instead of the usual presumption of innocence for a defendant, the bill would establish a presumption of guilt for the suspected State or county. The governmental body not only would have to prove that it was not guilty of an act of discrimination on a specific date but also of any other such act on any other date in the preceding 10 years.

The bill, moreover, would strike down in those States any "test or device" that may have been used in the past years, even though State laws may have sought to establish whether or not an applicant had the ability to read and write, or may have prescribed some other standard test of literacy such as the Supreme Court of the United States itself upheld as recently as 1959.

To select certain States or areas and apply one kind of law to them while permitting other States and subdivisions to be immune from such interference is a conspicuous violation of the Constitution.

The whole controversy has revealed a disregard of basic constitutionalism. It is motivated by the reasoning of those who have argued that two wrongs make a right. It grows out of the rationalization, which so many people are making today, that, because injustices have been committed and discrimination has once been practiced on a wide scale in certain areas of the country, it is permissible now to diminish the rights of the States themselves.

Have we come to the point where the Congress of the United States may decide on whether a State will be permitted to remain in the Union? Have we reached a position where the national legislative body will do again what it did 100 years ago after the War Between the States had ended? The same State legislatures which had ratified the 13th amendment, abolishing slavery, were suddenly declared illegal by Congress when they rejected the 14th amendment. New legislatures were ordered to assemble and in some instances Federal troops were sent into the legislative chambers to compel "ratification" of the 14th and later the 15th amendment.

This was what happened in the Reconstruction period in American history. Are we to go through another such tragic era because of the submissiveness of both a Congress and a President to the dictates of pressure groups whose emotional demonstrations cause friction and disorder?

It is a sad story. Organized incitement to violence has swept many areas of the country. To yield to such demonstrations is to weaken the whole fabric of democracy and to encourage mobocracy.

It is a time for the processes of reason to supersede the hysteria of impassioned groups of citizens. For, granting that they have been unjustly treated, are there no ways to accomplish effective reforms except by violent demonstrations and a distortion of the basic provisions of the Constitution? Or must we continue to bow to the new extremists?

These articles point out what is occurring in some of the demonstrations. Again I wish to tell my colleagues in the Senate that although they call these demonstrations nonviolent, nonviolent they should be, but provocative they must be. They must be provocative for the purpose of creating, originating, and generating resistance and thereby, violence. Violence for what purpose? Violence to attract attention for the purpose of raising money for Negro leaders throughout the Nation to carry on their nefarious work; and for the second purpose of creating emotionalism throughout the country, to arouse some people sufficiently to demand that Congress enact a law which will bring more power to Washington and take it away from the States and the people, where the Constitution put it.

Those are the purposes of the demonstrations. These tactics have, unfortunately, been highly successful and they will continue to be so until the American public realizes the true nature and purpose of the demonstrations and demands an end to them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE DOMINICAN REPUBLIC

Mr. MILLER. Mr. President, the United Nations Security Council meets today to patiently listen to the Soviet Union's denunciation of President Johnson's action in sending troops into the Dominican Republic.

Out of this meeting will come the charges of "aggression" by the United States. And there will be many, in this country and abroad, who will echo them.

There will be those who will choose to ignore the wisdom of President Johnson's action in moving promptly to prevent another Communist government in the Western Hemisphere—an action, incidentally, which I support.

There will be those who will choose to ignore President Johnson's words that some of the Communist conspirators in the Dominican Republic revolt were trained in Cuba.

In light of these expectations, I believe it is imperative that the American people, and others, be reminded of what has gone on before. And there is no better way than to put on the table again official findings.

A report of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee of May 9, 1963, asserted:

> The evidence is overwhelming that Castro is supporting, spurring, aiding and abetting Communist revolutionary and subversive movements throughout the Western Hemisphere and that such activities present a grave and ominous threat to the peace and security of the Americas.

On June 4, 1963, the Council of the Organization of American States pointed out that—

> Communism has found subversion to be the most effective means of winning peoples and territory, without the tremendous risks it might run in a world war.

It then remarked:

> This subversion, with techniques that extend from insidious infiltration to violent intervention, is conceived, developed, and perfected constantly in the world and regional centers of communism, in accordance with the particular circumstances. Its purpose, however, is one: to replace the political, economic, and social order existing in a country by a new order that presupposes the total physical and moral control of the people.
>
> Undoubtedly Cuba now constitutes the regional center for subversive action by international communism in America. This is true not only with regard to the spread of the Communist ideology, but also, and what is more dangerous, because it constitutes a nearby center for training agents of every kind whose function it is to carry on subversion in the countries of this hemisphere.
>
> It is an obvious fact that as the Communist regime became consolidated in Cuba, a number of schools and centers for training in the techniques of subversion were organized. A large number of Latin Americans attend these centers, where they receive instruction not only in Marxist-Leninist theory, but also in propaganda techniques, the use of arms and explosives, sabotage, guerrilla warfare, and so on, in order to apply them later on in their respective countries. The cadres of instructors in these schools are made up not only of Cubans and other Latin Americans, but also of Russians, Czechoslovakians, Chinese, and others.

Lest there be a tendency to disregard these statements, I wish to underscore what Premier Castro had to say of his designs and purposes as dictator of Cuba. Any student of history—and of communism—will know that the words Castro spoke on January 16, 1963, at the closing session of the Congress of Women of the Americas, amounted to a declaration of war against other nations in the Western Hemisphere. Here is what he said:

> We must think about how to change that situation—

That is, social and economic conditions in Latin America.

> There are persons who are experts on figures, but what is needed are experts on changing the situation, experts on leading

peoples on revolutions. That is the art of the revolutionaries, the art that must be learned and developed. How to bring the masses to the struggle.

It is the masses who make history, but for them to make history, the masses must be taken to the battle. That is the duty of leaders and the revolutionary organizations: to make the masses march, to launch the masses into battle. That is what they did in Algeria. And that is what the patriots are doing in South Vietnam. They have sent the masses into battle with correct methods, correct tactics, and they have brought the greatest amount of the masses into the battle.

But if we tell the masses what the situation is, they must also be told what the road is. We must bring them to the struggle, because that road is much easier in many Latin American countries than it was in Cuba.

Finally, I should like to draw upon a resolution adopted by the foreign ministers of the Organization of American States in late July of 1964. They warned:

The Government of Cuba that if it should persist in carrying out acts that possess characteristics of aggression and intervention against one or more of the member states of the organization, these states shall maintain their essential rights as sovereign nations by means of the use of individual or collective self-defense, which could go so far as resort to armed force, until such time as the organ of consultation takes measures to insure the peace and security of the continent.

To those who would say that Castro's regime holds no threat to the Western Hemisphere, I would say: Read the concern of the officials of other hemisphere nations.

To those who would say that Castro's regime is failing, I would say: You had better realize that we have never seen a Communist government overturned under the same situations that Cuba has today.

I, for one, am pleased that the Monroe Doctrine appears to have undergone a new rebirth as the result of President Johnson's affirmative action. This policy of firmness of action has long been overdue.

And I would hasten to add: My support for President Johnson will continue so long as this policy of firmness continues.

I think the time is appropriate to review the meaning of the Monroe Doctrine. It is an expression of the right of self-defense by the United States. It was enunciated by President James Monroe on December 2, 1823. He said that we would regard any attempt on the part of any foreign power to extend its system to any portion of the Western Hemisphere as dangerous to our peace and safety.

On December 17, 1895, President Cleveland said that the Monroe Doctrine upon which we stand is strong and sound, because its enforcement is important to our peace and safety as a nation, and is essential to the integrity of our free institutions.

There is little doubt that Castro's movements are being directed from the Soviet Union and other Communist headquarters.

There is little doubt that Cuba is a source of weapons, provocateurs, saboteurs, agents of revolution, and of chaos, as one report described that nation only 90 miles from our shores.

There is little doubt that international communism now has a firm foothold in this hemisphere and, if we permit it to remain this way, it is here to stay. For as the Preparedness Subcommittee pointed out, by a process of erosion our neighbors to the south may fall, nation by nation, until the entire hemisphere is lost and the Communist goal of isolating the United States has been attained.

Despite the objections it knew would be forthcoming, the administration had to face up to a course of action in the Dominican Republic: It could not ignore the plight of the Americans there, and it could not ignore the potential of another Cuba.

I know that the United States will be criticized for acting unilaterally. But under the circumstances and considering the need for promptness, there was not much else to do; and the United States did call the Organization of American States, and the United States did notify the United Nations. But had we failed to act promptly, the possibility existed that American lives would be lost and the Western Hemisphere would have a second Cuba.

I know there will be criticism for allegedly intervening in the affairs of a sovereign nation. But the facts here override the fiction of a sovereign government, for under the revolutionaries and the Communists, the Dominican Republic had none.

American policy must rest on certain premises and certain objectives:

First. A policy of firmness.

Second. A need to halt the inroads of communism, through subversion, sabotage, and guerrilla warfare.

Third. The necessity of preventing other Cubas in the Western Hemisphere.

The decisive action in the Dominican Republic is in line with this policy.

But I would warn that the American people must have the facts at all times. There must be no reluctance to provide these facts.

Also, there must be no abuse of our power because of imagined fears. The American people will rally behind our President when the use of this power is just. But if they are told one thing, when another is true, distaste will set in.

The New York Times, in an editorial published today, takes note of this question:

In ordering several thousand more marines and paratroopers into Santo Domingo Saturday night, President Johnson reiterated that the sole mission was to protect and evacuate endangered Americans and other foreign nationals. Last night the President went on television to confirm what Congressmen and correspondents in Washington had been told privately from the start of the Dominican rebellion—that the primary aim of the U.S. military involvement is to prevent "another Cuba."

Thus, the official explanation has finally caught up with the one consistently given by authoritative administration briefings. The President now tells the Nation that the revolt began as "An action dedicated to social justice" but it took a sinister turn when Communists seized control.

What remains unexplained is why no slightest expression of sympathy for the revolt's aims came from Washington in the period when the massing of American troops was decided upon. The clear effect of their influx was to strengthen the ruling military junta in its efforts to block the restoration of Juan Bosch as President.

The President's unwillingness to see another Communist state established in this hemisphere will command national support. But the question that needs a much clearer answer is whether a rightwing dictatorship in Santo Domingo has not traded on U.S. fears of communism to preserve its power in a country still scarred by three decades of brutal regression under Generalissimo Trujillo.

Mr. President, this is a question which should be answered. In view of what has occurred, I would suggest that the time is ripe for the President to take some action on Cuba.

I believe the first step should be the recognition of a government in exile. It should be representative of all the various elements now in exile from their homeland. I feel that this would serve notice on Premier Castro that, in fact, we no longer recognize his regime and that we are going to put a stop to what he has been doing to subvert Latin America.

I ask unanimous consent that the following articles and editorials be printed in the RECORD:

First. From the U.S. News & World Report of May 10,1965: Articles entitled, "War Steps Up—Where It's Headed"; "Full Story of Caribbean War: How Reds Plotted a Takeover"; and "Communist Strategy for Latin America."

Second. A list of Castro's top priorities in Latin America, as reported in the March 3, 1965, issue of "The Vision Letter," an authoritative newsletter analysis of Latin American affairs.

Third. An editorial entitled "Dominican Troop Buildup," published in the New York Times of May 3, 1965.

Fourth. An editorial entitled "From Saigon to Santo Domingo," published in the Wall Street Journal of May 3, 1965.

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

[From U.S. News & World Report]

WAR STEPS UP—WHERE IT'S HEADED

(NOTE.—A Red threat, and U.S. marines moved in fast in the Caribbean—as they had gone into action in South Vietnam. Meaning: United States is making it clear to the Communists that their days of easy conquest are at an end.)

The U.S. marines were back in action again on recent days in two widely separated parts of the world.

In Vietnam, marines began for the first time to operate as units against a Communist enemy, not merely as advisers to South Vietnamese armed forces.

Then, on April 28, President Johnson sent marines into the Dominican Republic. There the lives of 1,300 U.S. citizens were endangered. Civilians, including organized Communists, had been given arms and roamed the streets.

On April 29, several snipers opened fire on U.S. marines who were guarding Americans. They were driven off by marine return fire which killed at least two. By April 30, one marine had been killed and six wounded fighting beside Dominican troops against ragtag gangs of armed toughs.

Communists backed by Castro's Reds in Havana were out to take over the country in the confusion if they could. By week's end there were over 4,200 U.S. marines and

U.S. Army paratroopers in the Dominican Republic.

U.S. marines were making their first landing in the Caribbean area since 1926—nearly 40 years ago—when they landed in Nicaragua. U.S. occupation of the Dominican Republic, begun in 1916, had ended in 1924.

No U.S. troops had remained in any Latin-American country as combat troops since the Franklin D. Roosevelt Good Neighbor policy of 1934.

U.S. POLICY HARDENS

This time U.S. troops were moved into a position to block another Communist try for a take-over of a Latin-American government, as in Cuba.

The United States today is the possessor of immense military strength. That strength had been applied but rarely in recent years. There had been concern in the White House and in Congress over what might be said at home and abroad about the wider use of such power.

A Communist dictator, Fidel Castro, took over the island of Cuba, 90 miles from the United States, and remained there after defeating one U.S.-sponsored invasion effort. Powerful U.S. military forces were kept offshore on that occasion.

Mr. Johnson, his advisers indicate, now is determined to make it clear to the world that the withholding of U.S. power in key crises can no longer be counted upon by the enemies of the United States. This attitude in the White House has been brought about by growing concern over Communist aggression and Communist preparations for more subversion.

Of late, officials say, Communists have been growing bolder in Latin America. Assassination plots, apparently financed by Russian Communists using Italian Reds as their agents, were uncovered recently in Venezuela. Similar plots have been blocked in Colombia and Chile.

BIGGER RED ATTACKS AHEAD?

In Vietnam, as the month of May began, there was no real sign of a Communist willingness to talk peace on any terms other than a U.S. withdrawal—a virtual surrender of South Vietnam to the Communists. Communist forces in South Vietnam were reported gathering for large-scale attacks.

President Johnson already had met Communist attacks on American advisers in Vietnam by taking the tag of privileged santuary off Communist North Vietnam. Since February, U.S. bombers have been striking at carefully selected military objectives in the Communist-ruled country which is keeping the war in South Vietnam going.

As April ended, the highest officials in Washington set out to explain once again why Americans are fighting a war in far-off Vietnam. Dean Rusk, Secretary of State, on April 23 made a major address designed to clarify issues and explain American actions. On April 22 and 23 there had been background conferences, with officials not publicly identified, reporting on the war's progress.

It was in these conferences that officials made clear a readiness to use nuclear weapons if the Vietnamese war expanded to a point where such weapons were required. At present and in the immediate future, it was said, nuclear weapons were not needed nor was there any plan to use them. However, such weapons are near the battle areas.

M'NAMARA AND LBJ ON THE AIR

On April 26, Robert McNamara, Secretary of Defense, went on the air to give the American people an account of what has been happening in Vietnam. President Johnson, in a televised news conference on April 27, restated the U.S. position in Vietnam and reiterated the U.S. desire to talk peace. But the President also reported that he knew of no change in the Communist position. Mr. Johnson indicated he had drawn nothing but abuse from the Reds for his offer of negotiations and of a billion-dollar contribution to a peaceful development of southeast Asia.

All U.S. high officials made it plain that attacks may be carried deeper into Communist territory if North Vietnam and Red China throw more forces directly into this war.

It is in Vietnam, as the highest U.S. officials see it, that the U.S. now has determined to stand up to the first real test of a form of aggression which the Communists have given a new propaganda label: "wars of national liberation."

Wars so named by Communists are those conflicts or potential conflicts in countries where Communist elements are strong enough to dominate the groups standing in open opposition to a non-Communist government. This is a purely propaganda term—the revolt of Hungarians in 1956, for example, could not have been designated a "war of national liberation" by Communists because Communists were in control of the country which the rebels sought to liberate.

Fidel Castro's successful war to take over Cuba is called by Communists—in retrospect—a "war of national liberation" because, soon after his victory, Castro admitted he was a Marxist and placed Communists in positions of power.

PERFECT FOR LIBERATION

The conflict in Vietnam is regarded by the Communists as a perfect "war of liberation." The country is divided and guerrillas in the south are reinforced, supplied, and led by Communists from North Vietnam, backed by Red China. Since 1954, the U.S. has been advising and aiding the South Vietnamese while Communist North Vietnam and Red China have been mounting an attack on South Vietnam through support for the guerrillas there.

It is in Vietnam that the U.S. is taking a firm stand. It refused to halt bombing or withdraw U.S. troops so long as the Communists continued their aggression. Why is Vietnam chosen for such a stand?

Answer given by U.S. officials is that the U.S. has commitments to defend many countries of the world—commitments such as those the U.S. entered into in Vietnam 10 years ago. If Communists were allowed to win in Vietnam by a U.S. default, then Communist "wars of liberation" would be certain to follow in Thailand, the Philippines, in the Congo, in Venezuela—step by step, in many other countries of the world that look to the United States as an ally.

THE TIME IS NOW

Sooner or later, as Mr. Johnson sees it, such Communist tactics must be met and halted. Bigger war will certainly be a risk wherever this is done. For Mr. Johnson the time to put an end to such Communist wars is now, and the place is in Vietnam, in the Caribbean, or in any area where Communists try to take over new territory by military aggression or subversion.

[From U.S. News & World Report]

FULL STORY OF CARIBBEAN WAR: HOW REDS PLOTTED A TAKEOVER

(When U.S. marines landed in Santo Domingo, Howard Handleman, of the staff of U.S. News & World Report, went in with them. But he'd been on the story long before that. Here, from the scene, is his inside report of events that led to crisis.)

SANTO DOMINGO.—This is the story of a Communist plot that turned into America's war in the Caribbean.

It started 6 months ago when mimeographed handbills began to appear, telling people how to make Molotov cocktails, how to build street barricades, plant bombs, how to seize arms. It advanced carefully, step by step.

And by April 28 the Dominican Republic was in chaos, Communist plotters were on the verge of seizing power. The first of thousands of American marines and paratroopers arrived to protect Americans and prevent this country from becoming a "second Cuba."

Two days later—on April 30—marines found themselves in a firefight with rebels in Santo Domingo. One marine was killed, at least six others wounded.

SUGAR PRICES A BIG FACTOR

The plotting began against a background of discontent on the part of the workers. Sugar prices have been low, and sugar is the base of the island economy.

This forced upon the President, Donald Reid Cabral, the need to impose a program of austerity. He acted to break a strike of sugarworkers. Businessmen were forced to deposit with the Government 40 percent of the cost of goods they imported.

At the same time, some high-ranking officers were fired from the army out of fear that there might be plotting against the regime.

The result is that businessmen, workers and key elements of the military all had become disgruntled.

Complicating the situation was the fact that the President was not a good speaker—he did not have the ability to go on television and radio and make a convincing argument in favor of the austerity he was trying to impose.

Communist leaders, aware of the discontent, speeded their plans.

Two weeks ago 52 trained Communist agents slipped into the country—32 of them from Castro's Cuba where they had been trained in guerrilla-warfare schools. The rest were from similar training schools in Russia, China, and other Communist countries.

Some came on forged passports. Others slipped in by boat at night.

IN TOUCH WITH BOSCH

Months before, the leaders of the plot had been working with Juan Bosch, former President who had been overthrown in September 1963, and had taken refuge in San Juan, P.R.

Bosch was not known as a Communist, but he knew that Communists were in on the plot to restore him to power, and he worked with them. All details for the revolt were being worked out in secrecy. Timing became the key element. Everything was in readiness.

On Saturday morning, April 24, action was taken to crack down on three colonels in the Army whom the Government suspected of disloyalty.

The colonels were ordered fired. Instead of accepting the order, the three officers seized and disarmed the Army Chief of Staff.

Communists found out about this half an hour after it happened. They managed to broadcast a report that the military was in revolt.

By some means, the plotters then got hold of the Government radio and television for 35 minutes and broadcast a false report that the regime of President Reid Cabral had fallen.

The broadcasters who appeared on the TV screen wore the beards and berets that are standard equipment of Castro Communists. They exhorted their listeners to take to the streets.

Every possible device was used to capitalize on the growing unpopularity of the Government. People started dancing in the streets. They were inspired, and led, by known Communists.

The President went on the air Saturday night to show that he still was in power. He told the people that loyal troops were surrounding the two camps in which there were disloyal colonels.

He announced that unless the disloyal elements surrendered by 5 o'clock Sunday morn-

ing, April 25, they would be attacked by Government forces.

It seems, however, that Brig. Gen. Elias Wessin y Wessin, a friend of the President's, had been convinced by the Communist-led mobs in the streets that this was a true uprising of the people. He failed to carry out the attack the President had ordered.

When the attack did not come, the Reds moved out in the open. Their months of careful plotting was triggered into action with split-second timing.

Arms began to be passed out to civilian toughs on Sunday. The three colonels, working with the Reds, had access to military equipment.

WHAT SOLDIERS DID

Lower echelons in the Army had been thoroughly infiltrated by the plotters, and they went over with the colonels to the Communist side.

Juan Bosch, in Puerto Rico, packed his bags on that Sunday and prepared to move back to Santo Domingo. Rebel forces, by then, had chased President Reid into the Israeli Embassy and were in control of parts of the city.

Before Mr. Bosch could make his move, dissension developed in the ranks of his supporters.

Mr. Bosch claimed the right to move back and serve out the unfilled portion of the term from which he had been ejected. Others in the group insisted that new elections be held.

WHEN REDS MOVED IN

While the squabbling went on, the Communists took over the uprising. Something close to panic spread through the ranks of the non-Communists among the plotters.

The Air Force, most of the Navy and some elements of the Army—as well as Santo Domingo's 10,000 armed police—remained loyal to the Government.

Gen. Wessin y Wessin had led the move that overthrew Bosch in 1963 and was not ready to accept his return.

Fighting between the loyal troops and the rebels became intense. Casualties were high on both sides.

By Monday, some followers of Juan Bosch were seeking asylum in foreign embassies. The open takeover of the rebel movement by Castro-type Communists proved more than they were willing to accept.

There were defections from the Communist cause, too, by some of the Army officers when they discovered that what they had thought to be a true uprising against an unpopular Government was, in fact, a Red move to take power.

By this time rebel leaders and Communists had fanned out through the city, distributing rifles, Molotov cocktails, other weapons to aroused civilians.

Many thus armed were known Communists.

As for the others, the armed, trigger-happy populace offered the sort of civilian unrest that Communists always hope to capitalize on.

Those in the rebellion ranged all the way from known Communist agents—carbon copies of Castro's revolutionaries—to bands of criminals intent on looting. Many wore the green fatigue uniforms popular with Castro Communists.

The violence that spread through Santo Domingo gave the appearance of utter chaos. Actually, it was cut to a standard Communist pattern.

Bands of young toughs—called "tigers"—roamed the streets, carrying burp guns and other weapons. Others sat on rooftops, sniping.

TO THE WALL

Victims were dragged from their homes and shot down while angry mobs shouted, "To the wall"—the same cry that marked the mass executions in Cuba in the early days of Fidel Castro. The assassinated Dominicans were dumped into crude graves right at the execution spots.

Anti-Communist pilots of the Dominican Air Force added to the toll with their strafing and bombing attacks on rebel strongholds in the capital. The rebels tried to stop the air attacks by putting the families of the pilots out in the streets where they became targets.

Much of the gunfire appeared to be for no other purpose than to terrorize the city. There were reports of bands of young rebels dashing through the streets spraying shots wildly from their machine guns and rifles.

The result was chaos.

On Tuesday, April 27, there seemed to be a turn against the rebels and a lull in the fighting. But it was misleading.

That day, the U.S. Ambassador, W. Tapley Bennett, visited the Presidential Palace. He found it largely deserted. The rooms were strewn with wreckage.

The island now was without any effective Government. Anarchy prevailed in Santo Domingo.

American citizens, in this period, began to be in real danger.

On Wednesday, April 28, civil order broke down completely.

Two to three hundred armed rebels stormed into the Ambassador Hotel, where 1,100 Americans and some other foreigners were awaiting evacuation.

The rebels seized many of the Americans, separated the men from the women and children, marched them off out of sight of their families, fired shots over their heads. The purpose was terror. Ambassador Bennett asked for marines to protect the lives of U.S. citizens, after Dominican military leaders had told him they could no longer guarantee the safety of Americans.

Among the Americans on the island at the time were many tourists, a University of Michigan jazz band, and delegates to a brewers' convention.

ADVANCE WARNING

Two weeks before the Ambassador called for protective troops, the U.S. had learned through intelligence sources that trouble was impending in the Dominican Republic. The United States had moved the aircraft carrier *Boxer*, with a contingent of 1,100 marines, to a point within easy reach of the island.

On Thursday, April 29, the marines—first of thousands of U.S. troops—came in by helicopter.

The announced purpose of the landing was to protect American lives and to help with the evacuation of foreigners.

Actually, the United States seemed to have made up its mind that it would not permit another Cuba on its doorstep.

On Thursday the fighting had become heavy. The U.S. Embassy was fired upon. Marine guards returned the fire. Several rebel snipers were killed.

The war, itself, became more intense in the city, but the countryside outside Santo Domingo seemed quiet.

In the capital, the well-armed rebels had concentrated their attack on the 10,000-man police force. One estimate was that hundreds of police were killed in the first 3 days of fighting.

The Communists captured Radio Patrola, the police network station. That made it almost impossible for officers to direct police reinforcements to areas where they were needed most.

The rebels fought in small, roving bands, but they were well armed.

At the time they attacked the American Embassy they also shot up five other embassies—those of Mexico, El Salvador, Guatemala, Peru, and Ecuador.

There was no mistaking the Communist pattern of the revolution. One worried diplomat told me:

"All types of Communists are in this thing—Peiping Communists, Moscow Communists, and Castro Communists."

By Thursday night most of downtown Santo Domingo was in the hands of the rebel forces. By then, they had seized the international telephone exchange. Estimates of the dead and wounded passed the 2,000 mark. United States flew in 15,000 pounds of medical supplies.

By Friday, April 30, the United States had built up to a total of 4,200 American fighting men—1,700 marines and 2,500 paratroopers of the Army's 82d Airborne Division.

There was no slowing in the fighting. At noon on Friday a marine armored column drove into the heart of the city to seal off a zone around the American Embassy, and drew rebel fire. The marines had their first casulties.

The State Department announced that "law and order has ceased to exist" and it was clear now that the United States was prepared to take any action necessary.

Said a high-ranking U.S. naval officer: "It is our intention to prevent a Communist takeover."

[From U.S. News & World Report]

COMMUNIST STRATEGY FOR LATIN AMERICA

SAN JUAN, P.R.—What follows is based on top intelligence reports:

The speed with which the Communists moved in on the Dominican revolt is added evidence of a new and major subversion campaign by the Reds in Latin America.

Chief Communist targets in the hemisphere are Venezuela, Colombia, and Guatemala.

Second priority, according to analysts, goes to such countries as Panama, Paraguay, Peru, and Haiti.

While the Reds are making less-concentrated efforts in other countries, they hope to capitalize on any opportunity presented by recurrent political upheavals.

The new campaign of subversion is pointed up by two recent events—a Communist-backed assassination plot in Venezuela, and increasing influence of Castro Communists among back-country bandits in Colombia.

MONEY FROM MOSCOW

Venezuelan police, on April 10, arrested an Italian man and two women and accused them of trying to smuggle $330,000 into the country to finance a revolt and of attempting to kill President Raúl Leoni.

Investigation showed the money traveled a circuitous route—reaching Caracas by way of Rome, Prague, and Moscow, where it had originated. The Italian Communist Party, acting as intermediary, supplied the couriers.

Inside Venezuela, the conspiracy involved local Reds, foreign Communists, some members of the armed forces and some conservative businessmen who opposed the social and economic changes being pushed by the Leoni government.

Though the plot involved both Rightists and Reds, investigators say the Communists clearly were the masterminds.

In Colombia, Castro Communists have joined up with bandits who have been plaguing the country for years.

Until recent months, the sporadic violence was annoying, but not a dangerous challenge to the Bogotá government. Now things have taken a new turn. Violence is on the increase, and is linked to a wave of kidnapings that appear to be an effort to raise funds for Communist subversion. There has been an average of one kidnaping every 3 days this year. The latest took place on April 27 with seizure of a prominent industrialist from his ranch 240 miles from Bogotá.

Colombia authorities say that, for the first time, the backlands guerrillas appear to be

getting arms and money from outside the country. Also, the guerrillas have been organized into units by agents who claim to represent the liberation forces of Castro Communists.

A U.S. Central Intelligence Agency report to Congress in mid-April stressed the continuing danger of Communist efforts to overthrow Latin-American governments. The CIA report said Cuba spent more than a million dollars supporting subversion in Venezuela from 1960 to 1964. Other sizable sums were sent to Guatemala, Panama and El Salvador.

At the time of the Dominican upheaval, intelligence authorities say, special groups from at least 10 other Latin American nations were in Cuba for training in subversion and guerrilla tactics.

[From the Vision Letter, Mar. 3, 1965]

Here is the outlook as seen from Havana:

Venezuela: This is still considered target No. 1. Venezuela's guerrillas are the largest and best organized in the hemisphere, calling themselves Fuerzas Armadas de Liberación Nacional. The FALN has the two ingredients that carried Castro to power in Cuba—an enduring guerrilla force in the mountains and a territorist machine in the cities. Early this week, as an example, uniformed guerrillas toting machineguns took over the town of Turugual, in the state of Falcón, destroyed all government documents, held a revolutionary songfest in the streets, then faded away before federal troops could arrive.

Colombia: Next in order of possibilities is Colombia, which has a long history of guerrilla activity and backland chaos, rugged topography which makes pursuit and communications difficult, and proximity to Venezuela. Backland violence in the past was at first politically motivated, then later degenerated into simple banditry. Recently, however, a Castro-style band of more than 50 youths mounted an armed attack on the town of Simacota, in Santander (the Vision Letter, January 13), and promised more of the same. Colombian officials, who in recent years had made considerable headway in knocking out banditry, are nervously awaiting developments.

Guatemala: The next most likely prospect, Guatemala also has a long history of guerrilla activity. The rebels are led in the countryside by former army lieutenant Marco A. Yon Sosa, who operates in the woods and hills of the north, where population is poor and sparse. Last month the rebels threatened to carry the fight to the capital, and there were two incidents in a matter of days—an attempt to kill a U.S. military attaché and a grenade thrown under an army truck. A state of siege was declared and the lid clamped tightly on Guatemala City, but the game is not over. The night before the state of siege went into effect pamphlets were distributed in the capital warning that the "movement of reprisals" against the military was beginning.

Honduras, Haiti, and Paraguay are also thought ripe for "wars of liberation." These nations all have dictatorial regimes and fairly recent incidents of armed antigovernment activity. If local leftist firebrands can get something rolling, they will receive heavy propaganda support and leadership training from Havana, but few arms. According to the teachings of Che Guevara, guerrillas should not become accustomed to outside arms. Above all, Castro will only help those subversives who help themselves.

What chance do the Castro followers really have of taking over any of these countries? For the time being, it is felt, almost none. Colombia and Venezuela both have democratic governments and, despite difficulties, are attempting to cope with national problems. The guerrillas so far lack the one essential component for success—the support of the masses. What they can do is to stay alive and active, waiting for the time when democratic government may turn sour. Then, they assume, the popular support will swing their way.

[From the New York Times, May 3, 1965]

DOMINICAN TROOP BUILDUP

In ordering several thousand more marines and paratroopers into Santo Domingo Saturday night, President Johnson reiterated that their sole mission was to protect and evacuate endangered Americans and other foreign nationals. Last night the President went on television to confirm what Congressmen and correspondents in Washington had been told privately from the start of the Dominican rebellion—that the primary aim of the United States military involvement is to prevent "another Cuba."

Thus, the official explanation has finally caught up with the one consistently given by authoritative administration briefings. The President now tells the Nation that the revolt began as "an action dedicated to social justice" but it took a sinister turn when Communists seized control.

What remains unexplained is why no slightest expression of sympathy for the revolt's aims came from Washington in the period when the massing of American troops was decided upon. The clear effect of their influx was to strengthen the ruling military junta in its efforts to block the restoration of Juan Bosch as President. In a television interview taped on Saturday, Professor Bosch, who is no Communist, said that the revolt had been won until Washington intervened. He vehemently denied that the Communists exercised any position of control.

The President's unwillingness to see another Communist state established in this hemisphere will command national support. But the question that needs a much clearer answer is whether a rightwing dictatorship in Santo Domingo has not traded on United States fears of Communism to preserve its power in a country still scarred by three decades of brutal repression under Generalissimo Trujillo.

Restoring political stability in the Dominican Republic is the rightful responsibility of the Organization of American States. This responsibility has been acknowledged by President Johnson; it is being exercised by the OAS through its dispatch of a five-man mediation mission to Santo Domingo. If that delegation finds a need for an inter-American peace force to help maintain a cease-fire or to ward off subversion, the OAS is the proper instrumentality for bringing the peace force into being.

The massing of American marines and paratroopers in ever-increasing numbers already has stirred bitter recollections throughout Latin America and the world of the excesses of "gunboat diplomacy." A unilateral decision to assign these troops an active role in helping the Dominican military junta put down the revolt would run counter to all the principles of "progress, democracy, and social justice," for which Mr. Johnson appealed in his televised remarks Friday evening.

Such an abuse of our strength would do more to spread Communism in this hemisphere than the Castroite agents it was directed against. As the President repeatedly pointed out in the 1964 election campaign, the United States cannot bulldoze its way to security, nor should it try. The inter-American system, to which the President has pledged full support, is our best assurance—and the hemisphere's.

[From the Wall Street Journal, May 3, 1965]

FROM SAIGON TO SANTO DOMINGO

Naturally the United States is being excoriated in many parts of the world, including some quarters in the United States, for its intervention in the Dominican Republic, and in many ways the outcry is interestingly similar to that raised over present American policies in Vietnam.

It's true enough that it has been a long time since the United States actually landed troops in a Latin American nation in an apparent effort to help shape its governmental form as well as protect U.S. citizens. It's true that the Dominican situation is not, shall we say, exactly crystal-clear, even after a week of fighting and various kinds of diplomatic activity. For all anyone positively knows, the savage civil war may be merely one more episode in the long Latin tradition of gory grabs for personal power.

What nonetheless seems plain is that the supporters of former President Juan Bosch—those who started the revolution—include many Communists, perhaps mostly of the Cuban persuasion, and that Gen. Wessin y Wessin, who had been trying to put down the revolution, is strongly anti-Communist. In other words, the U.S. Government last week faced not only a threat to the safety of Americans in the Dominican Republic but also the evident threat of another Cuba in the hemisphere. This consideration, it seems to us, overrides the numerous and sometimes hysterical objections.

One objection is that, if the United States should have done anything at all, it should not have done it unilaterally. Washington of course, did turn immediately to the Organization of American States, which yesterday dispatched an investigating committee to the island. And the United States did inform the United Nations, where the Security Council is supposed to meet today. Unfortunately, events do not always permit waiting the outcome of diplomatic deliberations, even if it could have been realistically assumed that the upshot would be concerted action.

Another objection is that intervention in the affairs of a sovereign nation infringes treaties or understandings among the hemispheric nations. This complaint also squares but imperfectly with the realities.

The Dominican Republic has had an unhappy history, including decades of misrule by the dictator Trujillo. It is sad but true it has had scant acquaintance with self-government or the meaning of nationhood. In the post-Trujillo period the United States has tried hard to help the nation not only along the paths of democracy but toward true sovereignty; now the Dominican Republic is the victim of what certainly seems, at least in part, indirect aggression from without. We for one do not believe the United States should stand idly by in the face of such a threat.

But the case for intervention in such situations goes deeper, and it covers some points the querulous critics—those, that is, who are not outright Communists—never seem to get.

Though the Communist world is indeed in disarray these days, its components haven't lost interest in fomenting Communist revolutions. Neither the Sino-Soviet split nor resurgent nationalism in the European satellites prevented Khrushchev from planting missiles in Cuba. Neither the Sino-Soviet split nor any of Red China's other troubles prevents that belligerent regime from sponsoring aggression against South Vietnam.

Indeed, if there is one thing the world's Communists still are united on, it is on old Khrushchev's double-talk about supporting "just wars of liberation." That means that the Soviets, for their part, seemingly feel themselevs blocked by the United States from major conquests such as taking over Europe; consequently they turn considerable attention to warmaking wherever it seems profitable in Asia, Africa, and Latin America. Anyone who thinks the other Communist movements don't agree with the Soviets on

that proposition is not seeing what is actually happening in the world.

That is the condition confronting the United States from Saigon to Santo Domingo, and probably for a long time to come—a host of more or less little wars aimed at conquest for the banner of communism and trouble-making for the West. To the extent feasible, and always reversing the freedom not to engage our forces in hopeless military circumstances, the United States should discourage this activity and endeavor thus eventually to tame the Communists. In ultimately restraining Communist belligerence, not in appeasement, lies by far the best hope of genuine peace.

The United States is pursuing that purpose in Vietnam, no matter how many mistakes it has made or yet may make. It most emphatically must be its purpose in its own neighborhood, the Western Hemisphere, even if its efforts in the Dominican Republic fail to bring good government there.

The United States should not have allowed a Communist Cuba to happen, and communism's victory in that nation remains unfinished business for the United States. It should not allow, insofar as it can act effectively, through diplomacy if possible but not excluding force if necessary, communism to be exported elsewhere, whether to Brazil, British Guiana, or the Dominican Republic.

What, we may ask the complainers, is the alternative? Whatever they or much of the world may think, we believe most Americans at any rate consider it right and proper to seek to keep the United States from Communist encirclement.

Mr. MILLER. Mr. President, I yield briefly to the Senator from Rhode Island.

PRINTING OF ADDITIONAL COPIES OF HEARINGS BEFORE JOINT COMMITTEE ON ATOMIC ENERGY

Mr. MANSFIELD. Mr. President, I send to the desk out of order a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 105) submitted by Mr. PASTORE, as follows:

Resolved, That there be printed for the use of the Joint Committee on Atomic Energy eight hundred additional copies of Part 1 of the hearings held by that Committee on Atomic Energy Commission authorizing legislation, fiscal year 1966.

Mr. PASTORE. Mr. President, I discussed this resolution with the distinguished majority leader and the assistant to the minority leader, and it has been cleared on both sides.

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

There being no objection, the resolution was considered and agreed to.

THE VETERANS BENEFITS AND INCREASED SOCIAL SECURITY BENEFITS

AMENDMENT NO. 139

Mr. MILLER. Mr. President, I send to the desk an amendment to H.R. 6675, now pending before the Committee on Finance, and ask that it be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. Without objection, the amendment will be received and appropriately referred; and, the amendment will be printed in the RECORD at this point.

The amendment was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

On page 266, after line 22, add a new section 328 to title III of said Act as follows:

"INTERRELATIONSHIP BETWEEN VETERANS' BENEFITS AND INCREASED SOCIAL SEURITY BENEFITS

"SEC. 328. (a) Section 503 of title 38, United States Code, is amended by inserting '(a)' after '503', and by adding at the end thereof the following:

"'(b) Notwithstanding the provisions of subsection (a), in the case of any individual—

"'(1) who, for the first month after the month in which the Social Security Amendments of 1965 is enacted, is entitled to a monthly insurance benefit payable under section 202 or 223 of the Social Security Act,

"'(2) who, for such month, is entitled to a monthly benefit payable under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959, and

"'(3) whose insurance benefit referred to in clause (1) for any subsequent month is increased by reason of the enactment of the Social Security Amendments of 1965,

there shall not be counted, in determining the annual income of such individual, so much of the insurance benefit referred to in clause (1) for any subsequent month as is equal to the amount by which such insurance benefit is increased by reason of the enactment of the Social Security Amendments of 1965.'"

Mr. MILLER. Mr. President, the purpose of this amendment is to take care of a defect which is present in the bill The defect is that social security pension increases are being provided for, but the result is that that it will cause a diminution in some veterans pensions because of the present law.

We encountered a similar problem last year when similar legislation was pending before us.

My amendment is patterned after an amendment which the Senate saw fit to agree to last year to prevent this inequity from occurring.

AMENDMENT NO. 140

Mr. MILLER. Mr. President, I send to the desk another amendment to H.R. 6675, and ask that it be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. The amendment will be received and appropriately referred; and, the amendment will be printed in the RECORD at this point.

The amendment was referred to the Committee, on Finance, and ordered to be printed in the RECORD, as follows:

Strike out lines 13–22 on page 218 of the act and insert in lieu thereof the following:

"INCREASE IN ANNUAL AMOUNT INDIVIDUALS ARE PERMITTED TO EARN WITHOUT SUFFERING DEDUCTIONS FROM BENEFITS

"SEC. 310. (a)(1) Paragraphs (1), (3), and (4)(B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$150'.

"(2) The first sentence of paragraph (3) of subsection (f) of section 203 is amended by striking out '$500' each place it appears therein and inserting in lieu thereof '$600'.

"(b) Paragraph (1)(A) of subsection (h) of section 203 of said Act is amended by striking out '$100' and inserting in lieu thereof '$150'.

"(c) The amendments made by subsections (a) and (b) shall apply with respect to taxable years ending after December 31, 1965.

"(d) In addition to all sums which are authorized to be appropriated to the Federal old-age and survivors insurance trust fund under other provisions of law, there are hereby authorized to be appropriated to such fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, such sums as may be necessary to place such fund in the same financial position as that which it would have occupied if the preceding subsections of this amendment had not been enacted."

Mr. MILLER. Mr. President, the amendment is designed to increase the amount of earnings which social security pensioners may have before they are penalized by a reduction or elimination of their social security pensions. I suggest that the provision now contained in H.R. 6675 is not as equitable as it should be.

My amendment, which is patterned after my bill, S. 1608, would provide that there would be no reduction in social security pensions until a pensioner earns in excess of $1,800 a year, and that the loss of pension money on a dollar-for-dollar basis not occur until the amount of earnings reaches $2,400 a year.

The present bill would provide for a penalty being levied before the earnings reach $1,800 a year. It seems to me that in light of the present inflationary status of wages and pensions, the least we could do would be to provide for no penalties being levied until after the earnings had reached a $1,800 a year.

AMENDMENT NO. 141

Mr. MILLER. Mr. President, I send to the desk another amendment to H.R. 6675 and ask that it be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. The amendment will be received and appropriately referred, and the amendment will be printed at this point in the RECORD.

The amendment was referred to the Committee on Finance and was ordered to be printed in the RECORD, as follows:

On page 169, line 9, add a new subsection (g) as follows:

"That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Cost-of-Living Increase in Benefits

"(v)(1)(A) For purposes of this subsection—

"(i) the term 'price index' means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(ii) the term 'base period' means the calendar year 1964.

"(B) For purposes of determining under this subsection the per centum of increase (if any) of the price index for any year over the price index for the base period, the price index for the base period shall be regarded as 100 per centum.

"(2) As soon after January 1, 1966, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the

Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in the monthly insurance benefits payable under this title.

"(3) Increases in such insurance benefits shall be effective for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March.

"(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"(5) Any increase to be made in the monthly benefits payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10."

SEC. 2. In addition to all sums authorized under other provisions of law to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to each of the aforementioned funds, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, such sums as may be necessary to place each of such funds in the same financial position as that which it would have occupied if the preceding section of this Act had not been enacted.

Mr. MILLER. Mr. President, this amendment is designed to do for social security pensioners what Congress did for civil service retirees in 1962.

As we all know, there is a provision in the present House-passed bill for social security pension increases in the amount of 7 percent. That would take care of the social security pensioners insofar as the reduction in the purchasing power of their pensions is concerned over the past several years. But what about the future?

Actually, if we were to pass this part of the bill, the social security pensioner would not be in any better shape so far as his purchasing power is concerned than he was back in 1954. So it is quite apparent that, because of the inflation which has been occurring, it is necessary for Congress to do something about the situation so that the social security pensioners who rely, in whole or in part, upon their pensions can react to the increases in the cost of living.

What happens after this occurs? It is quite apparent that as long as Congress is to persist in multibillion-dollar deficit spending year after year, we shall have a continued increase in the cost of living, continued inflation, and continued reduction in the purchasing power of social security pensioners.

Congress faced up to this fact in 1962 in the case of civil service retirees. Congress provided at that time that when there was a 3-percent increase in the retail price index, the civil service retirees should receive an automatic 3-percent increase in their pensions.

My amendment, if it were agreed to, would do the same thing for social security pensioners, so that if the 7-percent increase were to become law with respect to future increases in the retail price index, or 3 percent, our social security pensioners would automatically receive an increase in their social security pensions in the amount of 3 percent.

There is another angle involved in my amendment, and that concerns the financing of these increases.

I am sure that my colleagues are aware of the fact that the Social Security System is in very bad shape. It is in bad shape to the extent of being approximately $320 billion unfunded. The only way in which that can be taken care of is by taxing future entrants into the system more than the benefits they can ever hope to receive. The way to prevent the situation from becoming worse is to provide for cost-of-living increases to come out of the general fund of the Treasury. My amendment would provide for this.

In this connection, there is an excellent article, entitled "Robbing Peter," in the April 26 issue of Barron's, written by Shirley Scheibla, a columnist for Barron's. It is a critical look at the pending social security bill. Not only is it replete with statistics, most of which were apparently obtained from social security officials, but it points out in graphic form what the passage of the pending H.R. 6675 would do to the younger generations of America.

It points out that the older generations, those retired, will, of course, be delighted with the increased benefits, but the poor young folks, many of whom have not yet had an opportunity to vote, will feel an additional blow, because not only will they have to pick up the tab of $320 billion of unfunded social security benefits Congress has placed upon their backs, but with the passage of H.R. 6675, there will be another $40 or $50 billion dollars added to that load.

It seems to me that anyone who is really interested in the future of our young people ought to read this article by Shirley Scheibla; and I ask unanimous consent that it be placed in the RECORD at this point in my remarks.

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

ROBBING PETER—A CRITICAL LOOK AT THE PENDING SOCIAL SECURITY BILL

(By Shirley Scheibla)

WASHINGTON.—"Because social security recipients have been getting benefits 10 times as great as what they have paid in, people seem to think we have a special machine here which turns out $10 bills for $1 bills," says a top official of the Social Security Administration.

Since the SSA possesses no such wondrous device, it is counting on future contributions in excess of benefits to make ends meet for its old-age, survivors, and disability insurance. The present benefits-contributions ratio will grow even more unfavorable if the Senate enacts the social security bill, H.R. 6675, recently passed by the House.

Th benefit-payment ratio for persons already retired obviously is responsible for much of the enthusiasm for the bill, which contains not only medicare but also a 7-percent increase in cash benefits. Retirement contributions, however, have been stepped up even more.

PUBLIC IGNORANCE

Says one official: "Continued general support for the social security system hinges on continued public ignorance of how the system works." He adds: "I believe that we have nothing to worry about because it is so enormously complex that nobody is going to figure it out."

Barron's hereby takes on the job.

The SSA worked up the following table, which purports to show that benefits in every age group exceed contributions.

	Retiree age 71	Worker now age 50	18-year-old future worker
Total contribution	$1,290	$5,832	$10,212
Retirement benefits	13,422	14,094	14,205
Wife's and widow's benefits	9,363	9,831	9,909
Total benefits	22,785	23,925	24,114

The table warrants close scrutiny. Based on maximum contributions and benefits, it includes only amounts paid by employees, even though employers pay matching amounts for their benefit. It also excludes interest which the money could have earned for the contributors if it had not been tied up in social security funds.

This approach, however, is far from realistic. To cover the true situation, the table would obviously have to include both interest and the employer's contribution. Starting with the 71-year-old retiree, and calculating interest at 3 percent (approximately the average national rate during the period of his contributions) would produce a figure of $3,373, against benefits of $22,785. Actuarially, he can expect to live to 79 to collect this amount. The 7-percent increase in cash benefits under H.R. 6675 would raise his benefits to $24,379. His contributions, of course, would not thereby increase, since he no longer makes any.

As for the 50-year-old worker, by including the employer contribution and interest at 3 percent during 1960 and 4¼ percent thereafter (again, the national average for the period) his total payments come to $22,856, against benefits of $23,925—if he lives long enough. The actuarial table used by the Internal Revenue Service for taxing annuities indicates he can expect to live to only 75½, whereas SSA has assumed he will live to 79.

The new bill would require this worker and his employer to contribute an extra $4,240 for retirement. At the same time, the bill's 7-percent increase in cash benefits would mean an extra $1,667 for him. Thus, if H.R. 6675 becomes law, the 50-year-old worker can expect to make contributions of $26,012, including interest, against benefits of $25,592.

As for the 18-year-old, including the employer's contribution and figuring interest at 4¼ percent for the latter's 46-year working life (assumed by SSA) gives a total of $61,596, against $24,114 in benefits. For this contribution the worker could purchase from a private company a monthly annuity of $463

for life, after retirement. His maximum benefit under social security would be $25 a month.

MONTHLY ANNUITY

Under the new bill, H.R. 6675, employer-employees retirement contributions for the 18-year-old, with 4¼ percent interest, would come to $84,300. The 7-percent increase in cash benefits would bring the latter to only $25,802. For this amount, the worker could purchase from a private company a monthly annuity of $634 for life. His maximum benefit under social security would be $312 a month.

The benefits figured may be high under both present law and the pension bill because SSA has assumed the youngster will retire at 67 and live to the ripe old age of 79. But the Internal Revenue Service actuarial table assumes that an 18-year-old today can expect to live to only 71.9, SSA in any case, has adopted a policy of robbing Peter to pay Paul.

Obviously, those who are urging Congress to be still more generous are thinking chiefly of people already retired or close to retirement. Few of these enthusiasts realize, however, that OASDI has been in operation for only 28 years and that therefore no one has paid social security taxes for his whole working life of 46 years. The system took in an additional 10 million people as recently as 1951, when new legislation covered farm and domestic workers. Another 7½ million members were added only 10 years ago, when coverage was extended to some self-employed. H.R. 6675 would take in still others, including waiters and additional professional workers.

A REAL BONANZA

For the 20 million retirees collecting today, social security is a real bonanza. For those who turned 65 a few years after entering the system, it represents a windfall. For new workers, however, today's largesse will be a crushing burden because, in order to pay Paul, SSA must rob Peter.

Neither SSA officials nor members of the Ways and Means Committee make any bones about the prospect that future contributions will pay the bill. This, they point out, is the great difference between social insurance and private pension plans. The latter should have enough in the till to fulfill all obligations without counting on any new entrants. But under a compulsory system, the experts explain, they can count on the taxes on new workers coming into the system. SSA officials insist that an employer's social security taxes are "for the social good," not for the individual good of the worker on whose earnings they are based.

Whether SSA will be able to sell this idea remains to be seen. Ray M. Peterson, vice president and associate actuary of the Equitable Life Assurance Society, has his doubts. Says he: "We may expect from sophisticated, market-oriented employers and from labor union experts increasing dissatisfaction with the disparity between what OASDI promises and what could be secured under a private plan."

Some dissatisfaction already is becoming apparent. Students at Northern Illinois University have formed a Young Citizens Council, to combat exploitation of young taxpayers under the social security program. Commented the Chicago Tribune, "They think it only fair that the young taxpayer who is getting set on a job and starting to raise a family should pay lower social security taxes than older persons who have to pay only a few years before they start receiving benefits."

Nobody knows the exact debt young workers will have to pay. Back in 1962, when the SSA last figured out its unfunded liability for OASDI, it totaled $321 billion. Now the experts think it may come to $330 billion or more. Just for present members, according to SSA officials, passage of H.R. 6675 would mean an additional liability of $40 to $50 billion for increased cash benefits and another $35 billion for medicare.

At the end of last year the old-age and survivors insurance trust fund totaled $19.1 billion, compared with a high of $22.5 billion 8 years ago.

The story is even worse for the disability insurance fund. When Congress created it in 1956 to finance disability payments, authorized then for the first time, much was made of the fact that the disability insurance fund was set up separately from the OASI fund. Congress developed a habit, however, of enlarging disability benefits more than it enlarged the fund. Last year disbursements exceeded receipts by $188 million, and the fund shrank to $2 billion at the end of the year. By 1969, under present law, it is expected to fall to $81 million.

The following table shows how the combined unfunded liability has increased since 1956:

[In billions]

	Taxes plus trust funds	Value of benefits	Unfunded liability
1956 act	$217	$486	$269
1958 act	254	543	289
1960 act	276	587	311
1961 act	304	625	321

INCREASED BENEFITS

The unfunded liability has risen even though both the tax rate and the taxable earnings base have grown over the years. One difficulty, of course, is that each time Congress raises contributions, it also increases benefits.

When the system started out in 1937, the maximum earnings base was a mere $3,000, and employer and employe each paid a tax of 1 percent. The rate was to go up to 1½ percent each in 1940, to 2 percent in 1943, 2½ percent in 1946 and 3 percent in 1949. To reduce the burden of social security during World War II, however, Congress temporarily suspended the scheduled increases. By 1950 the combined tax went to 3 percent, and the following year the base went up to $3,600. In 1954 the rate rose to 4 percent, and the following year the base rose to $4,200. In 1956 Congress provided for the first cash benefits for disability, and the following year the rate went up to 4½ percent. In 1959 the rate became 5 percent, and the base $4,800. The next year the rate increased to 6 percent. Another quarter percent was added in 1962. In 1963 it went up to 7½ percent.

Congress has always felt that the tax rate must not exceed 10 percent. This ceiling, however, has been pierced in H.R. 6675. The following tables show what would happen to the combined tax rate and maximum contributions, under present law and under H.R. 6675.

Combined employer-employee contribution

[Percent]

Year	Present law	H.R. 6675	(1)
1965	7.25	7.25	
1966	8.25	8.70	0.70
1967	8.25	9.00	1.00
1968	9.25	9.00	1.00
1969–70	9.25	9.80	1.00
1971–72	9.25	9.80	1.00
1973–75	9.25	10.70	1.10
1976–79	9.25	10.80	1.20
1980–86	9.25	11.00	1.40
1987 and after	9.25	11.20	1.60

[1] Portion of H.R. 6675 tax required for basic health insurance program.

Combined maximum contributions

Year	Present law	H.R. 6675 without medicare	H.R. 6675 with medicare
1965	$348.00	$348.00	$348.00
1966	396.00	448.00	487.20
1967	396.00	448.00	504.00
1968	444.00	448.00	504.00
1969–70	444.00	492.80	548.80
1971–72	444.00	580.80	646.80
1973–75	444.00	633.60	706.20
1976–79	444.00	633.60	712.80
1980–86	444.00	633.60	726.00
1987 on	444.00	633.60	739.20

Even these contributions do not assure the actuarial soundness of social security. In its last annual report, the board of trustees figured things out on the basis of high, low and intermediate cost estimates, and on both a 75-year and perpetuity basis.

On a high-cost and perpetuity basis, benefits will come to 10.83 percent of payroll, and contributions will total 9.11 percent, producing an actuarial imbalance of 1.72 percent. On the intermediate cost estimate, however, contributions will total 9.11 percent and benefits 9.35 percent, leaving an imbalance of .24 percent, just within the limit of 0.25 percent which Congress has considered acceptable. Figured on a 75-year rather than a perpetuity basis and on intermediate costs, contributions will total 9.10 percent and benefits 9.09 percent, leaving the miniscule positive balance of .01 percent. With low costs and a 75-year basis, it is possible to show a positive balance of 1.13 percent. The figures, in short, can be juggled to show whatever one wants.

The Ways and Means Committee has chosen the figures which show a positive balance of .01 percent. It says H.R. 6675 would shift this "to a lack balance of 0.08 percent, which is below the established limit within which the system is considered substantially in actuarial balance."

However, if the past is any key to the future, contributions will have to rise and liberalizing of benefits will follow, in a dizzy spiral. As employers' social security payroll taxes go up, their operating costs will rise. With increasing amounts deducted for social security, employees are likely to ask for wage increases to maintain their take-home pay. Faced with these twin developments, employers probably will raise prices. With higher prices, however, social security checks won't go so far, and beneficiaries again presumably will pressure Congress to boost monthly benefits.

In H.R. 6675 Congress seems to feel that it can slow down this process by giving up financing solely through social security taxes for persons over 65 who are not eligible for medicare benefits from the general funds of the Treasury. The latter also would be used to match $3 monthly benefits; it would finance voluntary contributions from persons over 65 who want insurance to cover doctor bills.

Some observers feel that the introduction of general government contributions is the first crack in the dike of financial controls maintained by payroll taxes. They expect some future Congress to decide that if workers and employers object to more than a 10-percent levy, the Government could keep on liberalizing social security and make up the difference from the Treasury's general funds.

SSA officials maintain, however, that there is a limit to how much the social security system can obtain from the latter source without necessitating an increase in the income tax.

The Ways and Means Committee has made much of the fact that H.R. 6675 sets up a separate fund for medicare benefits. Rep.

GERALD R. FORD, Republican of Michigan, contended during the floor debate on H.R. 6675, however, that the trust funds will not be inviolate. "I need only point out to you that in this bill now before us is a provision increasing the allocation of funds to the disability trust fund to the detriment of the OASI fund," he declared.

Congress is as aware as anyone that there is no such thing as a free lunch—or free retirement or medical benefits. It is, however, much more concerned with the voters of today than with the youngsters who will pay their bills in the future.

This is an appropriate time, then, to recall what the Ways and Means Committee said 10 years ago: "We should take sober warning that, in our zeal to provide ever greater benefits and to provide against an ever wider area of need, we do not destroy the very system which we have created."

POPULATION CRISIS COMMITTEE

Mr. MILLER. Mr. President, former Senator Kenneth B. Keating, of New York, has undertaken a new and challenging job—he is the national chairman of the Population Crisis Committee.

This committee will seek to work with the Federal Government and other organizations in mobilizing public understanding of the population problem, what it is, how it affects us all, and how it should be dealt with in conformity with the convictions and consciences of men of good will throughout the world.

There is tremendous need for more knowledge and research in this area as well as a thorough and straightforward discussion of its implications. As Pope Paul VI declared:

> It is an extremely grave problem. It touches on the mainsprings of human life. * * * The question is being subjected to study, as wide and profound as possible, as grave and honest as it must be on a subject of such importance.

Few men are more widely known and respected than former Senator Keating. His interest and activities should stimulate new attention in this problem, which is of increasing concern to us here in the United States as well as in the developing nations of the world.

Mr. President, I ask unanimous consent to include following my remarks in the RECORD—the press accounts from the New York Herald-Tribune, the New York Times, and editorials from the New York Post and World-Telegram.

There being no objection, the newspaper articles and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 21, 1965]

KEATING TO HEAD BIRTH-CURB DRIVE—FORMER SENATOR WILL DIRECT LOBBY IN WASHINGTON FOR A NEW ACTION GROUP

(By Warren Weaver, Jr.)

WASHINGTON, April 20.—Former Senator Kenneth B. Keating announced today that he would head a new national campaign for deeper governmental involvement in promoting birth control.

Mr. Keating said he would be national chairman of the Population Crisis Committee, a group that will differ from other birth-control organizations by engaging in direct lobbying in Washington.

The former Republican Senator from New York will be paid for his work in the part-time job. He would not say how much. The committee will not enjoy tax-free status because it will be attempting to influence Congress and executive agencies in their policies.

"The current explosive growth of population threatens the success of the Alliance for Progress, the war on poverty, foreign aid, and innumerable domestic programs to which Congress has committed billions of dollars," Mr. Keating said at a news conference in his Washington law office.

"I have accepted the leadership of this committee with the belief that it is one of the most useful services that I can render my fellow citizens," he declared.

STILL INTERESTED IN POLITICS

Mr. Keating, who was defeated in his bid for a second term by Robert F. Kennedy last fall, joined the Washington and New York law firm of Royall Koegel & Rogers 2 weeks ago. He is also serving as Washington counsel for his old Rochester firm of Harris, Beach, Wilcox, Dale & Linowitz.

The former Senator said that his assumption of the committee chairmanship did not necessarily signal an end to his career in politics or government.

"I have no plans to run for public office again," the 64-year-old lawyer said, "but that doesn't mean I've eliminated that as a possibility. I don't know anything about any Presidential appointment; no one in public office has ever spoken to me about such a thing."

One goal of the new committee, its chairman indicated, will be an increase in Federal expenditure for birth-control research.

Among his associates on the committee, Mr. Keating listed High Moore, chairman of the board of the Dixie Cup Co.; Cass Canfield, chairman of the executive committee of Harper & Row, and William H. Draper, Jr., a former Army general now chairman of the board of Combustion Engineering, Inc.

[From the New York (N.Y.) Herald Tribune, Apr. 21, 1965]

KEATING HEADS GROUP ON POPULATION CONTROL

(By Fred Farris)

WASHINGTON.—Former Senator Kenneth B. Keating announced yesterday he will head a private committee formed "to mobilize support" for population control.

"The world population explosion," the New York Republican said, "is fast becoming the most critical problem of our time. It will have a profound effect upon the welfare of mankind in the decades ahead, and will be a determining influence for war or peace."

The white-haired ex-legislator, defeated for reelection last November by ROBERT KENNEDY, also told a news conference he had no plans now "to run for public office, but I do not discount that in the future."

NO OFFER

He said he had not been consulted or approached by anyone "directly or indirectly" about a Presidential appointment. Mr. Keating had expressed an interest in an ambassadorial assignment, but so far none has been offered.

Therefore, in addition to his work with a Washington-New York law firm Mr. Keating accepted the post of national chairman of the Population Crisis Committee. The committee, which will not be tax exempt, is supported by contributions from "philanthropists and other interested in this movement," he said.

Mr. Keating would not disclose the salary he will receive, saying this was a matter between him and the members of the committee. A staff aid, however, told a reporter the amount would be nominal and that Mr. Keating's law practice would be his primary source of income.

Pointing to graphs to illustrate the problem at a press conference in his Washington law office, Mr. Keating said the U.S. population would grow by 150 million people in "35 short years at the present rate of increase." This raised the unhappy prospect, he said, of "8 million unemployed, of 10 million on welfare, of 30 million elderly, and 100 million children to be taken care of."

ABROAD

Abroad, the problem is even more "staggering to contemplate," he said. "There will be 1 billion—1,000 million more people in the next 15 years—a number greater than all the people now living in the 55 countries of Europe and the entire Western Hemisphere taken together."

President Johnson said in his state of the Union message in January he would "seek new ways to use our knowledge to help deal with the explosion in world population." But, Mr. Keating said, the United States now is spending less than $10 million on birth-control research "out of an annual budget of $15 billion for research. * * * Less than 1 percent of the cost of putting a man on the moon by 1970."

The Alliance for Progress, the antipoverty campaign, foreign aid, and "innumerable domestic programs" costing billions are imperiled by runaway population growth, he said.

Therefore, he said, he undertook "the leadership of this committee with the belief that it is one of the most useful services that I can render my fellow citizens."

The main objective of the committee, which will be headquartered at 1730 K Street, NW., Washington, is "to work with and assist people interested in the population problem both in the executive branch and legislative branch of Government," Mr. Keating said.

"We must first find out what is now being done under existing legislation in this field," he said. "When we have all that, we will decide what to do next."

His committee will "be engaged in efforts to stimulate legislation," and therefore could not be tax exempt. Contributions will not be tax deductible.

Among committee backers and officers are: Hugh Moore, chairman of the board of the Dixie Cup Corp., and founder of the Moore Fund, who will serve as treasurer; Cass Canfield, chairman of the executive committee of Harper & Row Publishing Co.; Gen. William H. Draper, Jr., investment banker and chairman of the board of Combustion Engineering, Inc. Mr. Moore asked Mr. Keating to head the committee.

FAR TOO EARLY

Mr. Keating, who spoke at a Republican fund-raising dinner in Lansing, Mich., Monday night, said he was not backing any one for the GOP Presidential nomination at present. "It's far too early," he said, adding, "I have a very high regard for George Romney."

One reporter, with the effect on Catholic voters of the sensitive birth-control issue apparently in mind, asked Mr. Keating whether realistically he could return to New York politics after serving as head of the Population Crisis Committee.

He said he had "no plans to climb mountains" during his out-of-public-office period—an allusion to Senator ROBERT KENNEDY'S recent climb of Mount Kennedy, in Canada. But he added: "I did offer to demonstrate my athletic prowess in Lansing by swimming out into Lake Michigan."

[From the New York (N.Y) Post, Apr. 22, 1965]

MR. KEATING'S NEW MISSION

Kenneth B. Keating deserves to be in government. But if the administration is unprepared to offer him a post, there are few nongovernmental public positions of greater importance that the assignment he has now undertaken.

As head of the newly formed Population Crisis Committee, Mr. Keating will lead a national drive to persuade the Government to take a more active role in promoting family planning and curbing overpopulation.

The moment is auspicious for such a campaign. Liberalization of the Catholic attitude on birth control makes it practical politics for the first time to think of large public programs and appropriations.

Mr. Keating is a persuasive advocate. His long experience in public affairs will make him an effective lobbyist for the important cause he has agreed to represent.

[From the World Telegram, Apr. 24, 1965]

KEATING'S NEW ROLE

In the same spirit of conscientious service that characterized his years in Congress, former Senator Kenneth B. Keating has agreed to head a private committee formed to mobilize support for population control.

Expressing his concern over what is "fast becoming the most critical problem of our time," Keating stated the problem succinctly:

"The current explosive growth of population threatens the success of the Alliance for Progress, the war on poverty, foreign aid, and innumerable domestic programs to which Congress has committed billions of dollars."

Man's best efforts toward peace and decent living standards, in other words, are foredoomed if demand outraces supply and human misery burgeons beyond hope of containment and relief.

The projections of population growth during the rest of this century alone are nightmarish in their implications. Increasingly, even among the staunchest foes of birth control, the question is no longer so much whether—but how—corrective measures should be taken.

One goal of the Population Crisis Committee, Keating said, will be an increase in Federal expenditures for birth control research.

Research is, of course, the key. It is the means of developing solutions that will be both efficacious and generally acceptable—and developing those solutions in time.

No question about it, mankind is running a desperate race with famine and misery. And time is alarmingly short.

"ESCALATION" AS A STRATEGY

Mr. MILLER. Mr. President, in Fortune magazine for April appears a very interesting and timely article by the noted writer and scientist, Mr. Herman Kahn, entitled "'Escalation' as a Strategy." I think it is particularly timely because there has been so much talk in recent weeks about escalation in connection with the war in South Vietnam. Some seem to think escalation is a simple matter; that merely because there may be a few more bombs dropped in Vietnam, this is escalation, and particularly an escalation of horrifying prospects. If these people think that dropping a few bombs on Vietnam is horrifying to behold, let them read the article by Dr. Kahn, who really goes into the subject of escalation in great depth.

I am afraid that those people, in and out of Congress, have not given this subject any of this in-depth study.

I may not agree with everything in Dr. Kahn's analysis of "escalation" but I think it worth reading, so that people who are talking about escalation will have a little better knowledge of what they are talking about and will realize that escalation can take many, many forms; that there are many rungs in the ladder of escalation.

I think Dr. Kahn has listed here about 44 different steps or rungs in the ladder of escalation.

To hear some people speak, one would think there are only one or two rungs in the escalation ladder. A reading of the article will be beneficial; and I ask unanimous consent that it be printed at this point in the RECORD.

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

"ESCALATION" AS A STRATEGY

(By Herman Kahn)

(NOTE.—Herman Kahn is the author of "On Thermonuclear War," a book that urged the United States to take civil-defense measures to insure civilization's survival in the event of nuclear war. A mathematician, physicist, and former member of the Rand Corp., Mr. Kahn is now director of the Hudson Institute, a research organization that analyzes international affairs for the Pentagon and other clients. This article has been excerpted from Mr. Kahn's forthcoming book, "On Escalation: Metaphors and Scenarios" to be published by Frederick A. Praeger in May.)

Escalation is a relatively new word in the English language. Though it is becoming more common in newspaper headlines, especially in connection with Vietnam, the dictionaries have yet to define it in a military sense. To many people, escalation connotes an automatic rise in the scale of warfare from the level of an incident to the level of catastrophic nuclear exchange. But to more and more students of military strategy and tactics, it has also come to describe the kind of calculated risk taking that is an established factor of limited conflict in the nuclear age.

Strategies that emphasize the possibility of escalation are associated with the term "brinkmanship." Under modern circumstances no nation wishes to play at brinkmanship recklessly. But to the extent that any nuclear nation is serious in any incipient conflict—or to the extent that it pretends to be serious—it will have to face the consequences of being on the escalation ladder. However, a strategy of escalation, carefully carried out, can actually reduce the dangers of insensate, spasmodic nuclear destruction.

Events in Vietnam provide a case in point. Our opponent in Vietnam can function with great success in one dimension of warfare: guerrilla combat and subversion. The United States, in turn, has an immense superiority in air and naval power and, beyond that, in nuclear power. Behind the North Vietnamese are the Russians, with their nuclear forces, and the Chinese, with their major but ponderous land armies. But how close the ties may be, and how willing North Vietnam and its allies might be to involve themselves against the United States, remains uncertain. In this complex situation the United States has been attempting to use its areas of advantage to counter the special strengths of the opponents, to "escalate" the war in a calculated way, all the time trying to make it clear that it intends to abide by certain limitations—unless further provoked. In Vietnam the United States is clearly a nation practicing the new dimensions of escalation, reflecting its new understanding of the reasoned and restrained, yet determined, use of limited force in a world of political challenge and nuclear danger.

To make this study concrete, I have devised a ladder—a metaphorical ladder—that provides a convenient list of some of the more important options facing the strategist. This ladder indicates that there are many continuous paths between a low-level crisis and an all-out war, none of which are necessarily or inexorably to be followed. My ladder provides a useful framework for the systematic study of a crisis. There is no attempt here to recommend any courses of action. What is attempted is to describe the way stations of ascending conflict so that the elements can be recognized, and the distance from all-out war estimated. There are, of course, those who think a study of escalation is dangerous and perhaps immoral; I believe that it is dangerous and perhaps immoral not to understand how nations might act under the pressures of successive crises. Hence this study of the rungs and thresholds is the best contribution I know how to make to the avoidance of recklessness or panic.

Rung 1. Ostensible crisis: In the ostensible crisis stage, one side asserts, more or less openly and explicitly, that unless a given dispute is resolved in the immediate future it will in effect begin to climb the rungs of the escalation ladder. These threats are made credible by various hints as to how important the government considers the issues. There may be officially inspired newspaper stories to the effect that the chief of state takes a serious view of the matter. There may be explicit announcements or speeches by other important officials—but none of them of the bridge-burning variety, none deliberately designed to make it really difficult for these same officials to back down later.

Rung 2. Political, economic, and diplomatic gestures: Legal but unfair, unfriendly, inequitable, or threatening acts are carried out against the opponent to punish or put pressure on him.

Rung 3. Solemn and formal declarations: Such declarations go further than rung 2 in demonstrating resolve and commitment, but they need not be deliberately hostile. There could be merely a solemn executive declaration to other states of a nation's policy in a certain area, perhaps deliberately avoiding a precise statement of the policy's applicability and limitations. An example of this ambiguity is the joint congressional resolution of August 1964, passed at the President's request after the escalation in the Gulf of Tonkin. Congress resolved that "the United States is, therefore, prepared, as the President determines, to take all necessary steps including the use of armed force, to assist any member or protocol state of the southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

Such a proclamation is usually a warning to a potential opponent not to climb further up the escalation ladder, at least in the area covered by the announcement. The declaration may be thought of as preemptive or preventive escalation, which tries to forestall further escalation by the opponent. It also marks the limit to which either side can go without dangerously rocking the boat.

Rung 4. Hardening of positions: As soon as negotiations take on much more of a coercive than a contractual character, I would argue that we have passed the don't-rock-the-boat stage and reached rung 4. Certainly this is true if either or both of the antagonists attempt to increase the credibility of their resolve and committal by irretrievable acts. Such an act might be an announcement by the Soviet Union that it has signed a peace treaty wtih East Germany and no longer has any direct control over the access routes to Berlin.

In such confrontations both sides are likely to call attention to the totally destructive character of thermonuclear war, and state that there is thus no alternative to peace, it clearly being implied that, unless the madmen on the other side come to their senses, all will be lost. Alternatively, one can reassure one's own side by pointing out that the other side is not mad, and will therefore back down.

Rung 5. Show of force: As the crisis intensifies, one side or the other could draw attention to the fact that it does have the capability to use force if necessary. There are various ways of showing such force, direct or indirect, silent or noisy. In a direct show of force one or the other nation might move naval or air units, mobilize reserves, conduct provocative military exercises or maneuvers, particularly in sensitive areas, or even order "routine" deployment of naval and military units in such areas—all with widespread publicity. In an indirect show of force one could test missiles in a provocative way, conduct normal maneuvers but with possibly abnormal publicity, publicize the use of military equipment in "normal" but special maneuvers that simulate an element in the current crisis—e.g., the use of tanks to break roadblocks.

Rung 6. Significant mobilization: A show of force can be accompanied by a modest mobilization that not only increases one's strength but also indicates a readiness to call on more force or to accelerate the arms race. An example of this was President Kennedy's call up of reserves in the Berlin crisis of 1962. As always, private communication, either direct or indirect, through principals or intermediates, or through the use of more or less deliberately arranged leaks, can all play an important role.

Rung 7: "Legal" harassment: One can harass the opponent's prestige, property, or people legally. That is to say, one may act in a very hostile and provocative manner, but within the limits of international law.

Rung 8. Harrassing acts of violence: If the crisis is still not resolved, one side or the other may move on to illegal acts, such as acts of violence, or harassments intended to confuse, exhaust, frighten, and otherwise harm, weaken, or demoralize the opponent or his allies. Bombs may be exploded by unauthorized or anonymous means. Enemy nationals within one's borders can be badly mistreated or killed. An "aroused" citzenry may stone or raid the other nation's embassy. Frontier guards may be shot. There may be the limited covert use of guerrilla warfare, piracy, sabotage, or terrorization. Both sides could step up reconnaissance probing operations or other intelligence activities. One side or the other may launch overflights or other invasions of sovereignty.

If the acts are carried out clandestinely or covertly, under the guise of being individually motivated, the escalation is relatively low. If the size, scale, and degree of organization of these acts are increased, and their official character made plain, the escalation is increased, until finally we reach a level at which uniformed personnel, obviously under orders of their government, are carrying through the actions.

Rung 9. Dramatic military confrontations: The existing permanent alert of U.S. and Soviet strategic bomber and missile forces is an almost continual global confrontation. Under the circumstances of prolonged cold war this may be regarded as preescalation. However, the situation changes if there is a dramatic local confrontation of land and sea forces (as, for example, at the Brandenburg Gate). Such confrontations are direct tests of nerve, resolve, and recklessness. They are also dramatic enough to make everyone take note of what has happened. Because it seems obvious that these confrontations can blow up, and because in the past such incidents have often caused wars, many people think of them as being closer to the brink of all-out war than in fact they usually are. But despite contemporary conditions of a relatively firm balance of terror, they do indeed indicate that large acts of violence are possible, and that the unthinkable all-out war is becoming thinkable.

Thus we cross the "nuclear-war-is-unthinkable" threshold. It was to this threshold that we came during the Cuban missile crisis of October 1962, at the climax of a case of abrupt escalation. President Kennedy's dramatic television address to the Nation on October 22 explicitly told the Soviet Union where it had been unbearably provocative. Both the U.S.S.R. and the U.S., he said, had recognized the need for tacit rules in the postwar world and accordingly had "deployed strategic nuclear weapons with great care, never upsetting the precarious status quo which insured that these weapons would not be used in the absence of some vital challenges." He indicated that while the Americans had always been careful, the Russians had now broken the rules in "this secret, swift, extraordinary buildup of Communist missiles in an area well known to have a special and historical relation to the United States * * * this sudden clandestine decision to station strategic weapons for the first time outside of Soviet soil—is a deliberately provocative and unjustified change in the status quo, which cannot be accepted by this country if our courage and our commitments are ever to be trusted again by either friend or foe."

He went on to describe the detailed measures that the U.S. was taking (mobilization, blockade, air alerts) and issued the famous warning. "It shall be the policy of this Nation to regard any nuclear missile launched from Cuba against any nation in the Western Hemisphere as an attack by the Soviet Union on the United States, requiring a full retaliatory response upon the Soviet Union." (Of course, anyone familiar with current U.S. policy would note that the phrase "full retaliatory response" does not specify the form of the attack."

Then, and possibly most important of all, Mr. Kennedy issued the following warning: "Any hostile move anywhere in the world against the safety and freedom of peoples to whom we are committed, including in particular the brave people of West Berlin, will be met by whatever action is needed." Some students of the subject have questioned whether the President was wise to call the Russians' attention to the option of Berlin. In fact, it is quite important to show that one is willing to face the possibility of such counterescalations.

Rung 10. Provocative diplomatic break: This act would be intended to communicate to the opponent that one's reliance on the traditional peaceful measures of persuasion or coercion is at an end and that acts of force may now be resorted to.

Rung 11. Superready status: Strategic forces may be dispersed, leaves canceled, preventive, and routine maintenance halted, training deferred, every possible piece of equipment and unit put in a ready status and limited war forces deployed. Because of the relative invulnerability and alertness under normal peacetime conditions of the U.S. Minuteman and Polaris forces (and to some extent of the SAC bombers on alert), such actions may make a greater difference and thus mean more when practiced by the Soviet Union than by the United States.

Rung 12. Large conventional war: The stage has now been set for some kind of organized military violence. It may be undeclared war or border fighting such as occurred between the Japanese and the Russians in 1939 (involving thousands of soldiers), a Trieste-type occupation of disputed territory, or a major police action as in Korea. If such a war is fought with any intensity, both sides suffer casualties in large numbers but neither will use its most efficient or quality weapons—the nuclear, bacteriological, or chemical weapons. Paradoxically, the more useful these weapons are in the narrow military sense, the less likely they are to be used. In any case, there will be many casualties at this rung, and, at least in the initial stages of the action, an obvious deepening of the crisis.

Rung 13. Large compound escalation: One way to achieve a high overall level of escalation and still keep each separate act as an act relatively low on the ladder is to retaliate or escalate in a completely different theater from that in which the primary conflict is being waged. This may be especially escalatory if the second theater is sensitive or potentially vital—such a situation might have arisen, for example, if the Soviet Union had moved against Berlin during the Cuba crisis.

It is interesting to note that, except for rather small-scale exceptions, this obvious technique has not been used since World War II, even though there has been much concern about the possibility. Nearly everyone has instinctively recognized the danger of compound escalation. The sheer audacity of starting a new crisis when another is at full force is very provocative, yet in the paradoxical world of escalation this might be the very reason it would be judged in certain circumstances to be an effective measure.

Rung 14. Declaration of limited conventional war: This would be an attempt to achieve one or both of the following objectives: (1) It would be a clear-cut, unilateral announcement of "no nuclear first use." (2) It would try to limit the conventional war geographically or otherwise in a manner considered most favorable or stable by the side making the declaration. Such a declaration would have grave symbolic, political, and moral effects upon one's own country and the opponent.

Rung 15. Barely nuclear war: It may occur during a conventional warlike act (rung 12) or the superready status (rung 11) that a nuclear weapon is used unintentionally (accidentally or without authorization). Or one of the antagonists may make military or political use of a nuclear weapon and try to give the impression that its use was unintentional.

Rung 16. Nuclear ultimatums: One side or the other seriously considers the possibility of a central war and communicates this fact convincingly to its opponent. People begin leaving cities; in fact, one might define an intense crisis as that point when 10 percent of the population of New York City or Moscow has left out of fear of an attack.

Rung 17. Limited evacuation (about 20 percent): This would most likely be at least a quasi-official move ordered by a government either for bargaining or prudential reasons, or both. The difficulties, and possible public and political reactions, make such an evacuation a momentous decision.

Rung 18. Spectacular show of force: A spectacular show or demonstration of force would involve using major weapons in a way that does no obvious damage, but appears determined, menacing, or reckless. An example would be the explosion of a weapon at a high altitude over enemy territory. This would intensify the fear of war in the hope of frightening the enemy into backing down.

Rung 19. Justifiable counterforce attack: A justifiable attack would be sufficiently specialized and limited to seem a reasonable response to provocation, and yet it might significantly, or even decisively, degrade the military capability, prestige, or morale of the opponent. An example would be the destruction of a submarine on the claim that it had carried out threatening maneuvers: Here a high degree of escalation could easily be involved, particularly if the casualty were a strategic-weapon submarine. A nation could invent an excuse for such an act by manufacturing an incident—perhaps by fabricating a limited nuclear attack and blaming the submarine.

Rung 20. Peaceful worldwide embargo or blockade: Worldwide embargo would be an extreme measure of nonviolent coercion brought to bear against an opponent.

Once war has started, no other line of demarcation is at once so clear, so easily defined and understood, as the line between not using and using nuclear weapons. There are, of course, criticisms of this point of view.

Some of them take as their point of departure a fact of physics and engineering—that it is possible to have an extremely low-yield nuclear weapon that is no more powerful than a chemical explosive. True, the distinction between very small nuclear weapons and large chemical explosives does tend to narrow under analysis. But any argument designed to refute the nuclear prohibition on purely technical energy-release grounds misses the point: Even though the distinction between nuclear and nonnuclear war may have defects from some technical points of view, the distinction possesses a functional meaning, or utility that transcends any technical question.

We should support and encourage this distinction because, for a variety of reasons that cannot be detailed in this space, it works to the advantage of both the United States and the world as a whole. But it is equally important to understand that once the threshold has been crossed by an enemy, by accident, or by us, we do not stand automatically in the balance of the unthinkable war. The first use of nuclear weapons, even if against military targets, is likely to be less for the purpose of destroying the other side's military forces or to handicap its operations than for redress, bargaining, or deterrence purposes.

Rung 21. Local nuclear war, exemplary: One side can drop a nuclear bomb or two in order to show the other side that unless it backs down or accepts a reasonable compromise, more bombs are likely to follow. As this would be the first unmistakably deliberate use of these weapons since World War II, it would be a profoundly consequential act.

Rung 22. Declaration of limited war: At this point a formal declaration of limited nuclear war might occur. A nation could use that declaration to set relatively exact limits to the types of nuclear action that it intends to initiate, and to indicate the type of retaliation that it is prepared to countenance from the enemy without further escalation. In this way, eruption to all-out war might be made less likely, and the escalation itself made more explicit, which might increase the pressure to compromise. The declaration also could include a formal announcement of the conditions under which the declarer would be prepared to de-escalate.

Rung 23. Local nuclear war: Past NATO planning has envisaged the immediate use of hundreds of nuclear weapons in reply to a conventional attack in Europe by the U.S.S.R. As opposed to the exemplary purposes of rung 21, NATO planned to use nuclear weapons for traditional military purposes—for defense or destruction of the opponent's local capability—and the scale of the action and the targeting were to be dictated by these military considerations. The increasing actual or potential availability of a varied inventory of small, inexpensive, nuclear weapons (including such esoteric devices as the Davy Crockett missile and the neutron bomb) is likely to renew discussion of the possibility of local military nuclear war. It is, and will likely continue to be, an important objective of U.S. military forces to be able to wage such war, at least in Europe, even if a no-bomb-use policy is explicitly adopted by all nations.

Rung 24. Unusual, provocative, and significant countermeasures: One side might carry out redeployments or maneuvers that have the effect of increasing an opponent's vulnerability to attack or otherwise degrading its capability, morale, or will.

Rung 25. Evacuation of cities (about 70 percent): At this point the situation may be very close to large-scale war. It may now seem advisable to evacuate a large number of people from cities. The total would probably amount to between two-thirds and three-fourths of the population—women and children and those men who are not essential to the functioning of the cities. I would judge that all important industries, communications, transportation facilities, etc., could be operated by about a quarter of the population or less.

Attacks so far have avoided the enemy's zone of interior, and have thus observed a salient threshold. The line between the external world and the nation may even be stronger as a firebreak than the threshold between conventional and nuclear war, since it is an older distinction, invested with far more emotion and prestige. Under current conditions it is reasonably clear that in the next decade the likelihood that a nation (including the United States and the Soviet Union) would invite certain annihilation for the sake of its allies is going to tend to diminish to the vanishing point, however repugnant or dishonorable this development may now seem. But the likelihood of a nation risking the kind of restrained attacks discussed below may or may not diminish so sharply, depending in part on the decision-makers' expectations of the rules being observed.

Rung 26. Demonstration attack on zone of interior: An attack could be made, perhaps on an isolated mountaintop or empty desert, which does dramatic and unmistakable physical damage, if only to the topography.

Rung 27. Attack on military targets: One side might begin destroying portions of the other side's weapon systems, but in a careful way so as not to cause much collateral damage. These attacks could be launched primarily to reduce the defender's military capability significantly by finding leverage targets.

Rung 28. Exemplary attacks against property: The next step would obviously be to increase the level of these limited, nuclear, strategic attacks. One possibility would be attacks on such installations as bridges, dams, or gaseous-diffusion plants. More damaging and dangerous would be limited attacks on cities, presumably after warning had been delivered and the cities evacuated. The purpose would be to destroy property, not people.

Rung 29. Attacks on population: In any crisis of the early sixties this attack would probably be much higher on the ladder than I put it here, but if the balance of terror becomes sufficiently stable, and governments are believed to be under intense and graduated mutual deterrents, even this attack could occur without an eruption to spasm or other central wars.

Rung 30. Complete evacuation (about 95 percent): At this point, large-scale warfare has begun. If at all possible, each side is likely to evacuate its cities almost completely, leaving 5 to 10 percent of the population behind for essential activities.

Rung 31. Reciprocal reprisals: This is a war with more or less continual exchanges. Many strategists believe that reciprocal-reprisal wars might be a standard tactic of the future when the balance of terror is judged—whether correctly or not—to be almost absolute.

Thermonuclear wars are likely to be short—lasting a few hours to a couple of months at most. In such a war it is unlikely that cities would in themselves be targets of any great military consequence. But it is perfectly possible that a nation might attack cities simply without thinking it through. In Defense Secretary McNamara's speech at Ann Arbor on June 16, 1962, the United States has more or less formally enunciated a "no cities except in reprisal" strategy, but the strategy is neither clearly understood nor firmly held even here. Soviet strategists and political leaders, for their part, have declared that Soviet forces would not recognize any such "artificial" distinctions in a nuclear war. This position could be an accurate reflection of current Soviet strategic doctrine, but it is most likely that it is a very unreliable indicator of actual Soviet behavior in a "moment of truth"—or of Soviet beliefs about U.S. conduct at such a time.

Let us assume, for the moment, that a threshold between central military targets and central civilian targets (i.e., cities) can be maintained in an actual war. Thus we can consider the possibility of waging a very large all-out, but very closely controlled, central war, in which there is deliberate attempt to avoid civilians and their property.

Rung 32. Formal declaration of general war: The formal declaration of war could indicate that the side issuing the declaration had no immediate intention of attacking, since if it had such an intention, there would be strong reasons to ignore prenuclear convention and simply attack. Such a declaration certainly would remove some inhibitions against the use of force and coercion, put pressures on allies and some neutrals to cooperate, and mobilize a nation's facilities for defense and tend to suppress internal opposition. It would force the other side to recognize explicitly that a formal peace treaty will have to be written before the issue is settled; delaying tactics will not settle the matter. But while tending to prevent de-escalation and to threaten future (eventual) escalation, it nonetheless might look temporising and provide an opening for bargaining.

Rung 33. Slow-motion counter property war: In this attack each side destroys the other's property, still attempting to force the other side to back down.

Rung 34. Slow-motion counterforce war: This is a campaign in which each side attempts attrition of the other side's weapon systems over a period of time. One can conceive of a slow-motion counterforce war lasting for weeks or months during which, for example, submarines are hunted down.

Rung 35. Constrained force reduction salvo: The attacker here attempts to destroy a significant but small portion of the defender's force in a single strike while avoiding undesired collateral damage. It is especially likely to be used against weak links or high-leverage targets at the outbreak of a war.

Rung 36. Constrained disarming attack: The attacker tries to destroy a significant portion of the defender's first-strike nuclear forces and even some of his second-strike weapons, such as missiles, in silos. But the attacks would avoid, as much as possible civilian targets. This would make it disadvantageous for the defender to launch a counterstrike since the defender's damaged forces might be able to do only a limited amount of damage even with a counterstrike on cities. The defender is also under pressure to negotiate since it is now probable that the attacker could threaten another attack, this one an all-out strike.

Rung 37. Counterforce-with-avoidance attack: This attack differs from a constrained disarming attack by being less scrupulous about avoiding collateral damage to cities and by not deliberately sparing much if any of the enemy's secondstrike weaponry. In the case of a Soviet strike against the United States, such an attack might include hitting Tucson (a city of 265,000 population, which is completely ringed with Titans), but probably would avoid the Norfolk Navy Yard, and the Pentagon. If it did hit these targets, or the SAC bases near very large cities, Russia might use 20-kiloton weapons rather than 20 megatons in order to limit the collateral destruction. After such an attack, one must assume a counterattack, but one may still try to use threats of further escalation to limit the defender's response.

Rung 38. Unmodified counterforce attack: Although the targets are still enemy weapon systems, the military plans are formulated and the operation is carried out with general disregard as to whether enemy civilians are

killed or nonmilitary property destroyed (though there may be disadvantages accepted to avoid fallout or other dangers to allies or neutrals). No attempt would be made either to lessen or to increase collateral damage to the enemy. This attack might be described as the classical form of all-out total war.

At this point the warring nations are at the threshold of civilian central wars. Under current U.S. controlled response doctrine, not only does the U.S. intend to observe the city threshold, but an enormous incentive is given to the U.S.S.R., in a war against the United States, to do so as well and to avoid attacking U.S. cities in the first wave—whether this wave is the first or second strike of the war. But even if population is not the target for the first wave, it could be the target of the second or later waves. In any case, it would always be threatened. The residual vulnerability of the civilian hostages and cities could then affect, to a great extent, the kind of peace treaty the U.S.S.R. could force on us, or that we could force on the U.S.S.R. For this reason, it makes sense to try to protect people from being threatened by second- and later-wave attacks, even though they may not have been adequately protected on the first wave.

It seems to me that the United States should, at the minimum, undertake a civil-defense program which is compatible with what the controlled-response doctrine foresees in a time of war. Part of such a program would be fallout protection for the entire population, and blast protection for the 5 million to 10 million people who live within about 10 miles of priority strategic targets. Such a program might require $5 billion to $10 billion spread over 5 years or so. In a very large range of types of wars these measures could save the lives of 30 million to 50 million people, and in addition make it more likely that a war, if it came, would in fact be a war of controlled response.

Rung 39. Slow-motion countercity war: This takes the ultimate form—city trading. This is, of course, the most bizarre of all the options that are discussed in modern strategic analysis. The possibility of city trading arises because of today's unprecedented situation in which both sides may have almost invulnerable forces while both sides' civilians may be completely and irrevocably vulnerable to these invulnerable forces. There has never before been such a situation in the history of mankind. This kind of war would be the extreme and ultimate form of deliberate, selective and controlled response—but one not necessarily or even likely to be beyond the psychological capabilities of decisionmakers if the only alternatives were total destruction or complete capitulation.

Rung 40. Countervalue salvo: It is, of course, always possible in fighting a slow-motion counterforce, or slow-motion countervalue war, that one side will fire a large number of missiles at civilian targets, either in inadvertent or deliberate eruption.

Rung 41. Augmented disarming attack: This would be an attack on military targets deliberately modified to obtain as much collateral countercity damage as a bonus as feasible.

Rung 42. Civilian devastation attack: This attack corresponds to the usual popular picture of nuclear war in which there is a deliberate effort to destroy or greatly damage the enemy's society. It is distinguished from spasm or insensate war only by having some element of calculation and by the fact there may be some withholding or control.

Rung 43. Some other kind of controlled general war: It is possible to have many kinds of all-out but controlled as well as all out but uncontrolled wars. In a national, all-out, but controlled war, military action would be accompanied by threats and promises, and military operations themselves would be restricted to those that contributed to attaining victory—an acceptable or desirable peace treaty.

Rung 44. Spasm or insensate war: The figurative word "spasm" is chosen because it describes the usual image of central war in which there is only a go-ahead order; all the buttons are pressed. A spasm war, of course, may occur, but to the extent that there is any art of war possible in the thermonuclear age, the attempt must be made to prevent it.

DOWN THE LADDER

In the same way, the study of de-escalation and its limits and of crisis termination—how to climb down and off the ladder—is vital to the management of crises and escalation. De-escalation is even more sensitive to accurate communication and shared understandings than escalation is. The opponent may have a different conception of escalation and still understand well enough the pressures being applied to him; but, typically, in order to coordinate de-escalation moves by easing pressure, both sides must have a shared understanding of what is happening. They may not have a sufficient shared understanding if one side's paradigm of the world differs in important ways from the other's.

Because of the need for shared understanding in deescalation, unilateral initiatives are often mentioned in connection with deescalation. Unilateral initiatives may be quite helpful. They may relax tension to a point where it is easier to settle a dispute, or to leave it unresolved but less dangerous. Even small concessions can be significant as turning points in the escalation process. Thus, even if a move is more symbolic than meaningful in itself, its deescalatory value may be large. A serious concern, however, may be to maintain the appearance of resolve while making conciliatory moves. For this reason, the side which is doing better may find that it should take the burden of the initial deescalatory step.

Typical deescalation gestures take many forms. They may include the reversal of a previous escalation move, the settling of an extraneous dispute, the freeing of prisoners, conciliatory statements, the replacement of a "hard" key official by a "softer" or more flexible individual, or simply wating for time to have its cooling effect. Concessions need not be made explicitly. Nor need the matter under dispute be settled, so long as tension is decreased to the point where the dispute is no longer as high on the escalation ladder as it once was.

Escalation is a competition in resolve, and resolve is often measured by a willingness to pay costs in pursuit of certain objectives. One side or the other may decide to de-escalate simply because it feels it has suffered enough. It is sometimes difficult for dedicated and resolute military leaders to accept this notion. The World War I theory of the "last fifteen minutes" (in which it was asserted that that side which could hold out fifteen minutes longer would win) is still very widespread. But this theory of conflict is often completely inappropriate for a high-level escalation, and may not be the most relevant aspect of a low-level conflict. In low-level conflicts both sides typically have virtually unlimited resources that could be deployed into the local conflict. Both sides thus can, and usually will, insist on a compromise solution.

Escalation also is referred to as a competition in risk taking. One side or the other may decide that it no longer is willing to endure these risks. In the nuclear age this is likely to be the greatest factor in deescalation.

Most people will accept without argument that there will always be conflict. But conflicts need not inevitably lead to the kinds of crises and escalations that lie on the rungs of the ladder I have discussed. Any crisis that reaches the upper rungs of the escalation ladder is likely to be regarded by both participants as a potential—and mutual—disaster. As both sides learn that the gains of these conflicts are small compared to the dangers and other costs, they are likely to be cautious about either starting or intensifying such conflicts. Arms control has its place in this scheme of things: it should be a major objective of arms control to prevent the kinds of crises in which the options on the escalation ladder become important, and to lessen the damage and risk if these crises arise. But our first and most important need is to escape the inertia that tends to hold us captive to obsolete notions and the desire for simplistic solutions, which can only lead to disastrous capitulation or eruption—to paraphrase President Kennedy, we need wider choices than holocaust or surrender.

ANSWER TO NEW YORK TIMES CRITICISM OF ADMINISTRATION ON VIETNAM

Mr. PROXMIRE. Mr. President, last Friday—April 30, 1965—the New York Times in its main editorial criticized the administration's policy on Vietnam and raised a series of questions which indicated that the administration has released contradictory information on the war there.

So my remarks are not misunderstood, let me state clearly at the outset that my purpose in rising is not to decry criticism of the administration by the Times or any other newspaper or any citizen, public or private.

The New York Times, in the judgment of many Americans, is the best newspaper in the country. Many would say that the New York Times is probably the greatest newspaper in the world. Nothing in my remarks should be construed as critical of this superlative institution or of the integrity and ability of its remarkable editorial staff.

I certainly would affirm the right of any citizen to voice criticism of the administration and the duty of any newspaper to do so when it felt such criticism appropriate. I have exercised that right many times in the past myself.

The Times' editorial states that "distortion is inevitable when information is manipulated to serve the policy for the day."

It continues:

> For months, during the campaign against Senator Goldwater, the administration line was that the war in South Vietnam was substantially self-sustaining and had to be won there. Almost overnight, when the bombing of North Vietnam began, information was produced to prove that "aggression from the North," as the State Department's white paper called it, is the key to everything. No wonder many Americans were puzzled.

This would indeed have been puzzling if it were true. But the fact is, it was not true. And the New York Times' own files contain dozens of stories to discount it. Both President Kennedy and President Johnson pointed out on numerous occasions the very real danger we faced in Vietnam. The State Department issued a two volume report in December 1961, which set forth in great detail the participation of North Vietnam in the war raging in the South.

The very title of the report—"A Threat to the Peace: North Vietnam's Effort To Conquer South Vietnam"—speaks clearly in defense of the administration. Let me just read the table of contents of the report merely to point out that the State Department was well aware of North Vietnam's participation with the Vietcong. It was 1961 when the State Department wrote this:

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The Times then raised three questions which presumably further document its charge that the administration has been distorting and manipulating the information on Vietnam to suit its own purposes.

Question No. 1: "Why does Secretary McNamara say only 10 to 15 percent of the Vietcong's weapons have been captured—or bought—from Government troops when the State Department's interagency coordinator for Vietnam uses the figure 30 percent?"

Answer: The Times here is using a little sleight of hand to prove a point. The editorial is referring to a speech made April 19 at Detroit, Mich., by Ambassador Leonard Unger, the State Department's interagency coordinator for Vietnam. In his speech, Ambassador Unger said that the number of captured weapons in the Vietcong arsenal "have not exceeded 30 percent." Ambassador Unger was discussing the Vietcong "main force," regular troops.

Secretary McNamara, in his reference to South Vietnamese weapons captured by the Vietcong, was talking about the percentage in relation to the weapons in use by all Vietcong forces, including regular, "main force" troops and irregulars.

This distinction was clearly drawn by Deputy Director of Defense Cyrus R. Vance, in a speech at St. Louis, Mo., April 27. Referring to the role captured weapons played in the Vietcong operation, Vance said:

> The great bulk of the Vietcong weapons—certainly 60 to 70 percent, including nearly all of the heavier more modern ones—come from external Communist sources.
>
> It is true that the Vietcong use weapons cached in 1954. It is also true the South Vietnamese, from 1961 until today, have lost 39,000 weapons, but in the same period the Vietcong have lost 25,000, and so the Vietcong gains have netted them only some 14,000 arms. This is only 10 to 15 percent of their total requirements or, most favorably, only 30 of the requirements for the regular, "main force" units alone. The remainder—some 35,000 weapons for the regular, "main force" Vietcong troops, and between 50,000 and 100,000 for the Vietcong irregulars—must, and have, come from the outside.

Question No. 2: "Is it true that talk of 150,000 guerrillas conceals the intelligence that the Vietcong possesses only half that number of weapons?"

Answer: This question is more difficult to answer because it is so vague that the meaning is obscure. What it apparently means is that the U.S. Government has knowledge that there are 150,000 Vietcong guerrillas, that this country knows that only half of these guerrillas have arms and that the United States is concealing this fact from the American people.

If this is what that question means, then the answer to it is no, according to the State Department.

Question No. 3: "Why, within 48 hours of Mr. McNamara's televised assertions of bombing effectiveness, did South Vietnam's air force commander say, 'The raids against communications are not really effective. The Communists can always find ways of moving through the jungle'?"

Answer: This question implies that Mr. McNamara and the South Vietnamese air chief, Gen. Nyugen Cao Ky, are at odds. That McNamara favors the raids while the South Vietnamese do not. I am sure that the New York Times editorial writer would deny this implication since the South Vietnamese have publicly supported the air raids and General Ky himself has participated in a number of them.

The question also implies that Mr. McNamara naively believes that the raids will stop the flow of men and materials from North Vietnam into the south. This is obviously untrue. The administration has pointed out many times that the raids are designed to make this infiltration more costly and more difficult. The administration has never said that the raids will prevent all infiltration.

With these two implications disposed of, the question becomes almost innocuous. It boils down to a definition of "effectiveness." When the two statements are placed in the context in which they were uttered, it is entirely possible that they are not in conflict in any respect whatever.

It is clear that both men favor the air attacks and that both men feel that the air raids are having an effect. While it is true that the attacks will not completely stop the infiltration of men and equipment from the north, they have made such infiltration more costly, more tedious, and less certain. Both our administration and the South Vietnamese Government have noted that the attacks have inflicted great damage on North Vietnam. This has raised the morale of the South Vietnamese troops and, judging by the increase of Vietcong defectors, has had a depressing effect on morale in the North Vietnamese camp.

USERS ASK MORE AND BETTER ECONOMIC STATISTICS

Mr. PROXMIRE. Mr. President, on April 13 of this year, I took the floor to announce that the Subcommittee on Economic Statistics of the Joint Economic Committee, of which I am chairman, is undertaking a review of the statistical requirements of our Nation in the light of present and future needs of the growing economy. I pointed to the need for sharpening our economic vision by securing more accurate statistical information in the future about how the economy is operating. We have hardly begun to realize the potentials of the new technology of our time in assembling, analyzing, and reproducing statistical information useful to us all.

In the course of my remarks, I asked for and received permission to have inserted in the RECORD 4 of the many letters which we have been receiving in response to our survey of over 200 professional statisticians. We asked these experts to comment on improvements needed in the quantity and quality of Federal statistics programs, possible improvements in coordination of these programs, and deficiencies that needed to be cured. The response to the survey continues to be of outstanding quality and helpfulness.

Within the next month, we plan to prepare for publication a volume containing these numerous replies, so that the entire record of suggestions and criticisms can be made available for use by the Congress, the executive agencies, and the general public.

I ask unanimous consent that four additional letters from experts with business firms be printed in the RECORD.

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

ARMSTRONG CORK CO.,
Lancaster, Pa., March 31, 1965.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for your recent letters requesting my opinion and that of my associate, Dr. A. G. Matamoros, with regard to our Nation's present and future needs for economic statistics. As a member of the Advisory Committee on Statistical Policy to the U.S. Office of Statistical Standards, I share with you the view that, in recent years, improved and expanded statistical programs have contributed to economic growth and stability by constructively influencing public and private policies. Accordingly, we are pleased to share our thoughts with you for whatever value they may have.

Among the greatest statistical gaps which today plague policy formulators are (1) employment and unemployment; (2) the giant, but fragmented, construction industry; and (3) the U.S. balance of payments.

Carefully collected data are required to measure the demand side of the labor market equation. The evidence is overwhelming that, against the background of an unsatisfactory unemployment rate, American business is suffering severe shortages of certain skilled technical workers, and many others are seeking competent employees. The further development of job vacancy data would have the obvious merit of providing guidance for public and private training and retraining programs as well as wage levels.

Despite a lot of hard work on the part of a dedicated group of Government technicians, data on construction activity are still quantitatively and qualitatively highly inadequate for the needs of policymakers. Monthly housing starts statistics, for example, continue to show so much volatility as to make them substantially unusuable for decision-making. Moreover, the elimination from consideration of a mid-decade housing inventory indicates that critically important changes in the housing stock since the last census in 1960 will not be known until well after the 1970 census is taken. Meanwhile, public and private programs are being developed and pursued to meet vague housing needs with major hazards to the Nation and the building industry. To complicate the housing quality evaluation process still further, the vast repair and modernization market is virtually unmeasured, especially since the U.S. Bureau of the Census has suspended its survey of residential additions, alterations, maintenance and repairs, and replacements. With the rebuilding of the core of American cities the greatest single economic potential for improvement in national growth, employment, and public welfare for the next generation, it is tragic that better housing data are not being aggressively pursued.

Other building and related series where considerable improvement is needed include those which purport to measure total construction put in place, housing vacancies, and construction costs.

As a member of the White House Review Committee for Balance of Payments Statistics, I want to emphasize the important data deficiencies spelled out in our report which will be released in a few weeks. Public policy in this critical area cannot be pursued properly without much more attention to, and action to solve, underlying statistical problems.

None of the foregoing suggestions is new, but then the problem of improving the accuracy of currently available ecnomic statistics and broadening statistical coverage is not new either. There is a never-ending goal to strengthen the basis for sound policy decisions. You and your associates are to be commended for your interest and concern. Thank you very much.

Sincerely yours,

WALTER E. HOADLEY,
Vice President and Treasurer.

THOMAS J. LIPTON, INC.,
Englewood Cliffs, N.J., April 12, 1965.

Mr. WILLIAM PROXMIRE,
Chairman, Subcommittee on Economic Statistics, Congress of the United States, Washington, D.C.

DEAR SIR: This letter is in reply to the one which you addressed to Mr. Joseph Bradley on March 2, 1965. We in the market research department at Lipton welcome the opportunity to express our thoughts regarding the economic statistics program of the Federal Government. Changes we would like to see in the program include the following:

1. The publication of monthly figures on gross national product and its components.

2. The presentation of gross national product on a regional as well as a total U.S. basis. Data on the four major census regions would be useful.

3. More detailed breakdowns of (1) the change in business inventories and (2) net exports of goods and services (as both are defined for gross national product).

4. A more frequent publication of the detailed breakdown of personal consumption expenditures found each year in the July issue of "Survey of Current Business."

5. A quicker release of the final figures on gross national product. At present this data is published about 2 months following the end of a quarter.

6. The calculation of quarterly averages for series now presented only on a monthly basis, such as retail sales and industrial production.

7. The inclusion of data for the year-ago quarter in each publication. At present, for example, one must refer to two separate issues of the "Survey of Current Business" in order to obtain employment figures for the year-ago quarter and the current period.

8. More frequent release of population forecasts by State. Forecasts of county populations and of incomes for States and counties would also be helpful.

9. The publication of more detailed data regarding the number of families with children of a specific age. Present age groups are too broad.

In addition, information is desired on a county basis regarding:

1. Number of grocery stores in counties with less than 500 establishments. The Census of Business already provides this data on counties with 500 establishments or more. The information requested below is also desired for all counties.

2. Number of grocery stores by type—chain vs. independent.

3. Number of grocery stores by annual retail dollar sales volume.

4. Annual retail dollar sales of just grocery items. The definition of grocery is the one employed by Progressive Grocer magazine, which divides grocery store products into groceries, fresh meats, produce, frozen foods, dairy products, bread and nonfoods.

In addition to recommending the above changes, we are also anxiously awaiting the introduction of certain improvements already endorsed by the Government. For example, at present there are two separate, noncomparable series on new construction included in "Economic Indicators." Steps are now being taken to make these two series comparable. Moreover, it is understood that some means is being sought to make seasonal adjustments in the data included in "Consumer Buying Indicators." I'm sure you realize that these refinements will make the data more meaningful and facilitate our analyses. Consequently, we are more than happy to cooperate with the Government in any way that will bring about such improvements. We hope that our suggestions have been helpful. Naturally, because our needs are constantly changing, it is quite possible that additional requests will be sent to you in the future.

Cordially,

ROBERT WIUFF,
Market Research Department.

E. I. DU PONT DE NEMOURS & CO., INC.,
Wilmington, Del., March 26, 1965.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Economic Statistics, U.S. Senate, Washington, D.C.

DEAR SENATOR: It is a pleasure to respond to your recent letter asking for suggestions and help in reviewing statistical requirements of business which may be supplied by agencies of the U.S. Government.

The Du Pont Co. has found that, except for a few broad economic studies, statistical data on foreign trade published by the Department of Commerce are, for the most part, far too general to provide helpful information. The basic problem in our view, is that present foreign trade statistics are classified according to a system which utilizes product categories which are very broad. Such categories include so many products that any information about a particular product, which is generally what would be of interest to a business such as ours, is usually buried and not available.

It is possible under some conditions to purchase from the Bureau of the Census statistical data on a specific product included in a category. However, in many cases this cannot be done. We would like to suggest that the Department of Commerce consider making foreign trade data available for individual products to the fullest possible extent. The Department of Commerce or some other Government agency could be a repository for individual product foreign trade data. There would be no need to publish or distribute such data widely on an individual product basis, however, it would be available to those who wanted it for a specific product. If this Government service were widely known, it could well result in elimination of many reports presently prepared and widely distributed which are of little value.

We realize that, in some cases, for the Department of Commerce to provide more detailed information about a specific product may be difficult or even impossible because of the practice of the Department of not revealing data which might be advantageous to competitive enterprises, domestic or foreign. However, in our opinion this inability to provide specific product detail would be confined to a limited number of situations and would not seriously impair the overall usefulness of such a service.

Finally, we are also concerned about the makeup of the U.S. chemical balance of trade, particularly insofar as the U.S. chemical balance is compared from time to time with the chemical balances of other nations. This becomes important when efforts are made to assess the world trade position of the U.S. chemical industry. Today, the result is a comparison of unlike product groupings with the inference being that the comparison is a proper one. This results, for practical purposes, in no comparison at all. To a lesser extent we believe the same situation exists when the foreign trade position

of the U.S. chemical industry is placed alongside that of other U.S. industries. In this case, we believe that some items are included in the U.S. chemical balance which should not be included and which properly belong in another industry. We suggest that the makeup, i.e., the items going into the U.S. chemical balance, be reexamined and reassessed in light of these considerations.

Further suggestions for improving the Census of Manufactures are the following:

Improve the indexing of reports, specifically synthetic organic chemicals and the census of manufactures.

Publish a comprehensive catalog or index to the statistical data compiled by all U.S. governmental agencies.

Publish a list of personnel in various collecting agencies who can be contacted for answers to questions concerning data.

Expand the amount of data given for many products in the so-called basket categories, especially in synthetic organic chemicals and various tariff reports without, of course, revealing production of any individual companies.

In more general areas, we believe there should be improvement in construction statistics, including housing starts, additions and alterations to residential structures, etc. While, admittedly, it is difficult to get data in such broad areas that will be meaningful for the entire country, we believe the present data could be substantially improved.

Data on retail sales should be similarily improved. The early data released on retail sales are later revised substantially. Could not a sampling method be devised to arrive at a firm figure sooner than those now available?

The wholesale price index of the chemical and allied products industry should be expanded to cover a broader sample of commodities actually moving in the industry. The composition of this index has not been revised for several years and many new products have become important during this time.

Employment and unemployment data should be prepared in a form which would stress unemployment among adult male members of the labor force rather than combining them with teenagers, working wives, etc., when many of these latter groups are looking only for parttime work. In addition, could we not provide data on unfilled job opportunities, particularly for semiskilled and unskilled workers? The magnitude of normal seasonal unemployment should be available from the data; i.e., construction workers in northern areas during the winter months, schoolteachers in summer, etc. Finally, I believe the unemployment statistics should provide data on educational levels of the unemployed, since a low level of education is an important cause of insufficient employment. In short, should not the unemployment data point more clearly to desirable solutions to the unemployment problem, rather than merely providing facts?

The Federal budget should be presented in a more meaningful way, to show the magnitude and variety of activities being described. It is difficult now, for example, to determine the cost of various agricultural programs, or the extent of Federal lending agencies, or the extent of Federal participation in business-type activities, etc.

A similar statement could be made about the Nation's balance-of-payments problem. The experts should agree on what is to be included and how it is to be presented. For example, should Government giveaways under Public Law 480 be included as exports? Of course, the goods are shipped abroad, but their inclusion in exports gives a false picture of the number of dollars generated by our export trade.

We need faster data on corporate profits. It is now the end of the first calendar quarter of 1965, and very little corporate profit data are yet available for the fourth quarter of 1964. Could not a sampling plan be developed to provide useful estimates of corporate profits in a period in less than 3 months after the close of the period?

Finally, I believe it would be more desirable for Government agencies to attempt to provide more and better data desired by business and to be less concerned to develop data to show changes in the concentration ratios of industry.

Sincerely yours,

IRA T. ELLIS, *Economist.*

DEERE & CO.,
Moline, Ill., March 31, 1965.

Hon. WILLIAM PROXMIRE,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: Please excuse my delay in responding to your invitation of March 2 to participate in your review of our country's statistical requirements.

The work of the staff of the joint committee in initiating the gaps study in 1948, and indirectly in its many reports, has, I am sure, greatly stimulated improvements in the range and quality of our statistics.

To the extent that gaps listed in the 1948 study have not been closed and recommendations of the Intensive Review Committee to the Secretary of Commerce in its appraisal of Census programs in February 1954 have not been carried out, there exists a current backlog of work to be considered. In connection with the latter, it is important that work in connection with restructuring the standard industrial classification and the related commodity classification be pushed ahead at full speed. The recently published input-output tables based on 1958 data are essentially meaningless for some industries because of the classification of information on the current inadequate SIC and, incidentally, on their delay. That I think this problem is important is indicated by the following quotation from a speech I made recently at the University of Illinois:

"Capital expenditures by productive agriculturists in the future will increasingly be made for equipment produced by manufacturers who have not heretofore and are not currently classified as manufacturers of farm machinery and equipment. Components of equipment used on farms will come from the electronics and computer industries, from materials-handling equipment-producing manufacturers, and from industrial suppliers of such conditioning equipment as humidifying, dehumidifying, cooling, etc. To the extent that these trends develop, it is clear that we will have more difficulty than ever in obtaining well-defined records of capital expenditures related to agricultural production. Agricultural product-producers' records may be helpful, but they will record such diversity as to be very difficult to consolidate."

For many years most of my work has been in the general area of prices and agricultural statistics.

Our country's price statistics are deficient in a number of ways and provide in too much detail in some cases. The Consumer Price Index, for instance, has recently been revised along lines as recommended by a special committee established to review Government price indexes. It is inadequate, however, as a retail price index, which would be helpful for policy purposes, and is probably not necessary for as many cities for which it is published. Ten to twenty years from now separate city indexes will probably not be necessary; some regional indexes may be helpful.

The index of prices paid by farmers for cost-of-living items has probably outlived its usefulness and could be supplanted by regional Consumer Price Indexes. Indexes of prices of imports and of exports not now available will be helpful in the years ahead.

A great many statistics, including those collected and disseminated by the Bureau of the Census and the Department of Agriculture should be examined and modified in the light of future needs rather than maintained so strongly in the context of the criteria of historical consistency. A parity index, for instance, based on 1910–14 is anachronistic. A definition of farms as "commercial" which sell as little as $50 worth of products is scarcely a useful definition in the modern world, especially when Census publications provide no breakdowns in the enonomic classification of farms selling products with a value of $40,000 or more.

Farm income, as measured by the Department of Agriculture and the Bureau of Internal Revenue, vary because of differences in the purposes of the data collection. A study of the differences might result in better guides to future policy or administrative decisions.

Many Government statistical reports that summarize activity in industry or product groups are published so late that the reports have little value, even though businesses bear the burdensome costs of reporting. These kinds of observations and suggestions can be extended almost endlessly. Your committee might get its greatest assistance, however, from extending the context of your current review by asking your staff to describe in broad-brush strokes what our economy will be like by 1985, and then asking representatives of various professions to present papers discussing such questions as: "What kind of policy problems and administrative needs will we then face for which foundation statistical data should be laid now? What kinds of data are we now collecting or presenting that can and should be greatly modified or even discontinued?"

I hope that the joint committee will continue its activities aimed at improving our statistics.

Sincerely yours,

LESTER S. KELLOGG,
Director of Economic Research.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

Mr. HART. Mr. President, on Friday last, the distinguished majority leader, together with the distinguished minority leader, offered an amendment in the nature of a substitute and suggested that we study the changes over the weekend. I believe that was a useful and helpful action on their part.

If the majority leader is now willing, it is my purpose to raise certain questions in an effort to clarify one of the changes which has been made in the substitute bill.

I wonder whether the Senator from Montana is in a position to accommodate us at this time?

Mr. MANSFIELD. I am glad to do my best.

Mr. HART. The first question relates to the substitute to section 4(a), under the leadership substitute amendment to section 4(a). Could a covered State lift the prohibition on tests and devices by deciding to conduct a complete reregistration? Would that constitute effective correction of the effects of discrimination? I believe that there are court decisions indicating that testing might be resumed if a reregistration is ordered.

Mr. MANSFIELD. A mere order for reregistration would not constitute an effective correction of anything. The

fact that a State decides to have a reregistration would not be enough to persuade a court that a State had met the very heavy burden imposed on it under the amended escape clause. We do not mean merely to codify such decisions as United States against Louisiana and United States against Duke, which do not foreclose resumption of tests after a complete reregistration has been ordered. We mean to require much more than that.

Mr. HART. Let me ask the Senator where in his amendment that is made clear.

Mr. MANSFIELD. In two places. First, it requires that the effects of past discrimination must have been effectively—and I emphasize the word "effectively"—corrected. The creation of an abstract equality of opportunity to register without discrimination—which is all a decision to have a reregistration amounts to—would not be "effective" correction by itself. No correction would be considered effective until, at a minimum, persons of voting age desirous of voting were actually voting after having been registered without discrimination.

Second, the substitute amendment requires that there be "no reasonable cause to believe" that any test or device "will be used for the purpose or will have the effect of" violating the 15th amendment. A decision to reregister everybody obviously fails to meet this test, since in States with a long record of voting discrimination it is highly probable that discrimination will continue even under a reregistration. The court will, of course, look to see what officials will be responsible for carrying out the new registration. I would think that a State, in which a number of findings of discrimination have been made by the courts, would find it difficult to meet this test.

The only way a State could prove that a test or device would not be used for the purpose of discriminating would be actually to conduct registration or reregistration without tests over a period of time without any racial discrimination. A sufficient period of time is necessary so that the court may have before it statistics showing the fact of nondiscrimination in voting.

The so-called 60-percent provision provided that a State might bring itself out by proving that 60 percent of the voting age population became registered and there "is" no denial of the right to vote on account of race or color. This might have been read to mean that reregistration would satisfy the "is" test since no person would remain enrolled who had been favored in the past. The 60 percent provision did not look to the past or future. That is one reason we deleted it.

Mr. HART. Does the elimination of the 5-year suspension provision mean that a shorter suspension period is envisioned under the leadership substitute?

Mr. MANSFIELD. Not necessarily. In cases where there has been discrimination in the past in only one county of a State—if there are such cases—perhaps 5 years would be too long. But in the hard-core areas—where a number of cases have been brought and findings of discrimination made—nothing in the leadership substitute would prevent a longer suspension period, where necessary.

This is another reason we eliminated the 60-percent escape hatch—it might have been construed to permit the hard-core States to resume the use of tests and devices within a short time.

Mr. HART. Under the leadership substitute, would your answer be the same as to the meaning and intent of the words "effect" and "effectively" used in section 4(a) respecting denial or abridgment of the right to vote as it applied to the 25-percent provision of section 4(b)(3); that in 25-percent areas, notwithstanding the presence, absence or suspension of tests, "where Negroes have been intimidated and discouraged over the years from even trying to register, they must be given time to make that effort"?

Mr. MANSFIELD. That is correct.

Mr. HART. Can the Attorney General move within 5 years after judgment to reopen a case involving a 25-percent area even if a test or device has never been used, if he believes that the right to vote is being abridged because of race or color?

Mr. MANSFIELD. Yes. In such a case, he need not allege that a test or device was being used because that was never the criterion for including such an area. He can move to reopen at any time within 5 years if he believes that discrimination or its effects have not been effectively eliminated.

Mr. HART. May the courts look at the content of any test a State proposes to use, as well as its probable mode of administration?

Mr. MANSFIELD. Yes, definitely; the two cannot be separated. Arbitrary tests, tests vesting a good deal of discretion in the registrar, and otherwise unreasonable or too-difficult tests lend themselves too readily to manipulation and often have an inherent discriminatory effect. We would expect the courts to take that into account and to refuse to approve such concoctions as the "perfect form" requirement now used in three States, and the like.

Mr. HART. Should the courts consider the education gap that exists in some of these States?

Mr. MANSFIELD. I would say yes; that is a good example of a factor to be considered when reviewing the content of a proposed test or device.

Mr. ERVIN. Mr. President, will the Senator from Montana yield for a question on that point?

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. HART. I yield.

Mr. ERVIN. I ask the majority leader if that would not create discrimination in favor of nonwhites against whites in the administration of the act?

Mr. MANSFIELD. No; that is not the intention of this provision.

Mr. ERVIN. I understood the Senator from Michigan to ask the Senator from Montana whether the courts should consider the education gap between the races in determining whether or not people should be allowed to register to vote.

Mr. MANSFIELD. The education gap that exists in some of those States.

Mr. ERVIN. That means, because of the education gap, that it would discriminate in favor of nonwhites and against whites. We ought not to create a new discrimination.

Mr. MANSFIELD. I would not say that it would be really a new discrimination, because it is based on the achievement of the tests. It is a matter which ought to be considered, because of its effect at the present time in some States.

Mr. HART. Why does the leadership substitute delete from section 7(a) the requirement adopted by the Judiciary Committee that an application must allege that an applicant for listing "has been deprived of the right to register or vote on account of race or color"?

Mr. MANSFIELD. Because the effect of that language was somewhat uncertain. We did not feel that any question of what motive State officials might have had for rejecting an applicant should be interjected into the examiner proceedings. An application to a referee under the 1960 Civil Rights Act does not require such an allegation, and we saw no reason to require it here.

Mr. HART. The leadership substitute added to section 7(b) an explicit requirement that State election officials must place on their official voting list the names listed by an examiner. Why was that requirement added?

Mr. MANSFIELD. For two reasons.

First. We sought to make clear that we expect State officials to treat persons listed by examiners in accordance with the same orderly procedures as they apply to other registered voters, and that would include placing their names on the official voting list.

Second. We added in section 10 authority for the Attorney General to file a suit if 20 days before an election federally listed persons have not been placed on the official State list. Naturally we had to impose a duty on local officials to so place those names. The purpose of this lawsuit is to provide some assurance in advance of an election that listed persons will be allowed to vote. I wish to point out, however, that it is a person's listing by an examiner that entitles him to vote; placing his name on the official voting list maintained by State or local officials is not a prerequisite to his entitlement to vote. Failure to place his name on the State list, however, is evidence of an intention not to allow persons listed by an examiner to vote; that is why we have imposed a mandatory duty on State and local officials to place those names on the State list. Action under section 10 is, of course, only one of the alternative remedies available under the bill.

Mr. HART. I thank the distinguished majority leader for making clear his purpose and intention, and that of the distinguished Senator from Illinois [Mr. DIRKSEN] in offering the substitute.

I suggest the absence of a quorum.

The PRESIDING OFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. ERVIN. Mr. President, unless the Senator wishes to withdraw the order for the quorum call for the purpose of making a speech, I shall object.

Mr. JAVITS. I shall make a speech.

Mr. ERVIN. No objection.

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

Mr. JAVITS. Mr. President, if it will not interfere with the Senator from North Carolina, for he may desire the floor or have the floor——

Mr. ERVIN. No, I do not have the floor.

Mr. JAVITS. If it is agreeable with the Senator, I should like to make a few statements.

This is the first time that I shall have commented upon the substitute filed by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] which is popularly known as the leadership substitute.

First, the substitute is further evidence of the seriousness with which the leadership in this body has taken the views of the so-called liberals who have taken the position that it is high time, in the interest of the Nation, that we have a really effective voting rights bill. We have had the acts of 1957, 1960, and 1964. The old line of leaving it entirely to the eventuations of court proceedings has not seemed to work; so we have had to do something else.

In my judgment, the substitute is a material improvement over the bill sent to Congress by the administration. Although in effect it "leapfrogged" the bill reported by the committee, the Senate has full power to seek to amend the substitute if it can be whipped into shape, and then to accept it, in lieu of the bill that came from committee, or, if the Senate cannot effectively amend the substitute so as to suit it, it has the right to reject it. Then we shall again revert to the committee bill, to which amendments will lie, and that bill can be put in shape.

I believe it is the duty of those of us who desire to bring about the result within a reasonable period of time, in view of the distinguished auspices under which the substitute is presented to us, to address ourselves to it, and to do so promptly and with what I hope will prove to be good effect.

The things that I think are noteworthy as well as the things that give us concern are the following: It is noteworthy that the so-called 60-percent escape clause has now been taken out of the substitute. This is most gratifying and represents, again, what we all feel about the Senator from Illinois [Mr. DIRKSEN]. He is not a slave even to his own ideas, but may be persuaded, either in the interest of harmony or of the basic substantive questions involved, that some other course is the right one. I believe that this has helped greatly in our consideration of the measure.

The second thing that I think is important is that there has now been an acceptance, obviously, of the triggering mechanisms which are contained in the bill as it came from committee. This, again, represents a basic question of principle, which has now been accepted upon reconsideration by the leadership, to the effect that in order to have an effective law, which will at long last bring the right to vote to so many people who have been denied it, it is necessary to have mechanisms which will take effect within the control of the Attorney General and the governmental machinery of the United States, subject to court review, but not subject to original authority on the part of the courts. That, I believe, is a distinct gain.

Now I should like to mention the disadvantages. The first and obvious one is the reversal of the provision which allowed the Attorney General to require that an applicant attempt to register before the local authority, first. As the bill now reads, such an attempt is required unless waived by the Attorney General. Much as I prefer the former, I would not necessarily, if everything else fell into place, niggle about the latter. Therefore, subject to the rest of the bill being put in reasonable condition, I should not think that that would represent a major problem.

However, I regard the poll tax question as a major problem; and I regard the poll watchers question as a major problem.

As to the poll tax, as it is now provided for in the substitute, we are deprived of a finding by Congress as to the facts. I am one of those who believe that the facts justify the finding that the poll tax has been used as an instrument for abridging the right to vote. If Congress is to leave it to the courts, either under pending or new cases, or even directing the Attorney General to institute cases, it still means that he would have the burden of proof and must demonstrate affirmatively, absent a basic finding of fact by Congress that it is of such nature that on its face it abridges the right to vote.

So I do not agree with the strong feeling of many that the poll tax should not be eliminated, when we consider that what Congress thought it was doing, it did not in fact accomplish when it passed the constitutional amendment with respect to the poll tax. I never say, and I shall not now say, "I told you so." We are just about where we began before we dealt with the constitutional amendment, passed it, and had it ratified by the necessary number of States. The poll tax still exists, and exists substantially in the States that want it.

I do not believe we ought to handicap ourselves, therefore, by avoiding an opportunity to remove the poll tax based upon a congressional finding of fact. I sincerely hope, as we move along in the effort to amend the substitute, that probably the primary question, the most controverted question with respect to the bill, may be resolved in an affirmative way by congressional finding and the elimination of the poll tax, and that the right of review by the courts may be included. I am the first to agree that that should be, so that the situation may be protected in the event decisions occur which go against our point of view, notwithstanding our finding of fact.

Mr. CASE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CASE. I wish to express my personal appreciation and the appreciation of all of us who believe in the bill for the lucid and unanswerable statement the Senator from New York has just made. I associate myself with it completely.

Mr. JAVITS. I am grateful to the Senator from New Jersey, who is one of the most distinguished lawyers in this body. I am much pleased that he should feel as I do about this highly controversial subject.

As to the poll-watchers proposal, it seems to me that this is an elementary aspect of American public life. The Republican and Democratic and other parties in New York, send watchers to the polls merely by having the party leader write a certificate and send it in. It seems to me that to hobble ourselves with the requirement of a court order before watchers could be sent in to see that what the United States has ordered is carried through, is an unnecessarily troublesome requirement. I hope very much that we shall not relinquish that opportunity, but will continue to fight it through in the endeavor to have the situation at least as it was in the committee bill.

Finally, there is the matter, which was the subject of a series of questions and replies between the Senator from Michigan [Mr. HART] and the Senator from Montana [Mr. MANSFIELD] of the real meaning of the detriggering mechanism of section 4(a) of the substitute, to which these particular questions referred. It will be noted that this material is contained on page 4, beginning at line 15 and ending at line 24. It deals with the showing that must be made by a State or political subdivision in order to take itself out, for all practical purposes, from the provisions of the act.

The operative words of course are especially the words: "that the effects of denial or abridgment, if any, of the right to vote on account of race or color." Then there are these tremendously important words—"have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device," and so on, and the tying up of this operative triggering mechanism with the provisions of section 4(b), and especially the parts contained in 4(b)(1), (2), and (3).

The answers given to those questions by Senator MANSFIELD, have, as I see it, gone a very long way to pin down exactly what the operation of this statute would be and to give some reassurance to those who are deeply concerned by the loss of heritage which this statute is designed also to deal with—the denial or abridgment of the right to vote which denial or abridgment has discouraged voting to the extent that we have in some places this almost fantastic juxtaposition of registration and voting figures for those who are white and those who are Negro. I am very pleased that Senator MANSFIELD has seen fit to make replies to these questions.

I shall not in any way characterize or rephrase the questions or the replies.

I think it is essential for the legislative record that when the bill becomes law, those questions and answers stand exactly as the majority leader has dealt with them, along with the Senator from Michigan [Mr. HART].

I have, however, first, because of my great personal respect for, and, second, because of the cosponsorship of the substitute by the Senator from Illinois [Mr. DIRKSEN] given a copy of what transpired to the Senator from Illinois. I hope very much, without necessarily asking for anything from him, that he might find these answers to be satisfactory to him so that insofar as possible, those who were the authors of the substitute will themselves have given their understanding of precisely what it means.

Mr. DIRKSEN. Mr. President, I have just been handed a sheaf of papers containing questions and answers that purport to give explicity and clearly what the intention of certain words contained in the substitute might be. I think that it would take a little more time than is available presently to spell that out.

I would rather not be bound by any answers that have been made heretofore, or completely bound by any answer I might make now unless I were to examine the phraseology a little more carefully.

I saw this document only 10 minutes ago. I want to be sure that we do not do violence to the cleansing section of the bill. That will take a little spelling out.

However, I shall be glad, somewhere along the line, to do it. Had these questions and answers come to my attention before, I probably could oblige the Senator at this time. I might concur in the exact interpretation given by the majority leader. On the other hand, there might be some shading with which I might not agree.

Mr. JAVITS. Mr. President, I hope very much that those of us who are deeply concerned with the bill might have the benefit of the replies of the Senator from Illinois as soon as it is convenient for him.

It would be most felicitous for the future of the legislation if the minority leader, like the majority leader, expressed the same views as are reflected by these questions and answers.

Mr. DIRKSEN. Yes. For purposes of court interpretation, we, as the lawmaking body, ought to be sure of the words that we employ here, and their precise meaning.

Mr. JAVITS. Mr. President, I thank my colleague. I would hope that we might have the benefit of his views, perhaps expressed in one word, but at least we shall have his views.

Mr. DIRKSEN. Yes.

Mr. JAVITS. Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. ERVIN. Mr. President, I understand that the able and distinguished Senator from Wyoming [Mr. MCGEE] has a bill which he would like to have considered at this time. I, therefore, ask unanimous consent that I may yield to the Senator from Wyoming for that purpose with the understanding that he may yield the floor to any Senator interested in the bill which he is to present, and with the further understanding that by so doing I will not lose my right to the floor.

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

EXTENSION FOR 1 YEAR OF DATE FOR FINAL REPORT BY NATIONAL COMMISSION ON FOOD MARKETING

Mr. McGEE. Mr. President, I thank the Senator from North Carolina, and I ask unanimous consent to call up H.R. 5702.

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

The LEGISLATIVE CLERK. Calendar No. 161, a bill (H.R. 5702) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. McGEE. Mr. President, the pending bill is an authorization to extend for 1 year the date on which the National Commission on Food Marketing is to make a final report. The purpose of extending the time derives from two considerations. First of all, the Senate itself asked for a 2-year measure when the bill was enacted into law a year ago. The House limited it to 1 year. We knew then that the time was going to be too short but accepted the House amendments rather than delay the establishment of the Commission.

The second reason is that the Commission's appropriation was not approved until late in the session last year. It was difficult to assemble the staff, because of the election and other interruptions and digressions. Therefore, the law was not fully implemented until early in this session.

Students of the subject will agree that we cannot approach the marketing system as it exists today on the basis of a 6-month study.

It was for that reason that the Committee on Commerce last week unanimously approved the authorization of extension for 1 year.

I understand that the Senator from Louisiana [Mr. ELLENDER] has some questions to ask.

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

Mr. McGEE. I yield.

Mr. ELLENDER. As I recall, the original request was for $2½ million.

Mr. McGEE. That was the request.

Mr. ELLENDER. It was cut to $1 million and a half.

Mr. McGEE. That is correct.

Mr. ELLENDER. Since the bill has been enacted how many permanent employees have been employed to do this job?

Mr. McGEE. The estimate I have been given by staff counsel is that the number is 42.

Mr. ELLENDER. Forty-two. Have those 42 employees been busy, and since when?

Mr. McGEE. Since January. I hasten to add that we had a staff director and one or two employees to assist the Chairman of the Commission, the justice from California, last fall; but the election prevented going to work on a full-time basis at the time.

Mr. ELLENDER. Are we to understand that these employees, 42 in number, have been at work since January 1st?

Mr. McGEE. Most of them have been at work since March 1st.

Mr. ELLENDER. How many were there at work——

Mr. McGEE. Would the Senator agree to my asking unanimous consent that the director of the staff may come to the floor so we may ask these questions of him?

Mr. ELLENDER. I have no objection.

Mr. McGEE. I ask unanimous consent that the staff director may come to the floor.

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

Mr. ELLENDER. I wonder if the Senator can inform us how many of these employees were hired from the various departments of Government on a reimbursable basis?

Mr. McGEE. I am sure we can supply that information. Some were brought in on a reimbursable basis.

Mr. ELLENDER. Until the staff director comes to the floor, I wonder if the Senator from Wyoming can give us assurance that, if the bill is enacted into law, the Commission will complete its work in another year.

Mr. McGEE. The Senator from Wyoming would not dare to give any such assurance, for one reason: He does not have control of the magnitude and complexities and depth of the problems involved; but he can, from what understanding he has—and he has been "sweating" this matter out for 2 or 3 years—say that it is a reasonable target date. We are confident, after checking with experts in the field, that we can report the matter with a helpful, constructive body of information, within the course of the next year.

Mr. ELLENDER. Of course, if this information were extended over the years, it would be of no use to us.

Mr. McGEE. That is correct.

Mr. ELLENDER. I remember during the debate, when the matter was considered, it was stated it was essential to get the information now to find out what the trouble was, who was getting what in the price structure and in the handling of products off the farm.

Mr. McGEE. Not only has the staff been busy assembling all the available existing studies from that time until now, so it would not go back and repeat and expend unnecessary energy and public expenditures for these purposes, but the Commission has been deeply involved in placing a proper interpretation on what it is doing. Two hearings,

held in Cheyenne and Fort Worth, were confined to marketing structure on the red meat industry question. We are to hold hearings in Washington with spokesmen for the food chains and explore some of the marketing problems in their field. A series of well over a dozen field hearings have been scheduled up to now. The Commission has not been wasting time up to this date.

Mr. ELLENDER. To what extent are Senators attending the hearings? As I understand, the Commission is composed of Senators and Representatives.

Mr. McGEE. There are five Senators and five House Members and five public members, that is, nongovernmental members, attached to the Commission. In the large public hearings more than half the Commission attended. Sometimes a Commissioner may not attend all 3 or 4 days because of conflicting engagements, but others have been able to be present part of the time.

Mr. ELLENDER. I wonder if we could get the information I asked for a while ago.

Mr. McGEE. Yes.

Mr. ELLENDER. I wonder if the executive secretary could place in the RECORD information on the number of people employed, their background, and salaries received. If it cannot be done at this instant, perhaps the information can be furnished for the RECORD.

Mr. McGEE. I am advised by the staff member that the staff membership is 42. An outline of their status, salary, and background will be made a part of the RECORD.

The information follows:

Staff member	Entrance-on-duty date	Position	Per annum salary	Background of professional staff
George E. Brandow	Nov. 16, 1964	Executive Director	$24,500	Professor, Pennsylvania State University.
James E. Corkey	Jan. 18, 1965	General Counsel	22,195	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Linley E. Juers	Mar. 1, 1965	Project leader	19,590	Professor, Michigan State University.
Richard F. Ottman	Nov. 23, 1964	Assistant to the Executive Director	18,935	Bureau of the Budget.
Ronald D. Raitt	Mar. 1, 1965	Assistant General Counsel	18,935	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Thomas A. Sterner	do	do	18,935	Legal adviser, Federal Trade Commission.
H. Wayne Bitting	Jan. 25, 1965	Project leader	18,935	Department of Agriculture.
Paul L. Farris	Feb. 1, 1965	do	18,935	Professor, Purdue University.
Marshall R. Godwin	Mar. 1, 1965	do	18,935	Professor, University of Florida.
Warren L. Sharfman	Jan. 11, 1965	do	18,935	Attorney, private practice.
Fred B. Burke	Mar. 8, 1965	Field investigator	17,600	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Donald E. Farris	Feb. 1, 1965	Assistant project leader	16,460	Professor, Texas A. & M. University.
Daniel I. Padberg	do	do	16,460	Professor, Ohio State University.
George L. Bickel	Mar. 1, 1965	Field investigator	16,460	Assistant to the president, Rocky Mountain Farmers Union.
John J. Mitchell	Mar. 29, 1965	do	16,460	Attorney, private practice.
Louis W. Stern	Jan. 18, 1965	Economist	15,150	Professor, Ohio State University.
Lindon U. Cockroft	Jan. 11, 1965	do	12,495	Department of Agriculture.
Ruth K. Holstein	Feb. 15, 1965	Information officer	12,495	Staff assistant, Representative Leonor K. Sullivan.
Thomas J. Hogan	Apr. 5, 1965	Economist	12,075	Department of Commerce.
Jerome M. Stein	Jan. 11, 1965	do	11,315	On detail from Department of Agriculture.
Ralph A. Freund, Jr.	do	do	10,250	Department of Agriculture.
Robert R. Miller	Feb. 15, 1965	do	10,250	Economist for dairy co-op in New York.
Arthur J. Cordell	June 1965	do	10,250	Professor, Cornell University.
Richard S. Magleby	do	do	10,250	Professor, Pennsylvania State University.
Alexander J. Basso	Feb. 8, 1965	do	9,535	Private business, real property management.
Lynn M. Daft	Jan. 28, 1965	do	9,535	Graduate student, Michigan State University.
Joseph N. Uhl	do	do	9,535	Do.
Allan S. Johnson	Feb. 1, 1965	do	8,650	Graduate student, Pennsylvania State University.
Rhoda W. Gorman	Nov. 1, 1964	Administrative officer	8,650	Secretary, Alaska Commission.
Pennie Paynich	Nov. 16, 1964	Secretary	8,650	
Mardell D. Halgerson	Nov. 2, 1964	do	8,650	
Helen L. Kelly	Jan. 18, 1965	do	8,440	
Inez H. Jarvis	Jan. 4, 1965	do	8,170	
Sally B. Johnson	Jan. 25, 1965	do	7,050	
Alice W. Bartimus	Feb. 1, 1965	do	7,050	
Kitty B. Celorier	Mar. 8, 1965	do	7,050	
Lillian H. Cottmeyer	Feb. 8, 1965	do	6,650	
Carolee Bush	Jan. 18, 1965	do	6,450	
Judy C. Mighell	Feb. 1, 1965	do	6,050	
Bernice M. Powell	Dec. 14, 1964	Typist/receptionist	5,990	
Ernestine L. Gibson	Mar. 15, 1965	Stenographer/typist	5,690	
Lee Stubbs	Nov. 17, 1964	Messenger/clerk	4,800	

Mr. ELLENDER. Are they permanent employees?

Mr. McGEE. Permanent employees of the Commission, not of the Government itself.

Mr. ELLENDER. To what extent have persons been employed from other departments of Government on a reimbursable basis? Are all these persons new persons the Commission is hiring?

Mr. McGEE. At the present time, we have only one such person on a reimbursable basis. In terms of phases of the problem of food marketing which have been available to the Commission, existing studies will be maintained up to date by the Federal Trade Commission, by the Antitrust Division of the Department of Justice, and by the Department of Agriculture.

Mr. ELLENDER. If my memory serves me correctly, those who sponsored the resolution last year—perhaps it was the year before—indicated that most of the employees would be connected with some Department of Government, so that this matter could be looked into at once and interim reports presented, in an effort to find out why it is that the farmers are getting so little and why it is that the chain stores are getting so much. Such information, in my judgment, would be of benefit if obtained within a few months. But, if it drags on, I do not believe that such information will do any good. I am hopeful that the Senator can give us assurance that if the Commission is extended, it will complete its work on or before July 31, 1966, and that its final reports will be ready for presentation to the Congress.

Mr. McGEE. The Commission has had unanimous conviction about the urgency of moving, and moving quickly. There was great reaction on the part of the Commission that some of the manifestations of the election required some delay. They would like to have taken care of it a year ago last summer. Circumstances seemed to operate against it. The feeling was expressed that if we started going at it too vigorously in the middle of an election, there would be those who might suggest that it would become a political football. We did not wish that to happen to this particular Commission. We believe that these problems are more complex and larger than a political party or political partisanship. Let me give my assurance to the Senator—and I believe I sense the attitude of the other 14 members of the Commission—that they are not about to prolong this matter unnecessarily, because it has taken a great deal of time, a great deal of digging. Every member of the Commission knows what he is supposed to be doing. Their sense of dedication to the importance of this particular question has led the Commission to place priority on the problem, in terms of getting it moving, but getting it moving in a constructive way in the hope that we can reach conclusions which will be helpful to all segments of the marketing structure.

Mr. ELLENDER. I hope that the work of the Commission can be completed in the time stated in the bill of my good friend, the Senator from Wyoming, who has been giving a great deal of attention to the problem, and that he will be able to point with pride to the Commission that was organized. It said it would get its work done in 2 years, and here it is.

As the Senator from Wyoming knows, when we had debate on this subject it was my feeling that in order for the facts to be of benefit and get results, they would have to be presented very shortly.

Mr. McGEE. Yes. I assure the Senator from Louisiana that we intend to brook no unnecessary delays. If we can work double time, we shall make that

endeavor. But I would mention as a qualifying observation that as one goes into the complexities of the situation the difficulty in terms of separating one phase of the problem from another, trying to isolate some aspects of the problem becomes more and more obvious to all. This is not news to the Senator from Louisiana, who has lived with such a problem for a long time. He is one of the great experts in the Senate on agricultural problems. He understands them with great grasp.

Mr. ELLENDER. I was not looking for any bouquets. The point is that I know the seriousness of the problem. The answers should be obtained tomorrow if possible. We must not wait until 3 or 4 years hence for them to be of any use.

Mr. McGEE. I agree with the Senator from Louisiana. We should have had the answers yesterday. If we could have made them available yesterday, we would have done so. I was not intending to give the Senator bouquets; I was merely trying to state the facts. The facts add up to a bouquet, nonetheless.

But that is not the point. I was merely trying to suggest that these questions are being injected at this point out of a great sense of perspective for the depth of the problem; and I believe that the RECORD should show it.

Mr. ELLENDER. If the Senator will look up the formation of some of these committees, particularly some that were appointed to investigate various needs, he will find that they have asserted they would get the jobs done in 12 months or some other specified time, and in so doing have been able to induce many Senators to go along with them. I do not wish to repeat it too often—the Senator was not in the Senate at the time—but I well remember the creation of the Juvenile Delinquency Committee, which was supposed to complete its work in not more than 2 years. That was 15 years ago. It is still a committee which seems to be important, is doing a great deal of work, and is spending a great deal of the Government's money. However, I express the hope that the committee will complete its work by June 30, 1966.

Mr. McGEE. Mr. President, I thank the Senator from Louisiana for his interest in this program as well as his remarks in regard to its present status, and to assure him that the Commission has no intention of dragging its feet.

I happen to be a member of another special and select committee which was created not long ago—since I became a Member of the Senate. I refer to the Committee on Water Resources, which was created for 2 years. Not only did the committee complete its job in 2 years, under the leadership of the late distinguished Senator from Oklahoma, Robert Kerr, but it also turned back some of the funds which Congress had made available.

I know of no mark of real, great care that would be more a matter of pride to members of the President's Food Marketing Commission than to be able to achieve a measure of good judgment and economy.

Mr. ELLENDER. As the Senator knows, although he is a member of the Commission on Water Resources, I also happen to be a member.

Mr. McGEE. It would be difficult to select a committee in this body on which the distinguished Senator from Louisiana does not serve.

Mr. ELLENDER. We worked alone to try to reach the goal and complete the task by the date fixed.

If the Commission composed of five Senators, five Representatives, and five persons from the outside continues with its good work, I have no doubt that it can complete all of its studies on or before June 30, 1966.

Mr. McGEE. Mr. President, as I conclude, I believe it worth noting that in the Senate we had no illusions about the work that might be required, and we have been forthright about it. We believed that it would take 2 years and x amount of dollars, and I am suggesting it has not been a bad guess up until now. We intend to live up to the estimate we made in the projection of that time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 174), explaining the purposes of the bill.

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

PURPOSE

The purpose of this bill is to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriation for the Commission. In extending the life of the Commission to July 1, 1966, with a total authorization of $2,500,000, the bill conforms to President Johnson's original proposal submitted to Congress April 1, 1964, and passed by the Senate May 18, 1964.

In order to get the Commission study underway, the Senate concurred in House amendments limiting the authorization to 1 year and $1.5 million, with the understanding that an additional 1-year extension would be sought during this session of Congress.

The Commission received no funds until October 7, 1964. Because of the inability of the original Chairman to serve, due to health reasons, the selection of an executive director for the Commission was delayed until November 16, 1964. This also delayed the organizational meeting of the Commission which took place on January 7, 1965. It was not until this date that the Commission approved staff appointments and considered the broad outlines of its program.

Mr. McGEE. Mr. President, I thank the distinguished Senator from North Carolina for his great courtesy in yielding to me to call up the bill.

PRESIDENT JOHNSON'S POLICIES IN SOUTHEAST ASIA

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a column written by Kenneth Crawford and published in this week's Newsweek magazine, dated May 10, 1965.

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

KIDDING THE KIDS

(By Kenneth Crawford)

It would be unrealistic to expect youth to learn from the experience of age. Each new generation must learn for itself and from its own experience, not from example or preachment. Why, then, should anyone be surprised that a vocal segment of the student population is protesting President Johnson's policies in southeast Asia? Why should a bright college student, eager to start a civilian career, be attracted by the prospect of soldiering in Asia? Yet this is the prospect he will face if the limited war now going on in Vietnam becomes prelude to big war.

His reluctance is understandable. What is not so understandable is the guidance he is getting from many faculty members at teach-ins and from academicians marketing their advice on national policy to journals of opinion. Unless the learned are incapable of learning from events, professors should know from the world's experience during the last quarter century that wars are not prevented by running away from aggressors during the early stages of an aggression. They do the student no service by clothing his aversion to jungle war in the habiliments of idealism.

FACTS ARE FACTS

That is what they are doing when they equate denunciation of bombing raids against North Vietnam with the cause of civil rights in the United States. That is what they are doing when they suggest that an American plane dropping bombs on a North Vietnamese bridge or on a Vietcong concentration in South Vietnam is an evil comparable with systematic terrorization of South Vietnamese villagers, 9,750 of whom were murdered or abducted by the Vietcong in 1964.

What is even less understandable is the ignorance of facts or the determination not to be influenced by facts which characterizes much of the professorial comment on Vietnam. There is, for example, the repeated assertion that the South Vietnamese Army, which has sustained more casualties per man engaged than the United States suffered in Korea, won't fight. There is the reiterated statement that the war in the south is an indigenous revolution, in no way the product of aggression from the north, which is belied by irrefutable evidence that Hanoi directs, supplies, and increasingly mans the insurgency. A captured document disclosed that Hanoi itself concedes: "The revolution for liberation of the south would never succeed if the [Communist] Party were not directing it."

The major premise of the teach-inners seems to be that Red China's manifest destiny, given its population and resources, is to overrun southeast Asia and that to resist this movement is to defy an immutable law of nature. The same argument was made against interfering with Hitler's bid for elbow room, and against arming Turkey and helping Greece when Stalin menaced them—sometimes by the same scholars who are now saying that we are hopelessly overextended trying to police the world.

EAST IS EAST

Even though intervention stopped Hitler and slowed Stalin, the teachers now tell their students that intervention won't work in Asia because East is East and West is West and the Asians hate whites even more than Hindus hate Moslems of the same complexion, which is frightening if true. But if it is true, then we whites haven't much future in this world because we are a small and shrinking minority of the human race.

Within the framework of China's inevitable expansion, Dr. Hans Morgenthau of the Uni-

versity of Chicago offers us comfort. Ho Chi Minh, he says, will be a Tito, somehow remaining independent of the Chinese. Just how Ho is to accomplish this is not clear. It has something to do with his Vietnamese nationalism. True, Ho hasn't the resources that protected Tito from Stalin, but Vietnam's historic dislike of China will make him free, or so Morgenthau contends.

Dr. Kenneth Galbraith of Harvard also has an interesting, though less important, idea. He told his teach-in audience that President Johnson is a victim of the wrong advice from the wrong people. Is it possible he doesn't know who's in charge here?

Somebody should tell the taught-in college boys of 1965 that their feeling about Vietnam, while natural, isn't noble. Their fathers, perhaps.

VIETNAM

Mr. McGEE. Mr. President, on Thursday last I addressed the members of this body to set forth my conviction that we have seen increasing signs in recent weeks which indicate that the restrained yet forceful policies of the Johnson administration are beginning to have a positive effect upon the outcome of the conflict in Vietnam. In those remarks, I suggested that any national debate based on the situation as it was in February, rather than as it is today, ignores substantial changes without which any debate would be less than productive and informative.

As an example of some of the changes in the status of affairs in the Far East, I cite an article published in the April 30 edition of the St. Louis Post-Dispatch, a journal noted for thoughtful and liberal judgments on the world around it. This article pointed out that it is becoming apparent that many nations of the world, which in most circumstances are sympathetic to the aspirations of the Red Chinese, are greatly disturbed by the contrast between Peiping's intransigence on the subject of negotiations and President Lyndon Johnson's demonstrated willingness to enter into unconditional negotiations at the earliest opportunity. The article suggests that this attitude may lead to the isolation of Red China from many of the nations it once counted as friends.

In addition, this article presents a thoughtful analysis of the reasons behind Red Chinese militancy which is most useful in any analysis of the Vietnamese question.

Mr. President, I believe that this article is a further indication of the fact that we are following the right course in Vietnam and in Asia, and that this course should be maintained. I ask unanimous consent to have the article printed in the RECORD.

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

[From the St. Louis Post-Dispatch, Apr. 30, 1965]

RED CHINA'S ADAMANT OPPOSITION TO NEGOTIATED VIETNAM ACCORD LEADING TO AN ISOLATED PEIPING—EVEN SYMPATHETIC ASIANS NOTE DIFFERENCE BETWEEN JOHNSON'S WILLINGNESS TO TALK AND CHOU'S INSISTENCE ON A FIGHT

HONG KONG, April 30.—Peiping newspapers have documented what analysts here describe as the drift of Communist China toward international isolation on the Vietnam issue.

The estrangement may even apply to North Vietnam, which is balking at Peiping's uncompromising opposition to a negotiated settlement of the Vietnamese war.

The Soviet Union was the principal target on Peiping's front pages this week. A statement accused Moscow of collaborating with the United States to frustrate the Vietcong insurgents.

This sweeping castigation took in all Communist countries and parties adhering to the Soviet ideological doctrine.

The news given greatest prominence was a statement last Saturday by Prince Norodom Sihanouk, Cambodian chief of state, in which he objected to using a proposed international conference on his country as a forum for discussions on Vietnam.

This is a propaganda technique that Peiping has employed in working against the Soviet proposal for a conference on Cambodia. The proposal has been accepted by Britain and the United States and approved in principle by North Vietnam.

Asians, including those who are friendly to the Chinese Communists, have been thrust into making a comparison between U.S. willingness to talk peace and Peiping's aloofness.

Many of these Asians saw in their newspapers or heard on their radios the statements by President Lyndon B. Johnson offering to talk about peace unconditionally with any government. They also saw or heard Peiping's denunciation of the President as a "hatchetman" and its attack on the Soviet leaders for suggesting that Mr. Johnson was a sensible man.

The Chinese Communists insisted in their statement that the Vietnamese insurgents must fight until the U.S. forces were completely defeated and compelled to withdraw. Only then, the statement said, should they embark on any peace talks.

The Soviet suggestion, which is implied in Moscow's more flexible attitude toward negotiations, that the Vietnamese Communists may be able to obtain at the conference table what has eluded them on the battlefield was dismissed by Peiping with the assertion that peaceful coexistence with the United States was impossible.

In its statement, Peiping spurned the Soviet appeal of last Thursday for "united action," which would have strengthened Communist military and diplomatic backing for North Vietnam. This would suggest that Communist China has higher priorities than those assigned to their comrades in Hanoi, the North Vietnam capital, and to the Vietcong in South Vietnam.

Analysts here cite two explanations of Peiping's demand for a protracted war, although the Vietnamese Communists might find a negotiated settlement more advantageous at this time.

Ideologically, a U.S. military debacle in South Vietnam is required to confirm the Chinese Communist thesis that armed revolutionaries in Asia, Africa, and Latin America can win regardless of U.S. military power.

As for Chinese Communist national interests, there would be less advantage obtainable from a negotiated U.S. withdrawal from Vietnam, because this would leave other American positions in Asia relatively unimpaired.

Frustrated by the lack of the military means of ejecting the United States from such adjacent areas as Taiwan, Okinawa, and Thailand, Peiping sees in Vietnam an opportunity to unhinge by psychological means the entire U.S. position in east Asia.

Peiping has not concealed its belief that disaster in Vietnam might swing U.S. opinion toward abandonment of the policy of containment to halt the spread of communism.

Diplomatic observers in London believe that Red China is marking time on a commitment for Vietnam peace talks, pending the Algiers conference of African-Asian nations in June.

Peiping has given mounting indications that it is out to gain maximum support from African-Asian leaders for its "Americans get out of Asia" campaign.

Premier Chou En-lai is pushing the issue and has been traveling to African and Asian capitals to make sure that the conference takes place and that Chinese counsel prevails.

At the same time he has been making every effort to keep the Russians out of the Algiers meeting, to isolate the Kremlin leadership from the Africans and Asians.

So far, conflicting interests among the Africans and Asians have delayed a final decision on the composition of the conference and its agenda.

Peiping will push for a strong declaration condemning the United States alleged imperialist aggression in Asia and in the Congo, and urging American unconditional withdrawal from Vietnam, Communist diplomats said.

Chou said yesterday that the Johnson administration wanted to use the proposed conference on Cambodia "to continue its efforts to induce the Vietnamese people to submit."

In a dispatch from Peiping, monitored in London, the New China News Agency quoted Chou as saying that the Chinese Government fully supported the stand taken by Prince Sihanouk and the royal Cambodian Government on such a conference.

"In any circumstances," Chou said, "it is absolutely impermissible for U.S. imperialism to legalize its puppet regime in Saigon by thrusting it into an international conference."

VOTINGS RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

Mr. ERVIN. Mr. President, we are dealing with one of the most peculiar pieces of proposed legislation that the Senate has ever had before it.

In 1957 I spoke against the broad civil rights bill which was under consideration by the Senate at the time. In the course of my remarks, I stated that the unceasing agitation about matters of race in the United States was impairing our national sanity. The pending bill, in my judgment, constitutes conclusive proof of the truth of the observation I made at that time. As a result of certain demonstrations, our Nation now finds itself in a period of national hysteria. I do not honestly believe that there is any other word that can be used to describe the situation.

Some weeks ago the President of the United States appeared one evening before a joint session of Congress and demanded the speedy passage of a voting rights bill. He assured us that the bill would contain a simple uniform test, which could be applied to all the 50 States of the Union, to determine whether or not nonwhites were having their right to vote denied or abridged on account of their race or color, in violation of the provisions of the 15th amendment to the Constitution.

I do not know when the original bill was written, but subsequent events satisfy me that it was not even in existence at the time the President made his speech.

I say that because I tried to obtain a copy of the bill to which the President referred and was unable to obtain a copy until several days after the President's speech. I then discovered that instead of creating a simple uniform test of discrimination, the bill was so drawn as to discriminate against seven States and in favor of 43.

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

Mr. ERVIN. I am glad to yield to my able and distinguished friend from Georgia.

Mr. TALMADGE. Is it not a fact that five versions of the bill were written before the committee acted, that the committee submitted to the Senate the sixth version of the bill, and that now we have a substitute pending for the committee bill, which makes the seventh version of the bill?

Mr. ERVIN. According to the information which I have received, the facts implied by the question of the able and distinguished Senator from Georgia are correct.

I can testify of my own knowledge that we are now considering the fourth version of the bill, which I have had to deal with as a member of the Judiciary Committee and the Senate. When that bill was originally introduced, it bore all the earmarks of haste. Even the words in which the bill was couched showed lack of consideration for the plain meaning of words.

When the bill first came before the Judiciary Committee, I pointed out to the Attorney General that the bill applied to certain States and political subdivisions of States. I asked the Attorney General, in substance, if he wanted the Department of Justice, acting on behalf of the Federal Government, to become embroiled in every political subdivision of the States covered by the bill. I asked him if he realized that the bill was so broad that it would confer jurisdiction upon the Federal Government to intervene in every ward of every city and town covered by the bill.

I pointed out to him that it would not only cover every ward in every city and town in the area covered by the bill, but would also cover every school district, every sanitary district, and every special bond district.

The Attorney General informed me that the administration did not intend any such thing as that.

I pointed out to him that that was exactly what the bill would accomplish under the phraseology used.

I have never seen such loose language used in proposed legislation. If there were a race for justice of the peace or dogcatcher in any township in the area covered by the bill, and less than 50 percent of the people in the township of voting age had voted, the power of the Federal Government would be called into play under the terms of the bill. The Attorney General said that the administration did not intend to project the Federal power into the wards of the towns and cities, or in any race for justice of the peace or dogcatcher, that they did not intend to go below the grade of county or parish.

I said to him, "You had better amend your bill." I am glad to say that the bill has been amended in that respect.

One thing I have never understood about politics and public affairs is why public officials are so thirsty for power. If we give them a little power, they want more. That was the primary reason why the Founding Fathers gave us a written Constitution. They knew from their study of history that the insatiable thirst of government for power would destroy freedom unless government were restrained by law which it could neither repeal nor abrogate.

Unfortunately, however, a written constitution depends upon men for its efficacy. The Founding Fathers wrote a Constitution with a twofold purpose. The first purpose was to define the powers of the government which they were creating. The other was to protect the people of this Nation against an abuse of those powers. In addition, the Founding Fathers wrote into the Constitution a provision that every official had to be bound by a solemn oath or affirmation to support the Constitution. They inserted that provision because they realized that a constitution could not be self-executing. They knew it had to be left to men for its effectuation.

As I have said, the pending measure is one of the most peculiar bills I have ever seen. After the bill was introduced, the Senate took a course of action which is incompatible with good legislation. By an overwhelming vote, the Senate placed a time limitation upon the search for wise legislation in the voting rights field. The Senate said, "You must report this bill back by April 9." The Senate added, "It does not make any difference whether you have had adequate consideration of the bill; it does not make any difference whether you have given the States and the political subdivisions of the States to be affected by the bill an opportunity to present their side of the case by that day. So far as the Judiciary Committee is concerned, you will have reached the ultimate limit of the search for truth on April 9."

When the bill was brought before the committee, there appeared in the bill provisions which would have created new crimes and which would have subjected men to years of imprisonment and to exorbitant fines for such crimes without a single requirement in the bill that those men should have a criminal intent. For example, the bill contained a provision that no election official could alter or change any election record. Under that provision an official could not have changed an election record of any kind, even to make it speak the truth, if he found that a mistake had been made in tabulating the vote. In addition, there was a provision which would have made a State election official subject to imprisonment in a Federal penitentiary and to an exorbitant fine if he carried out the provision of the Constitution permitting the administration of the literacy test in an area to which the bill applied.

(At this point Mr. RUSSELL of South Carolina took the chair as Presiding Officer.)

Mr. ERVIN. Mr. President, also included in the bill was a provision under which, if an election record were destroyed by accident and without design the election official responsible for the accidental act could be sent to the penitentiary and subjected to an enormous fine.

As a result of those facts being pointed out during the course of the hearings, the bill was amended so as to require a criminal intent on the part of persons charged with crimes under the bill.

Another peculiar provision appeared in that bill. That provision was that if any person claimed that he had been denied the right to vote in an election, a suit could be brought to enjoin the certification of the results of that election; but the court could not decide the case in the first instance on the facts.

The court was bound to accept the allegation of the district attorney and issue an injunction against the certification of any of the election results.

The absurdity of that provision is evident from a consideration of the case of an election including candidates for the office of justice of the peace in a township as well as candidates for the governorship of a State. On the returns, a candidate for Governor may have had a 250,000 majority. Yet if one man made a protest that he had been denied the right to vote, even if his vote could not possibly have affected the result, the court would have had to issue an injunction at the request of the district attorney staying the certification of the results of the election in all respects.

Fortunately, that provision has been removed from the bill.

As I have said, the bill is a most peculiar piece of proposed legislation. We have reached a tragic state in this country. One hundred years after Appomattox, we have hysteria abroad in the land which, I regret to say, influences the action of public men. This perhaps would have been understandable 100 years ago; but is not understandable to me today.

In connection with the bill now before the Senate and other civil rights bills, we have suffered even a loss of our two-party system of government in the United States. Throughout the history of this Nation we have had the benefit of a two-party system of government. We have had one party in power in charge of administration; we have had another party out of power. Throughout its history, until the advent of modern so-called civil rights bills, this country enjoyed the blessings of a two-party system. Mr. President, that was a blessing of no mean proportions.

I make that statement because the party out of power rendered great service to our Nation by pointing out defects in the legislative proposals of the administration in power. That was a great service. We have a situation in respect to modern so-called civil rights bills in which we no longer have a two-party system. We have a situation in which both parties cosponsor bills of this nature. The majority leadership and the minority leadership in the Senate and in the House of Representatives are as alike as two peas in the same political pod. So we no longer have the benefit of two opposing parties fulfilling their respective roles. This is true because

when the leaders of the opposition party cosponsor an administration bill, they put themselves in a position in which they are not free to study and to point out the defects in the administration proposal. When that condition exists, the value of an opposition party to this country in large measure ceases.

The bill has many defects, but to my mind the overriding defect is that it degrades certain States and subdivisions of States to the point where they are denied fundamental rights which everyone, by common consent, would afford even to those charged with the foulest crimes against our Nation.

The bill gives me much concern. Such concern does not arise merely out of the fact that I have the honor to represent, in part, one of the States which are unjustly brought within the legislative condemnation that the bill visits, either totally or in part, upon seven States that used to be considered sovereign. I also have concern about the bill because I am an American who believes in the system of government ordained by our Constitution. I am concerned on that score because the bill indicates, according to my opinion, that love for the Constitution is dying in the hearts of many people in high places in the United States.

Judge Learned Hand said that when liberty dies in the hearts of the people, no constitution, no law, no court can save it. I say that when love for constitutional principles dies in the hearts of men in high places, the Constitution becomes a dead letter.

I said a moment ago that the bill degrades States and political subdivisions of States to the point where they have fewer rights than those charged with the foulest crimes known to our law. Actually, the bill puts 34 counties of North Carolina in a more degraded legal status than would be enjoyed by a person charged with selling our atomic secrets to the Soviet Union.

I wish to read amendment V and amendment VI of the Constitution for the purpose of showing that I am on solid ground when I say that the bill manifests a greater contempt for States and political subdivisions of States than our law manifests for a person charged with treason against this country. Amendment V reads as follows:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI reads as follows:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Under those constitutional provisions and the principles of the common law which they embody, a person charged with treason against the United States is presumed to be innocent until proven guilty. In that respect, he is accorded a privilege far above that accorded by the bill to certain States and political subdivisions of States. I say this because the bill creates an artificial formula under which seven States of the Union, either in whole or in part, are presumed to be guilty of violating the 15th amendment, and are compelled to prove their innocence in order to enjoy their constitutional prerogatives.

Under the provisions of the Constitution which I have read to the Senate, a person charged with treason against the United States must be tried in the district in which he is alleged to have committed the crime. Under the bill, the States and political subdivisions of States are condemned without a judicial trial and without evidence and are then denied access to every court on the face of the earth except the U.S. District Court for the District of Columbia.

Under the bill, every U.S. district judge exercising jurisdiction in the areas condemned by the bill is prohibited from acting in his judicial office in respect to any matter arising under the terms of the bill. I asked the Attorney General the reason for this provision. He gave the excuse that it was desired to have interpretations of the bill uniform; therefore, the U.S. District Court for the District of Columbia was chosen for this purpose.

With all due respect to the Attorney General, I say that that excuse is intellectual rubbish. I say that for the reason that there are eleven separate circuits in the United States in which courts sit for the interpretation and enforcement of Federal law. If the excuse given by the Attorney General for denying jurisdiction to all of the Federal judges who live in areas south of the Potomac River were valid, we should abolish the courts in the nine circuits because they raise many more opportunities for differences of opinion in the interpretation of the law.

There are only two circuit courts which sit in the area affected by the bill. The opportunity for confusion of decisions in those two courts is negligible in comparison with the room for confusion in decisions in the eleven circuit courts of the United States.

I submit that there are only two possible alternative inferences as to the reason which prompted the Department of Justice to insert the provision in the bill closing the courthouses and denying jurisdiction to Federal judges in the areas covered by the bill. The first inference is that the Department of Justice thinks that the judges in those areas are so lacking in judicial character that they are unable to make just judgments. The other is that the judges in those areas are not sufficiently subservient to the Department of Justice.

I find difficulty in the first of these inferences because all of the judges were approved originally by the Department of Justice. I assume that the Department of Justice would not have approved them if the Department of Justice did not believe they had sufficient judicial character to discharge the functions of their office.

Therefore, I am necessarily compelled to infer that the Department of Justice believes that southern judges might not be sufficiently subservient to its desires and might not agree with the premise upon which the Department of Justice rests this bill, that is, that discrimination rather than apathy or the lack of a two party system keeps voters at home on election day in some Southern States or counties.

I return for a moment to the proposition that the bill places the States and the political subdivisions of States covered by it on a lower plane, or a more degraded plane, if you please, than the Constitution of the United States places those charged with the foulest crimes against our Nation.

I say this because, as the sixth amendment declares, a person charged with a crime against the Federal Government is not only presumed to be innocent, and not only has the right to be tried in the district in which his crime is alleged to have been committed, but he has a right to compulsory process for securing the presence of witnesses in his behalf.

This bill, however, places the States and political subdivisions of States covered by its artificial formula on a lower procedural plane, or, if you please, a more degraded plane than those charged with the foulest of crimes.

I make this charge because under the Federal statute which would apply to the U.S. District Court for the District of Columbia in proceedings under the bill, the States or political subdivisions of States condemned by the bill would not have the benefit of any compulsory means for procuring the attendance of their witnesses. This is true because subpenas from the District Court of the District of Columbia would only run 100 miles outside the district. So, we have an astounding provision in the bill to the effect that all courts of justice in the land are closed against these States and political subdivisions of States except the District Court of the District of Columbia, and they are required to come to this court, not to answer a charge made against them by the Government, but to prove their innocence, notwithstanding the fact that they are denied any compulsory process for securing the presence of witnesses to testify in their behalf.

In some instances, these States and political subdivisions of States are located a thousand miles from the courthouse in which the District Courts of the District of Columbia sit.

We had a poet in North Carolina who was not well known to the Nation, but who merited being known to the Nation for his poems.

I refer to John Charles McNeill. In one of his poems he said:

> How teasing truth a thousand faces shows,
> as in a broken mirror, and what the father
> died for in the flames, his own son scorns
> as error.

I am moved to quote that portion of the poem of John Charles McNeill because of the fact that when Thomas Jefferson wrote the Declaration of Independence, he gave as one of the reasons why the Thirteen Colonies were justified in severing their political connection with the mother country, England, the fact that the American colonists had been transported beyond the seas for trial in England.

It is only a question of degree between transporting people beyond the seas for the purpose of trial and compelling the States, and their political subdivisions, and their election officials to journey a thousand miles to prove their innocence in the District Court of the District of Columbia.

Mr. President, there are six very serious objections to this bill.

The objections are as follows:

First, the passage of this bill is totally unnecessary, because there are statutes now already on the Federal statute books sufficient to secure registration and the right to vote to any qualified citizen of any race in any precinct in the United States.

Second, the bill is repugnant to the constitutional principle that the United States is a union of States with equal power and dignity.

Third, the bill condemns and subjects to punitive measures the entire States of Alabama, Georgia, Louisiana, Mississippi, and South Carolina, and many cities and counties in North Carolina and Virginia, without a judicial trial, and for this reason constitutes a bill of attainder, within the meaning of article I, section 9, clause 3 of the Constitution of the United States.

Fourth, the bill undertakes to nullify or suspend the constitutional power of seven States namely, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia, to establish and use literacy tests as qualifications for voting, and to change their laws relating to election procedures and voting qualifications.

Fifth, the bill prostitutes the judicial process in these respects:

It denies to the States and political subdivisions of States to which it applies access to all courts sitting anywhere in the United States except the United States District Court sitting in the District of Columbia. At the same time, it grants their adversary, the Attorney General, full liberty to proceed against them and their officials and citizens in any court he desires. Moreover, even in the only court open to them, the United States District Court for the District of Columbia, the States and political subdivisions of States to which the bill applies are subjected to specially created rules of evidence and procedure which rob them of the essentials of due process and the fundamentals of simple justice.

Sixth, the bill confers arbitrary and tyrannical power upon the Attorney General of the United States, and thus offends the principle that we have a government of laws and not of men.

Mr. President, I ask unanimous consent that my remarks of today will not be counted as a speech on my pending amendment, and that I may have the opportunity to resume a further exposition of my position at a later time, and have it and my remarks on this occasion counted as a single speech.

The PRESIDING OFFICER. Is there objection?

Mr. HART. Mr. President, reserving the right to object, the Senator from North Carolina has been very patient. He has been prepared to make this address throughout the day, and he is very gracious to accommodate the Chamber as he now proposes. I would hope, in view of the fact that he has begun his discussion, that he continue it tomorrow.

Mr. ERVIN. I am not certain, but I shall try to make arrangements to do so, because personally I would rather proceed with it. I must consult another Senator who is scheduled to proceed tomorrow.

Mr. HART. I hope we may, without interruption, be able to hear the discussion of the Senator from North Carolina.

Mr. President, I have no objection to the request.

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

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand adjourned until noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 35 minutes p.m.), the Senate adjourned until tomorrow, Tuesday, May 4, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 3, 1965:

U.S. MARSHAL

Joseph N. Tierney, of Illinois, to be U.S. Marshal for the Northern District of Illinois for the term of 4 years. He is now serving in this office under an appointment which expired April 13, 1965.

SECURITIES AND EXCHANGE COMMISSION

Hugh F. Owens, of Oklahoma, to be a member of the Securities and Exchange Commission for the term of 5 years expiring June 5, 1970; reappointment.

COMMERCE DEPARTMENT

Alan S. Boyd, of Florida, to be Under Secretary of Commerce for Transportation.

CIVIL AERONAUTICS BOARD

Charles S. Murphy, of Maryland, to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1968, vice Alan S. Boyd.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Wilbur J. Cohen, of Michigan, to be Under Secretary of Health, Education, and Welfare.

PEACE CORPS

Warren W. Wiggins, of Colorado, to be Deputy Director of the Peace Corps.

DEPARTMENT OF AGRICULTURE

John A. Schnittker, of Kansas, to be Under Secretary of Agriculture, vice Charles S. Murphy.

FOREIGN CLAIMS SETTLEMENT COMMISSION

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1964.

EXTENSIONS OF REMARKS

Results of Questionnaire Mailed by Hon. John F. Baldwin, of California, to Residents of the California 14th District

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. BALDWIN. Mr. Speaker, 3 months ago I mailed a questionnaire to practically every family of registered voters in the California 14th Congressional District. We have received a very heavy response to this questionnaire, and my office has been deluged with returned completed questionnaires and accompanying correspondence. Many citizens not only answered the questionnaire, but also wrote detailed comments on the bottom or back of it, or on supplementary sheets. I have spent many hours personally reading all of these comments, and they have been most helpful. I feel very strongly that a Congressman can better represent his constituents if he knows the views of his constituents on important issues pending before Congress, than if he makes no effort to ascertain these views.

The tabulation of the questionnaire has been completed, and the results are summarized below. This involves 29,220 questionnaires which were returned. This is more than the number of people who are contacted by the Gallup Poll when it takes nationwide polls.

1. The President has proposed that Congress pass legislation authorizing a hospital care program for people over 65 to be financed through an increase in social security withholding taxes. Would you favor this proposal? Yes, 12,304 (42.1 percent); no, 13,910 (47.6 percent); undecided, 3,006 (10.3 percent).

2. In both Indonesia and Egypt, U.S.-built libraries have been destroyed by mobs, and the dictators heading these countries have made strong anti-American statements. Do you believe the United States should continue to provide foreign aid to these two countries? Yes, 1,942 (6.6 percent); no, 25,133 (86 percent); undecided 2,145 (7.4 percent).

3. Would you favor the creation of a Redwoods National Park in northern California? Yes, 24,364 (83.4 percent); no, 2,538 (8.7 percent); undecided, 2,318 (7.9 percent).

4. A constitutional amendment is pending in Congress designed to offset last year's Supreme Court decision which held that both houses of a State legislature had to be apportioned according to population. This amendment would provide that one house of a State legislature should be apportioned according to population, but that the other house can be apportioned on some other basis, as determined by the people of the State. Would you favor this constitutional amendment? Yes, 17,611 (60.3 percent); no, 6,864 (23.5 percent); undecided, 4,745 (16.2 percent).

5. Do you believe that U.S. price supports on tobacco should be terminated? Yes, 20,706 (70.9 percent); no, 3,375 (11.6 percent); undecided, 5,139 (17.5 percent).

6. A constitutional amendment has been proposed to give the President the power, when there is no Vice President such as during last year, to appoint a Vice President subject to ratification of both Houses of Congress. Would you favor this constitutional amendment? Yes, 21,891 (74.9 percent); no, 5,609 (19.2 percent); undecided, 1,720 (5.9 percent).

7. Under section 14B of the Taft-Hartley Act, the individual States have the right to pass right-to-work laws to ban the compulsory union shop in those States. Twenty States have passed such laws. A bill has been introduced in Congress to repeal section 14B, thereby making it illegal for a State to pass a right-to-work law. Would you favor repeal of section 14B? Yes, 7,935 (27.2 percent); no, 18,615 (63.7 percent); undecided, 2,670 (9.1 percent).

8. Do you believe that the Federal budget for the next fiscal year should be a balanced budget? Yes, 21,447 (73.4 percent); no, 2,754 (9.4 percent); undecided, 5,019 (17.2 percent).

9. Do you believe that United Nations members who are 2 years delinquent in dues or special assessments should be deprived of the right to vote in the U.N. General Assembly as provided by the U.N. Charter? Yes, 26,353 (90.2 percent); no, 1,251 (4.3 percent); undecided, 1,616 (5.5 percent).

10. Do you believe the United States should sell surplus farm commodities to Soviet Russia and other Communist countries at subsidized prices which are lower than the prices at which U.S. consumers can buy these commodities? Yes, 3,062 (10.5 percent); no, 24,481 (83.8 percent); undecided, 1,677 (5.7 percent).

11. The AFL–CIO has proposed the enactment of legislation to increase the Federal minimum wage from $1.25 per hour to $2 per hour. Would you favor this proposal? Yes, 9,511 (32.6 percent); no, 16,606 (56.8 percent; undecided, 3,103 (10.6 percent).

12. Do you believe that a greater effort should be made, at all levels of government, to maintain law and order in our Nation? Yes, 27,006 (92.4 percent); no, 894 (3.1 percent); undecided 1,320 (4.5 percent).

13. Do you believe that admitted members of the Communist Party should be invited to be speakers at publicly operated universities and colleges in this country? Yes, 6,363 (21.8 percent); no, 20,751 (71 percent); undecided, 2,106 (7.2 percent).

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. JOHN C. KLUCZYNSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1965

Mr. KLUCZYNSKI. Mr. Speaker, for 174 years now all free people throughout the world, friends of Poland or those slightly connected with this great country, have been celebrating Poland's Constitution of May 3, 1791. Time and again we have discussed here on the floor of the House the merits of this great European charter as one of the most democratic constitutional documents ever drafted. Unfortunately, for well over a century, the people of Poland were unable to benefit from it, for as we all well know, the country was partitioned by three great powers: Russia, Prussia, and Austria. For barely 20 years of full independence, between the two Great Wars were the Polish people able to enjoy their freedom, their liberty, and their way of life, guaranteed them by this Constitution.

After 20 years of full liberty, the independent Polish nation was once again invaded. On the one hand bloodthirsty armies of Hitler's Third Reich crossed the Polish frontiers and within 1 month had the entire country in complete control, murdering or executing all opposition. On the other hand Hitler's allies, the Soviet Union, marched into Poland from the East and within 3 months of its occupation deported some 1½ million people, who were shipped to the farthest regions of the U.S.S.R. and put into the infamous slave labor camps. More than 14,000 Polish officers were massacred by the NKVD, and in the years that followed the Soviet occupation of Polish soil, some 2 million Poles disappeared, never to be accounted for, bringing the total of Poles slaughtered to some 7 million souls.

In July of this year the Polish puppet regime will loudly celebrate the 21st anniversary of Poland's "liberation," one of the most tragic events history has known. This Polish tragedy has no comparison, and some specific examples of how it came about and is maintained are worth keeping in mind.

On July 22, 1944, a handful of unknown people who called themselves the Committee of Liberation formed a new Polish Government in Lublin, backed up by Stalin's Red Army and the NKVD. The Polish Home Army was being liquidated, and a few unknown members of underground units who came into Poland with the Soviet army were made heroes overnight. Half of Poland was handed over to Stalin, and the deal was accepted by the three great powers. Alien to Poland, hordes of Communist Gauleiters took over the country, throwing into jail everyone who openly opposed the Soviet-inspired action.

Poland, which has only one party, the Communist Party, has its movements called PAX. Its leader, Stanislaw Piasecki, a prewar Fascist who headed the ultranationalist Falanga Party, leads today the pseudo-Catholic movement, the aim of which is to split the Polish Catholics and undermine them from within. Piasecki, who managed to split the Polish clergy by forming an anti-Vatican priesthood of the so-called patriotic priests, is the only Pole in Poland who manages to run his own free enterprise organization—profitmaking stores, small industry, and an export house known as "Inco," not to speak of a chain of the so-called Catholic press which fully supports the Red regime with all its criminal elements. None of the various PAX establishments pays any income tax. How this highly controversial character, who until 1939 advocated "a free-of-Jews Polish Nationalist Home," came back into a Communist-run country is no mystery to those who know a little about the workings of the Kremlin. After having been arrested by the NKVD, Piasecki, a highly intelligent individual, managed to convince Sverov, Beria's deputy, that his PAX movement would achieve the Soviet aim, to split the Poles. He was released and aided in getting back to Poland, where his power today is unlimited.

And now, the latest twist by the regime which calls itself a democracy: Last March the Wrocalaw Weekly, of the PAX group Catholics, published an interview with General Berling, chairman of the Polonia Committee, an organization aiming to bring closer ties with Poles abroad. Berling, asked by the correspondent about the tasks of the recently created Polonia Committee attached to the Union of Fighters for Freedom and Democracy, had this to say:

> The tasks are very important and very fundamental. We want to establish permanent contacts with the Polonia centers throughout the world. First of all, we would like to establish contacts with the Polish veterans organizations abroad. We would then enable our countrymen living abroad to become acquainted with the real life of Poland, with its great achievements and its great plans for the future.

The real scope of the Polonia Committee was shown by the following words:

> We would like to draw the Polonia into the all-national front of building up the prestige of our Fatherland and of maintaining vigilance against everything which threatens Poland with hostility. * * * We envisage the organization of common political activity aimed, for instance, at unmasking the revisionist drives of antipeace elements. * * * We shall organize celebrations of the national anniversaries of great historical events; care for the places where Polish blood was shed during the last war. We shall organize an exchange of periodicals and publications containing integral information, excursions, visits of emigre families to Poland, summer holidays in Poland for children from abroad, etc.

On the day of the 174th anniversary of the Polish Constitution of May 3, I would like to ask the chairman of the Polonia Committee whether his committee is going to celebrate this great day. I would like to ask him whether his committee will care for all the places where Polish blood was shed—will it include the Katyn Forest? I would like to ask why, in a recent visa application form issued by all Polish consulates, he has included the following question, which speaks for itself and understandably may give pause to emigree families hoping to visit Poland:

> In case of earlier permanent residency in Poland, give the last address, place of work, and position, when and on what grounds and by what documents the departure followed?

And finally, I would like to ask the chairman of the Polonia Committee whether he realizes that the hostility of

Poles abroad is directed, not against Poland, the Polish nation, and what the Poles stand for, but merely against a regime which has installed itself against the will of the people.

Until the chairman realizes that, his system is doomed to ultimate failure, for the day must and will come again when Poland will in truth be free.

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. FLOOD. Mr. Speaker, the Polish Constitution of May 3, 1791, is a very important document. Its adoption and promulgation marked a turning point in Poland's Central Government, and the date has become a Polish holiday.

The Polish people had the misfortune of losing a good part of their country late in the 1770's to their greedy neighbors. Certain Polish leaders felt that if they had a strong central government, capable of uniting all elements in the country and strengthening its fighting capacity, future calamities could be avoided. They were thoroughly dissatisfied with their absolutist, monarchial form of government. The king had too much power, and was incapable of using it effectively because of certain crippling defects in the old Diet—legislative assembly. The discontent was widespread among liberal leaders and also among the mass of the people. These liberal, democratic and patriotic leaders took upon themselves the task of drawing up a constitution which would improve, if not revolutionize, the Government of Poland. The result was the Constitution of May 3, 1791.

The Constitution drastically reduced the arbitrary powers of the king, and made Poland a constitutional monarchy. Heretofore the king could exercise his authority only through a council. The powers of the upper chamber were curtailed, and those of the popularly elected lower chamber were strengthened. The peasantry was freed from its bondage and placed under the protection of the law. Religious toleration was assured to all citizens, and freedom of speech was guaranteed. These features made the Constitution a democratic instrument and represented a great forward advance in popularizing the Government. It was hailed as such throughout the country, and even many liberal leaders abroad praised the Polish leaders.

On the 174th anniversary celebration of the Polish Constitution Day one can hardly overlook the 25th anniversary of the Katyn Forest massacre of many thousand Polish officers by their heartless captors early in the last war. Incidentally, in this connection, it is also worth recalling that this is the 20th anniversary of the Yalta agreement. Lastly, I would also like to stress the fact that almost 1,000 years ago, in the year 966, Poles adopted Christianity as their faith and founded the most powerful Christian power in eastern Europe. In taking note of all these occasions, I gladly join all friends of Poland and of freedom.

The 1965 Voting Rights Bill

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. PELLY. Mr. Speaker, it is my pleasure to write a weekly news column for a number of newspapers in my congressional district. I always try to write on a subject which is of current interest and certainly a most appropriate subject at this time would be the voting rights bill. Therefore, believing that the Members of the House and others would be interested in my views on this subject, I include in the RECORD the text of my column on this legislation:

CONGRESSMAN TOM PELLY SAYS REPUBLICANS OFFER A BETTER VOTING RIGHTS BILL

The importance of the role of the minority in Congress is shown in the Republican alternative voting rights bill. This Republican bill would apply wherever discrimination exists whereas the administration's bill would apply only to a limited number of States which employ literacy and other tests. The absolute exclusion of Texas from the coverage of this bill has been widely noted.

The Republican substitute bill would not penalize the innocent—the States and localities where discrimination does not exist. In contrast, the administration's bill would impose undue burdens on areas such as Alaska and parts of Maine where discrimination is known not to exist.

The Republican proposal is not limited by the straitjacket of an arbitrary percentage formula. The administration bill, on the other hand, would reach only those States and their subdivisions having literacy tests where less than 50 percent of its people registered or voted in the 1964 election. States or local communities coming within this arbitrary formula might or might not be practicing discrimination.

Under the Republican alternative, a Federal examiner would be appointed by the Civil Service Commission. When the Attorney General received 25 or more complaints from residents of a county alleging denial of the right to vote on account of race or color, the examiner would immediately determine if these persons were qualified to vote. Challenges by the State could be made to a Federal hearing officer, appointed by the Civil Service Commission, within 10 days, and the hearing officer would be required to render his decision 7 days thereafter.

Determination by the hearing officer that 25 or more persons were denied suffrage because of race or color would establish a pattern of discrimination. Immediately, thereafter, the Civil Service Commission would appoint such additional Federal examiners and hearing officers as necessary to register all other persons within the country subject to discrimination.

This minority bill provides that examiners shall disregard literacy test requirements for persons who possess a sixth grade education. But, Federal examiners under this bill would apply to all other persons a State's literacy test, provided it was fair and nondiscriminatory. In contrast, the administration's bill would require the complete elimination of literacy tests in a few States or their subdivisions, caught in its net, no matter how reasonable the tests or how fairly applied.

Our Republican bill would not overturn the constitutional principles by requiring States to establish their innocence whereas the administration's bill does do this by presuming a State or political subdivision, covered by the bill, guilty of discrimination until it receives from a Federal court in the District of Columbia a declaratory judgment that it has not violated the 15th amendment in even one instance in the past 10 years.

Our bill would not invalidate laws or ordinances of State and local government in contravention of established constitutional principles. The administration's bill on the other hand would require States and their political subdivisions, covered by the bill, to come to a Federal court for validation of their future laws and ordinances relating to voting requirements. Such is required by this administration bill even though the laws and ordinances of the State and local community have never been found to be discriminatory.

The minority Republican alternative proposal offers a constitutional, comprehensive, effective, speedy remedy for the evil of disenfranchisement of any citizen because of race or color. It would eliminate voter discrimination quickly and wherever it might exist.

So, as I say, this legislation point up the value of a responsible, constructive minority under our two party system. Nothing I have said, however, should indicate any real hope on my part that our minority viewpoint will prevail.

The majority party is riding high and is not asking for our help. So I fear our Republican contribution, in this case, will be limited to a role of writing a legislative record containing our alternative suggestions to improve a voting rights law and thereby bringing both sides of the issue to the attention of the American people.

Press Release by Senator Nelson

EXTENSION OF REMARKS
OF
HON. JOHN A. RACE
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. RACE. Mr. Speaker, Senator GAYLORD NELSON, Wisconsin's junior Senator and the Nation's outstanding champion of conservation ideas and programs, made an announcement today which I feel should be brought to the attention of all my colleagues in this body.

He announced that the Senate Appropriations Committee has approved five key budget requests which offer bright new hope for Great Lakes area conservation and resource development.

None of these five projects, involving a total of $15,144,400, was included in the budget bill reported by this body.

I wish to make known my agreement with Senator NELSON that these budget requests are absolutely vital.

The ultimate approval of these projects probably will rest with a Senate-House conference committee.

So that all my colleagues will be familiar with these new budget requests, I include Senator NELSON'S press release of today in the RECORD:

PRESS RELEASE BY SENATOR NELSON

Senator GAYLORD NELSON said Monday that the Senate Appropriations Committee had approved five key budget requests which offer "bright new hope for Great Lakes area conservation and resource development."

The committee voted for funds to expand the Forest Products Laboratory at Madison, bolster the Great Lakes fishing industry, finance Wisconsin water research, and buy a huge tract of lakes and recreational forest just over the State line.

"If these committee successes can be steered through the House of Representatives, we will have won a great victory for the Great Lakes region," NELSON said.

Senator NELSON, in letters to Senators and in appearances before subcommittees, had fought for the budget increases which he said were absolutely vital. Senator PROXMIRE and other Great Lakes Senators also backed the budget increases. The committee, of which Senator PROXMIRE is a member, granted every one of the requests.

They would:

1. Buy the Sylvania tract—18,000 acres of virgin forest and lakes in northern Michigan, bordering northeastern Wisconsin—for $6,099,400.

2. Clear the way for a big expansion of the Forest Products Laboratory several years hence by granting $190,000 for immediate planning.

3. Release $430,000 to help Great Lakes fishermen, hurt by the sea lamprey and last year's botulism disease scare.

4. Appropriate $5,600,000 to implement the Commercial Fisheries and Development Act of 1964, to finance research and disaster aid.

5. Appropriate $2,825,000 to finance the newly established "water resource research institute" at the University of Wisconsin and 36 other land-grant universities, as authorized but not financed last year.

These projects were not included in the budget bill as it came to the Senate from the House of Representatives.

NELSON said he was reasonably confident that the Senate as a whole would back up the Senate Appropriations Committee decision on all five. Then a fight must be made to win approval in a Senate-House conference committee, NELSON said.

Senator NELSON called the privately owned Sylvania tract "a midwestern Shangri-la." He said it would be a tragedy if the Federal Government did not seize the opportunity to buy it for long-range public enjoyment. The tract is in the estate of the late Larry Fisher, a multimillionaire, and is in danger of being subdivided and logged off.

The U.S. Forest Service proposes to make it a national recreation area. The area is dotted with crystal clear lakes and huge timber.

Senator NELSON had made a major fight on the Forest Products Laboratory item, noting that this $190,000 was the key to preserving carefully developed plans to double the Laboratory's staff of scientists.

In the last Congress, the Wisconsin Senators won final approval of a $4 million new wing on the Laboratory. Bids are now being taken and construction will start soon. Once that new wing is occupied, the present lab building must be extensively remodeled at a cost of $2,750,000. Then the development plan calls for construction of another $5.7 million wing.

This great expansion program, totaling almost $13 million, is to be completed by 1972, by which time the scientists' staff is to increase from 150 to 325.

NELSON felt it was crucial to win the $190,000 this year to keep Congress committed to the expansion timetable.

NELSON emphasized that the Forest Products Laboratory, the Nation's No. 1 research center for the industry, would play a major role in the development of Appalachia, the northern Great Lakes area, and other forested areas with economic problems. He also said it would help take up some of the slack caused by the phasing out of Truax Field Air Force Base at Madison.

When the Commercial Fisheries and Development Act was approved last year, $5.5 million was authorized. The 1966 budget, however, recommended only $2 million and the House added $2 million to this.

NELSON contended that a series of setbacks reduced the Great Lakes commercial fishing industry to the verge of bankruptcy.

Wisconsin would receive $24,500 to $4.9 million designated for research and development and States bordering on the Great Lakes would receive $468,700 under the revised appropriation. As recommended in the administration budget, Wisconsin would have received only $9,500 and the Great Lakes States $181,700.

The $430,000 approved for revitalizing Great Lakes fishing was less than the $1.43 million requested in a letter last week by NELSON, the Great Lakes Conference of Senators, and the Midwest Fisheries Council. The House, however, had refused to appropriate anything for this purpose.

The $2.8 million appropriation for water resource research institutes was approved by the committee early last week and then passed by the Senate.

The money would allow 37 centers to be established and thus fulfill the goal of a research center at a land-grant college or university in each of the 50 States and Puerto Rico.

The House had cut $855,000, which would have prohibited establishment of a center in each State. Centers have already been established in 14 States.

The University of Wisconsin Center will bring together and improve the existing programs for research, publication, and education in the field of water resources.

This Is What I Firmly Believe

EXTENSION OF REMARKS
OF
HON. ROBERT E. SWEENEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. SWEENEY. Mr. Speaker, Mr. George P. Smith, of the Cuyahoga River Reclamation Commission, Cuyahoga Falls, Ohio, is one of the most sincere and devoted conservationists of the Nation. John Smith has spent a lifetime of effort in attempting to arrest the pollution of our streams and waterways located in the Buckeye State.

Recently, Mr. Smith has authored the following lines entitled "This Is What I Firmly Believe." It is certainly indicative of the zeal of George P. Smith in the entire subject of water pollution, and sums up most appropriately America's needs to beautify and to conserve in a bit of thoughtful prose.

THIS IS WHAT I FIRMLY BELIEVE

Man in his thoughtlessness,
Man in his unfairness to God,
Man in his ungratefulness to God,
Man in his greediness, is killing what God has given him, and if not stopped, will kill himself.

The elimination of pollution of our waterways is so very, very vital, that it means the survival of man, animal, fish, bird, and vegetation.

"Top Typical Teen": Miss Mary Jo Smith, of Coolidge, Ga.

EXTENSION OF REMARKS
OF
HON. MASTON O'NEAL
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. O'NEAL of Georgia. Mr. Speaker, surely every Member of this House has wished at some time that our CONGRESSIONAL RECORD was equipped to reproduce photographs.

Were it possible I would offer to you today the smiling countenance of the "Top Typical Teen" of last week's National 4–H Conference.

She is Miss Mary Jo Smith, of Coolidge, Ga., in Thomas County. Pridefully I report that this is in the Second District of Georgia.

Seventeen magazine, assisted by cooperative extension service leaders, picked her to represent 2¼ million fine boys and girls. She was presented at the National 4–H Conference General Assembly here on Wednesday night.

This lovely young high school senior was selected for her exceptional 4–H leadership and citizenship achievements; her church, school, and community activities, and her personal charm and poise. She will be featured this fall in an illustrated article by Seventeen in its auxiliary publication, Seventeen at School.

Mary Jo was among 235 delegates in Washington from 50 States, Puerto Rico and Canada who participated in assemblies and group discussions at the 4–H center and also enjoyed the many wonders of our Nation's Capitol City.

In Georgia, Mary Jo lives with her parents, Mr. and Mrs. Franklin I. Smith on an 850-acre crop-beef-dairy farm and attends high school at nearby Thomasville. In this latter city, famous over many years for its annual Rose Show, Mary Jo reigned the previous week as queen of the festival. She also is now State 4–H council president, and Dr. Tommy Walton, the State leader, says she is an excellent one. "In 1963 she helped us lead a 4–H people-to-people goodwill tour of several European countries," he said.

Mary Jo and the other Georgia delegates to the General Assembly had a great time here in Washington last week. They are Linda Grace Smith of Fort Gaines, Kenneth Gordon of Hogansville, and John H. Newell, Jr., of Whitesburg.

Mr. Speaker, may I be pardoned for also pointing with pride that Linda Grace is also from my district?

These fine young people were also accompanied to Washington by district leaders Gene Grimes of Tifton and Roger Carr of Watkinsville.

They met Mrs. Lyndon B. Johnson at the White House. Later Mary Jo enjoyed sighting with Miss Connie Freeman,

daughter of Secretary of Agriculture Orville Freeman. She also introduced a fellow Georgian, Secretary of State Dean Rusk to the General Assembly and appeared on several television shows.

It is a pleasure, Mr. Speaker, to recognize the wonderful accomplishments of these great young Americans. How refreshing to compare them with the kooks and beatniks.

Monsignor Cyril Anid

EXTENSION OF REMARKS
OF
HON. CHARLES S. JOELSON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. JOELSON. Mr. Speaker, on Sunday, May 9, 1965, the Right Reverend Archimandrite Cyril Anid, pastor of St. Ann's Melkite Rite Church, will be honored on his retirement at a testimonial dinner.

Monsignor Anid was born in Bierut, Lebanon, in 1885, and underwent seminary training at the Seminary of St. Ann in Jerusalem. He was ordained into the priesthood on September 14, 1911. He remained at St. Ann's Seminary, where he served as a professor of Greek and Arabic languages. At the outbreak of World War I, the seminary was forced to close its doors for political reasons. He returned to Bierut, where he assisted in school and parish work.

In December 1919, while visiting his family in New York City, he was urged by the Syrian Catholics of Paterson to render spiritual services to them. The following year, with the approval of the Sacred Congregation for the Oriental Church in Rome, Monsignor Anid was assigned to minister to the needs of this growing community. Masses were at first held in the chapel of the Church of St. John the Baptist and later in the basement of St. Michael's Church.

With the acquisition of property on Marshall Street, Monsignor Anid was instrumental in the construction of St. Ann's Church in 1922, a church constructed in the Byzantine architectural design. Under his tutorage, a parish hall was constructed adjacent to the church in 1947, for use as a social center. A rectory was constructed in 1963.

The Most Reverend James J. Navagh, DD., bishop of Paterson, heads the list of dignitaries from around the world who will be there to pay tribute to Monsignor Anid.

Honorary chairmen are Rev. Maxim Chalhoub, the new pastor, and his assistant, Rev. Albert Gorayeb. General chairmen are Charles Ablahani and George Dipsey.

I personally have come to respect and revere this kindly and warm man. His friendliness to all and his good cheer have been unfailing. Combining humanitarianism with wisdom, he has been a guiding light for many.

I am sure that I represent the entire community when I wish Msgr. Cyril Anid many years of good health and contentment in his retirement. We pray that his years will be golden ones.

Israel Independence Day

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mrs. KELLY. Mr. Speaker, it is a distinct pleasure for me to pay tribute to that little nation in the Middle East—Israel. Its struggle for existence will continue and its fight for recognition will continue with the help of the people of the United States. Israel is a firm ally of the free world in that region of the world, the Middle East. She can be depended upon and her independence must be assured. I know you do not need to be told of the marvelous progress which the hard work, dedication, and zeal of the Jews in Israel has accomplished in the relatively short period of time since independence. Let me, therefore, speak briefly on the relations which have existed between Israel and the United States in that same span of time.

We are all aware of the great interest which has been demonstrated by Americans for Israel and its growth and development. From the moment when then-President Harry S. Truman recognized the newly formed nation with the 2,000 years of history behind it, to the present day when the programs of technical cooperation between the two countries have progressed toward the frontiers of knowledge itself, the record has been a happy and beneficial one.

As Americans who have assisted the economy and development of this brave country in the hope that it would become a substantial and progressive member of the family of nations, let me say that the achievements of Israel in this sphere have been nothing short of miraculous. Our economic aid and technical assistance, totaling $1,024.4 million, has been small in comparison to the constructive uses to which it has been put, and Israel's noteworthy achievements are a shining example of what responsible leadership and intelligent planning can do with such help. If only other countries would follow Israel's lead.

I do not believe that it is an exaggeration to say that American-Israeli friendship and cooperation will continue to expand into new areas. And, that both nations will benefit from such cooperation. Take just one recent example: the agreement for mutual research into the problem of large-scale water desalinization. While it is evident to everyone that Israel sorely needs new water resources, and that the successful outcome of these programs will be of great benefit to Israel, consider also the benefits which will accrue to the United States and the world. Here in this country, for so long the land of unlimited resources, we are beginning to feel the pinch of limited fresh water supplies. We also have extensive areas of land which could be cultivated if there were abundant sweet water. So it is that both Israel and the United States can, and will, benefit from mutual programs for developing economical processes for desalinating sea water which we in the United States have only recently begun.

This is only one brief, although important, example of what I mean. But it is a concrete demonstration of the good relations which exist between Israel and the United States, and a marvelous omen for the future.

A Basic American Right: The Right To Work

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. BERRY. Mr. Speaker, I have asked unanimous consent to insert in the RECORD a parody on the President's speech when applied to the principle of the right to work and the repeal of section 14–B of the Taft-Hartley Act.

On that basis the President said, in part:

I speak tonight for the dignity of man and the destiny of democracy. * * * There, long suffering men and women peacefully protested the denial of their rights as Americans. * * * There is no cause for self-satisfaction in the long denial of equal rights for millions of Americans. * * * For with a country as with a person, "What is a man profited, if he shall gain the whole world and lose his own soul." * * * Those words are a promise to every citizen that he shall share in the dignity of man.

The President went on to say:

This dignity cannot be found in man's possessions or his power or his position. It rests on his right to be treated as a man equal in opportunity to all others. It says he shall share in freedom, choose his leaders, educate his children, provide for his family according to his ability and his merits as a human being.

Not according to his membership in a union.

To apply any other test—to deny a man his hopes—

His job—

because of his color or race, his religion, or the place of his birth—

Or because of nonmembership in a union—

is not only to do injustice, it is to deny America and to dishonor the dead who gave their lives for freedom. * * * Yet the harsh fact is that in many places in this country men and women are kept from voting—

Working—

because they are Negro—

Not union.

Yes; it seems that the principles expressed in President Johnson's eloquent plea for voting rights retain the same in-

tegrity and may be identically applied to another basic American right—the right to work.

Chaplain William H. Bucklew

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. DORN. Mr. Speaker, Dr. William Henry Bucklew, national chaplain for the Veterans of Foreign Wars, is rendering our country outstanding service. As a member of the Committee on Veterans' Affairs for more than 14 years it has been my pleasure to know many of the great leaders of our veterans organizations. I have never known a more dedicated, devoted, and dynamic patriot than Chaplain Bucklew.

Mr. Speaker, one of the finest things about Dr. Bucklew is that he is a constituent of our beloved and esteemed vice chairman of the Rules Committee, Hon. WILLIAM M. COLMER. Our Committee on Veterans' Affairs has always received a warm welcome and attentive ear to veterans needs and problems from Mr. COLMER. The veteran, his family, the widow, and orphan of America have never had a better friend or one more sympathetic and understanding than "BILL" COLMER.

Mr. Speaker, Henry Bucklew, the son of an uneducated sawmill hand and tenant farmer, the fourth of eight children, was born April 10, 1925, in a campcar in the sawmill town of Maxie, Miss., in Forrest County. His family later moved to Sumrall in Lamar County and when he was 2 years old, again moved near Seminary in Covington County, where, in the sawbriars, and sandy new ground of Okotoma swamps and the red clay chinquapin hills, he grew up, knowing the extreme poverty of farm life.

The Bucklews have also lived in Hinds and Rankin Counties. He now lives in Laurel, Miss., Jones County.

Dr. Bucklew, age 40, is married to the former Euna Fern Varner of Laurel, Miss. They have two lovely daughters, Cheryl Darlene, age 13, and Twyla Renae, age 9.

He completed high school at Seminary High School; attended Jones County Junior College, Ellisville, Miss., Texas State Teachers College, Huntsville, Tex., and graduated from Mississippi College, Clinton and Jackson's School of Law, Jackson, Miss. He holds two honorary degrees: Doctor of divinity and doctor of literature.

He is a most active Mason and Shriner, having served in several offices in upper masonic bodies in Laurel, including illustrious master of the council and a past officer of Hamasa Shrine Temple.

He is an officer in the local, district and State organization of the Veterans of Foreign Wars and has been actively serving in this organization since his discharge from oversea duty in World War II. He has served 17 years as post chaplain, 10 years State chaplain, and 7 years chaplain of the 14 State Southern Conference.

Dr. Bucklew was elected without opposition, as chaplain for the 1,300,000 member Veterans of Foreign Wars organization in Cleveland, Ohio, last August. He is the first Mississippian to receive this high honor and is presently called on, all over the Nation, as speaker in his duties as chaplain.

He is a member and past officer in the Lions, American Legion, Moose, Woodmen of the World, member of the PTA, past Jaycee, Overseas Veteran of World War II, Odd Fellows, Sportsman Club, and Dixie Golf Association.

He is a Baptist and Sunday school teacher, farmer, and newspaper owner and editor.

He is a most active civic leader and during the past years has worked with the Boy Scouts, Red Cross, polio, heart, and cancer drives and has served on several committees of the Jaycees and other civic and fraternal organizations.

He raised $3,300 for the Retail Merchants Association of Laurel, to provide the first permanent Christmas lights for the city. This amount was raised in 10 days.

He helped build and served as one of the directors of Laurel's first youth center.

He served on the board of directors for the National Association for Boys' Homes for 2 years.

He planned, organized, led in construction and served as first president of the Dixie Golf Association, new 9-hole 80-acre development for golfers in the Laurel area. The course has been appraised for $125,000. It cost members less than $15,000.

He is a former first vice president of the National Evangelists Association.

The Southern Baptist News which he owns and serves as editor, has a national circulation.

He has authored three books, his latest being "Your Daily Dozen Spiritual Vitamins." One of his addresses has a printed circulation of more than 800,000 copies.

He served under the late Governor Fielding Wright as vice chairman of the State's Displaced Persons Commission.

Henry received over 50,000 votes for Lieutenant Governor of Mississippi in 1959 in his first offer for public service.

Dr. Bucklew received the Most Distinguished Citizen Award for 1960 by the State organization of the Veterans of Foreign Wars on behalf of his service above and beyond the call of duty as founder and director of Magnolia Boys' Town.

He was again honored by the Mississippi Veterans of Foreign Wars in 1962 and received the State's Humanitarian Award in recognition of his having conducted over 100 military funerals for veterans in south Mississippi.

He received the VFW Literary Achievement. He received this award for the best book published by a Mississippian in 1963.

He is a member of the Speaker's Bureau of the State Sovereignty Commission.

Mr. Paul Harvey quoted one of Dr. Bucklew's prayers during the year on his coast-to-coast news program.

In recognition of his dedicated service to the youth of our State, Henry was appointed by Gov. Ross Barnett to the Youth Committee of the Mississippi A. & I. Board.

The mayor of Laurel has appointed Henry the active chairman of the Jones County Civil War Centennial from 1961 to 1965.

Henry has gained nationwide attention and honors in founding Magnolia Boys' Town, Boys Home in Mississippi and the Deep South for boys who were rejected, neglected, and in some cases unwanted and unloved. His dream is now a living reality with assets of more than $225,000 but, more than fixed assets, 263 boys have been given a home, religious training of their choice, an education, recreation, and most of all, the feeling they are wanted and loved. Thanks to Dr. Bucklew and the many thousands who have shared his dream, these boys now have a fair chance to grow up as mature men, useful citizens, and happy, loyal Americans. Buck has not received any salary for his full-time services in this work. Service to God by helping others, is his creed. "A good name is rather to be chosen than great riches and loving favor rather than silver or gold"—Proverbs 22: 1—is his motto.

He is a young Christian statesman with an outstanding record of achievement, who has earned the right because of his proven ability and service to God and his fellow men, to be heard, respected, and remembered.

Greetings to a Statesman

EXTENSION OF REMARKS
OF
HON. WILLIAM T. MURPHY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. MURPHY of Illinois. Mr. Speaker, on April 28, 83 years ago, a great American and statesman was born, our colleague and my very dear friend, the gentleman from Illinois, BARRATT O'HARA. BARRATT O'HARA was the youngest Lieutenant Governor of the State of Illinois, at the age of 30, in the administration of Gov. Edward F. Dunne.

BARRATT O'HARA has distinguished himself as an editor and radio commentator. He is not only a veteran of World War I but the only Spanish-American War veteran currently serving in the Congress of the United States.

Mr. O'HARA has given to the Nation invaluable service as a legislator. He is one of the most voluble men I have ever known. His eloquence, his nobility, humility, and idealism constitute an example and an inspiration to his colleagues. His alert mind and his heart are big, and his friendship is truly a thing that I shall always treasure.

It has been my privilege to be a member of the Subcommittee on Africa of

the House Foreign Affairs Committee under the chairmanship of Congressman BARRATT O'HARA, and the impact of Chairman O'HARA'S wisdom, judgment, and legislative talents in behalf of Africa will undoubtedly continue to grow from strength to greater strength.

Congratulations, BARRATT, and I pray and hope you will continue to serve this great body for many more years to come.

Address by Postmaster General Gronouski to Polish Constitution Day Rally in Jersey City, N.J.

EXTENSION OF REMARKS
OF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1965

Mr. DANIELS. Mr. Speaker, today, May 3, 1965, is a great day for Jersey City and particularly for those of my fellow citizens of Polish extraction as we celebrate the 174th anniversary of the Polish Constitution of 1791.

The day, which is always one of the great events of the year in Jersey City, was highlighted by the presence of the Honorable John A. Gronouski, the Postmaster General of the United States.

It is a high privilege and great honor to include in the RECORD the remarks of Postmaster General Gronouski which were delivered at ceremonies held in Jersey City in front of the Hudson County Administration Building.

Mr. Gronouski's remarks follow:

ADDRESS BY JOHN A. GRONOUSKI, POSTMASTER GENERAL, AT THE POLISH CONSTITUTION DAY RALLY, ADMINISTRATION BUILDING, JERSEY CITY, N.J., MAY 3, 1965

I am honored to be here today on the anniversary of the great Polish Constitution of 1791.

I feel this is a kind of homecoming for me.

Besides the obvious importance of the occasion, I feel a sense of real kinship with the Polish-American citizens of Jersey City. It was my honor, last October, to act as guest of honor of the Pulaski Day parade in New York City, and I want to tell you that yours was one of the finest contingents of the day.

And so I am pleased to meet with you once again.

Thomas Jefferson, the author of the Declaration of Independence, once wrote: "The disease of liberty is catching. I think it is catching in our time, and I want it to spread the world over. Our function is to maintain its vitality here, maintain our example here, so that as it starts to spread throughout the world, we will be the nucleus of a great army of people the globe around who desire to follow the same road we follow."

Only a few years later, on May 3, 1791, the Polish people adopted a Constitution of their own, one of the early efforts by any European nation to establish the principles of justice and self-rule. The keystone of that Polish Constitution was a clause which read: "All power in civic society should be derived from the will of the people, its end and object being the preservation and integrity of the State, the civil liberty, and the good order of society on an equal scale and on a lasting foundation."

Under this Constitution, many class distinctions were eliminated. Personal privileges were extended to most of the people. Peasants were placed under the protection of the law. And the policies toward the serfs were liberalized to an extent greater than any that then prevailed on the European Continent.

But as revolutionary as these concepts were, they were consistent with the Polish tradition. Poland, for centuries, was the rampart of civilization. She had defended the Christian culture against the barbarians. And she had fought side by side with all the defenders of freedom.

As the eastern outpost of western civilization for hundreds of years, she has withstood the onslaught of the barbaric hordes, and as Europe emerged from the Dark Ages, led it to Christianity, culture and political development.

And then, on this date, 174 years ago, the patriots of Poland brought this tradition to a climax by adopting a constitution. They stirred the hopes of the entire European Continent with these heroic words: "Free from the disgraceful shackles of foreign influence; prizing more than life, and every personal consideration, the political existence, external independence and internal liberty of the nation whose care is entrusted to us * * * we do solemnly establish the present Constitution."

It is no accident that this great Polish document was written only 4 years after the American Constitution, or that they were so similar in content and spirit. The "disease of liberty" of which Thomas Jefferson spoke was indeed catching. The same spark of freedom that ignited into the American Revolution burned no less brightly in the hearts of the Polish people. Our Revolution was theirs, and to these shores came two of the greatest champions of liberty the world has ever known—Casimir Pulaski and Thaddeus Kosciuszko. Pulaski expressed the spirit of freemen in words that will ring forever in history: "Wherever on the globe men are fighting for liberty, it is as if it were our own affair." He gave his life in witness of that conviction.

The rest is history: a triumph for America—tragedy for Poland. Today, after nearly 2 centuries of struggle, of invasion, of foreign domination, of partition—and always of bravery—the Polish people still are striving for national independence. But the spark of freedom remains.

And the role of the United States remains the same as Jefferson conceived it—to maintain the vitality of freedom here at home and, by example, help spread it throughout the world. If anything, this responsibility is greater now than at any time in our history.

Today, we have an opportunity here in the United States to redress a wrong in the name of liberty—and in the spirit of the Polish Constitution. And that is to strike the disgraceful national quotas system from our immigration laws.

Throughout our history, this Nation has occupied a unique position in the minds of people the world over. For here was sanctuary for the oppressed. Here people could come and worship as they pleased. Here people could come to escape the chains of tyranny. Here people could come to opportunities undreamed of in their native lands. In short, here people could come and be free.

But the sad fact is that today, many cannot come and they do not understand why. And neither do I.

I do not understand why a person from England, regardless of his qualifications, is 12 times more acceptable to us than a person from Italy, and 9 times more acceptable than one from Poland. But that is indeed the case. Since 1924, our immigration law has been based on a system which allows 25,000 immigrants from Germany every year, but only 120 from Spain; 60,000 from England, but only 3,000 from Greece. And the stated purpose of that law is to preserve the racial and ethnic composition of the population of the United States.

This is a national disgrace: a humiliating and cruel policy that this administration intends to correct.

It is humiliating because it discriminates against the individual and treats him as part of a mass. It judges men and women not on the basis of their worth but on their place of birth—and even, in some cases the place of birth of their ancestors.

What kind of policy is this for a land which takes its name after Amerigo Vespucci? What kind of fairness does this reflect for generations of Americans who came here from Italy in the spirit expressed by Americans like Philip Mazzei, in words later adopted by his friend Thomas Jefferson, that "All men are by nature created free and equal to each other in natural rights"?

What kind of humanity does this demonstrate to our millions of citizens of Polish and Italian descent, whose continued contribution to our common country is evidenced simply by a rollcall of the Medal of Honor winners, or of political or economic or scientific leaders like Senator MUSKIE, Senator PASTORE, or Enrico Fermi or A. P. Giannini, or Jan Paderewski?

This is to say nothing of the heartbreak caused by such policies. The sad fact is that the current system separates families coldly and arbitrarily. It keeps parents from children and brothers from sisters for years—and even decades.

For too long we have perpetuated a discriminatory and senseless policy against immigrants of many nations, and what makes it even worse is the fact that we have been the losers as much as they. By placing the major emphasis on ethnic background, rather than skills, we have been depriving our society and our industrial complex of a fresh source of talent. We have, in effect, been discriminating against ourselves. As President Lyndon B. Johnson has said, "In establishing preferences, a nation built by the immigrants of all lands can ask those who now seek admission: 'What can you do for our country?' But we should not be asking: 'In what country were you born?' "

President Johnson now seeks to reestablish basic democratic principles in our Nation's immigration policies. In his message to Congress outlining the changes needed in our laws dealing with immigration, the President has made clear the administration's resolve to eliminate the national origins quota system which defies the basic ideals of the American tradition.

The President's bill has one objective: to insure that immigration to the United States is accomplished under a system that is just, humane, and in the best interests of all the American people.

This bill is just. It would admit immigrants on the basis of their special skills and knowledge which would make their citizenship advantageous to the Nation. It would bring to America new scientists, scholars, engineers, doctors, and technicians—all of whom would significantly contribute to our national advancement.

This bill is humane. It would give preference to immigrants who are close relatives of American citizens and permanent residents and establish a policy of reuniting families. Under this bill, parents of American citizens could obtain admission to our shores without waiting for a quota number.

This bill is in the best interests of the American people. It would not remove existing laws and safeguards against the admission of undesirables or permit excessive and unregulated immigration.

The main thrust of this bill is aimed at the discriminatory system of national origins quotas. We are, in the truest sense, a nation of immigrants. And we cannot uphold

our basic objectives of freedom by denying citizenship to some on the basis of geography or ethnic origins.

President Johnson has asked the Congress to reform the inequities of our current system of immigration. By so doing, he has proposed a bill that will strengthen our national purpose and sense of justice.

Four Presidents have called attention to the serious defects in our immigration laws. President Johnson has presented a bill which will eliminate a blight on our national honor and restore dignity and fairness to our policies on immigration.

A nation which has taken upon itself the task of spreading freedom throughout the world, by example, can afford nothing less. Nor can we, as the spiritual heirs of the great Polish Constitution of 1791, accept anything less.

Thank you.

Report to Massachusetts: Optimism for New England and Its Future

EXTENSION OF REMARKS
OF
HON. F. BRADFORD MORSE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. MORSE. Mr. Speaker, early in April, seven Republican Members of the House introduced legislation to provide a New England Regional Development Commission. The purpose of the Commission would be to conduct a complete study of the region's resources, needs, and institutions for future growth.

I was delighted to read that last week the distinguished Senator from Massachusetts, Senator SALTONSTALL, testified before the Senate Committee on Public Works on behalf of such a commission. Senator SALTONSTALL pointed out the tremendous potential for growth in New England, but the tendency of recent years for the region to lag behind in terms of new investment and new employment.

The Senator's declaration of the need for regional planning in New England is an important one. I ask unanimous consent to include in the CONGRESSIONAL RECORD the text of the Senator's report to Massachusetts in which he reported on his Public Works Committee testimony:

REPORT TO MASSACHUSETTS: OPTIMISM FOR NEW ENGLAND AND ITS FUTURE

(By U.S. Senator LEVERETT SALTONSTALL, of Massachusetts)

Last Tuesday, I testified before the U.S. Senate Committee on Public Works to point out the need for establishing a New England Regional Development Commission to help our economy in Massachusetts and New England.

I think that such a regional development commission should be composed of a representative from each of the New England States and one from the Federal Government. Its purpose would be to study the economy of our Commonwealth and region in order to come up with a program for New England economic growth and development.

The economy of Massachusetts and the rest of New England is at a crossroads. We can regard it as a benefit as well as a burden that our area is the oldest industrial section of the United States. As the oldest, New England possesses a fine base of industrial and business development. It has an abundance of skilled workers with the know-how to perform the highly technical work necessary in our complex economy. We have seen this ability applied in the development of our fine electronics industry. We have been helped economically by growth among the service industries, construction, trade and government, as well as the finance, insurance and real estate businesses. In 1964, these industries helped create record employment highs.

We in Massachusetts and throughout New England have the finest educational institutions in the country. They are the sources of new and imaginative ideas and provide the talent necessary for our future development. I hesitate to name these educational institutions for fear of hurting anyone's feelings. But, I am a Harvard rooter of long standing.

Yet, in spite of these advantages, our economy is also burdened by age. Many of our plants and equipment are old and outdated. Too often in the past we have failed to adapt as quickly as we might to the changing needs of our economy. Our failure to do this has resulted in a loss of markets for our products because of the difficulty in changing over machinery and equipment.

Statistics show that this condition has contributed to a generally lagging economic growth in Massachusetts and New England, compared to other sections of the country. Since 1940 we all know that there has been a substantial national redistribution of economic activity. Between 1940 and 1960, employment in the Far West more than doubled; in the Southwest and Rocky Mountain States, employment increased approximately two-thirds. Compared to these figures, there was only a one-third increase in New England.

In 1962, Massachusetts ranked ninth among the 14 leading industrial States, the same position held in 1959. However, Texas, No. 10, with a higher rate of growth, threatens to displace Massachusetts in the future. While Massachusetts growth in manufacturing was higher than the national average, it was lower than 7 of the other 13 leading industrial States. During this period, Massachusetts was second to Maine among the New England States in manufacturing growth.

From 1953 to 1962, Massachusetts ranked 10th in the Nation for manufacturers' expenditures for new plants and equipment. While Massachusetts ranked first in New England for such expenditures, New England ranked sixth out of nine national geographic regions. This comparison emphasizes the need for stimulating our growth.

Between 1960 and 1963 our State was the eighth largest in the Nation in terms of manufacturing employment; nevertheless, it had the greatest decrease in such employment among the 14 leading industrial States. During this time, only Connecticut among the New England States showed an increase, and this came largely from the airplane industry.

Now turning to business growth figures, we see that Massachusetts and New England have also lagged. Between 1958 and 1963, Massachusetts had a 19.8-percent increase in wholesale trade establishments. New England had a 22-percent increase, but along with two other regions, this was the lowest percentage increase among the nine regions of the United States.

Between 1958 and 1963, Massachusetts had a 19-percent increase in retail sales. This placed us first among the New England States. However, New England ranked seventh among the nine national geographic regions.

These figures show how important it is for us in Massachusetts and New England to make a study of our economy. We must first recognize the problem before we attempt its solution. This is a "must" if we are to develop an intelligent, workable plan for future economic growth and development of our whole area.

Legislation is pending in Congress to set up regional development commissions and establish a program of economic assistance. Let us work in a united way to get legislation that will help us the most.

The economic interests and many of the problems of Massachusetts and the other New England States are not the same. But, there are more similarities than differences. I am strongly of the opinion that our combined efforts are necessary to study, evaluate and solve these problems.

We New Englanders face different problems than those of the Appalachia region of the United States which was, as you remember, the subject of economic assistance legislation during the present session of Congress. A regional development commission will be aware of these differences. Attention can be given to our recreation, research and service industries to determine how these expanding industries can be more helpful in providing economic growth.

A thoughtful commission will be helpful in considering the problems which currently face our textile, rubber and shoe industries. Changing patterns of defense business, along with the entire problem of defense conversion present a challenge for careful examination. Ways must be developed if we are to improve our economy through selected urban development, education, and transportation programs.

I am, like you, optimistic about the future for Massachusetts and New England. Look at what has been done in Boston. The new Prudential Center, the West End redevelopment project and the Government center have already had a considerable impact upon business expansion.

The economic interests of Massachusetts and the other New England States are tied together. An improved economy in one can mean expanded markets for the others. Through joint planning efforts on the part of all our New England States, manufacturing and business enterprises can be improved and expanded. New enterprises will be attracted to Massachusetts and New England.

I believe that for the regional development commission to be most effective, it should make its reports available to the respective New England Governors, the appropriate committees of the Congress as well as to Federal officials. In this way, the findings, conclusions and recommendations of the commission will be available to national and State officials who are able to recommend legislation in the Congress or respective States. This will insure full use being made of the commission reports.

I hope that legislation will pass the Congress this year which will result in a realistic and beneficial program of economic assistance for all New England.

Agate Fossils Beds National Monument

EXTENSION OF REMARKS
OF
HON. CLAIR CALLAN
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. CALLAN. Mr. Speaker, it gives me a great deal of pleasure today to know that the House has passed legislation which will result in the establishment of

the Agate Fossils Beds National Monument.

This action will insure the preservation of some of the outstanding paleontological sites known to man. Examples of Miocene animal life will be preserved for future generations. Mr. Speaker, we must know much about ourselves from studying our past and I know that this area in my State of Nebraska will be available to add to our ever increasing store of knowledge of our history.

I want to congratulate those who have worked so hard and given so much of their time and energy to preserving this site for us including the two generations of the Cook family and Father Robert O'Neill.

I testified for this bill before the National Parks and Recreation Committee of this House and am happy that the House acted to preserve our history.

Vice President Honors Gov. Frank Morrison and Dr. Abe Greenberg at National Conference of Christians and Jews

EXTENSION OF REMARKS
OF
HON. CLAIR CALLAN
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. CALLAN. Mr. Speaker, it was 20 years ago this week that we witnessed the end of World War II in Europe. This war bears testimony to man's inhumanity to man. The calculated and systematic destruction of countries, races, and nationalities passes all understanding of peaceloving people. We have resolved that never again shall such destruction be brought upon the face of this earth and to this end have created the United Nations.

The U.N. alone cannot prevent man's barbarous acts to each other. Each of us must in our own way fight hatred, injustice, and prejudice wherever possible. To do this people have joined together in organizations to foster brotherhood. The National Conference of Christians and Jews is one such organization.

Mr. Speaker, I am proud to set before this assembly remarks of the Vice President of the United States honoring two great citizens of Nebraska, Gov. Frank Morrison and Dr. Abe Greenberg, for their tireless efforts in fostering brotherhood among the citizens of Nebraska and this Nation. My hope is that the timely remarks of Vice President HUBERT HUMPHREY will inspire us to labor for a better understanding among people of this Nation and the peoples of this world.

The remarks follow:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, OMAHA, NEBR., MAY 2, 1965

We gather tonight to honor two great citizens of Nebraska: Gov. Frank Morrison and Dr. Abe Greenberg.

Dr. Abe Greenberg, one of the founders of the local chapter of the National Conference of Christians and Jews, is known to all of you for his kindness, generosity, and strong character. His powers of healing have been devoted not only to the body, but also to the minds and hearts of his fellow citizens.

Gov. Frank Morrison, my close and personal friend, adds the National Brotherhood Award to a long list of awards and recognitions he has received for his distinguished service to his fellow man, his city, his State, and his Nation. You know him for his service, but also for his human warmth.

The common trait these honored men possess is their strong and active belief in the brotherhood of man.

For we are all brothers in this world. What each of us does affects someone else. No single action is isolated or unrelated to some other action.

On this day, in this week we are all reminded of man's interdependence.

It was just 20 years ago this week that we witnessed the end of World War II in Europe. That war, as no other in modern times, testified to man's potential for barbarism and inhumanity.

But it was also 20 years ago this week that men assembled in San Francisco at the United Nations Conference on International Organization to draw up the U.N. charter.

"We the peoples of the United Nations determined to save succeeding generations from the scourge of war," began their preamble.

The 20th century can be enrolled in history as the century of war. Or it can be enrolled as the century of peace.

This century has been the first in which wars have been fought on a world scale. But it is also the first century in which peace has been sought on a world scale.

We have perfected for the first time in history means by which man can finally destroy himself. But we have also, for the first time in history, argued that world peace can be achieved on a level of reality.

Some say that war is inescapable and inevitable. Some, such as Hegel, have said that war is a necessary purgative for the "corrosive influences of peace."

But we Americans, in this time, abhor such theory. We believe that corrosion stems not from peace, but from tyranny, hate and injustice.

Let us then be known in history as seekers of life and liberty and makers of peace. Let our Government be known as the government Hobbes, Locke, Rousseau, and the Federalists looked toward in their fundamental propositions: "As anarchy leads to war, government establishes peace, and just laws preserve it."

Yes, we Americans as people, and we Americans as a force in the world must pursue peace. But what sort of peace shall it be?

Is it to be the peace of domination? This peace is easy indeed to achieve, for it is based on control of the weak by the strong. It need not be based on any principle higher than that of "might makes right."

Is it to be the peace of permissiveness? This peace, too, can be bought most cheaply. For it leaves the outside world to its own devices. It justifies sacrifice of the small and weak. It justifies aggrandizement of the powerful and greedy. It justifies international irresponsibility—all on the premise that affairs not within our own borders are not our affairs.

Is it to be the peace of balance-of-power? This peace has existed before. It depends on pepetuation of a delicate power relationship. It depends on the "status quo." It has often also meant in the past "dividing up the world" at pleasure of those at each end of the balance.

All of these peaces can and have been achieved, at least temporarily, throughout history. But they have never lasted.

For they have not been based on justice or humanity. They have not responded to the needs of men and women seeking fulfillment for themselves and their children. They have not taken into account the spark that burns in all men and says: "Be free."

On this 20th anniversary of war and of peace, I reaffirm this Nation's determination to work toward true peace in the world—peace with justice, peace with opportunity, peace with liberty.

In the United Nations we have established institutional framework which works toward such peace. But the U.N. alone will never achieve it. Its achievement will depend on the determination and will of free nations, and of all men.

There are today opportunities to buy an easier peace—a peace of domination, or of permissiveness, or of balance of power. But we reject these.

We stand now, as generations of Americans stood before us. In the words of Jefferson:

"Honor, justice and humanity forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us."

We Americans at home must make America live up to its heritage.

We must, in the world, defend the right of others to perfect themselves free of coercion and tyranny.

With strength and patience, we will succeed. When that day comes, this century indeed can be known as the century of peace.

Rev. Arthur E. Hiley

EXTENSION OF REMARKS
OF
HON. F. BRADFORD MORSE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. MORSE. Mr. Speaker, yesterday in Lowell, Mass., the Matthews Memorial Church paid tribute to its pastor, the Reverend Arthur E. Hiley, on the occasion of his voluntary retirement as pastor after 38 years of devoted service.

Reverend Hiley has a unique history with the Matthews Memorial Church. He attended the church as a boy growing up in Lowell, he was married in the church, his children were baptized and married in the church, and he was ordained there in 1927.

In addition to Reverend Hiley's ministry, he paid heed to community needs. He is a member of the Lowell Board of Health, and has participated actively in civic and religious affairs in the Greater Lowell area.

Prior to his pastorate in Lowell, Reverend Hiley held pastorates in Pascoag, R.I.; Methuen, Mass.; and Fall River, Mass. Both in Fall River and later in Lowell he served as president of local ministers' associations.

The esteem with which Reverend Hiley is held in Lowell was evident yesterday as he was tendered a warm reception attended by the mayor of Lowell, the chairman of the Lowell Ministers' Association, the president of the Greater Lowell Council of Churches, and many more community and religious leaders. All of Lowell is in his debt for his fine example and dedicated service.

Fishermen Threaten Boycott of Japanese Goods

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1965

Mr. PELLY. Mr. Speaker, Pacific Coast fishermen, whose livings and livelihoods have depended on Alaska's Bristol Bay red salmon runs, are up in arms at Japan's unwillingness to protect and conserve these Pacific Coast fish on the high seas. Now, as a result, an organization called the Congress of American Fishermen has been set up to initiate, in retaliation, a nationwide boycott of Japanese goods.

During the Easter recess, I was invited to make the principal speech at a meeting to launch this nationwide campaign.

For years, our fishermen have sacrificed to preserve American fishery resources, by limiting their catches, and by not using nets on the high seas. This whole program of conservation is now threatened by Japan's refusal to cooperate.

As a matter of background information on problems of our American fishing industry, under unanimous consent, I include at this point the text of my remarks delivered in Seattle on April 21, at a meeting of these fishermen:

FISHERIES PROBLEMS IN GENERAL AND IN THE NORTH PACIFIC IN PARTICULAR

I am proud to represent our Pacific Northwest fishing industry in Congress. I am proud to work with men—dedicated men—like George Johansen of the Alaska Fishermen's Union; John Wedin, editor of the Fishermen's News; and other leaders too numerous to mention. I am proud of the fishing industry and the men and women who have sacrificed to conserve our fishery resources. I am proud of Seattle's being a major home of the fishing fleet, and I am proud, too, of the University of Washington and its College of Fisheries here in Seattle, which has produced leaders in the field of fisheries, like Donald McKernan, Director of the Bureau of Commercial Fisheries. I am proud to have worked for more than 12 years with our senior Senator, WARREN G. MAGNUSON, on fishery problems. But I am ashamed that with these men, and all that talent, and with all our interest, the industry is so distressed and neglected.

Administration after administration, of both political parties, has had nothing but kind words for you—you are being killed with kindness.

My subject today is "Fisheries Problems in General and the North Pacific in Particular."

In 1964, for the second time in history, and the second year in a row, more than half of the total U.S. supply of seafood was imported. The imports accounted for approximately 60 percent of the supply.

Some 130,000 fishermen and 90,000 shore workers were employed in catching and processing fishery products in the United States.

More than 300,000 persons were employed in allied industries. About 11,500 vessels of 5 tons or more and 60,000 other boats were in use in 1964. More than 4,000 wholesale and manufacturing plants processed fish for market. All of which makes this industry important to the Nation's economy.

THE STATE OF OFFSHORE FISHING

A year ago last March, 13 West European countries agreed to a modified 12-mile offshore fishing limit.

On January 4, 1963, Canada declared a 12-mile fishing limit with historic rights to nations that had fished inside this limit.

In May, Congress enacted a law banning fishermen in vessels of foreign powers inside U.S. territorial waters. But that is about the only action the United States has taken.

For fishing legislation is like Mark Twain's remark about the weather—everybody talks about it, but nobody does anything about it. At least, our Government doesn't.

For example, the New England fishery has been ruined by cheap foreign imports, caught and processed by modern facilities financed by foreign aid. The Boston fleet today is only half the size it was in 1945. The only answer of our Government is like "throwing a bone to a dog"—a subsidy to construct a few half-million-dollar modern fishing vessels—all of which might help one or two companies, but very few fishermen. No administration supports a tariff to protect our American standard of living, even though the Tariff Commission found the New England industry to be damaged by low-priced imports and that tariff protection was justified.

Since 1951, the American fisheries industry has continued to decline. The total catch of edible fish species has dropped more than a half-billion pounds. So has the average price per pound received by fishermen.

Meanwhile, the number of these American fishermen has shrunk one-fourth. In San Diego, for example, the tuna fleet has dropped in the past 10 years from 800 to 200 vessels.

The number of documented fishing vessels is down one-fourth, while the number of new documentations has shrunk two-thirds.

In our country, there are many coastal communities dependent almost entirely on harvesting the sea for the livelihood of the people. Puget Sound has some of these areas, where the problem is often one of too much fish and too low a price.

Compare this to the 11-State Appalachia depressed area, where coal is the basic industry. There is a similarity in that both have suffered due to failure of the Government to protect these industries. Lately, in the case of coal, the Government has recognized the problem and has enacted programs to help the coal miners.

No such consideration, however, has been given the fishermen—although, of course, there are differences.

The demand for products of the sea has increased and there are no substitute competitive products.

While American fisheries are declining, the American people are eating more fish and shellfish. The reason is that 45 percent of the edible fish consumed in our country is imported.

Much of these imported products, both edible and inedible, are from fish harvested from water contiguous to our shores.

Waters over our Continental Shelves, because of their great production, attract the fishing fleets of Japan, the Soviet Union, and many other nations.

World fisheries production has doubled in the past 10 years and much of this production is from sea life in waters adjacent to America.

Every maritime nation in the world, except ourselves, has shared in this expansion of the fishing industry. This has raised the standard of living and the economy of the lesser-developed countries of the world, while fishing localities in America—such as Puget Sound—suffer increasing economic distress.

GOVERNMENT INDIFFERENT TO INDUSTRY NEEDS

This need not be if our Federal Government would act to protect our fishing industry. Our industry and American fishermen could prosper, and with some Government protection, could revive and contribute to our living standard and employment.

I know of no better example, to cite, of administration callousness to the interest of Americans, as against foreign nationals, than the attitude of the Department of State in connection with my bill to prohibit foreign freezing, packing, and other processing of fish in our territorial waters.

The State Department opposed enactment of this legislation, although its purpose was to protect American cannery workers from Japanese floating canneries, where wages are 30 cents an hour.

Another example is the opposition of the administration to legislation introduced by me to prohibit imports of foreign fish harvested on the high seas by methods that violate good conservation practices, to protect our fishery resource.

We have had opposition, also, to the Pelly-Magnuson bill to allow the crews of fishing vessels to bargain as to the dockside price of fish.

Altogether, every way we turn, legislatively, to try to help the fishermen, it seems that we get a cold shoulder from our own Government.

Very recently, Donald L. McKernan, Director of the Federal Bureau of Commercial Fisheries, said that Russia will take over much of America's offshore fishing waters by 1970 if the United States does not do something about it.

He said that Russian, as well as Japanese fishing fleets will be attracted to the West Coast's offshore waters, because our fishermen are letting a huge potential fishery go by default. He was referring to anchovies and hake, both for food and for industrial use.

Don McKernan is a highly-respected biologist, and is recognized as an expert; but what he failed to say, although, of course, he knows it full well, is that in order to compete with these foreign trawling and processing operations, Americans must accept 30 cents an hour—and they cannot live on that.

The only solution offered by the Federal Government so far is replacement and modernization of our fishing fleet, through a construction subsidy. Canada is subsidizing her fisheries operations and fishing boat construction, but I cannot see that she is solving her fisheries problems. What she is doing is helping her fish-boat builders. As for us, it seems to me we want less fish and a price that covers production cost.

At least, it seems to me we could keep our foreign competition from fishing within the 12-mile limit, along the lines of what Canada did recently.

New Zealand has just joined the list of nations that have expanded their jurisdiction over fisheries from 3 miles to 12 miles offshore. She became alarmed at the presence of Japanese fishermen off her coasts, and acted promptly.

The roadblock to protection of our international fisheries, of course, and any solution to the problems of the industry, lie in our State Department.

This is because competitive nations have now moved in on many of our traditional grounds with their modern, efficient fleets.

Wherever he looks, the U.S. fisherman sees growing threats to his security and many actions by his own Government add to his frustration.

One example is the giveaway of the East Bering Sea halibut fishery, in 1962, to the Japanese, when that fishery had been restricted, by treaty, to the United States and Canada. The lack of wisdom in this concession to a nonconservationist fishing nation became immediately apparent when the halibut resources became depleted in one season.

FOREIGN FISHING INDUSTRIES GET U.S. AID

Many of the imports which enter the U.S. market come from producers who have been aided, directly or indirectly, by the U.S. Government.

In 1962, the statement was made in the U.S. Senate that up to that date, $115 million in foreign aid, and another $182 million in U.S.-owned foreign funds, had been rendered by the United States to foreign fishing industries.

Let me cite some examples; under U.S. direction, shrimp were discovered in Korea, a processing plant was set up with U.S. funds, and as a result, shellfish exports from South Korea jumped from $3 million in 1956 to $10 million in 1962—and these exports were mostly to the United States.

The United States also developed a shrimping industry in Pakistan, spending at least $2 million; most of the output, of course, comes to America.

We loaned $5 million to the Chilean fishing industry, for construction of 18 fishing vessels.

The United States has aided the Philippine Republic, and Brazil; we have no available funds for sufficient research vessels for ourselves, but we furnished U.S. funds for one for West Africa.

In all, we have given fishery development assistance to nearly 30 countries, when our own research financing has been insufficient.

I referred to the opening of the halibut grounds in the 1964 fishing season, halibut fishermen from Canada, the United States, and Japan were able to catch only about one-third of the catch quota. Now the fishing season in that area, under the Halibut Commission recommendation, would be limited to only 7 days.

Many countries have unilaterally declared broad fishing limits up to 200 miles offshore. But our Government will not even declare a 12-mile limit, similar to that declared by Canada. Meanwhile, foreign fishing fleets are winning historic rights in this 12-mile coastal area.

Fishery product imports now enter this country with only nominal tariffs, but even these are presently under threat of being further cut or reduced

I voted against the Trade Extension Act, the purpose of which was to reduce tariffs. I did so in the interest of protecting our fishermen; and now I am the author of legislation to stop foreign dumping on this score.

Last January, addressing the National Canners Convention at San Francisco, William C. Herrington, Special Fisheries Assistant to the Secretary of State, said:

"I am not going to attempt to give you solutions to any of our numerous high seas fishery problems; I would like a little more time for that."

How much time does our State Department want? You know what their problem is—the big picture, and exports like cotton. Fishermen are expendable, but not the cotton industry.

Do you know what the fishermen and other taxpayers in America pay in the way of subsidy to the cotton interests?

To start with, the growers get a subsidy; during the 12-month period ended in August 1964, it amounted to $39.3 million.

Then, since that subsidy to growers increases cotton prices, we subsidize exports of cotton, at a rate of 8½ cents a pound. During the same period, this subsidy amounted to $2.3 million.

Then, since the subsidized cotton is converted into textiles and exported by Japan, for instance, back to this county, we give a third subsidy to domestic textile manufacturers, in theory, to allow them to compete with textiles made from our own subsidized raw cotton. These latter payments went to 300 textile manufacturers, and cost the taxpayers a total of $223,841,676.31 for the same 12 months.

The State Department would willingly sacrifice a comparatively small fishing industry in the interest of that so-called big picture along with other industries which want to sell their materials to Japan.

THE NORTH PACIFIC SALMON PROBLEM

Now, let me discuss the salmon problem, which involves, as far as the international situation goes, both conservation and jurisdiction.

Our principal quarrel here is with Japan, and involves the principle of abstention, where one nation supports a second nation in the latter's conservation effort. Chiefly affected is the Bristol Bay red salmon run, whose far-ranging migrations in the high seas has made them vulnerable to Japanese destruction.

Since the expiration of the 10-year minimum term of the North Pacific Salmon Convention, Japan has sought the elimination of the abstention for conservation provisions, to make more of this run of reds accessible to her high seas operation, which includes use of the 10-mile small mesh nets that kill the immature salmon, and relentlessly render useless the conservation sacrifices of American fishermen.

There have been negotiations; but recently, when leaders of our industry met in Washington, it was apparent that our State Department's policy was to defer and delay, while our fishery leaders urgently pleaded for firm and immediate attention, before this year's fishing season.

I say it is about time—no, it is time—for our Government to assert its firm intention to protect our salmon on the high seas. It is time we shocked the administration into action.

Very simply, I propose that the fishermen peacefully petition for redress of grievances. Instead of a boycott, I suggest that you and your brothers on the gulf coast, and on the Atlantic coast, and up and down the Pacific coast peacefully demonstrate, until, and if, future circumstances may call for extending such action to picketing imports, or to a boycott of Japanese goods.

In other words, I would delay the boycott that has been suggested to such time as the Japanese fishing fleet may actually commence taking our Bristol Bay red salmon. By June 1 it will be known whether or not the Japanese intend to harvest our Pacific coast fish as against Asiatic runs of salmon on the high seas. In fact, this is the intention of the Congress of American Fisheries.

Meanwhile, it seems to me that the voice of the Pacific Northwest fisherman should be heard, by petition to the President and to the Department of State. Your indignation should be registered strongly enough to be heard both in Washington, D.C., and in Tokyo.

There is no other way I know of to let the Japanese Government recognize the seriousness of our problem. There is no other way I know of to stir the President, the State Department, and the entire Congress, into taking action to protect your rights.

Let us get the support of organized labor from the Seafarers' International Union, the culinary unions, and all others affiliated with the great brotherhood of fishermen.

Let's demonstrate peaceably, and petition in English and in Japanese, if necessary.

The time to act is here.

SENATE

TUESDAY, MAY 4, 1965

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

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

Our Father, God: Bowing for a hallowed moment at this shrine of Thy grace, we acknowledge before Thee that too often our lives are restless pools, that we frequent so little with our spirits the green pastures and the still waters.

In the social turmoil of our times, forgive us that our minds, burdened by many anxieties, are tempted to cynicism, by human perversity and cruelty, and that we become disheartened and disillusioned by human folly which seems to profit so little by bitter reaping.

So we look upward in our morning prayer that in a continued sense of Thy presence we may be delivered from the fret and fever of today's demands and decisions and from the praise or blame of men. As in these stern days we mobilize our national strength, whether in our own hemisphere or half a world away, against the wrong that needs resistance, and for the right that needs assistance, may our America be true to its starry ideals and to those in the gallant yesterdays who, in every challenge to the rights of men, have dared and died to make men free. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 3, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

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

ADDITIONAL APPROPRIATIONS TO MEET MILITARY REQUIREMENTS IN VIETNAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 157)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Appropriations:

To the Congress of the United States:

I ask the Congress to appropriate at the earliest possible moment an additional $700 million to meet mounting military requirements in Vietnam.

This is not a routine appropriation. For each Member of Congress who supports this request is also voting to persist in our effort to halt Communist aggression in South Vietnam. Each is saying that the Congress and the President stand united before the world in joint determination that the independence of South Vietnam shall be preserved and Communist attack will not succeed.