

ern Europe and Berlin are credible. I am reminded of the words of Abraham Lincoln in his second inaugural address: "With malice for none; with charity for all; with firmness in the right as God gives us to know the right." President Johnson and the American people are not interested in a war of aggression in Vietnam. The President has offered to meet the Communist leaders to discuss methods and means of peacefully settling the hostilities. The Vietcong Communists are not interested. They believe they can win the war by force of arms. We have no malice toward the Communists but we are firm in our commitments to South Vietnam because we are right. Our President symbolizes the spirit in America to resist armed conquest by those who have an insatiable thirst for power and that is why all of us in this room tonight along with 180 million other Americans support his courageous stand.

The Congress and President Johnson have not just been concerned with education, medicare, and Vietnam. They have recognized that the only way we can maintain the vitality and strength of our economy is to have jobs available for all who must work to live. We have to develop and continue programs to train young men for employment in this age of complex technology and to retrain those whose skills have become antiquated. Under Presidents Kennedy and Johnson, we have seen new approaches applied to solving old manpower problems. Vocational training programs have been initiated to help those who want to help themselves. Regional recovery programs such as the Area Redevelopment Act and more recently the Appalachia Act, have been enacted to invigorate areas of great poverty and joblessness. An antipoverty program has been created to give employment, training, and hope to thousands of youth out of school, out of work, and disillusioned by an apparent gray destiny of economic dependency.

Much has been done but much more is required. This year the number of 18- and 19-year-old workers is expected to increase by 500,000—twice the increase of last year. The labor force is expected to grow by 7½ million workers in the next 5 years—50 percent greater than the last 5 years.

Certain groups face greater challenges than others. Negroes presently constitute

10 percent of our population, yet will account for 18 percent of the coming manpower increase. The level of Negro unemployment is twice that of whites in our society. We can never be satisfied until all races, colors, and creeds, have equal opportunity in all spheres of life.

The prospective and vast increase in our labor force over the next 20 years comes at a time that machines are replacing men at an increasingly faster pace. Automation is desirable in that it relieves man of the drudgery of having to spend all his time scratching out a living from the soil, the mine, or the factory. It gives him time for recreation, leisure, and cultural pursuits. It provides opportunities for man to notice himself and his relationship to his Creator.

Automation does, however, present thorny obstacles and grave dangers to our people. Year after year, throughout our land, productivity per man-hour of work has risen. Fifty years ago, it was considered good if a man could mine one-half a ton of coal in a 10-hour day. In 1965, a miner using the latest equipment can produce 60 tons in an 8-hour day. Over 500,000 jobs a year are lost out of our economy as a result of machines replacing men and the era of a strong willing back being a passport to success has passed forever. It is true that automation fashions new jobs for our people, but the new jobs require new skills and all too often the number of new jobs fashioned does not equal old jobs lost.

What is needed is a strengthening and broadening of college education and vocational education so that the skills of our work force will always match the jobs available in our economy. Counseling and job replacement services must be expanded so that the right man will be able to find the right job. Job development activities must be increased in order to create new service employment opportunities in fields where they have not existed in the past because of an inadequately trained work force. The people of our country want improved home and equipment maintenance, they want greater recreational opportunities for their children and stricter supervision in playgrounds. There is no reason why these services cannot be provided as automation steadily frees more men from work on the farm and in the factory.

What is needed in addition is a reaffirmation of our cultural and spiritual heritage. It is written in the Bible: "Man shall not live by bread alone, but by every word that proceeds out of the mouth of God."

These words have great meaning to a society such as ours. We are a rich nation and our people on the average work but 5 days a week. We have time to reflect on our beginnings and on our destiny. We have time to read, to play, to watch television, to listen to music. Yet with all the free time we have to relax and understand ourselves, we are a country with 10 percent of the people suffering from mental disease requiring treatment and countless more from jangled nerves requiring tranquilization. In a sense, mere life itself within the community of man has become one of our greatest challenges. In future years of automated free time, our churches, colleges, and cultural centers will have a heavy burden to lift from many men the yoke of uninspired existence and restore to them the joy of living.

No nation offers its citizens more of an opportunity to advance on economic, political, social, and cultural levels than does ours. Every American within and without this Chamber has a duty to strengthen and improve our institutions and to protect the freedom of body and mind that gave birth to them.

One hundred years ago Walt Whitman wrote: "The United States themselves are essentially the greatest poem. Here at last is something in the doings of man that corresponds to the broadest doings of the day and night."

Let us look forward to tomorrow with hope, clarity of purpose and new dedication. The years ahead are fraught with danger. We not only have the menace of Communist arms and subversion but domestic unemployment, poverty, disease, and inequality of opportunity. But I, like you, believe that the United States themselves are essentially the greatest poem. I believe we can overcome the obstacles in our path. I believe our Government is consecrated to serve the will of the people. We must act with courage—not sit transfixed by fear. We must regard the past without regret; we must contemplate the future without alarm. America is on the move, and all of us as citizens, as Democrats, are obliged to serve her well.

## HOUSE OF REPRESENTATIVES

THURSDAY, MAY 6, 1965

The House met at 11 o'clock a.m.

Dr. Gilbert Klaperman, Rabbi, Congregation Beth Shalom, Lawrence, Long Island, N.Y., offered the following prayer:

Almighty God, fountainhead of law and source of government, we pray Thee Thy blessing upon this hallowed Chamber and upon the dedicated servants of our Nation assembled here.

May these leaders of our people continue united in purpose and inspired by the ideal of America as the beacon light of liberty, equality, and justice—the land of the free and the home of the brave.

We pray Thee, O Lord, make our Nation an instrument of compassion and a force for righteousness among the nations of the world.

Move our hearts and direct our minds to the fulfillment of Thy glorious purpose so that the sound of battle and the terror of war may never resound in our land. Bless us that our country may pioneer the way in the pursuit of peace and the ful-

fillment of the vision of the prophet: *Men shall do no evil and work no destruction on all God's holy mountain for the earth shall be filled with the knowledge of the Lord, as the waters cover the sea.*

May this be Thy will. Amen.

### THE JOURNAL

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 60. An act to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes.

The message also announced that the Vice President, pursuant to 49 Stat. 425, had appointed Mr. GORE, Mr. MONTOYA, Mr. DOMINICK, and Mr. FANNIN to be members of the Fourth American Inter-

parliamentary Conference to be held at Buenos Aires from May 25 to May 31, 1965.

### COMMITTEE ON PUBLIC WORKS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file reports on H.R. 7303 and H.R. 6755.

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

There was no objection.

### PROCUREMENT OF COAST GUARD CUTTERS

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7855) to authorize appropriations for procurement of small patrol cutters for the Coast Guard.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I think we should have the understanding that there is going to be an explanation of this bill before it is approved by the House as I assume it will be.

Mr. BONNER. Mr. Speaker, the chairman of the committee will endeavor to answer the gentleman's question. These 17 small boats were taken from the Coast Guard and transferred to the Navy by direction of the present administration. For their peacetime employment these boats were designed for and assigned to active, U.S. coastal areas. These boats were on patrol duty. They were for search and rescue. They are to watch and to protect our coasts and enforce our maritime laws on our waters. Their replacement is absolutely necessary because there are no boats of this type in reserve either in the Navy or the Coast Guard.

Mr. GROSS. May I ask the gentleman from North Carolina [Mr. BONNER] what the cost of replacement will be?

Mr. BONNER. I believe the replacement cost is \$6 million-plus, \$6,230,000.

Mr. GROSS. And will this replacement be built on a competitive bid basis?

Mr. BONNER. Without a doubt it will be, for the reason that these boats are generally built at the Coast Guard yard in Baltimore. In that yard at the present time, so the committee was informed, is all the work it can do. So the Coast Guard this morning advised the committee that these boats would be built on a competitive basis.

Mr. GROSS. I will say to the gentleman from North Carolina that I learned to my dismay yesterday during the course of the consideration of the military construction bill for the Defense Department that a number of boats have been built, I believe in Norwegian yards, for the U.S. Navy.

May we have the assurance of the gentleman from North Carolina that these boats will be built in American yards, either private or Navy yards?

Mr. BONNER. The gentleman from Iowa has my assurance. I agree with what the gentleman says, if we are going to have any construction of vessels those vessels should be constructed in American yards.

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

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

Mr. HOSMER. I would like to ask the distinguished chairman of the committee, relative to the construction of these boats, how long is it going to take?

Mr. BONNER. It would be 14 to 18 months.

Mr. HOSMER. As the gentleman knows, we have a boating season coming up in the ports from which the 17 cutters have been withdrawn, the so-called amateur yachting season. Many of these amateurs have been under the protection of the Coast Guard because they have not learned enough to get back without killing themselves.

What kind of arrangements are contemplated for taking on this responsibility for them, by the Coast Guard or

someone else, notwithstanding the absence of these 17 cutters?

Mr. BONNER. That was discussed in the committee this morning and the Chair instructed the staff of the committee to direct a letter to the Coast Guard bringing their attention to just what you are discussing here now and to use every possible source in an effort to find adequate boats temporarily to serve the present fishing and boating season that is about to take place.

Mr. HOSMER. As I understand it, not only the cutters are going but the Coast Guard crews are going to the Far East.

Mr. BONNER. Yes.

Mr. HOSMER. That will leave a hole in trained personnel, I suppose, but a communication has been directed to the Coast Guard to cover that part of the question?

Mr. BONNER. That was discussed also.

Representatives of the Coast Guard advised us that they could arrange their personnel so as to take care of the transfer of the men who would naturally have to go with these small boats.

Mr. HOSMER. I understood the chairman to say that the Coast Guard was getting a letter from his committee about the boats. What about the personnel? Did they say anything about the boats themselves which they would use as substitutes for those which have been withdrawn? Did the Coast Guard representatives give any indication of what they would do during this season and next relative to the substitution of some kind of craft for this purpose?

Mr. BONNER. As I said, we are directing a letter to them to use every possible source to find replacements for these vessels, temporarily.

Mr. HOSMER. Will the Coast Guard Reserves and Auxiliary be called into this operation?

Mr. BONNER. I cannot answer that question. It is possible that those who can be used probably will be called into service on a voluntary basis.

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

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

Mr. MAILLIARD. If I might reply to the gentleman from California, we did discuss this in committee this morning. This has all come about very rapidly. It has only been a matter of days that the Coast Guard has known these ships were to go to Vietnam. We discussed this morning with Assistant Secretary Reed and the Commandant of the Coast Guard in committee. A letter will be directed, as the chairman has said. We have already suggested to them that they explore the possibility of using ships that might be in reserve, or in mothballs, belonging to the Navy, that they could borrow to cover this period between when the ships depart from the United States and the new construction is finished. We cannot answer definitely as to what will be done in reference to the question of the Coast Guard Reserve and the Coast Guard Auxiliary, and taking over private vessels to continue the vital

safety at sea program which concerns the gentleman from California, as it does all of us who are from areas from which these 17 vessels are withdrawn.

Mr. HOSMER. It is an amazing thing to me to look over the cost of defense and to find the magnum of cost and the modicum of effectiveness that exists when we get into a situation that can or at least should be anticipated to some extent ahead of time.

Mr. GROSS. I agree with the gentleman. In view of the billions we are spending on the Department of Defense and the Department of the Navy, that they have no vessels of this description. We have been in this conflict in southeast Asia for a long time, dealing with the situation of long coastlines and the use of junks and sampans for supply vessels by the Communists. The Navy should have moved long ago to meet this situation rather than now raid the Coast Guard of vessels that are badly needed to patrol our shores. I am surprised at this omission on the part of the Navy Department.

Mr. CONTE. Mr. Speaker, reserving the right to object, this comes as a big surprise to me, as the ranking minority member of the Committee on Appropriations that handles the appropriations for the Coast Guard. May I ask the chairman how this fits in with the roles and missions study made by the Coast Guard. We have a long range ship-building program. We passed an authorization bill and an appropriation bill for the Coast Guard, here a few weeks ago which is pending over in the Senate at the present time for the construction of new cutters. How do these additional 17 new cutters the gentleman mentioned here today fit into the roles and missions study made by the Coast Guard?

Mr. BONNER. As the gentleman will recall, we have in two authorization bills endeavored to increase the number of vessels for assigned duties in the Coast Guard, and they have not been appropriated for.

Mr. CONTE. A good percentage has.

Mr. BONNER. I was going to get to that. The Coast Guard has no vessels in reserve. What they have have been retired because they are worn out. These 17 are the cream of this type of vessel. They simply have to be replaced. They are shallow draft craft to enable them to operate in the shallower near shore waters where the greatest concentration of small boat, recreational boating activity is.

Mr. CONTE. The gentleman is telling us there is no hope of getting these 17 cutters back from South Vietnam?

Mr. BONNER. I cannot answer that question.

Mr. CONTE. We have a roles and missions study of the Coast Guard. They have a long-range program on cutters they will need. Now they are asking for a crash program. What will happen when the 17 cutters come back from South Vietnam, if they do come back?

Mr. BONNER. That is the point—whether they will all return. And if they do return.

Mr. CONTE. That is the point.



Mr. BONNER. If they do return, there is a need for these 17 to replace vessels today of this type that are really overage.

Mr. CONTE. In other words, what you are telling me is this. If the 17 do return, the Coast Guard does not intend to cut down on this program but it will continue on with the old roles and missions program with the 17 additional cutters.

Mr. BONNER. Let me say that we will explore that at the time. Certainly, we would not try to offer the Coast Guard something that the Coast Guard does not need.

Mr. CONTE. I also express the same concern as the gentleman from California expressed in debating the authorization bill and the appropriation bill for the additional cutters for the Coast Guard. The case was made that these were needed right now to protect ships and pleasure vessels and people who go down in the sea and airplanes—to help them and for search and rescue purposes. Now you are taking out 17 cutters with no provision to replace them. Who is going to take care of the search and rescue work when those cutters are taken off for South Vietnam?

Mr. BONNER. As I have said in the short time that we have been discussing this thing here, there is a letter being prepared by the Committee on Merchant Marine and Fisheries directed to the Commandant of the Coast Guard. That will be signed by the gentleman from California [Mr. MAILLIARD] and myself. It will request the Coast Guard to explore with the Army—and the Army has more small vessels than the Navy and there may be other Coast Guard boats that are capable of this work that can be called in temporarily.

Mr. CONTE. Well, in a sense, you can cut that argument right down very quickly, to say that the need for the Coast Guard boats in South Vietnam is because these boats can get into shallow water and at the same time you are saying you are going to meet with the Navy to try to get the Navy to give boats to the Coast Guard to replace cutters that are going to South Vietnam. This does not make sense. Why cannot the Navy send some boats over there? We just passed a \$700 million appropriation bill here yesterday which could well provide the money to build hundreds of these boats for South Vietnam.

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

Mr. CONTE. I am glad to yield to my colleague, the gentleman from California.

Mr. MAILLIARD. I think it is worth noting here that we have a problem for the first time and a situation where the Coast Guard is in sort of a twilight zone. It has a peacetime mission and it has a wartime mission. Always before this when it has been called upon to perform these military functions, they have been withdrawn from the Department of the Treasury and put over into the Department of the Navy and have served as an auxiliary of the Navy. Now we are in the very odd position where the Coast Guard is being asked to perform both a

peacetime role and in part this wartime role without any expansion of its facilities. Therefore, we feel since this is a matter of an emergency, we should replace these vessels so that the Coast Guard can fully perform its peacetime role. We are going to have a hiatus of perhaps 14 to 15 months. The chairman of the committee and I are going to do everything we can to see that some emergency measures are taken to give full protection to life at sea which the Coast Guard has as an operational mission in peacetime.

Mr. CONTE. I can understand that position and having served on this committee for 7 years, I am quite familiar with the function of the Coast Guard. It seems to me it is inconsistent that we appropriate about \$50 billion a year for the defense of this Nation and we do not have the proper kind of boats out there in southeast Asia to do this type of patrolling. This seems to be inconsistent to me.

The only thing I would like to know is this. You mentioned that these boats were to be built in Baltimore by the Coast Guard?

Mr. BONNER. No. I was asked the question as to whether these boats would be built under contract.

Mr. CONTE. Where are they going to be built?

Mr. BONNER. I replied that this type of vessel is usually built in a Coast Guard yard at Baltimore, but that that yard is now filled with work and in the hearings this morning we were advised that these boats would be built under contract with competitive bidding.

Mr. CONTE. Would they be built in private yards or in Navy yards?

Mr. BONNER. In private yards.

Mr. HOSMER. Mr. Speaker, will the gentlemen yield?

Mr. CONTE. I am glad to yield to the gentleman from California.

Mr. HOSMER. Will those ships be built in private yards in the United States, or will some of them be built overseas? I have heard a rumor about that.

Mr. BONNER. The gentleman can rest assured I do not take any part in foreign building. They will be built in the United States.

Mr. HOSMER. I have heard a rumor that some will be built in England. Is that not correct?

Mr. BONNER. These will not be built in foreign yards.

Mr. HOSMER. As I understand the situation, these vessels are to be assigned to the Navy for Vietnam service but they are going under the Treasury Department, with Coast Guard crews. What will be done to give those Coast Guard crews the same benefits which people in the armed services serving in that area get, such as the elimination of the income tax and so on down the line?

Mr. BONNER. They will have the same benefits. They will be under the jurisdiction of the Navy and will receive the same benefits.

Mr. HOSMER. I thank the gentleman.

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

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

There was no objection.

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.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 95]

Blatnik	Griffin	Rhodes, Pa.
Brademas	Gubser	Rodino
Broyhill, N.C.	Halleck	Rogers, Colo.
Cahill	Hays	Scheuer
Chelf	Hutchinson	Senner
Conyers	Irwin	Shriver
Corman	Jones, Mo.	Sickles
Curtis	Long, La.	Smith, Va.
Daniels	Machen	Talcott
Duncan, Oreg.	Mathias	Thomson, Wis.
Flynt	Morrison	Toll
Fogarty	O'Hara, Mich.	Williams
Ford	Powell	Young
William D. Glaimo	Randall	
	Resnick	

The SPEAKER. On this rollcall, 393 Members have answered to their names, a quorum.

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

#### SUBCOMMITTEE ON HOUSING OF COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit while the House is in session today and engaged in general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 366) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 366

*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. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. After general debate, which shall be confined to the bill and

shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, 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.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown]; and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 366 provides for consideration of 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. The resolution provides an open rule with 3 hours of general debate.

H.R. 7717 would authorize to be appropriated to the National Aeronautics and Space Administration the sum of \$5,183,844,850, as follows: \$4,537,121,000 for research and development; \$60,675,000 for construction of facilities; and \$586,048,850 for administrative operations.

Appropriations for research and development would be authorized for use for items of a capital nature required for the performance of research and development contracts; and grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities.

No funds may be used for the construction of a facility the estimated cost of which, including collateral equipment, exceeds \$250,000 unless the Administrator notifies specified committees of the Congress of the nature, location, and estimated cost of such facility.

The bill would provide that, when so specified in an appropriation act, any amount appropriated for research and development or for construction of facilities may remain available without fiscal year limitation, and contracts may be entered into under the administrative operations appropriation for maintenance and operation of facilities, and for other services, to be provided during the fiscal year following that for which the appropriation is made.

The use of not to exceed \$35,000 of administrative operations appropriation would be authorized for scientific consultations or extraordinary expenses, including representation and official entertainment expenses.

It would provide that no funds appropriated for administrative operations for maintenance, repair, alteration, and minor construction may be used to construct any new facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

Further provision is made that, when so specified in an appropriation act, any

appropriation authorized under this act to the National Aeronautics and Space Administration may initially be used, during the fiscal year 1966, to finance work or activities for which funds have been provided in any other appropriation available to the Administration and appropriate adjustments between such appropriations shall subsequently be made in accordance with general accepted accounting principles.

Section 2 would authorize a 5-percent upward variation of any of the sums authorized for the construction of facilities line items when, in the discretion of the Administrator, this is needed to meet unusual cost variations. However, the total cost of all work authorized under these line items may not exceed \$53,459,300.

Section 3 would provide that not more than one-half of 1 percent of the funds appropriated for research and development may be transferred to the construction of facilities appropriation and, when so transferred, together with \$10 million of the funds appropriated for construction of facilities, shall be available for the construction of facilities and land acquisition at any location if the Administrator determines that such action is necessary because of changes in the space program or new scientific or engineering developments, and that deferral of such action until the next authorization act is enacted would be inconsistent with the interest of the Nation. However, no such funds may be obligated until 30 days after the Administrator has transmitted a report to Congress regarding cost, necessity, et cetera.

No amount appropriated under this act may be used for any program deleted by the Congress from requests as originally made to either the House or Senate Committee on Aeronautical and Space Sciences;

No amount appropriated pursuant to this act may be used for any program in excess of the amount actually authorized for that particular program by subsections 1(a) and 1(c);

No amount appropriated pursuant to this act may be used for any program which has not been presented to or requested of either the House or Senate committee, unless a period of 30 days has passed after the receipt of notice by the Administrator containing a full and complete statement of the action proposed and the facts and circumstances relied upon in support thereof, or either committee before the expiration of such period has transmitted to the Administrator written notice to the effect that the committee has no objection to the proposed action.

Section 5 of the bill expresses the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds and research and development funds whenever feasible.

Mr. Speaker, this represents, I believe, the fourth largest authorization bill which will be before the Congress this year. There is authorized to be appropriated \$5,183,844,850. This represents a substantial percentage of this year's budget.

Questions have been raised by many people, and I am sure that all of us, as Representatives of our particular districts, have received mail from time to time indicating the concern of many people about the advisability of spending the vast sums searching the unknown, looking into an area of space, or questioning our judgment as to the appropriation of this type of fund for a proposed trip to the moon.

It was my privilege to serve on a select committee early in 1958 when, under the urgency of Russia's launching of the sputnik, the leadership of Congress at that time felt it necessary to move and to expedite our action in that field. Under the distinguished chairmanship of the now Speaker of the House, the distinguished gentleman from Massachusetts [Mr. McCormack], it was my privilege to serve on a 13-man committee which numbered among its members the distinguished gentleman from Massachusetts [Mr. Martin], the former Speaker of the House, and the present minority leader of the House, the gentleman from Michigan [Mr. Gerald R. Ford] and other distinguished Members, who wrote the Space Act.

As a part of that experience I have been very much impressed with the great progress which has since been made in overcoming what at that time was an acknowledged lead by Russia. There is no question that the Russians demonstrated at that time and have demonstrated on a number of occasions since that they had substantial advantage over us on the program as to the size of boosters. The facts were that before that time we had not felt a need for and had not set up as an objective the construction of those very large boosters which were so necessary.

After it became clear to the leadership of our country that we had to project ourselves into the space age and meet the challenges of any country of the world in this area, we started on what amounted to a "crash program" in certain areas. That initial effort has, of course, long since given way to a planned, programed approach.

Today I wish to pay a special tribute to the distinguished gentleman from California Mr. George Miller, the present chairman, for the great job he and the other members of the Committee on Science and Astronautics have done in planning very carefully our program in this space field.

It seems to me that in spite of the fact that we have a place for every dollar which is available by way of revenue to our Government, both in the fields of domestic and social legislation as well as the challenges which face us on every front in the world, it is essential that we continue to put a substantial amount of money into this program.

There is no question today but what our scientists have proven beyond a question of a doubt that the time will come, and it will be very shortly, when the nation which dominates, or which is ever permitted to usurp, outer space, can serve an ultimatum on any country in the world and then you either comply with that ultimatum or your country will



cease to exist. Therefore, faced with that type of a situation, America must be out there making certain that we never permit a possible enemy country to be in a position where it can serve that type of an ultimatum on us.

In addition to that, there are tremendous advantages to be gained which have already been proven when within the past few weeks we have observed worldwide television and when today we have advances in progress in the field of communications satellites, and we have already seen demonstrated the tremendous savings which can accrue to us and to all of the people of the world through advanced weather forecasting. There are untold things in the future which can accrue to our benefit in the way of bringing about billions and billions of dollars worth of economic benefits which we can receive and which yet remain unknown. We must go about the business of seeking out all of the knowledge we possibly can.

Mr. Speaker, therefore I feel very strongly that the amount of money set forth in this bill is none too much. It might even be possible that there are some programs we could be proceeding faster on. However, I do wish to say that I think based on the statements made by Mr. MILLER, of California, and the other members of his committee before our Committee on Rules, I feel they have carefully outlined the programed spending which will meet our needs and put us first in the space race and will make certain that no nation or no enemy nation can ever usurp outer space to our detriment.

Mr. Speaker, I urge the adoption of House Resolution 366 and I reserve the balance of my time.

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

Mr. Speaker, as the gentleman from California [Mr. SISK] has explained this rule, I shall not devote any time to it but instead shall discuss very quickly, in a few words, the legislation that comes before us under the rule; that is, H.R. 7717. This is the annual bill which comes from the Committee on Science and Astronautics to authorize certain expenditures during the coming fiscal year 1966. The bill carries an authorization of \$5,183,844,850, of which \$4,537,121,000 will actually be spent for research and development. The balance of the money, about a half a billion dollars, will be used in the actual operation of some of these space programs which are already underway.

I want to be very frank, very sincere, and very honest with the House and admit that I do not know anything about this legislation and know very little about NASA and what it is doing. I do not think anybody else in the House knows too much about it either. We have some Members here who have spent a great deal of time on this committee. I am going to call on one of them from the minority side in a few moments and yield to him in order to have him explain some of the detail of it.

I had the honor and the responsibility of serving on the Select Committee of the House that was appointed during the last Congress to make a study and a

check on the expenditures and the programs for research and development—mostly research—in the United States. We found that we were spending about \$16 billion on research. This period has become one in which almost any scientist that has any sort of an idea can find Federal money with which to try out his plan or his idea, to see whether it will work or not. Very frankly, too many of them do not work; some of them may work, and perhaps from those that do work we may obtain the benefits that we seek.

I do know from my own experience, having listened to some 80 or 90 of the top scientists of America who testified before our select committee that too often you cannot get two scientists to agree on any one subject. They will say to you, "Scientist So-and-So is a great scientist; he is a remarkable man; he is a very learned individual, but he is wrong about this," or "He is wrong about that."

So the lay mind being just an ordinary mind, such as mine, often finds it difficult to know who is right or who is wrong. As a result we have legislation like this that even the committee itself I think will admit we have to take a great deal of that which is submitted on faith. Perhaps we are gambling, perhaps we are wasting, to be honest about it, a great deal of money, but yet the hope is that out of the waste and out of all of it there will come some benefits for us nationally both in a military way and in other ways, and also to our economy and to the individual citizen of the country.

I do want to mention, if I may, because I referred to the Committee on Rules, that one of the things we do in the Rules Committee quite often is to look over the legislation that is brought to us to see if there are any typographical errors. I notice on page 3 there is one item out of the \$4,537,121,000 to be spent on research and development, \$865,000 going to Ohio. Now, that must be a typographical error, because Ohio never gets anything out of the Federal Treasury. All we do is pay taxes for other States to use in their projects. Of course, as most of you know who are here, most of the NASA operations are actually, with some minor differences—of course, I know there are a lot of these little research grants—are confined to a relatively few States; very beneficially, I might say, to their economy.

I might also add, and I am stating it publicly here on the floor of the House, that the Middle West feels it has been ignored and left out to a great extent in this work. However, we are appreciative even for a crumb from the rich man's table, that we are getting \$867,000 for an operation under research and development in the Cleveland and Sandusky area in the northern part of the State.

In my opinion most of us do not know very much about what is in this bill. We are going to have to take it on faith, so there is no particular opposition to taking in the measure. It is like the military procurement bill we had on yesterday. We cannot pass judgment on the many items contained in it. In fact, this is not detailed. I think there are some

members of the committee who can explain the details and perhaps answer any questions that some of the Members may have.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. DAVIS of Georgia. I should like to call the attention of the gentleman from Ohio to the fact that the \$860,000 he mentions is purely for new construction money.

Mr. BROWN of Ohio. I understand that. That was explained very thoroughly and very ably both by the gentleman from California [Mr. MILLER] and by the gentleman from Pennsylvania [Mr. FULTON].

Mr. DAVIS of Georgia. Mr. Speaker, I would like also to point out that one of our fine research centers, the Lewis Research Center, is located in Ohio; in addition to that reactor work is going on in Plumbrooke, Ohio. The State of Georgia would be most happy to swap places with Ohio—

Mr. BROWN of Ohio. I am sure that the State of Georgia, knowing something about military appropriations, does not have room for any NASA projects.

Mr. DAVIS of Georgia. Well, I just thought if the State of Ohio was not happy with what it has, we would have a home for it in Georgia.

Mr. BROWN of Ohio. You naturally would be very happy, because you are very, very fortunate when it comes to the allocation of these funds.

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

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. ROUSH. I would like for the gentleman from Ohio to know that the committee did share his concern on this matter of geographical distribution of research and development funds. As a result of that concern we have included in the bill itself section 5 which states:

It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds on a geographical basis whenever feasible and use such other measures as may be practicable toward this end.

I shall have more to say on this question later.

Mr. BROWN of Ohio. I thank the gentleman from Indiana for his contribution, but I would like to say to the gentleman that I am old enough that my school days were back in the time when we had old-fashioned education instead of modern education and taught arithmetic in the public schools of the country. I simply took enough arithmetic so that I am still able to add up the amount of money that is spent under this program in certain States and compare it with the amount of money spent in other certain States of the Union.

The gentleman can gloss it over all he wants to, but there are some rather favored areas in this country, which may or may not be all right, and there can be pretty good reasons for it. But I would

like to call attention to the fact that we do have an area in the Middle West which furnishes a lot of intelligent people to the services of this country and which furnishes a lot of taxes with which to support this program. Therefore, I hope we will not be ignored too much.

Mr. ROUSH. I would like to say to the gentleman that coming from the Midwest I am certainly sympathetic with the position of the gentleman from Ohio. The gentleman may recall that I made a series of short speeches on the subject

and have compiled a table which certainly confirm what the gentleman is telling this House today and which I will insert at this point in the RECORD:

The following table lists the ranking of each State in the geographical distribution of Federal research and development funds in eight different categories of comparison.

The column at the extreme right lists the rank of each State on a population basis using 1960 census figures.

The figures at the bottom of each column designate the lowest rank in each of the eight categories of comparison.

	R. & D. per in- dustrial em- ployee	Per scientist in uni- versities	Per ad- vanced degree conferred	Per scientist	Per \$1,000 Federal tax con- tribution	Per capita	R. & D. dollar dis- tribution	Per stu- dent en- rolled in universi- ties	State ranking by 1960 popula- tion
Alabama	15	15	30	5	8	14	17	26	19
Alaska	42	4	2	26	19	19	41	2	50
Arizona	3	37	39	4	5	8	16	37	35
Arkansas	30	40	43	23	22	28	32	41	31
California	4	3	4	2	4	3	1	6	2
Colorado	6	13	26	9	11	5	12	11	33
Connecticut	21	14	23	19	20	12	21	12	25
Delaware	16	43	35	32	32	11	28	27	46
Florida	10	27	17	10	11	13	9	31	10
Georgia	41	26	21	33	42	32	33	24	16
Hawaii	39	22	19	34	39	29	45	29	43
Idaho	12	8	5	15	31	15	27	8	42
Illinois	36	7	8	27	35	22	13	7	4
Indiana	37	38	47	31	36	27	26	34	11
Iowa	45	23	16	33	34	29	31	15	24
Kansas	31	42	45	32	30	28	30	38	28
Kentucky	49	39	37	37	45	34	40	40	22
Louisiana	7	28	25	12	7	10	15	33	20
Maine	50	50	42	37	42	33	48	46	36
Maryland	9	6	7	8	9	6	4	5	21
Massachusetts	20	5	6	13	12	9	3	4	9
Michigan	33	16	34	26	38	25	19	21	7
Minnesota	26	19	14	25	27	20	25	17	18
Mississippi	48	29	38	37	41	34	46	43	29
Missouri	14	25	33	11	15	10	10	28	13
Montana	28	36	40	35	31	29	44	42	41
Nebraska	47	44	41	37	44	33	47	45	34
Nevada	1	2	1	1	2	1	20	3	49
New Hampshire	29	35	10	22	20	20	35	14	45
New Jersey	19	10	11	24	16	13	8	13	8
New Mexico	2	1	3	3	1	2	11	1	37
New York	18	9	20	16	24	11	2	10	1
North Carolina	46	32	31	34	43	31	29	25	12
North Dakota	25	48	48	36	37	32	50	50	44
Ohio	32	30	27	21	29	23	14	35	5
Oklahoma	35	36	44	37	40	31	36	39	27
Oregon	44	34	28	35	37	29	37	22	32
Pennsylvania	24	18	18	20	22	18	5	19	3
Rhode Island	40	11	3	30	34	27	39	9	39
South Carolina	38	45	32	29	28	30	34	49	26
South Dakota	11	47	49	17	17	24	38	48	40
Tennessee	17	20	26	14	14	16	18	32	17
Texas	13	24	29	18	17	17	6	36	6
Utah	5	12	13	7	3	4	22	20	38
Vermont	34	21	22	28	26	26	43	18	47
Virginia	23	31	15	21	25	24	24	30	14
Washington	8	17	12	6	6	7	7	16	23
West Virginia	43	41	46	38	39	33	42	47	30
Wisconsin	27	33	24	21	23	20	23	23	15
Wyoming	22	49	50	38	35	29	49	45	48
Lowest rank	50	50	50	38	46	34	50	50	50

Mr. BROWN of Ohio. That is fine and I appreciate it. I certainly shall be happy to advise the people of the States of Ohio, Indiana, and other Midwestern States that they can depend upon the gentleman from Indiana [Mr. ROUSH] to get their fair share of the money spent under programs of this type.

Mr. Speaker, I now yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to compliment the gentleman from Ohio and also the gentleman from Indiana [Mr. ROUSH]. They do make a good point. We need better geographical distribution of NASA funds so that every part of the country has an opportunity to participate in the NASA programs of research and development in manned space flight, space sciences, and advanced research and technology programs. The gentleman has a good point.

Every person here pays taxes. We come from all parts of the country. We should make sure that not too much scientific and research talent is concentrated in a very few places, and thereby draining talent from smaller areas that have not yet had the opportunity nor the funds to build research institutions.

In the beginning NASA was right. They did use the installations, the institutions, and the talent that was available because it had to move quickly in the race with Russia in space.

We have moved quickly. But we are not in a crash program. We are now conducting a reasonable program. As the gentleman from California has said, it is a well-planned program this time.

It is impossible to believe that in the fiscal year 1959 only \$48,354,000 was authorized for space. In fiscal year 1960 it went up 10 times to \$485,550,000. It doubled again in fiscal year 1961 to \$915 million.

In fiscal year 1962 it went to \$1,361,900,000.

In fiscal year 1963 it went to \$3,742,162,000, and in fiscal year 1964 to \$5,238,119,400.

In fiscal year 1965 it went to \$5,193,810,500.

For this fiscal year, the committee has recommended \$5,183,844,850, which is down from last year's level.

I want the House to know we have gone over these programs thoroughly. We have made cuts in the committee, and the cuts were worth while. They are responsible, and they are substantial. They are not small.

With respect to the overall fiscal year 1966 NASA request, the committee reduced the request by 1.4 percent, or \$76,155,150, for a recommended total of \$5,183,844,850. The fiscal year 1966 request of \$5,260 million was a slight increase over the \$5,193,810,500 authorized last year.

The committee recommendation for research and development was \$4,537,121,000 or \$38,779,000—0.9 percent—less than the \$4,575,900,000 requested by NASA for fiscal year 1966. The amount requested was about \$250 million more than the \$4,327,950,000 authorized last year.

The NASA fiscal year 1966 request for construction of facilities of \$74,700,000 was \$173,635,000 less than last year's authorization of \$248,335,000. Nevertheless, the committee recommended an authorization of \$60,675,000 for a reduction of \$14,025,000 or 18.8 percent.

The fiscal year 1966 NASA request for administrative operations of \$609,400,000 was reduced by 3.8 percent or \$23,351,150. The amount requested by NASA was slightly lower than last year's authorization of \$617,525,000.

Last year's authorization for manned space flight was \$3,499,760,500. This year's request from NASA was \$3,567,052,000 or an increase of \$67,291,500. The committee reduced this by 1.2 percent or \$42,825,000. The proposed authorization amounts to a total increase of only \$24,466,500 or about three-fourths of 1 percent over the fiscal year 1965 authorization. It is anticipated that less than \$500 million in prior year funds will be unobligated by the end of fiscal year 1965. This amount is expected to be obligated by the end of August of this year.

The components of the manned space flight portion of the fiscal year 1966 authorization consist of Gemini, Apollo, advanced missions, construction of facilities, and administrative operations.

The fiscal year 1966 request for the Gemini program was \$242,100,000, a decrease of \$66,300,000 from last year's authorization. The committee made no reduction in this item but I note that there will be an overrun of about \$55 million from what was estimated last year to fund the Gemini program. NASA has justified this overrun on technical grounds.

NASA requested \$2,997,385,000 for fiscal year 1966 for the Apollo program. This represents an increase of \$319,885,000 from last year's authorization. The committee reduced the fiscal year 1966



request by \$30 million or about 1 percent.

The NASA request for advanced missions dropped for the \$22,100,000 authorized in fiscal year 1965 to a fiscal year 1966 request of only \$10 million. No change was expected in this item.

For construction of facilities for manned space flight, NASA requested \$27,825,000, a substantial decrease from last year's authorization of \$202,419,000. Notwithstanding this substantial year-to-year decrease, the committee reduced the fiscal year 1966 request by 10.15 percent or \$2,825,000.

The fiscal year 1966 request for administrative operations for manned space flight was \$289,742,000, an increase of only \$401,500 from last years authorization. This increase was almost minute in view of the substantial pay increase implemented last year. However, the committee reduced the fiscal year 1966 request by \$10 million or 3.5 percent.

I would like now to comment briefly on total estimated program costs for the major programs of manned space flight.

The very successful Mercury program involved a total cost of \$279,500,000.

The Gemini program which is well on its way will, when completed, cost about \$1,413 million. Three of the 12 scheduled flights have already been successfully completed with the remaining 9 flights to be completed by the end of 1967. The estimated cost per Gemini flight is \$118 million.

The lunar landing program actually involves the Gemini and Apollo programs, construction of facilities, and administrative operations. Last year, I reported that by the end of fiscal year 1965, NASA will have obligated about one-half of the \$20 billion estimated cost for the proposed lunar landing. Through fiscal year 1965, NASA will have committed or obligated a total of \$10,521,700,000 for the lunar landing program. During fiscal year 1966, we are recommending an authorization for this program of \$3,514,200,000. This includes \$242,100,000 for Gemini, \$2,967,400,000 for Apollo, \$25 million for construction of facilities, and \$279,700,000 for administrative operations. This will result in an estimated total commitment or obligation through fiscal year 1966 for the lunar landing program of \$14,035,900,000.

The three primary launch vehicles involved in the Apollo program are the Saturn I-B and Saturn V.

Eight of ten scheduled Saturn I flights have been completed. The two remaining flights will launch Pegasus micrometeoroid experiments and provide engineering test data on boiler plate command and service modules to be used in the Apollo program. The cost per flight of Saturn I is \$80,460,000. Total costs for Saturn I through fiscal year 1965 will be \$800,200,000. The Saturn I program will be completed in fiscal year 1966 with an additional \$4,400,000 required in fiscal year 1966 to complete the program.

The estimated cost per launch of the 12-flight program of Saturn I-B is estimated at \$100 million per flight. The first flight of Saturn I-B is scheduled for 1966 with completion in 1968.

The 15-flight program of Saturn V is estimated to cost \$122 million per flight. The first flight will be in 1967 with the final two flights in 1970.

Recently, the Soviets released a photo of their Vostok space capsule which appeared in some of our Nation's newspapers. The capsule appears spherical in shape and is reported to be the same type as the one which orbited Yuri Gagarin on April 12, 1961. Previous unofficial reports in this country's technical journals indicate that this capsule weighs about 10,400 pounds. The latest Soviet spacecraft, Voskhod II, reportedly weighed about 11,700 pounds.

This is far greater than anything we have flown at this time. The Mercury spacecraft which the United States first launched into orbit on February 20, 1962, weighed only about 3,000 pounds. The Gemini spacecraft in which Astronauts Grissom and Young orbited the earth on March 23, 1965, weighed about 7,000 pounds.

At first glance then, it would appear that we are losing this race to the Soviets. However, this is not so.

The lunar excursion module—LEM—in which the first U.S. astronaut will land on the moon will weigh 30,000 pounds when fully loaded.

The Soviets, since 1961, apparently have been launching the same basic booster, which has been uprated, undoubtedly, to handle the increased weight of the Voskhod spacecraft.

Next year, the United States will launch the first Saturn I-B capable of placing 35,000 pounds in earth orbit, and the following year will launch the first Saturn V. The Saturn V is capable of placing about 280,000 pounds in earth orbit, and when it reaches escape velocity toward the moon, it will be carrying a payload of about 90,000 pounds. This is far greater than anything the Soviets have demonstrated thus far.

For support of programs falling under the Office of Space Science and Applications, the NASA fiscal year 1966 request totaled \$855.2 million.

Broken down as follows: R. & D., \$797.5 million; construction of facilities, \$7.5 million; administrative operations, \$80.2 million.

This part of the space program basically involves the scientific study of the earth, moon, sun, planets, stars, and interplanetary space. Added to this is the development of technology for applied uses, such as meteorological and communications satellites. The space science and applications is divided into nine major subprograms:

For physics and astronomy, NASA requested \$172.1 million. This subprogram includes supporting research and technology, solar observatories, astronomical observatories, geophysical observatories, explorers, sounding rockets, and data analysis. The committee reduced this portion of the request to \$160.2 million, deferring the fifth orbiting astronomical observatory, and the seventh orbiting geophysical observatory until future years.

Continued support of the lunar and planetary exploration segment of the program was requested at a level of

\$215.6 million. This includes such projects as the Ranger, Mariner (now being phased out) Surveyor, Lunar Orbiter, Voyager, and Pioneer. The committee reduced this part of the request by \$2.5 million, deferring the Block II series of the Lunar Orbiter, and requiring NASA to restudy the Surveyor Lander.

For launch vehicle development and procurement, NASA requested a total of \$258.1 million. The committee reduced this request by \$8 million. In addition the sustaining engineering and maintenance request for the Centaur launch vehicle was reduced by \$10 million.

Other subprograms such as bioscience, meteorological satellites, communications satellites, applications technology satellites, and the sustaining university program were reviewed in detail and approved as requested in amounts totaling \$151.7 million.

The overall reduction in the Research and Development request for space sciences and applications was \$32.1 million. The amount recommended to be authorized is \$765.4 million.

The construction of facilities request to support space sciences was \$7.5 million for six projects at Ames, Goddard, Wallops, and Kennedy. All projects were considered valid requirements.

Administrative operations in support of space sciences and applications was reduced \$4.6 million, from \$80.2 million to \$75.6 million. A very careful analysis of housekeeping costs at Goddard, Wallops, and the Pacific launch area revealed areas which were not considered justified.

There are three specific successful areas that I would like to emphasize in the space science and applications programs. The Nimbus, the Tiros, the Mariner, and the Beacon Explorer:

Nimbus is a three-axis stabilized spacecraft designed to provide a test bed for advanced meteorological sensing equipment. One Nimbus was launched in August 1964. It performed well for 1 month. The next flight is scheduled during 1966. Three spacecraft remain in the project.

Failure in the solar array drive mechanism terminated useful operation of Nimbus I after 1 month in operation. In addition, to television pictures of cloud cover, Nimbus sensors will also measure pressure, temperature, wind velocity and water vapor at several altitudes over the entire globe.

Nine Tiros satellites have been launched since April 1960; all have been successful. Television pictures of cloud cover are being received from Tiros VIII and IX. Tiros IX is in the spin stabilized "wheel" configuration, the configuration to be utilized by the Weather Bureau in its operational system. A good example of the benefits to be derived from satellites of this nature can be drawn from history.

In 1963 at Galveston there was a terrific hurricane. They had not had one in 60 years. In 1903 there was a loss of a thousand lives in the hurricane of that year. In the recent one only two or three lives were lost. This was made

possible by the warning received from these satellites.

Mariner II was launched on a Venus trajectory on August 27, 1962. After a 109-day journey to Venus, the spacecraft flew by the planet on December 14. Radiometers aboard the spacecraft sampled the surface temperature of Venus. Other instruments measured the strength of the magnetic field and the nature of its radiation belts. Mariner II passed within 21,648 miles of Venus on December 14, 1962.

Launched November 28, 1964, on a Mars trajectory; in 156 days it has traveled approximately 238 million miles. It has established a new record for communications—almost 70 million miles—in a straight line from the spacecraft to Earth. Mariner IV will make its closest approach—within 5,600 miles—to Mars on July 14, 1965. It is designed to take up to 21 television pictures of the Martian surface during a 24-minute period as the spacecraft flies by the planet.

I feel that this Nation can be justly proud of the Mariner successes to date, particularly when compared to similar efforts of the Soviet Union. The Russian counterpart to our Mariner is the ZOND-2. I received word on May 5 that the Russians now officially admit that the ZOND-2 has stopped transmitting data.

Compare the Russian effort with Mariner IV, whose status as of this minute—3 p.m. eastern daylight time, May 6, 1965—is as follows:

Altitude from Earth, 72, 385,257 statute miles.

Altitude from Mars, 18,153,494 statute miles.

Velocity relative to Earth, 44,075 miles per hour.

Velocity relative to Sun, 52,078 miles per hour.

Mariner IV has traveled 242,997,250 miles.

On April 29, the National Aeronautics and Space Administration launched from Wallops Station, Va., its first satellite with geodesy as its primary mission. Geodesy is the measurement of the earth's size, shape, mass and variations in gravity.

A Scout rocket performed perfectly to put the Beacon Explorer-C satellite into an orbit with a perigee of 583 miles and an apogee of 818 miles. It takes about 107½ minutes to orbit the earth.

Project officials say the orbit is an excellent one for geodetic purposes.

The satellite, named Explorer XXVII after it achieved orbit, also will provide further information on characteristics of the ionosphere. It will radio signals to earth which can be measured by 86 ground stations scattered around the world. All of the ionosphere radio beacons, broadcasting to earth on a variety of frequencies are operating.

Explorer XXVII also carries an array of reflectors to further evaluate the use of laser—light amplification by stimulated emission of radiation—detection in deriving orbital and geodetic information. A ground-based laser flashes an intense light beam at the area which reflects it back to earth.

Project officials have not yet attempted a laser experiment with this new satel-

lite, but they report a very successful experiment with a predecessor satellite—Explorer XXII which was launched last October.

On the night of March 31, 1965, the optical research facility of the Goddard Space Flight Center at Greenbelt, Md., conducted a convincing demonstration of laser satellite tracking techniques. The laser was flashed 200 times at the satellite's reflector array during one pass of Explorer XXII. Ninety photographs of the satellite showed laser signals reflected from the satellite.

In no previous experiment of this kind have sufficient number of returns been achieved to be able to define so clearly the shape of a satellite's orbit as it moved from horizon to horizon.

As a part of its contribution to the National Geodetic satellite program, NASA is developing an active geodetic satellite—GEOS—to be launched later this year. GEOS will be instrumented with flashing lights and electrical equipment for gravimetric geodetic studies.

Beginning in 1959, accurate and continuous tracking of satellites was found to be a powerful new tool for the geophysicist.

In the case of geodesy, the measurement of the size, shape and mass of the earth, the influence of the earth upon the orbits of artificial satellites has been measured by careful radio, radar, and optical tracking and used to obtain worldwide geometric and gravimetric characteristics of the earth.

Lengthy analysis of the orbit of the grapefruit-sized Vanguard I in 1959 showed that the earth is very slightly pear shaped. It was found that the Northern Hemisphere is slightly indented by about 25 feet while the Southern Hemisphere bulges by about 25 feet.

Measurements of other satellite orbits—such as Vanguard II and III, the Echo I rocket casing, and others—have shown that the earth's bulge at the Equator is some 70 meters greater than could be expected for a perfectly plastic earth rotating at the present rate. This bulge is what could be expected for a plastic earth spinning at the rate it was about 50 million years ago when the earth was spinning faster with a day of about 23½ hours.

Other studies from satellite observations show that there is a hump in the earth's surface in the Western Pacific Ocean near Indonesia and the Philippines and a depression in the Indian Ocean. Both are very slight—amounting to about 60 meters—but scientifically significant when combined with other information.

The heat flow through the earth's crust is less than the average for the rest of the earth in the Western Pacific elevation and higher than the average in the vicinity of the Indian Ocean depression. This leads to the speculation that there is a very slow convection in the earth's mantle.

Another very important aspect of the space science program is the field of geodesy.

NASA asked the committee to authorize \$740,601,000 for the Office of Advanced Research and Technology for

use in the following areas: research and development, \$528,900,000—which was broken down into \$277.7 million for advanced research and technology, \$246.2 million for tracking and data utilization, and a million dollars for technology utilization; construction of facilities, \$34,678,000; and administrative operations, \$177,023,000.

There were only four major areas of activity that were modified by the committee. They were the M-1 liquid hydrogen-liquid oxygen 1.5 million pound thrust engine program, the 260-inch 7.5 million pound solid fueled engine program, the SNAP-8 nuclear-electric auxiliary power generator program, and the construction of the Electronics Research Center to be located in Kendall Square, Cambridge, Mass.

The M-1 engine development, the 260-inch engine development, and the SNAP-8 development were ongoing programs of research that were approved by the committee and authorized by the House over the past several years. However, for reasons of economy, the Administrator cut these three programs entirely from the NASA budget. The committee on the other hand, believed that such actions in the long run would be extremely wasteful and later result in very high costs when it would become necessary to reactivate these programs.

Consequently, the committee restored \$15 million to the M-1 program to continue it on a technological development level, \$6.2 million to the 260-inch solid rocket program to carry it through the test firing of two full length rockets, and \$6 million to the SNAP-8 to continue it at the scheduled level of effort.

Expenditures to date for the M-1 engine development are as follows: Research and development, \$63 million; special test equipment, \$19 million; construction of facilities, \$29 million; and contractor expenditures, \$6 million; total, \$117 million.

Significant progress has been made in the development and testing of engine components. A gas generator, delivering twice the thrust of the Centaur engine, for driving the turbopumps has been successfully tested. The liquid oxygen turbopump, developing 27,000 shaft horsepower, has been successfully tested and is currently being disassembled and inspected.

The liquid hydrogen turbopump, which will develop 75,000 horsepower, is being installed on the test stand for testing this month. An uncooled thrust chamber has been tested.

Testing of valves, bearings, and seals continues in a cryogenic laboratory where similar work is performed for the Nerva program.

Construction of facilities in the E area, used for testing the liquid oxygen and liquid hydrogen turbopumps, have been completed and represent an investment of \$18 million. It can be used for testing turbopumps for large nuclear engines such as Phoebus.

The H-8 test facility has been used for the successful gas generator testing and is being prepared for the continuation of uncooled thrust chamber testing. It provides for 20 seconds duration for thrust chamber testing.



The K area is a NASA complex for engine system testing. The K-1 test stand provides for altitude starting and 30-second duration tests. The K-1 test stand and control room were scheduled for completion of construction with the \$3 million of construction of facilities funds remaining from fiscal year 1965. The planned K-2 test stand using the same control room has two positions; one, for altitude firing of the engine, and two, for sea-level testing both for durations of 300 seconds.

The authorization by the committee of the M-1 engine will continue the development program at a component technology level leading to eventual complete ground system tests. It will provide the country with a second stage or upper stage delivering a 1.5 million pound thrust at a specific impulse of about 350. The program is being continued because we have nothing else under development that will provide this capability and since the program is about 50 percent complete. Termination and other costs would be excessive if we had to restart the program.

The SNAP-8 provides electrical power for a spacecraft. NASA is developing the power generating portion of the system. The AEC fiscal year 1966 request, which is \$9 million, is their portion of the development which includes the nuclear heat source for the system. Each agency has spent about \$50 million and the program is about 50 percent complete. Both agencies must continue their work to fruition. The SNAP-8 provides the only method by which we can get a large maintenance free source of power for a spacecraft. The estimated lifetime is about 1½ years at full power.

The committee has fostered the development of solid boosters and the 260-inch engine is the result of their effort. The program is about 50 percent complete with firings scheduled to be completed by December 1965. So far, \$51 million has been spent in the development. The simplicity, the relatively cheap development and proven reliability of solid rockets convinces the committee that for an estimated total of about \$30 million additional dollars a complete ground system test of a 6- to 7-million pound booster could be made. The committee felt that this program should be continued to complete ground tests.

The Electronics Research Center has been the focus of considerable discussion and debate. The basic fact is that NASA has not as yet acquired title to the land it expects to use for its construction. Further, NASA does not expect to acquire title until approximately April 1966. It already has a total of \$13.9 million authorized in fiscal years 1964 and 1965 for this construction. Hence the committee deleted the entire \$10 million requested for construction during this fiscal year, and it expects NASA to utilize its available funds to initiate whatever work needs to be done in the last 3 months of this fiscal year. Meanwhile, the whole problem will be examined and evaluated again during next year's fiscal year authorization.

In tracking and data acquisition the committee deleted \$1.2 million for the construction of a tracking installation on Antigua Island because of the lack of sufficient information regarding the specific site and the costs.

The only other reduction was a 5-percent cut in administrative operations of \$8,351,150 dictated by reasons of economy.

The net result of the committee's action with regard to the Office of Advanced Research and Technology was an increase of \$3,369,850 from \$740,601,000 to \$743,970,850.

Project FIRE, part of the reentry technology program of NASA's Office of Advanced Research and Technology has the primary objective of measuring the severity of the heat environment encountered by a body reentering the earth's atmosphere at 25,000 miles per hour, a speed slightly in excess of lunar rate velocity.

The measurements are accomplished by a complex and highly instrumented reentry package which is launched from Cape Kennedy by an Atlas launch vehicle into a long coasting ballistic trajectory.

After coasting over the top, a velocity package consisting of an Antares II solid fuel rocket motor and a guidance system accelerates the reentry package to its final velocity of 25,834 miles an hour.

As the reentry package enters the atmosphere in the vicinity of Ascension Island, measurements are made of the heating rates in a series of three beryllium calorimeters covering the front face of the blunt spacecraft.

The energy radiated by the air heated to incandescence by the compression ahead of the spacecraft is also measured and recorded on board. After each calorimeter has done its job, it is melted by the heat of reentry, then the next layer is protected for a short interval by an asbestos heat shield which is then jettisoned to expose a new calorimeter layer.

So much energy is imparted to the air surrounding the spacecraft that it becomes ionized, or electrically conducting, and radio signals from the spacecraft cannot be sent from the spacecraft until it has been greatly decelerated by air drag. At this point the data which have been stored on board are played back by a tape recorder and received by ships stationed in the reentry area and by instrument stations on Ascension Island.

In the first launch of Project FIRE in April 1964, the Atlas and terminal velocity vehicle did a near-perfect job of delivering the reentry vehicle to the desired reentry conditions and significant information on the severity of reentry heating was obtained under conditions which it is not yet possible to simulate in ground facilities.

The second and last experiment in this project is on the pad at Cape Kennedy at this moment. If weather conditions at Ascension Island are sufficiently clear to assure ground observation of the reentry, it will be fired tonight.

The total cost of Project FIRE will be \$30,971,000, of which \$500,000 is needed in fiscal year 1966 to complete the op-

erations and to analyze and publish the results.

Might I comment to the gentleman from Ohio and the gentleman from Indiana that Ohio has done fairly well. In some respects it has done better than other places. The Lewis Research Center in Cleveland, and at Sandusky, Ohio, \$867,000, was recommended by the committee, on page 3 of the bill. This is an authorization for fiscal 1966 out of a total of \$60,675,000 requested for construction of facilities, including land and acquisition.

I may say to the gentleman from Ohio there is no land acquisition included in the Lewis request. It is solely for building an addition to the 10- by 10-foot wind tunnel costing \$407,000, and for a space power research laboratory costing \$460,000. As a matter of fact, I would point out to the gentleman, that with this \$800,000 we now have an installation in Ohio, at Cleveland and at Sandusky, worth \$240 million. In addition, over \$60 million is programmed for administrative operations for fiscal year 1966 at this Center. In fiscal year 1964, over \$60 million in research and development contracts went to the State of Ohio.

I have stated in additional views to the committee report, my continued urging of sufficient funding for high-energy fuels and advanced propulsion.

This Nation must never again be caught short of rocket power, and the research to assure the benefits of propellants such as diborane and oxygen difluoride must go forward vigorously.

Last year the committee added \$4 million for high-energy propulsion. This year NASA asked for an increase of \$5 million in this category and we have approved the request. The money will go for testing and development of diborane and other advanced rocket engine fuels. It will enable us to increase the onboard propulsive power of our space vehicles. It will enable us to carry out missions to deep space and in toward the sun where the rapid boil off of liquid hydrogen precludes its use as a fuel. It will give us a choice of propellants which are optimum for each space mission of the future.

The money which we have added in the past has been well spent. It made possible the test firing of the diborane-oxygen difluoride engine at Tullahoma, Tenn., last month. It contributed to the improvement of the Centaur engine to power the Surveyor lunar landing vehicle.

It made possible the upgrading of the Atlas engines by using a fluorine-oxygen combination called flox. Many other projects were pushed forward by the Chemical Propulsion group in the Office of Advanced Research and Technology because of the continuing congressional insistence on the best rocket engines we can get.

Much more remains to be done and the investment each year in propulsion development is just one step along the road of constant engineering achievement. NASA must allocate sufficient funding from our authorization to keep this effort at a high level. NASA must not dilute the intent of Congress by shifting work from Manned Space Flight and

Space Sciences into the Office of Advanced Research and Development. The emphasis on current missions must not interfere with the development of better engines for the future.

While I am in complete accord with the program, I do believe that there are certain areas in which improvements can be effected.

Several significant projects in the field of propulsion research and development have been carried on in past years by the Office of Manned Space Flight and the Office of Space Science and Applications. These latter offices are highly mission-oriented. To them, if research does not have an obvious and immediate application, it cannot long be justified.

I have established that a number of worthwhile and promising propulsion projects previously supported by the Office of Manned Space Flight and the Office of Space Science and Applications are being terminated with the option of transfer to the Office of Advanced Research and Technology for continued support. The total funding necessary to continue both these projects and the normal Office of Advanced Research and Technology work would far exceed the chemical propulsion budget request of \$30 million.

In other words, the practice of dumping half-finished, but still potentially useful projects, on the Office of Advanced Research and Technology by the other National Aeronautics and Space Administration offices places the Office of Advanced Research and Technology in the predicament of reorienting its whole program. Without sufficient funds for the transferred projects, new priorities have to be established and some valuable work ends up being dropped or deferred. This is an inefficient way to do advance research and technology.

Therefore, I believe that NASA should take steps to place all propulsion research under the coordinating authority of the Office of Advanced Research and Technology. Sufficient funding should be allocated to this office to support a broad, vigorous, and continuing development of this vital field. Propulsion research should not be subject to the changing whims and budgetary constraints of the Office of Manned Space Flight and the Office of Space Science and Applications. A sustained effort from the original idea to the demonstration of an operating prototype, under the continued guidance and judgment of the Office of Advanced Research and Technology can lead most rapidly to those benefits, to all of our space programs, which we know better fuels and engines will bring.

An Inspector General, with necessary staff and facilities, should be established in the National Aeronautics and Space Administration. The current NASA program is replete with a myriad of complex and sophisticated projects designed to meet a wide variety of objectives of importance to the Nation.

Management problems are bound to arise as a result of the various programs and objectives, involving an annual Federal expenditure of over \$5 billion and the future of the national space program. I believe it is necessary that the

Administrator of NASA be provided with the capability of obtaining independent evaluations and examinations of management actions by personnel other than those involved in formulating or implementing management policies.

While I have been assured by the chairman of the committee that my proposal for the establishment of an Inspector General in NASA will be the subject of hearings before the NASA Oversight Subcommittee, I wish to emphasize the critical importance of such an office to the efficiency of NASA operations and programs.

It is significant to note that numerous other agencies of the Federal Government have recognized the importance of utilizing Inspector General offices to effectuate internal and periodic examinations, evaluations, and corrective measures. Among these agencies are the Departments of the Army, Navy, and Air Force, the Department of State, and, more recently, the Department of Agriculture.

I believe it of urgent and vital importance that NASA establish and maintain an Inspector General to insure that the space program and objectives of this Nation are carried out and met with both economy and efficiency.

Although there is a continuing effort within the National Aeronautics and Space Administration and with the cooperation of the Atomic Energy Commission on nuclear propulsion research, we are concerned that the Nation may not be taking full advantage of the potential inherent in nuclear propulsion devices. We are all aware that nuclear applications are technically difficult and as a result usually take a considerable length of time to perfect. For this very reason we should begin programs now, to increase research and development in various nuclear propulsion projects covering a broader range, and thus reduce this leadtime as much as possible. Although this would improve our capability for additional industrial applications, more importantly it would assure the Nation that we are not behind in the military applications so vital to our survival.

For these reasons I hope that the Administration will review its planned work in this field and initiate and increase efforts where needed to insure our preeminence and security in the space field.

Minority members of this committee have repeatedly expressed concern over the total number of staff personnel available to the Committee on Science and Astronautics. In our opinion it is impossible for the 12 professional and technical staff members to adequately handle the workload associated with the committee's broad responsibilities in the field of science. This committee has one of the largest budgets in Government to authorize and to oversee and one of the smallest committee staffs in Congress to assist in this process.

It is the responsibility of this committee to study thoroughly the many space projects and programs. The committee staff must be composed of individuals trained in engineering, electronics, and other space-related disciplines to assist in this important work. With the present staff, despite their individual compe-

tence, we believe the committee cannot fully perform its prime functions—to review the National Aeronautics and Space Administration's budget and to assist in evaluating, on a continuing basis, these programs. This situation constitutes a weakness in the system of checks and balances. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to keep watch on a huge executive agency. This is being "penny wise and pound foolish" and can certainly cause considerable waste and make inefficient our system of government.

In addition to the responsibility for the conduct of scientific research in the Government, the committee has authorization and oversight responsibility over one of the largest Government agencies—the National Aeronautics and Space Administration, with an annual budget totaling over \$5 billion. Without additional staffing the committee cannot carry out these oversight responsibilities throughout the year and in addition involve itself in the many other responsibilities in the fields of science.

The Congress should not continue to fail to exercise its constitutional prerogatives and responsibilities, and run the risk of wasting taxpayers' dollars by failing to insist that a competent staff be selected to assure reasonable supervision of this budget and efficient handling of the many other responsibilities of the committee.

Also, we continue to believe that there is an urgent need for staff members responsible to the minority members of the committee, including both professional and clerical help. It is absolutely vital that staff members be available to all the minority members of the committee if the House is to be benefited by well-balanced views, conclusions, and recommendations. It is obvious that the most efficient way to provide a minority staff is to do so on a full-time basis so the staff members will not be overburdened by responding to both majority and minority efforts in carrying out the committee's work. Currently, the present staff is overburdened to the extent that it is difficult for them to be of assistance to minority members. It is our recommendation that at least one minority staff member be assigned full time for each subcommittee.

The Congress, the committees of Congress, and the majority and minority members have an obligation to the people of this country, and they fail in that obligation when, because of inadequate committee staff, they are unable to properly discharge their duties.

The Republican policy committee of the House agrees with this view in its statement as follows:

The Committee on Science and Astronautics is responsible for the conduct of scientific research in the Government and has authorization and oversight responsibility over one of the largest Government agencies—the National Aeronautics and Space Administration, with an annual budget totaling over \$5 billion.

In order to discharge effectively their responsibilities, the minority members of the committee must have the staff to study thoroughly and carefully follow the many space projects and programs.



Certainly, with an adequate staff the minority members of the Science and Astronautics Committee could more effectively scrutinize the National Aeronautics and Space Administration's budget and thereby contribute toward greater efficiency and economy within that agency. At the present time, the minority members do not have one staff member assigned and responsible to them.

The Republican policy committee reaffirms its position of previous years in favor of an adequate staff for the minority members of this and other committees of the Congress.

We urge that both professional and clerical help be made available to the minority members as outlined in the additional views on H.R. 7717 in House Report No. 273.

It should be noted that the policy committee did not take any position with regard to the total amount recommended for NASA in H.R. 7717, nor did it take any position with regard to the amount of the cut made by the Committee on Science and Astronautics.

We on the committee will be available to answer questions. We hope you will vote the full amount contained in this bill that we have requested. It is about \$10 million less than was presented last year to the House.

The SPEAKER. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

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

Mr. FULTON. Mr. Speaker, I make the point of order that a quorum is not present, and object to the vote on the ground that a quorum is not present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that a quorum is not present, and objects to the vote on the ground that a quorum is not present. 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 389, nays 0, not voting 44, as follows:

[Roll No. 96]

YEAS—389

Abbutt	Battin	Byrnes, Wis.
Abernethy	Beckworth	Cabell
Adair	Belcher	Callaway
Adams	Bell	Cameron
Addabbo	Bennett	Carey
Albert	Berry	Carter
Anderson, Ill.	Betts	Casey
Anderson, Tenn.	Bingham	Cederberg
Andrews	Boggs	Chamberlain
George W.	Boland	Chambers
Andrews	Bolling	Clark
Glenn	Bolton	Clausen
Andrews	Bonner	Don H.
N. Dak.	Bow	Clawson, Del.
Annuizio	Brademas	Cleveland
Arends	Bray	Clevenger
Ashbrook	Brock	Cohelan
Ashley	Broomfield	Collier
Ashmore	Brown, Calif.	Colmer
Aspinall	Brown, Ohio	Conable
Ayres	Broyhill, Va.	Conte
Baldwin	Buchanan	Cooley
Bandstra	Burke	Corbett
Baring	Burleson	Craley
Barrett	Burton, Calif.	Cramer
Bates	Burton, Utah	Culver
	Byrne, Pa.	Cunningham

Curtin	Jarman	Price
Daddario	Jennings	Pucinski
Dague	Joelson	Purcell
Davis, Ga.	Johnson, Calif.	Quile
Davis, Wis.	Johnson, Okla.	Quillen
Dawson	Johnson, Pa.	Race
de la Garza	Jonas	Randall
Delaney	Jones, Ala.	Reddin
Dent	Karsten	Reid, Ill.
Denton	Karth	Reid, N.Y.
Derwinski	Kastenmeier	Reifel
Devine	Kee	Reinecke
Dickinson	Keith	Reuss
Diggs	Kelly	Rhodes, Ariz.
Dingell	Keogh	Rhodes, Pa.
Dole	King, Calif.	Roberts
Donohue	King, N.Y.	Robison
Dorn	Kirwan	Rogers, Fla.
Dow	Kluczynski	Rogers, Tex.
Dowdy	Kornegay	Ronan
Downing	Krebs	Roncallo
Dulski	Kunkel	Rooney, N.Y.
Duncan, Oreg.	Laird	Rooney, Pa.
Duncan, Tenn.	Landrum	Roosevelt
Dwyer	Langen	Rosenthal
Dyal	Latta	Rostenkowski
Edmondson	Leggett	Roudebush
Edwards, Ala.	Lennon	Roush
Edwards, Calif.	Lindsay	Roybal
Ellsworth	Lipscomb	Rumsfeld
Erlenborn	Long, La.	Ryan
Evans, Colo.	Love	Satterfield
Everett	McCarthy	St Germain
Farbstein	McClary	St. Onge
Farnley	McCulloch	Saylor
Farnum	McDade	Scheuer
Fascell	McEwen	Schlesler
Feighan	McFall	Schmidhauser
Fino	McGrath	Schneebell
Fisher	McMillan	Schweiker
Flood	McVicker	Scott
Foley	Macdonald	Secrest
Ford, Gerald R.	MacGregor	Selden
Ford	Machen	Shipley
William D.	Mackay	Sickles
Fountain	Mackie	Sikes
Fraser	Madden	Sisk
Frelinghuysen	Mahon	Skubitz
Fulton, Pa.	Mailliard	Slack
Fulton, Tenn.	Marsh	Smith, Calif.
Fuqua	Martin, Ala.	Smith, Iowa
Gallagher	Martin, Mass.	Smith, N.Y.
Garmatz	Martin, Nebr.	Springer
Gathings	Matsunaga	Stafford
Gettys	Matthews	Staggers
Gibbons	May	Stalbaum
Gilbert	Meeds	Stanton
Gilligan	Michel	Steed
Gonzalez	Miller	Stephens
Goodell	Mills	Stratton
Grabowski	Minish	Stubblefield
Green, Oreg.	Mink	Sullivan
Green, Pa.	Minshall	Sweeney
Griegg	Mize	Teague, Calif.
Griffiths	Moeller	Teague, Tex.
Gross	Monagan	Tenzer
Grover	Moore	Thomas
Gubser	Moorhead	Thompson, La.
Gurney	Morgan	Thompson, N.J.
Hagan, Ga.	Morris	Thompson, Tex.
Hagen, Calif.	Morrison	Thomson, Wis.
Haley	Morse	Todd
Hall	Morton	Trimble
Halpern	Mosher	Tuck
Hamilton	Moss	Tupper
Hanley	Multer	Tuten
Hanna	Murphy, Ill.	Ullman
Hansen, Idaho	Murphy, N.Y.	Utt
Hansen, Iowa	Murray	Van Deerlin
Hansen, Wash.	Natcher	Vanik
Hardy	Nedzi	Vivian
Harris	Nelsen	Waggonner
Harsha	Nix	Walker, Miss.
Harvey, Ind.	O'Brien	Walker, N. Mex.
Harvey, Mich.	O'Hara, Ill.	Watkins
Hathaway	O'Konski	Watts
Hawkins	Olsen, Mont.	Weitner
Hébert	Olson, Minn.	Whalley
Hechler	O'Neal, Ga.	White, Idaho
Helstoski	O'Neill, Mass.	White, Tex.
Henderson	Ottinger	Whitener
Herlong	Passman	Whitten
Hicks	Patman	Widnall
Hollifield	Patten	Willis
Holland	Pelly	Wilson, Bob
Horton	Pepper	Wilson,
Hosmer	Perkins	Charles H.
Howard	Philbin	Wolf
Hull	Pickle	Wright
Hungate	Pike	Wyatt
Huot	Pirnie	Wylder
Hutchinson	Poage	Yates
Ichord	Poff	Young
Irwin	Pool	Younger
Jacobs		Zablocki

NAYS—0

NOT VOTING—44

Blatnik	Fogarty	Rivers, Alaska
Brooks	Friedel	Rivers, S.C.
Broyhill, N.C.	Gialmo	Rodino
Cahill	Gray	Rogers, Colo.
Callan	Grider	Senner
Celler	Griffin	Shriver
Chelf	Halleck	Smith, Va.
Conyers	Hays	Talcott
Corman	Jones, Mo.	Taylor
Curtis	Long, Md.	Toll
Daniels	McDowell	Tunney
Evins, Tenn.	Mathias	Udall
Fallon	O'Hara, Mich.	Vigorito
Findley	Powell	Williams
Flynt	Resnick	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hays with Mr. Findley.  
Mr. Rogers of Colorado with Mr. Curtis.  
Mr. Rodino with Mr. Cahill.  
Mr. Brooks with Mr. Broyhill of North Carolina.  
Mr. Smith of Virginia with Mr. Halleck.  
Mr. Fallon with Mr. Griffin.  
Mr. Friedel with Mr. Shriver.  
Mr. Fogarty with Mr. Talcott.  
Mr. Evins of Tennessee with Mr. Mathias.  
Mr. Rivers of Alaska with Mr. Vigorito.  
Mr. Corman with Mr. Celler.  
Mr. Blatnik with Mr. Powell.  
Mr. Gray with Mr. Resnick.  
Mr. Rivers of South Carolina with Mr. Senner.  
Mr. Chelf with Mr. O'Hara of Michigan.  
Mr. Flynt with Mr. Long of Maryland.  
Mr. Udall with Mr. Daniels.  
Mr. Williams with Mr. Callan.  
Mr. Grider with Mr. Conyers.  
Mr. Taylor with Mr. McDowell.  
Mr. Gialmo with Mr. Tunney.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. MILLER. 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. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7717, with Mr. ROONEY in the chair.

The Clerk read the title of the bill.

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

Mr. MILLER. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, H.R. 7717, the bill before the House, is the annual NASA authorization bill.

This bill authorizes a total of \$5,183,844,850. This is a reduction of \$76,155,150 of the amount requested by NASA. In the total figure, there is authorized for research and development \$4,537,121,000; for construction of facilities \$60,675,000; and for administrative operations \$586,048,850.

Actually, we reduced the bill a total of \$103,355,000, but we restored three programs which had been cut out by the

Bureau of the Budget, in the amount of \$27,200,000.

At the outset, let me say that the NASA budget is one of the tightest it has brought before the committee to this date. As usual, we divided the committee into three subcommittees, and these subcommittees and the full committee have been working on this bill since last February.

The Members will recall that last year the Congress appropriated \$5.250 billion for NASA, so it can readily be seen that the request this year is very close to that figure.

We now have a well-tailored, ongoing space program. We believe we are on schedule to land men on the moon and return them safely to earth by 1970. And, we must also remember the other space programs which do not require men in flight, such as communications and weather satellites. In addition, there are a host of other satellites—navigation, geodetic, and scientific payloads being launched and scheduled for the next fiscal year.

You all know of the success of our first manned Gemini flight. It was what they call a "textbook" flight; and I may say that, while the Soviets' feat of having a cosmonaut leave the capsule and "walk" in space was spectacular, it cannot compare with our demonstrated ability to maneuver the spacecraft and change orbits—something the Russians have not yet demonstrated a capability to do. This maneuvering capability is indispensable in the docking and rendezvous procedures which are necessary for our lunar mission.

The budget request for fiscal 1966 represents a continuation of the programs approved by the Congress for the past several years, and this bill contains only one new major program. I have reference to the Voyager program. The Voyager spacecrafts will have the primary objective of obtaining detailed information on the nature of the planet Mars. Such missions require a spacecraft capable of carrying large scientific payloads to the planet, telemetering considerable amounts of data back to earth and having long life about the planet and on the planetary surface. This will be in the 7,000- to 10,000-pound class and will use Saturn IB-Centaur as a launch vehicle. We will expect the first Voyager flight in the 1971 time period and others to follow in subsequent years. We are starting the funding for the research and development with \$43 million.

Now, I should say a few words about the programs which were not in the bill, but were written in by the committee.

First, let me say that these three programs are all ongoing programs—not new ones—and NASA was reluctant to terminate them; but the decision was made at a higher level for budgetary reasons.

These programs fall under advanced research and technology and deal with the future of space flights. I hardly need to remind you that the main reason we originally fell behind the Soviets in the exploration of space was because of our failure to proceed with research and development in large boosters, and we

are suffering from this lack of foresight to this day. The committee is convinced that we have no alternative but to proceed with these programs if we intend to be in the forefront of space exploration in the future.

Now, the three programs are: First, the SNAP-8; second, the large 260-inch solid propellant program; and third, the M-1 engine research and development program.

SNAP-8 is the nuclear-electric generator system. NASA wanted to fund this for \$10 million, but the decision was made to drop it. Testimony taken by the committee revealed that there is no comparable power source under development, nor are there any other systems either existing or under development that offer the potential, the long life, and the maintenance-free operation inherent in this type of nuclear device. The committee, therefore, continued this program by authorizing \$6 million for fiscal year 1966.

The next is the 260-inch solid booster development program. We authorized \$6,200,000 for a continuation of this program, and the testimony presented to the committee revealed that this program could be continued in fiscal year 1966 for this sum. This amount of money will provide a firing of a full-length 6-million-pound thrust solid booster.

Finally, the committee authorized \$15 million to be used to continue the component development program of the M-1 engine, a liquid-hydrogen, liquid-oxygen engine. Each of the M-1 engines will develop 1,500,000 pounds of thrust. Testimony revealed that there is no other development program underway at this time that can possibly provide an upper stage having the same capability as this engine.

Now, Mr. Chairman, there are many details in the program; and these will be covered by the subcommittee chairmen who will follow me. But before closing, I should advise the Members that this bill was reported by the committee by a unanimous vote.

I want to pay my compliments to the three subcommittees that worked on this bill. They were headed by the gentleman from Texas [Mr. TEAGUE], the gentleman from Minnesota [Mr. KARTH], and the gentleman from West Virginia [Mr. HECHLER]. These men, with their committees, devoted long hours of intelligent work and if it were not for the cooperation we have had from them and the sincerity and dedication of the members of the committee, this committee would not be able to make the type of report it has made today.

The CHAIRMAN. The gentleman from California has consumed 8 minutes.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, today I join with my colleagues on the House Committee on Science and Astronautics in endorsement and support of H.R. 7717.

This bill, as it has been explained, provides the authorization of funds for the National Aeronautics and Space Administration.

At the outset, I would like to say it is a pleasure to serve with these Members

from both sides of the aisle, who make up this committee, and the Subcommittee on Manned Space Flight.

It is a rich and rewarding experience. But it is a real challenge, since so much of our efforts concern the unknown and feats never before performed by man.

My State of Indiana has small participation in the field of space, and I am not unmindful of the criticism prompted by the expenditures of huge sums in this field by our Government.

Quite often, the efforts I have made in behalf of our space endeavor, are the subject of correspondence from those who feel that any such expenditure is purely a waste of manpower and money.

Just recently I read an article concerning "the ever-growing costs of our space program."

But what are the facts? Let us look at the figures on funding over the past 3 fiscal years in our space program.

In fiscal year 1964, NASA requested \$5.7 billion. The Congress authorized \$5.3 billion, and later Congress appropriated \$5.1 billion.

In fiscal year 1965, NASA requested \$5.3 billion, and Congress authorized \$5.2 billion, and the total appropriation including one supplemental was \$5.2 billion.

This year, for fiscal year 1966 NASA has requested \$5.2 billion, and today we ask that this House authorize \$5.1 billion.

The point I make is this: The money authorization in this act represents a reduction over what we authorized last year. And is even less than the amount we appropriated last year.

I think one must agree, in this great and growing program, and bigger and bigger costs of Government, that it is unusual to find a reduction in expenditures.

Again, and I repeat this authorization is something like \$67 million less than actually spent last year.

Today we have heard enumerated many feats carried out by our space agency. You have read others in the newspapers, and shared with us by television the exploits of our Mercury and Gemini programs.

You have been aboard a space vehicle, via your television receiver, as it crashed on the surface of the moon. You have witnessed radio and television programs carried across the seas by our communication satellites.

I know of the national pride in these endeavors, and I will not be redundant by discussing them here today.

This program is not perfect, but no one on the committee has claimed it to be perfection.

We have made mistakes in this field of unknown feats, but they are honest mistakes. So much of scientific research is trial and error—and so must be our space effort.

There are items and matters within this bill with which I do not agree. You will find my name listed on five different additional viewpoints contained in the report accompanying this bill. I invite your attention to these viewpoints, and I know the Members will give them their attention.



I did not join with others on the committee in these viewpoints, due to any political partisanship. Politics have been kept at a minimum on this committee.

Two of these viewpoints refer to staffing on the committee. Although the staff has been improved and expanded, I feel especially strongly about the lack of minority staff. These two viewpoints could be considered an addendum since actually the money in the bill does not provide for staffing. In fairness, however, staffing does affect the quality of legislation.

Another additional view of which I am a part is the site selection of the NASA Electronics Research Center.

Here the specter of politics does not enter into my thinking. Nowhere in these views is it suggested or implied that this Center should be built in some other State or geographical area than that selected by NASA. I feel the Kendall Square site selection represents poor judgment, and provides great and unnecessary costs and the demolition of many privately owned, established businesses.

The hybrid method of using urban renewal to acquire this site in the city of Cambridge is questionable.

The original costs of land acquirement have soared to many times the preliminary estimate, and original land procurement schedules are now buried in the redtape of negotiation. I hope you will read these views on page 134 of the report.

In committee, an amendment was considered to require a different site, but it lost by a narrow margin on rollcall vote. I supported such amendment.

Just briefly, I wish to discuss another additional view submitted by the gentleman from New York [Mr. WYDLER] and me. This concerns the development of the M-1 engine.

This is one of three programs where the committee saw fit to override the recommendations of NASA, and to provide funds not recommended by that agency. The other two such programs are the SNAP-8 nuclear-electric generator system and the 260-inch solid fuel booster program.

I do not question the wisdom of funding SNAP-8 in the amount of \$8 million, and the 260-inch solid booster in the amount of \$6.2 million. I believe these programs were very adequately justified by witnesses as essential to our space effort. They neither duplicate any other existing program nor are they designed for a nonexistent task.

I do most sincerely question the wisdom of continuing to pour money into the M-1 engine. The committee has funded this program of engine development in the amount of \$15 million. The M-1 is an oxygen-hydrogen-burning engine for which we have no mission or even a vehicle to use it.

We first committed ourselves to develop this engine in 1964, at an estimated cost of \$238 million, and by the end of fiscal 1965 we will have spent \$100 million.

I am aware of the long time needed for engine development. Actually, it is usually about 10 years from the drawing

board until a rocket engine is ready for mission use.

But this engine will not be used in our presently projected programs. It will not be used in our Gemini or Apollo programs. It is quite possible it will not be used at all.

The magic elixir of bigger and bigger chemical-propelled engines to boost bigger and bigger vehicles is fast losing its magic.

The possibility of more refined vehicles burning other, more efficient, fuels must be realized.

I hope these additional views which I have discussed will not imply a lack of support of this bill or our space effort. I hope the bill has the overwhelming support of this House. I intend to join in that support.

Thank you.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield to me?

Mr. ROUDEBUSH. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, may I compliment the gentleman from Indiana [Mr. ROUDEBUSH] on his excellent work on the Space Committee. Congressman ROUDEBUSH has been dedicated to progress with economy, and he has been reasonable in his approaches to these difficult scientific and aerospace programs. There is one thing that is certain. Congressman ROUDEBUSH certainly has the taxpayers and economy in mind always. The people of Indiana and the Midwest of America are to be congratulated on the fine committee work of Congressman ROUDEBUSH to change the policy of the National Aeronautics and Space Agency to provide adequate space facilities, and research and development programs for the good State of Indiana and the Midwest.

Mr. ROUDEBUSH. I thank the gentleman for his kind remarks.

Mr. MILLER of California. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. TEAGUE], the chairman of the Manned Space Flight Subcommittee.

Mr. TEAGUE of Texas. Mr. Chairman, the Subcommittee on Manned Space Flight conducted hearings on the fiscal year 1966 NASA authorization during March of 1965. It received a complete review of the manned space flight program from NASA headquarters and field center witnesses as well as industrial and NASA witnesses in the field. Where necessary, supplemental supporting data was obtained from NASA field centers and industrial contractors participating in the manned space flight program.

The subcommittee traveled to McDonnell Aircraft Corp., St. Louis, Mo.; Grumman Aircraft & Engineering Corp., Bethpage, Long Island, N.Y.; and the Manned Spacecraft Center, Houston, Tex. The chairman and other members of the committee also traveled to Michoud Operations, New Orleans, La.; Kennedy Space Center, Cape Kennedy, Fla.; and Marshall Space Flight Center, Huntsville, Ala.; and received program briefings and tours of these facilities.

Mr. Chairman, a record of program accomplishment has been compiled for every NASA manned space flight center and major contractor, and these are a part of our printed record.

The Manned Space Flight Subcommittee has approved the 1966 budget request with only a few changes. This is based on the fact that no new major programs were required in manned space flight this year. Major programs, Gemini and Apollo, are continuations of those programs authorized by the committee and Congress last year. In general, the 1966 authorization requests are for continued funding of existing programs.

However, the subcommittee did make the following changes:

#### TOTAL REDUCTION

The total request by NASA for manned space flight for fiscal year 1966 is \$3,567,052,000 as follows: for research and development, \$3,249,485,000; for construction of facilities, \$27,825,000; for administrative operations, \$289,742,000. The subcommittee is recommending a total reduction of \$42,825,000.

#### RESEARCH AND DEVELOPMENT

NASA requested \$3,249,485,000 for research and development in manned space flights. Total reduction in research and development amounts to \$30 million. All of this reduction comes from the Apollo program. It is the view of the subcommittee that in the areas of Apollo mission support and engine development that program improvements could be made. However, the reduction was made in the total request to allow NASA to make program alterations with a broad management latitude of choice without adversely affecting the total program. It was recognized by the subcommittee that NASA, prior to coming before the committee, had made substantial reductions in their total research and development program. A further reduction was also made by the Bureau of the Budget. Based on this, the \$30 million reduction is considered a maximum amount that could be taken without jeopardizing the pace and progress of the Apollo program.

#### CONSTRUCTION OF FACILITIES

In its fiscal year 1966 request for construction of facilities funds in connection with the area of manned space flight, NASA has asked for a total of \$27,825,000. NASA proposes to use these funds for 4 projects at the Kennedy Space Center, 2 at the Manned Spacecraft Center, 5 at the Marshall Space Flight Center, 1 at the Michoud plant, 2 at the Mississippi test facility, and 3 in connection with the F-1, H-2, and S-II stage programs, a total of 17 projects.

The subcommittee has reviewed these projects in detail and has determined that a number of these projects do not appear to be justified on the basis of the details submitted by NASA. Among the projects considered questionable are the additions to the medical facilities at Kennedy for about \$1 million; the \$800,000 extension to warehousing facilities at the Manned Spacecraft Center; the \$1,946,000 for two laboratories at Marshall Space Flight Center; the more than \$70,000 for locomotive repair and

associated rail spur facilities for the one locomotive at the Mississippi test facility; and the several millions of dollars requested for still more construction facilities at various engine facilities for engines which are far down the road in development and production.

It is not my intent or desire to specifically delete or cancel projects by name but rather to reduce the overall level of funding in fiscal year 1966 to a \$25 million level and permit NASA the flexibility to choose those projects considered most necessary. This represents a reduction of \$2,825,000. In the final committee report, I recommend that the committee comment in some detail on

those projects considered of questionable value and on which I have already commented.

#### ADMINISTRATIVE OPERATIONS

NASA requested for fiscal year 1966 \$289,742,000 for administrative operations for the Kennedy Space Center, the Manned Spacecraft Center, the Marshall Space Flight Center, and their subsidiaries. In line with previous years the subcommittee believes that more austere management practices will lead to improved efficiency within NASA. With this view, a reduction of \$10 million was made in the total administrative operations budget for manned space flight.

#### Action by Subcommittee on Manned Space Flight, fiscal year 1966 NASA authorization

Program	Request	Reduction	Approved
Gemini.....	\$242,100,000	None	\$242,100,000
Apollo.....	2,997,385,000	\$30,000,000	2,967,385,000
Advanced missions.....	10,000,000	None	10,000,000
Total R. & D.....	(3,249,485,000)	(30,000,000)	(3,219,485,000)
Construction of facilities.....	27,825,000	2,825,000	25,000,000
Administrative operations.....	289,742,000	10,000,000	279,742,000
Total.....	3,567,052,000	42,825,000	3,524,227,000

Mr. Chairman, it is not necessary for me to again recount the recent success of our National Aeronautics and Space Administration. Virgil Grissom and John Young's Gemini flight and a rapid succession of Ranger flights yielding high quality lunar photographs speak for themselves. But equally important happenings are occurring day by day in our national space program that receive little of the wide acclaim accorded these spectacular events. Yet these happenings determine the vitality, growth, and success of our space effort. It is this broad base of technological effort that the Subcommittee on Manned Space Flight has diligently studied and evaluated over these past weeks to assess the progress of our space program.

We are pleased to report that progress has been outstanding. Eight out of eight launchings of Saturn I, the world's largest booster, have been successful. With the Mercury program completed, the first manned Gemini flight has been accomplished, heralding the operation of our first truly maneuverable manned spacecraft. Saturn I-B and Saturn V manned spacecraft and booster systems are on schedule.

These accomplishments have not been without difficulty. Problems have occurred in this complex undertaking and we anticipate future problems. However, NASA management has shown adaptability and ingenuity in meeting these difficulties, and I am confident that they will continue to do so.

These conclusions are based on an intensive series of hearings of the Subcommittee on Manned Space Flight initiated in early March. A review of the manned space flight program was made with NASA headquarters and field center witnesses. NASA and industrial contractors were visited in the field. Where necessary, supplemental supporting information was developed with NASA and their industrial contractors.

The subcommittee traveled to McDonnell Aircraft Corp., St. Louis, Mo.;

Grumman Aircraft & Engineering Corp., Bethpage, Long Island, N.Y., and the Manned Spacecraft Center, Houston, Tex. Members of the subcommittee also traveled to the Michoud operations, New Orleans, La.; Kennedy Space Center, Cape Kennedy, Fla.; and Marshall Space Flight Center, Huntsville, Ala., receiving program briefings and tours of these facilities.

Mr. Chairman, a record of program accomplishments has been compiled for every NASA manned space flight center and major contractor. Over 1,358 pages of testimony were taken in compiling this record.

Our Gemini program has successfully completed its first manned flight. Nine manned flights remain in the current series. Launch vehicles and crews are ready to go with most hardware now on assembly lines throughout the country. With this in view it is important to maintain the level of effort and momentum of Gemini at its current level to assure operational success. Gemini will accomplish long duration missions, rendezvous and docking, extravehicular activity by the astronauts and many more experiments taking a firm step toward accomplishing a lunar landing in this decade with the Apollo system.

Apollo, with Gemini program support, is now completing Saturn I flights. Eight out of eight flights have been successful adding confidence that its successors, Saturn I-B and ultimately Saturn V, will accomplish the lunar objective in this decade. Of equal importance is the development and exercise of Apollo hardware for near earth and other missions needed for a viable national space program, and important to our national security.

In considering the manned space flight program, the subcommittee carefully reviewed budget requests for research and development, including Gemini, Apollo and advanced mission programs as well as administrative operations and construction of facilities. Mr. Chairman,

NASA presented a budget that had been pared both by themselves and the Bureau of the Budget. It was a minimum budget in all respects. After probing and thorough examination, which I have already pointed out, the subcommittee recommended a reduction of \$42,825,000. In the total program this is not a large amount. However, it is the considered view of the subcommittee that this is a maximum reduction that can be made without jeopardizing the manned space flight program. We believe this to be a rockbottom program to allow NASA to fulfill its commitments to the Nation and maintain a balanced and aggressive program. As the distinguished NASA Administrator, Mr. James Webb, so aptly put it: "This is a fighting chance budget level."

As Saturn I-B and Saturn V progress to operational status our industrial capability multiplies, our research and development establishment, both governmental and industrial, increases in capability. Our Nation benefits mightily from this growing effort in education, industrial development as well as in space. Yet this is only a beginning. Like an iceberg, the greater part of our space effort is still below the surface. Apollo, as it immerses in the late sixties, portends achievements beyond our most optimistic hopes of less than a decade ago.

This is a relatively optimistic picture, Mr. Chairman, which has unfolded before the Subcommittee on Manned Space Flight. But it is within grasp of the Nation. Continued support of the Congress can make this a reality. Congressional support at this time will assure return on the investment we have already made in making space another environment in which man may function and allow us to develop space as a resource for our Nation.

Mr. Chairman, the bill before the House today will authorize a breakthrough in the direction of U.S. supremacy in space.

In the 7 years since we debated the National Aeronautics and Space Act of 1958, our national posture in space has moved through successive phases. At first we had little but hope and faith. Then we entered an era of trial and error. Next came limited achievements and the promise of more to come. The most recent time has been one of rising expectations.

This year, it is my pleasure to report to the House that we are entering a period of performance, and the assurance of even more significant performance in the years that will follow.

With the funds in the bill to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1966, the United States plans to accomplish the following things in space:

At least four missions with the Gemini two-man space vehicle, including the first attempt at rendezvous with an unmanned target vehicle in space, and missions of up to 2 weeks in duration.

The beginning of unmanned flights of the three-man Apollo-Saturn I-B space vehicle, to be used for testing in earth orbit the techniques and systems for the manned lunar flights.



A crescendo of ground tests of the Apollo-Saturn V space vehicle for the manned lunar flights, in preparation for the beginning of unmanned flights of that vehicle, scheduled for 1967.

It is a pleasure to report also that milestones are being met to an increasing degree on or ahead of schedule. The Gemini program is slipping forward in a very evident manner. The most recent schedule called for conducting the first manned flight in the second quarter of this calendar year. Actually, the flight took place on March 23, before the end of the first quarter. The next mission is scheduled for the third quarter but I am advised that prospects are improving for a launch before the end of the current quarter.

In the Apollo program, events are also beginning to take place ahead of schedule. An example was a major milestone in this program, the first firing of all five engines of the first stage of the Saturn V. In this test, at the Marshall Space Flight Center, Huntsville, Ala., on April 16, 1965, 3 months ahead of schedule, 7½ million pounds of thrust were generated for a period of 6½ seconds. Each of the five engines produced thrust equivalent to all eight engines of the Saturn I, the most powerful operational United States launch vehicle and the most powerful known to exist in the world today. The prospects for meeting major program milestones on schedule are continuing to improve.

Today I would like to review the points I made in the House on March 25, 1964, at the time of our consideration of the NASA authorization for fiscal year 1965. Then I plan to examine how the events of the past year have borne out statements made at that time. Next I propose to review where we stand today in space accomplishment in comparison with the Soviets. And finally, I would like to comment on the opportunities available for employing present capabilities for other missions at a fraction of the cost of the present space program.

In my statement to the House last March 25, I made four major points:

First. We were approaching the completion of a long period of buildup of the U.S. effort to achieve supremacy in space.

Second. The decision of the Department of Defense to make use of Gemini hardware and experience in its Manned Orbiting Laboratory program was the best demonstration of the importance to the national security of this civilian-directed space program.

Third. Similar capabilities were being developed in the Apollo program, whose primary mission objective is the manned exploration of the moon.

Fourth. The Apollo schedule, calling for the first lunar landing in this decade, is compatible with economy and our knowledge of such space hazards as radiation.

Now let us see how developments of the last year have borne out these statements.

First, the buildup of effort is essentially complete. The structure of national competence stands on a firm foundation of manned space flight technology laid in the Mercury program, in which the United States took its first steps in

manned space flight and accumulated essential information on how well a trained man can live and work under the conditions of space flight for periods up to a day and a half.

Mercury technology forms the basis of the Gemini program. Many of the Mercury subsystems are retained, and much of the Mercury industrial team is participating in Gemini, in which we are learning to maneuver in space and in the atmosphere on reentry, to rendezvous and dock with an unmanned target vehicle, to conduct manned operations outside the spacecraft, and the ability of men to live and work in space for longer periods.

In similar manner, a considerable portion of the Gemini developmental effort is directed toward common use of technology in Gemini and the much more advanced Apollo spacecraft, which will provide the ability to carry out extensive maneuvers and course changes in space, fly to the neighborhood of the moon, into orbit about the moon, to make landings on and takeoffs from the moon, and to return safely to earth.

For this effort, the national space team—government, industry, universities, and other nonprofit organizations—consists of about 400,000 persons. Of these, about 300,000 are engaged in manned space flight—Gemini, Apollo, and the studies of advanced manned missions. However, the reduction of \$117 million from the total appropriation request for manned space flight last year—the regular appropriation for fiscal year 1965 combined with a requested supplemental for fiscal year 1964—has slowed the final buildup to some extent. Consequently, the total of Gemini-Apollo activity will reach its peak early in fiscal year 1966.

Creation of the necessary facilities is well advanced. The Manned Spacecraft Center at Houston is operational. The Michoud plant at New Orleans is operational. The White Sands, N. Mex., launch site is operational. Other facilities throughout the country are operational. Two major facilities remain to be completed, the Mississippi test facility and the Merritt Island launch area north of Cape Kennedy. As the construction activity at these two locations phases out over the next year or two, there will be a corresponding increase in the numbers of persons engaged in test activity and using these facilities. Thus the overall total of people engaged in existing programs will remain relatively constant.

Furthermore, the budget of the National Aeronautics and Space Administration has leveled off. We have before us a measure which, for the third successive year, would provide funding at a level between \$5 and \$5½ billion.

My second major point last year related to the employment of the capabilities inherent in the Gemini program. On March 23, of this year, the first manned Gemini mission verified the basic design, development, test, and operational procedures being followed to develop manned spacecraft, man-rated launch vehicles and a worldwide operational network. The exceptional performance of all elements of the system—

spacecraft, launch vehicles, and operational equipment and crews, gave strong evidence that full space simulation testing before flight is a sound approach to success in flight.

Having witnessed this successful operation at firsthand, I am more convinced than last year of the wisdom of the Department of Defense plan to employ this capability in its system in its manned orbiting laboratory program.

In point of fact, there is no real reason for the DOD to wait until its orbiting laboratory is ready to make use of Gemini capabilities. This space vehicle is admirably suited for learning about space flight operational conditions. I would suggest, therefore, that the Department give serious consideration to its use as a training vehicle in the period following completion of the NASA program and prior to the availability of the orbiting laboratory.

Last year, my third point related to the capabilities inherent in the Apollo program—people, industrial base, flight hardware and ground equipment, operational experience, and the ability to manage a research and development effort of this magnitude.

In the year that has ensued, we have seen these capabilities coming into being. The team is essentially fully assembled. Such a system as the Saturn I, with its associated ground equipment, is fully operational, providing this country with the capability to place in earth orbit a payload of more than 10 tons. This vehicle is the most powerful known to exist in the world today. Operational experience is being gained in the Gemini program. And in the Gemini and Apollo management, the ability to hold to cost estimates and to maintain schedules is being perfected.

Finally, I stated last year that the Apollo schedule is consistent with economy and that if the program were stretched out the total cost would increase. This is exactly what has happened. As the result of congressional action on the NASA appropriation for fiscal year 1965 and the request for a supplemental appropriation for fiscal year 1964, the amount allocated to the Apollo program was \$117 million less than had been proposed.

Under the current schedule, based on this funding level, the Apollo-Saturn V launch schedule has been necessarily stretched out. Previously, all 15 of those flights were scheduled to be completed in calendar year 1969. At present, the last 2 of the 15 flights are scheduled for calendar year 1970. This stretchout of the program has added \$600 million to the anticipated total cost.

Fortunately, the schedule for accomplishing major milestones in the Apollo program has not been affected. These milestones are as follows: First unmanned Apollo-Saturn I-B flight, 1966; first manned Apollo-Saturn I-B flight, 1967; first unmanned Apollo-Saturn V flight, 1967; first manned Apollo-Saturn V flight, 1968; first manned lunar landing and return, before the decade is out.

The reason the stretchout does not affect these milestones is that the progress of the last year has given grounds for increased confidence that the first

manned lunar landing and return will be accomplished on an earlier flight than was anticipated a year ago. All of the 15 are required, however, to provide assurance that the lunar landing and return will be accomplished.

Now I would like to turn to a matter of particular interest to the House and indeed to all Americans. How does our standing compare with the Soviets, particularly in the light of their manned flight in March, just a few days ahead of our Gemini III and Ranger IX missions?

We have every reason to believe that the United States maintains its lead in space science. We know we lead in space applications—weather observation, communications, navigation, and the utilization of space technology. The Early Bird television demonstrations this week have provided an especially convincing proof of this fact. We know that this Nation is the leader in world cooperation in space. We have engaged in cooperative programs with almost 70 other nations.

But what about manned space flight? The first point that should be made is the amount of payload available to the Soviets. The weight of *Voskhod I*, which carried three cosmonauts on a 24-hour mission last fall, was announced as 11,731 pounds. It would be logical to assume that the weight of *Voskhod II* was about the same. The weight of the Gemini spacecraft is a little over 7,000 pounds. Thus the Soviets have available to them at present a spacecraft weighing at least half again as much as the Gemini.

On the other hand, our most powerful operational launch vehicle, the Saturn I, is capable of placing a payload of more than 20,000 pounds in Earth orbit, about double the weight of *Voskhod I*.

Therefore, on the basis of information divulged by the Soviets, the load-carrying capability of our large launch vehicles appears to be greater but the Soviets seem to be ahead in the possession of manned spacecraft able to exploit the available launch capability.

The Soviets' advantage in manned spacecraft, together with the fact that they have had the necessary vehicle power for several years, has enabled them to move forward considerably in flight operational experience. One Soviet cosmonaut has carried out a 5-day flight, another has flown for 4 days and two others have been in flight for 3 days each. These compare with a day and a half, the longest duration of a U.S. manned space flight mission to date. The Soviet woman cosmonaut, who carried out a 3-day flight in 1963, has more orbital flight time than all U.S. astronauts combined.

Now let us turn to the specifics of the *Voskhod II* and Gemini III missions. The House will recall that the most noteworthy event of the *Voskhod* mission was the extravehicular activity of Cosmonaut Alexei Leonov, who was reported to have climbed out of the spacecraft and spent about 20 minutes floating free in his spacesuit. This has not yet been accomplished by the United States, although it is planned in an early phase of the Gemini program.

On the Gemini III mission, a noteworthy accomplishment was the first orbit-changing maneuvers by a manned spacecraft. On four separate occasions during their three-orbit mission, Gus Grissom and John Young made measurable changes in their orbit. In addition, they carried out four other maneuvers of smaller magnitude. According to the statements made by the Soviets, this has not yet been done in their manned flights, but is planned for the future.

It is important to recognize that both of these accomplishments—extravehicular activity and orbit-changing maneuvers—are essential to future progress in space exploration. Both are objectives of the Gemini program and both are techniques that must be learned in order to accomplish the Apollo program. It has long been assumed that both were objectives of the Soviet program.

Given these assumptions, the difference between the scheduling of these experiments in the Soviet and American programs is a detail of relatively minor importance. It has been the judgment of our experts that maneuvering and changing orbits are more important than extravehicular activity for the progress of our program. For this reason, such maneuvers were scheduled for the first manned flight in the Gemini program. We must assume that the Soviets had their good reasons for scheduling extravehicular activity on an earlier flight in their program.

We must also assume that the Soviets have not fully exploited the capabilities of their 11,700-pound spacecraft. Thus we should not be surprised by further Soviet accomplishments in the months to come.

But we are moving along, too. The schedule calls for four manned flights a year in Gemini—one every 3 months. However, the period of time between Gemini II, the final unmanned test, and Gemini III, was only 63 days. Thus it is possible to compress this schedule to some extent if all continues to go as well as in recent months. In my judgment, the Soviets will be hard put to keep up with this launch rate.

However, we must face the fact that the Soviets will continue to be capable of significant demonstrations of space capability for some time to come. Furthermore, even when the time arrives that we are fully superior in all important aspects of space capability, the world may not fully believe that we are first. We may have to wait until the completion of the Apollo program to wipe out the last of those doubts.

No one, of course, can promise that American astronauts will be first on the moon. The Apollo program was selected in 1961 as one that gave the greatest promise of providing a focus for the development of the capabilities required for U.S. preeminence in space in this decade. Despite the fact that Congress has not always provided all of the required funding, we have reached the midpoint of this effort and the rate of progress is continuing to accelerate.

The Soviets have continued to indicate their interest in manned lunar flight. They have not announced a schedule.

They have not flown a booster of the size required. But it must be remembered that neither have we. The first flight of the Saturn V is scheduled for 1967. Until we see who flies that booster first, we will not have any really reliable means of estimating who is likely to be first on the moon.

In this discussion, however, I would like to emphasize that our primary purpose is U.S. preeminence in space, not merely the accomplishment of one mission ahead of the Soviets, however important that mission may be to the demonstration of preeminence.

This preeminence requires the capability to conduct not one flight but a series of flights, in any direction that the national interest might require, on a schedule that is truly operational.

For this reason, we are bringing into being a Government-industry organization, including the necessary production, test, launch, and operational facilities that will support the launching of six Saturn I-B launch vehicles, six Saturn V launch vehicles, and eight Apollo spacecraft annually.

By applying the wide range of capabilities and the broad flexibility of the Apollo-Saturn system to a number of other potential missions, it will be possible to produce and fly space hardware for future missions at a small fraction of the initial development cost.

In order to establish the most desirable first uses to be made of this capability, this budget includes the sum of \$48 million to be employed in fiscal year 1966 for the complete definition of a program, called the Apollo extension systems, which will extend production beyond the presently approved total of 12 Saturn I-B and 15 Saturn V launch vehicles, for flights both in earth orbit and to the moon. Our committee has been advised that a proposal to begin the development and production of hardware for the Apollo extension system is contemplated for fiscal year 1967.

However, one project to employ Apollo capabilities is included in the bill before the House and is planned to begin in fiscal year 1966. The sum of \$5 million is included in this budget to adapt the Centaur stage, now under development for use with an Atlas booster, to be combined with the two-stage Saturn I-B as a three-stage vehicle for deep space exploration. The first assignment of this vehicle will be as the booster for the Voyager unmanned spacecraft for the exploration of Mars.

It is evident, therefore, that this bill incorporates provisions for planning and moving on an orderly basis into the activities that will come as the effort in present programs reduces in volume and moves toward its conclusion.

As in previous years, the Subcommittee on Manned Space Flight has reviewed very carefully the President's proposals in this bill. In the Gemini program, we have concluded that the funding proposed should not be reduced. In the Apollo program, we recommend a reduction of \$30 million. In the planning of advanced manned missions, we recommend no change. We recommend a reduction of \$10 million in administrative



operations and a reduction of \$2.8 million in construction of facilities, a relatively small item this year.

In conclusion, I would like to repeat the remarks I made on March 25, 1964, which are equally applicable to this year's budget:

This bill has been soundly conceived and carefully thought out. It has been reduced where the committee felt this could be done. It is not a partisan bill. The space program was begun in a Republican administration and continued in a Democratic administration. Republicans and Democrats alike have supported it through the years. It is an American program, designed to place our country in its rightful position before the nations of the world. It is a program on which our national security may well depend.

In this bill, the House has an opportunity to give a vote of confidence in America's future in space. It is a bill that every Member can support in good conscience. I ask that support.

Mr. WAGGONER. Mr. Chairman, I wish to add my support to the NASA authorization resolution. The Southeast is an active member of the NASA-industry team in support of the national space effort. I particularly refer to the tremendous activities in Louisiana and Mississippi.

The Michoud plant, near New Orleans, La., was originally selected by the U.S. Maritime Commission during World War II to be the site of a large shipyard for the purpose of manufacturing Liberty ships.

The plant closed again in 1954 and remained closed until September 1961 when NASA announced the selection of this plant for the production of large space booster vehicle stages. The Michoud complex consists of approximately 850 acres and is located about 15 miles east of the center of New Orleans on U.S. Route 90. A number of factors influenced the selection of the Michoud facility. It had several existing buildings, one of which was the largest one-floor structure in the country with 43 acres under the roof. It is accessible by water and ideally located close to Huntsville and MTO. It is also situated close to large expanses of sparsely inhabited land which helped to influence the selection of Mississippi test facility as a static test site. MTF is about 35 miles to the northeast of Michoud. Capital investment as of June 30, 1965, will be over \$103 million. Facilities at the main plant comprise a total of over 3 million gross square feet. During 1965 a new engineering building was completed and a high bay vertical assembly area and hydrostatic test building were added. The stage checkout facility and improvements in the road systems have been initiated. The plant is currently occupied by the Chrysler Corp. in the fabrication, assembly, and checkout of the Saturn I and Saturn I-B first stages and the Boeing Co. for the fabrication, assembly, and checkout of the S-I-C stage for the Saturn V vehicle. Certain common support services are provided by the Mason-Rust Co. Telecomputing Services, Inc., supports Michoud and MTO out of Slidell and provides computation and data transmission services for the operation of computers and data transmis-

sion equipment in support of the stage and support contractors at Michoud. The Michoud plant is on the Gulf Coastal Waterway and has deepwater access via the Mississippi River. Fiscal year 1966 program will be limited to improvements to the storm drain system, to control erosion and prevent flooding. There are approximately 10,000 contractor personnel employed and 290 civil servants.

#### SLIDELL COMPUTER FACILITY

An electronic computer center was established at Slidell, La., to service Michoud and MTO. The installation was originally designated as an air route traffic control center for the FAA but was declared excess by that agency and never used. It is situated on a 14-acre tract of land. The existing building has 59,497 square feet which houses the computer installation. An additional approximate 30,000 square feet is being added to this building. Slidell is located approximately 20 miles northeast of the Michoud plant and the capital investment as of June 30, 1965, will be approximately \$4½ million. As previously stated, Telecomputing Services, Inc., operates the computers and data transmission equipment in support of the stage contractors at Michoud and will provide services for test operations and computation at MTO once that facility becomes operational.

I am enclosing a clipping from the New York Times, Sunday, May 2, 1965, entitled "U.S. Business: NASA Expansion Is a Stimulant to the Southeast Region," which will furnish some interesting information on the Michoud-MTO-Slidell complex and the information on Mississippi test operation is a recent press release issued by the PIO office at MTO:

[From the New York Times, May 2, 1965]

#### U.S. BUSINESS: NASA EXPANSION IS A STIMULANT TO THE SOUTHEAST REGION

ATLANTA, May 1.—The Southeast's newest crop is being planted in space, and it is an increasingly profitable crop.

Within the last 4 years the region has benefited greatly from expansion of the National Aeronautics and Space Administration (NASA).

Four major NASA facilities that employed 9,000 persons in 1961 now employ 35,000. And the Southeast's share of NASA's prime contracts has increased from 12 percent in 1961 to almost 17 percent now.

All of this is within the Sixth Federal Reserve District, composed of Florida, Georgia, Alabama, and parts of Tennessee, Mississippi, and Louisiana.

A study by the reserve district's analysts shows that NASA activities have become a major factor in the economies of some of these States. In Alabama, for instance, NASA employment at Huntsville accounts for 2 percent of the State's total nonfarm employment.

Procurement spending in the area has risen from \$46 million in 1961 to \$584 million in 1964. This has resulted in a strong stimulus not only for companies that can handle prime contracts but also for the many small concerns that receive the subcontracts.

Whole new industries have resulted. And some States still are more capable than others of handling the subcontracts.

Prime contractors in Florida, for instance, in the fiscal year ended June 30, 1964, sent only \$2,640,000 worth of subcontracts outside their State while prime contractors elsewhere were spending \$48,088,000 in Florida subcontracts. Florida thus had a net of \$45,448,000

in NASA subcontracts flowing across State lines.

By contrast, Louisiana contractors sent \$45,244,000 in subcontracts outside the State while \$13,336,000 worth of subcontracts were coming in.

The four major NASA facilities in the region are George C. Marshall Space Flight Center, near Huntsville, Ala.; the Mississippi test operation, on the Mississippi coast; the Michoud plant at New Orleans; and the Kennedy Space Flight Center, at Cocoa Beach, Fla.

The Marshall Center, established in 1960 at Redstone Arsenal, has the primary job of designing, developing, and providing basic launch vehicles to overcome the earth's gravitational pull. It employs more than 7,000 persons in facilities valued at more than \$250 million.

The Michoud (pronounced Miss-you) plant assembles Saturn boosters such as will be used for lunar exploration capsules. It occupies one of the country's largest manufacturing buildings, almost 43 acres under one roof. The Michoud complex is staffed by more than 10,000 workers for 4 private corporations under contract to NASA and about 300 NASA civil service employees.

On the Pearl River, in sparsely populated Hancock County, Miss., which is on the Gulf of Mexico, construction is underway for the Mississippi test operation. Operated under the Marshall Center's auspices, it is the facility where launch vehicles will be test fired before being sent to their launching destination.

The test facilities will employ about 2,500 contract workers and civil service people after it is completed in 1967. Some testing is to begin there in 1966.

At the Kennedy Center, space components are assembled, checked, and ultimately launched into space. So far NASA has used the Department of Defense's launch facilities at Cape Kennedy. It now is creating a new launch area on nearby Merritt Island. Among the new facilities will be a vertical assembly building 62 stories high and larger than the Pentagon.

NASA employment at the cape in fiscal 1964 was 7,283, about two-thirds of whom were contract workers. This figure is expected to grow substantially.

The Sixth Federal Reserve District notes Michoud's impact upon New Orleans as an example of NASA's favorable economic impact.

In 1964 Michoud gave New Orleans an additional 10,300 jobs and a payroll of more than \$70 million. The New Orleans Chamber of Commerce estimated that the work at Michoud increased employment in other industries by about 6,500 and increased retail sales by more than \$33 million a year.

#### NASA procurement spending, fiscal years 1961-64

[In thousands]

	1961	1962	1963	1964
Alabama.....	\$37,130	\$81,264	\$97,068	\$146,400
Florida.....	5,063	50,925	92,893	141,568
Georgia.....	2,921	3,352	6,025	6,416
Louisiana.....	79	18,534	185,263	286,257
Mississippi.....	—	93	86	600
Tennessee.....	949	2,163	2,301	2,490
6th District.....	46,142	156,331	383,136	583,740
United States.....	380,176	939,143	2,181,405	3,490,238

#### MTO STATUS

The transformation of a pine and cypress woodland into a modern test facility is rapidly taking shape in Hancock County. Less than 2 years ago—May 17, 1963—the first tree was felled to begin a 3-year program in the construction of NASA's Mississippi test operations. Since that beginning, much progress has been made in site clearing, excavation, dredging, pile driving, foundation work, and building.

## FUNDING

To review construction of facilities funding—MTO was appropriated \$22,457 million in fiscal year 1962; \$78,198 million in fiscal year 1963; and \$96,163 million in fiscal year 1964. For fiscal year 1965, \$58,892 million has been appropriated, a total of almost \$256 million.

## LAND ACQUISITION

Our land acquisition program, for all practical purposes, has been completed. An area of almost 13,500 acres has been purchased by the Corps of Engineers for development of test and support facilities, plus room for future projects. Options have been obtained or actions processed on all of the tracts involved in 128,000 acres on which easements are being sought for an acoustic buffer zone.

## COMPLETED PROJECTS

Twenty-nine projects have been completed as of the first of the month for a total cost of \$15,451,106. In addition to the modification of some existing buildings, these projects include harbor dredging, construction dock, and road "E," cleaning of the Saturn V complex, bascule bridge, the cryogenic docks, emergency service building, telephone building, site maintenance building, and the central heating plant. The Southern Railway System, at its own expense, brought in a 10.5-mile track from Nicholson to the site. Since the track was completed, more than 12,000 cars of equipment and freight have been shipped to MTO.

## ACTIVE CONSTRUCTION

We have 30 active construction contracts in effect now for a total cost of \$101,521,547. In addition, we have active and completed procurement contracts worth \$13,212,054. These do not include the technical systems contracts with Aetron and General Electric, which will total about \$35 million. We also have awarded five relocation contracts for more than \$3 million.

## PERSONNEL

The number of permanent personnel on the site continues to build up as construction projects are completed and facilities become available. As of April 12 we had 3,326 workers on the site, including 2,399 construction workers, installation contractors, and Corps of Engineers personnel. There are 927 personnel on the site connected with NASA, General Electric, North American, Boeing, and the U.S. Weather Bureau.

Mr. SCHISLER. Mr. Chairman, I think that it is appropriate to note that it was just 4 years ago yesterday—May 5, 1961—that a new name was added to the honor roll of America's heroes, for on that date Alan Shepard became the first American to fly in the new environment of space. I think that on that day, and on the occasions of subsequent U.S. space achievements, all of us stood a little taller with justifiable pride in our Nation and her might.

In the 4 years since Shepard's historic flight, the Nation has made great strides toward fulfilling our national goals in space. The Mercury program dramatically demonstrated that man not only can survive in the space environment, but can also function as an integral part of a space system and can materially contribute to the exploration of space by his observations and actions.

The current Gemini program is the vital second step in enlarging this Nation's skills and knowledge in space. It is the task of the Gemini program to build upon the foundation of the Mercury program and to enlarge our manned

space flight capabilities for the programs that will follow.

The past few months have seen the evolution of the Gemini program from one of test and qualification to one of flight operations. The booster and spacecraft were qualified to withstand the launch environment last year. The second unmanned qualification flight, to complete the spacecraft qualification for reentry and to verify the readiness of the recovery system, took place in January and was a complete success. This paved the way for manned flights.

On March 23, Astronauts Gus Grissom and John Young piloted the first manned Gemini spacecraft around the earth three times. This flight, in addition to validating the complete mission capability, provided the first successful maneuvering of a spacecraft to change its orbital path. On four separate occasions during the flight the astronauts steered their spacecraft into a measurably different orbit. They also conducted four other maneuvers involving small, precise changes in speed. This maneuvering capability will be necessary in subsequent Gemini flights for rendezvous and docking with an unmanned target. This rendezvous and docking capability is essential to the conduct of the Apollo program, as well as the Department of Defense effort such as the manned orbiting laboratory.

Preparations are now being finalized for the GT-4 flight, which is scheduled for early in the third quarter of this year, although effort is being exerted to move the launch date forward. Astronauts James McDivitt and Edward White are the primary flight crew for this mission, which will last up to 4 days. If the equipment is qualified in time, the astronauts will wear the improved spacesuits necessary for extravehicular operations. Astronauts Gordon Cooper and Charles Conrad are scheduled to perform our first extravehicular experimentation in the GT-5 flight later this year, and Wally Schirra and Tom Stafford will attempt our first rendezvous in the GT-6 flight.

Paralleling the spacecraft and launch vehicle development, the Agena target vehicle is rapidly achieving a readiness state. The initial test vehicle has been completed, while the actual vehicle to be used in the GT-6 mission is nearing readiness and will be available when required. The Atlas vehicle which will launch the Agena is completed now, as is pad 14 at Cape Kennedy from which it will be launched.

Experience in Gemini planning, operations, communications, tracking, and recovery will provide the capability of bringing Apollo to a state of operational readiness. Supplementing this activity, a number of experiments will be conducted by the astronauts on each Gemini mission. These encompass a wide range of fields including earth observations, medicine, spacecraft technology, microbiology, and astronomy. Specifically, design techniques will be evaluated on Gemini that will be used in Apollo. Apollo rendezvous missions will be simulated and evaluated using Gemini spacecraft and Agena target vehicles. The capability of man to perform in

space and to develop proficiency in space operation will be performed in these future flights. Thus, the Gemini program constitutes a logical step in the growth of proficiency toward the level required for Apollo, the manned orbiting laboratory, and any subsequent programs that the Nation's interests may dictate.

Mr. TEAGUE of Texas. Mr. Chairman, I ask unanimous consent that all members of the Manned Space Flight Subcommittee be permitted to extend their remarks at this point in the Record.

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

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, may I compliment the gentleman from Texas [Mr. TEAGUE] on his fine leadership as chairman of the Subcommittee on Manned Space Flight. I have served with him and he has given excellent leadership of the Subcommittee on Manned Space Flight. Mr. TEAGUE has performed a service not only to NASA and the space flight program but also to the taxpayers of the United States.

Mr. TEAGUE of Texas. I thank the gentleman.

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

Mr. TEAGUE of Texas. I yield to the gentleman.

Mr. FUQUA. Mr. Chairman, I rise in support of this legislation and I want to commend the chairman of the Subcommittee on Manned Space Flight.

Mr. Chairman, today I would like to outline the steps that your committee took to arrive at a sound authorization for manned space flight in fiscal year 1966. I will start with NASA's budget request in this area, describe the way we analyzed this request and summarize what we will accomplish in manned space flight during the next fiscal year.

## I. NASA'S FISCAL YEAR 1966 BUDGET REQUEST

NASA's budget request to Congress includes \$3,524,227,000 to provide the fiscal year 1966 increment of funding for manned space flight research and development, construction of facilities, and administrative operations.

A total of \$3,219,485,000 is requested for manned space flight research and development, consisting of the three currently approved programs—Gemini, Apollo, and advanced manned missions.

NASA's fiscal year 1966 request for the Gemini program is \$242,100,000, covering the spacecraft, launch vehicles, and overall mission support. The Gemini request is decreasing for the second year. Development and qualification tests are essentially complete and the program is now moving into a period of intensive hardware deliveries and manned flights, as the operational phase following the first three successful flights progresses.

The Apollo program, as presented in NASA's budget request this year is \$2,997,385,000. The request provides funding for the Apollo spacecraft, Saturn



launch vehicles, engine development, and mission support. Hardware production and deliveries are increasing to support the ground and flight test effort in Apollo. The successful Saturn I project will be completed; the first flight test of the next Saturn-class vehicle—the Saturn I-B—will be conducted; and an active ground test program is planned for Saturn V, leading to the first Saturn V flight in 1967.

The third item under manned space flight research and development is advanced manned missions. This year NASA is requesting \$10 million to fund studies on future manned space flight programs. This request represents a significant decrease from the fiscal year 1965 funding level of \$26 million since preliminary studies of Apollo extension systems will be completed. The next step—project definition and preliminary design—is carried under the Apollo request for fiscal year 1966.

The manned space flight construction of facilities request for the next fiscal year is also below this year's level. In contrast to the \$213,481,500 available for fiscal year 1965, the fiscal year 1966 request is down to \$27,825,000, including \$25,025,000 for construction projects in support of the current manned space flight program, and \$2,800,000 for advance facility planning and design. The decrease results from the fact that the major manned space flight construction projects have either been completed or are nearing completion in preparation for the heavy test schedule.

In administrative operations, NASA's request includes \$289,742,000 to cover fiscal year 1966 civil service salaries and benefits and operating costs for the Manned Spacecraft Center, Houston, Tex.; the George C. Marshall Space Flight Center, Huntsville, Ala.; and the John F. Kennedy Space Center, Cocoa Beach, Fla. The request is \$3,533,000 below the fiscal year 1965 level. It does not provide for any increase in civil service personnel at any of the three manned space flight centers.

Before I get into the committee analysis of the budget, let me note that the Bureau of the Budget conducted a thorough review of the fiscal year 1966 request, both at the three manned space flight centers and at NASA headquarters. After a detailed review, the Bureau cut only \$19 million from manned space flight research and development, and this relatively small adjustment did not involve any hardware procurement.

#### II. SUBCOMMITTEE ANALYSIS OF BUDGET REQUEST

I would like to spend a few minutes on the thorough review conducted by the Subcommittee on Manned Space Flight. We recognized our responsibility to support the Nation's objectives in space, which the President, the Congress, and the American people have consistently endorsed. We were fully aware of our responsibility to the Nation to economize and at the same time maintain the necessary balance between program requirements and the allocation of resources. During the hearings, we probed the justification for each line item. We were guided by this question: "Is each budget

item absolutely justified on its own merits to meet minimum program needs for fiscal year 1966?" We questioned each witness extensively in an attempt to uncover soft areas or unjustified expenses. As in other years, we committed ourselves to developing a proposed authorization which was stripped down to those items that are essential for carrying forward the manned space flight programs in an orderly and efficient manner.

The Manned Space Flight Subcommittee conducted hearings during March 1965. NASA's Associate Administrator for Manned Space Flight, Dr. George Mueller, testified on the overall program requirements for fiscal year 1966. In addition, the Director of the Apollo program was heard on the budget detail for his area of responsibility; the Deputy Director of the Gemini program was heard on the detailed requirements for Gemini; and the director of program control was heard on the manned space flight construction of facilities and administrative operations requests.

In addition to hearing the testimony of Dr. Mueller and his program directors, the subcommittee continued its practice of going to the places where the actual work is being carried out. Each year we make it a point to see exactly what is going on at the manned space flight centers and at major contractor plants across the Nation and to dig deeply into current and future needs with officials at these places. This year, the subcommittee toured and conducted hearings with officials at the Manned Spacecraft Center in Houston, Tex., which is responsible for spacecraft development, astronaut training, and flight mission control. Three years ago this center was nothing but pastureland. Today it represents a long-term national investment and boasts a complex of well-planned, well-managed facilities in support of Gemini and Apollo spacecraft development, astronaut training, and mission control. It is always a gratifying experience to have a firsthand view of what we are getting for our national investment in the manned space flight programs.

The subcommittee also went to the Grumman Aircraft Engineering Corp. in Bethpage, N.Y., to assess the status of the lunar excursion module—LEM—which will carry two U.S. astronauts to the first manned landing on the moon. It was encouraging to see the extent of progress that is being made and to examine an actual LEM mockup at Grumman. It is a fine example of how we are accomplishing the well-planned steps to the ultimate Apollo goal.

The subcommittee also went to Cape Kennedy for the first Gemini manned launch. We had a firsthand view of the tremendous effort that goes into a manned flight mission. We saw the precision of the ground crews before launch and the efficiency of the Gemini Control Center during launch and flight. With the rest of the world, we listened as Gus Grissom and John Young demonstrated the reliability of the spacecraft systems, became the first to actually pilot a spacecraft, and brought it down to a safe landing. We watched as the well-

coordinated Department of Defense team recovered the two astronauts. We witnessed proof that we are continuing to realize concrete returns from our manned space flight programs and paving the way for increasing skill in operational flight.

The subcommittee also studied a number of specialized reports, including one on advanced manned missions and one on space medicine. To broaden its perspective even further, the subcommittee reviewed data on funding, procurement, and management methods provided by the three manned space flight center Directors: Dr. Wernher von Braun, Director of the Marshall Space Flight Center; Dr. Robert Gilruth, Director of the Manned Spacecraft Center; and Dr. Kurt Debus, Director of the Kennedy Space Center. The members also received detailed data from the major manned space flight research and development contractors across the Nation. This list includes Boeing, Chrysler, Douglas, Grumman Aircraft, McDonnell Aircraft, and North American Aviation.

The subcommittee found that NASA had presented a tight budget to continue the orderly pace of manned space flight programs during fiscal year 1966.

It is worthwhile to point out that the subcommittee carefully audited the fund allocation within last year's authorization act, as well as planned versus actual accomplishments within the various programs. These indicators of future performance and needs were studied not only during the formal hearings but also during periodic reviews with manned space flight officials during the past year. The subcommittee is satisfied that the manned space flight funds made available last year have been effectively allocated and efficiently managed during this fiscal year. There is sound evidence that the program objectives are being met at a minimum cost.

After a thorough, businesslike audit, we could not point to a specific line item that needed to be adjusted. As you know, in the past we have not hesitated to cut unnecessary items from the manned space flight budget or to recommend deferral of procurement or construction. We believe that the continued vigilance of this committee has resulted in firm budget requests from NASA. In auditing this year's request, we again found that our policy of demanding trim, lean budgets was paying off. It was clearly evident that the request had been thoroughly screened within NASA, by the Bureau of the Budget, and by the President personally before it reached the Congress.

#### IV. ANALYSIS OF APPROVED BUDGET

The full Committee on Science and Astronautics reported out, and now recommends for your approval, a fiscal year 1966 authorization bill which contains \$3,524,227,000 for manned space flight research and development, construction of facilities, and administrative operations. Committee action reduced the budget request by \$42,825,000 divided as follows: \$30 million from Apollo research and development; \$2,825,000 from construction of facilities; and \$10 million from administrative operations.

Before I summarize the proposed fiscal year 1966 authorization for manned space flight, I would like to say that the committee did not apply these reductions against specific budget line items. No specific project was denied authorization. In this way, it is our opinion that economies can be effected without hurting NASA's flexibility to respond to development problems or to capitalize on opportunities as they arise.

I would like to summarize the committee's recommendations and state what we will be getting for these funds during fiscal year 1966.

Under research and development, we are asking your approval of \$3,219,485,000 to continue the authorized manned space flight programs at an orderly rate.

#### GEMINI

We recommend approval of \$242,100,000 to fund Gemini requirements during the next fiscal year. This amount is the same as NASA's budget request, but \$66,300,000 below the fiscal year 1965 funding level. The request was not reduced because the committee found that these funds were required in full to support the hardware delivery rate and the manned Gemini flights scheduled for fiscal year 1966.

The Gemini program is designed to develop an operational capability for long-duration flights, rendezvous, docking, and postdocking maneuvers, controlled reentry, and manned control of the spacecraft's orbital path. The flight of Astronauts Gus Grissom and John Young demonstrated two of the Gemini objectives: controlled reentry and changing the spacecraft's orbit, which is, of course, a prerequisite to rendezvous and docking. The first Gemini long-duration flight and the first rendezvous and docking mission are scheduled for fiscal year 1966.

The Gemini request covers hardware deliveries and operational support for at least one Gemini manned flight during each quarter of fiscal year 1966. The McDonnell Corp., in St. Louis, Mo., is scheduled to deliver five flight spacecraft. The Air Force, acting as NASA's agent, will procure five Gemini launch vehicles, which are Titan II's modified for manned flight. The Martin-Marietta Corp., Baltimore, Md., is producing the Gemini launch vehicles, which are used to boost the two-man spacecraft into orbit. The Atlas will be used to launch the Gemini target vehicle, a modified Agena. The General Dynamics Corp., in California, is scheduled to deliver three Atlas vehicles during fiscal year 1966. Three Agena target vehicles will be delivered by the Lockheed Missiles & Space Corp., in California during fiscal year 1966.

In addition, funds proposed in this authorization will provide for crew training, flight operations, and spacecraft and launch vehicle support for the Gemini manned missions. The Gemini support area includes requirements for various in-flight experiments, which will supply engineering data for NASA's own use and information for the scientific community, medical groups, and the Department of Defense, as well as reimbursements to the Department of Defense for recovery work.

#### APOLLO

We recommend approval of \$2,967,385,000 for Apollo research and development in the proposed fiscal year 1966 authorization bill. This amount reduces NASA's budget request for Apollo by \$30 million. As indicated earlier, the committee did not apply this reduction to any specific Apollo project since no unsupported requirements were found. However, the committee feels that economies can be effected by strict management of the fiscal year 1966 funds and recommends a small reduction in the authorization for Apollo research and development. It is our intention to encourage economy and yet to provide NASA with the flexibility to adjust to program needs.

I might add at this point that the committee reduction makes a tight budget even tighter and represents what we consider a rockbottom requirement. In determining research and development requirements, we are all certainly aware that there are no exact scientific standards to apply. We are not dealing with a common, mass-production commodity; the research and development effort is complex and the projects themselves are dynamic. However, I can promise you that the committee has given you a sound recommendation that will move the United States 1 year closer to the Apollo objective of preeminence in space. The schedule calls for the first unmanned Apollo-Saturn I-B launch in 1966; the first Apollo-Saturn I-B manned flight and the first Apollo-Saturn V unmanned launch in 1967; the first Apollo-Saturn V manned flight in 1968; and manned lunar landing and return before the end of the decade.

As you may remember, the Congress considered a combined fiscal year 1964 supplemental and 1965 appropriation for NASA last year. Congressional action resulted in a \$117 million reduction from the Apollo research and development funds authorized in those 2 years. Every possible management action has been taken to rebalance the program within the reduced funding level without sacrificing the manned lunar landing target schedule. As it is, two Apollo-Saturn V flights had to be moved into 1970. Based on its analysis, the committee is convinced that there is no leeway in the program and that any significant reduction in funds cannot be absorbed without slipping the planned target dates.

Let me outline what we can expect from Apollo during the next fiscal year. The accomplishments may not appear as spectacular as the Gemini manned flights; however, a most critical and active ground and flight test program is planned during the next fiscal year. The outstandingly successful Saturn I project will be completed in 1966 and will be succeeded by the first flight test of the next generation of Saturn vehicles—the Saturn I-B. In addition, an intensive ground test program is planned, leading to the start of the Saturn V flights in 1967.

#### APOLLO

During fiscal year 1966, North American Aviation will deliver five additional block I production spacecraft for ground

tests, including abort tests at White Sands, acoustical and vibration tests, integration of the spacecraft and launch vehicle systems, and thermal vacuum chamber tests at the manned spacecraft center. Propulsion system testing will also continue at White Sands. By the end of fiscal year 1966, the remaining block I spacecraft will be in various stages of manufacturing and production of the block II type, capable of docking with the lunar excursion module, will be started.

Fiscal year 1966 requirements for the lunar excursion module—LEM—under contract to the Grumman Aircraft Engineering Corp., in Bethpage, N.Y., provide for an intensive ground test program, including the initiation of qualification testing with prototype flight hardware. Two LEM test articles will be delivered; one for electronic systems integration and the other for vehicle static and dynamic structural testing. Manufacturing of the three remaining LEM test articles will also be completed in fiscal year 1966. In addition, fabrication of the first LEM flight vehicle, started in fiscal year 1965, will continue and production of LEM's for subsequent flights will begin.

Guidance and navigation systems for 15 command and service modules and 8 lunar excursion modules will also be delivered during fiscal year 1966 for testing and integration into the spacecraft.

#### SATURN I

With its eight successful flights to date, the Saturn I has provided us with the sound technological base needed to develop and to build large boosters. The fiscal year 1966 funds cover the completion of this project.

#### SATURN I-B

The two-stage Saturn I-B will step up our payload capability to approximately 35,000 pounds in low Earth orbit and will serve as a test bed for Apollo-Saturn V missions. The Chrysler Corp. is producing the first stage and the Douglas Aircraft Co. is fabricating the second stage. The first Apollo-Saturn I-B flight will be conducted in fiscal year 1966. Two additional Saturn I-B launch vehicles will be brought to flight-readiness and systems for two more vehicles will be delivered to Cape Kennedy. Hardware for subsequent flights will be in various stages of manufacture, assembly, and checkout.

The Saturn I-B project also includes design studies on incorporating a Centaur third stage into the two-stage Saturn I-B to add to the Nation's inventory a large launch vehicle with Earth-Moon payload capability of 12,000-14,000 pounds and Earth-Mars or Venus payload capability of 9,500 pounds.

#### SATURN V

The largest of the three vehicles we are developing is the three-stage Saturn V, which will launch the Apollo spacecraft on its way to the Moon. It will be capable of placing approximately 280,000 pounds into low earth orbit and approximately 95,000 pounds into a translunar trajectory. The Boeing Co. is manufacturing the first stage of the Saturn V at the Government-owned Michoud Plant, near New Orleans, La.;



North American Aviation is manufacturing the second stage at Seal Beach, Calif.; and Douglas Aircraft is manufacturing the third stage at Huntington Beach, Calif. Fiscal year 1966 activity will be marked by an intensive ground test program and increasing hardware production. Dynamic testing of the Saturn V will be conducted at the Marshall Space Flight Center; testing will be initiated at the Mississippi test facility; and facilities checkout will begin at Kennedy Space Center's launch complex 39.

#### MISSION SUPPORT

A key supporting development activity during fiscal year 1966 will be the Apollo extension system studies, which are aimed at utilizing the broad technological and operational capabilities inherent in the present Apollo program. In fiscal year 1966, effort will be devoted to design studies and identification of the long-lead components and systems required to make full use of Apollo's hardware capabilities.

From this summary of the Apollo development test effort planned for fiscal year 1966, you can see that any significant reduction would disrupt the pace, logic, and tempo of the program and essentially eliminate NASA's ability to cope with the problems that inevitably arise during a period of intensive testing in research and development programs.

For the third manned space flight research and development program, which is advanced manned missions, we are recommending a fiscal year 1966 authorization of \$10 million. This amount is the same as NASA's request, but \$16 million below the fiscal year 1965 funding level. The committee found no reason to alter the advanced manned missions program, which provides studies on future objectives, requirements, and costs, and forms the basis for efficient and logical planning of the future course of manned space flight.

#### CONSTRUCTION OF FACILITIES

The committee recommends approval of \$22,185,000 for construction of facilities in support of current manned space flight programs. This amount reflects a reduction of \$2,825,000 from NASA's request and is \$191,296,500 below the fiscal year 1965 funding level. As you may recall, the manned space flight construction of facilities program reached a peak in fiscal years 1963 and 1964. As these facilities became operational—on time and within the allocated funds, the requirements decreased in fiscal year 1965 and the downward trend continues this year. The facilities projects for which authorization is requested in fiscal year 1966 were found to be valid requirements. Therefore, the reduction was applied to the manned space flight construction of facilities request as a whole, with the understanding that no specific project was denied authorization. In this way, the committee believes that reasonable economies can be achieved without limiting NASA's flexibility to adjust between projects.

#### ADMINISTRATIVE OPERATIONS

The committee recommends approval of \$279,742,000 to support salaries and benefits for civil service personnel and

operating costs for the three manned space flights centers. This amount reduces the manner space flight administrative operations request by \$10 million, with the understanding that NASA retains the flexibility to determine the distribution of this cut. The committee appreciated the fact that manned space flight will enter a period of intensive operational activity in Gemini and heavy ground and flight testing in Apollo during the next fiscal year.

However, it is our judgment that austere control of administrative operations funds will permit manned space flight to absorb the \$10 million reduction and still handle its work burden during fiscal year 1966.

I might mention that the amount recommended by the committee for manned space flight administrative operations is \$13,533,000 lower than the fiscal year 1965 funding level. In addition to the committee adjustment, the main reason for this decrease is that NASA is this year implementing the General Accounting Office's policy of one-time purchase of automatic data processing equipment in lieu of continued rental. No increase in civil service personnel is planned at the three Manned Space Flight Centers.

#### V. CONCLUSION

I have reviewed for you how the committee analyzed the fiscal year 1966 budget request, what our recommendations are, and how the proposed authorization will sustain the orderly pace of the on-going manned space flight programs.

Mr. Chairman, the Manned Space Flight Subcommittee of the Committee on Science and Astronautics is recommending a sound, realistic authorization for fiscal year 1966. We present the proposed manned space flight authorization in good conscience after a careful, businesslike audit of the request. We are confident that the committee recommendations will satisfy the need to economize and will at the same time allow NASA to balance its requirements and continue the orderly progress of the manned space flight programs. The recommended manned space flight authorization merits the same support that you have given in the past.

In a very real sense, we are all stockholders in this national investment and we all share in its many returns. We are creating a broad base of operational skills in manned space flight, a valuable complex of development, manufacturing, test, and operational facilities, and an experienced team of Government and industrial people. The proposed bill will not only bring us closer to the specific objective of manned lunar landing and return but will also advance the fundamental goal of making the United States preeminent in manned space exploration.

Now, Mr. Chairman, I would like at this time to commend the Subcommittee on Advanced Research and Technology for including a very important item in the budget in the amount of \$6,200,000 for fiscal year 1966 to continue the development leading to the ground system test of the 260-inch solid booster.

I appeared before this subcommittee and urged that these funds be included

so that we could follow through on this very important program.

I believe that this Nation should devote more efforts toward the full development of the solid propellants so that we can gain even greater superiority in lifting capabilities.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, I would like to compliment the chairman of the full committee, the gentleman from California [Mr. MILLER], for the outstanding leadership he has given in the progress of the space program, his farsightedness and his organization of the subcommittees to do the job that has been done.

Also I would like to compliment the chairman of our subcommittee, the gentleman from Texas [Mr. TEAGUE], for the outstanding work he has done and the time he has devoted in working on this committee and getting out the bill on manned space flight.

Also, I would like to compliment the gentleman from Pennsylvania [Mr. FULTON] for his leadership and his ability in directing our efforts on the minority side.

Mr. Chairman, this is the fifth year I appear before you to advocate the passage of the annual National Aeronautics and Space Administration budget.

My purpose today in supporting H.R. 7717 is specific discussion of that aspect of the appropriation dealing with the Apollo manned space flight program.

Of the \$5.1 billion recommended by your Committee on Science and Astronautics for NASA for fiscal 1966, \$2.9 billion will be applied to the Apollo effort.

It was in the summer of 1961 that your Science and Astronautics Committee first recommended, and Congress approved, a budget for manned space flight.

That first allocation covering fiscal 1962-63 amounted to \$487 million.

During the following 3 years approximately \$1.1 billion, \$2.4 billion, and \$2.6 billion, respectively, were earmarked for Apollo by Congress.

Each year the budget has increased because each year we come closer to vitally important breakthroughs in our assault on the mysteries and challenges posed by the Apollo project.

We understood this would be the case when we initiated the program.

Two barriers, however, continue to impede the performance of the United States in space.

They apply equally to military and to scientific progress.

They limit hope for advanced American exploration in the farthest reaches of the universe.

They restrict us in the 100 to 500 miles of so-called inner space where national security must be considered.

Barrier No. 1 is booster capability.

Barrier No. 2 is rendezvous capability.

Mr. Chairman, impossible to ignore in our budgeting to overcome these barriers is an assessment of the relative success of the Soviet Union with the same problems.

Booster capability of the United States in manned flight as demonstrated in Project Gemini is 500,000 pounds of thrust.

Russia is presently presumed to be capable of 850,000 pounds of thrust, demonstrated in the three-man Voskhod flight last October.

Available evidence indicates that the Russians are developing a bigger booster, though it is yet to be revealed.

Some American scientists believe that a new basic engine will be produced in Russia soon and may double the thrust of their present engine.

The response of our space technicians to this challenge is represented in engines designated Saturn I, Saturn I-B, and Saturn V.

Each is part of the Apollo program.

Booster potential of these Saturn vehicles ranges from 1.5 to 8.7 million pounds of thrust.

Rendezvous capability must, of course, be coordinated with thrust.

This represents technical sophistication quite apart from thrust power.

No American achievement in these two areas matches the Vostok flights of 1962 and 1963 and the Voskhod flights of October 12, 1964, and March 18, 1965.

Project Apollo for which rendezvous and precision-timing capacity are absolutely essential, is currently the best hope of our Nation in overcoming clearly demonstrated Russian superiority.

To the Aeronautics and Astronautics Coordinating Board of NASA and the Department of Defense, established in 1960 and actively functioning today, will be assigned many considerations involving application and development of Apollo research.

Manned and unmanned space stations, of interest to both science and the military, are examples of areas in which Apollo will be the trailblazer.

Even in the absence of international competition and political tension, however, Apollo would be needed to break down the two barriers which place intolerable limitations on every aspect of our potential in space.

It may be a disadvantage rather than an advantage that Apollo is best known as the project by which the United States seeks to accomplish the 768,810-mile lunar expedition within this decade.

In point of fact, it can accurately be stated that almost the entire Apollo budget constitutes basic research and development on space flight.

This means that most of what is done in the name of Apollo can be applied to any space activity in which our Government might become engaged, now and later.

In the field of meteorology, manned earth orbiting Apollo spacecraft can advance atmospheric science in a number of important ways.

For example, an experimenter aboard an earth-orbiting spacecraft can make unique contributions in devising instrumentation to measure night time cloud distribution, winds, temperatures, precipitation, water vapor and ozone content, cloud properties, aerosols, and the state of the sea, of snow, ice, and terrain.

Economic estimates of improved weather forecasting have been made many times and these estimates predict savings of the order of billions of dollars to our economy arising from improved forecasting of only a few days.

Advanced weather satellites, developed as a function of manned earth laboratory experimentation, can improve our weather forecasts as well as to help solve many scientific meteorological questions such as questions about the changes in climate.

Earth orbiting laboratories developed as a result of the capabilities exercised in manned earth orbiting laboratories, will investigate potential applications in agriculture and forestry.

All the capabilities we are developing in Apollo are thus only a beginning.

One has only to let his imagination out a notch or two to see the ultimate possibilities of humanity's push into space.

The greatest benefits of space exploration will be such that we cannot begin to grasp nor even comprehend today.

Mr. Chairman, valuable previous discussions concerning the feasibility and desirability of the Apollo program can be reviewed in the CONGRESSIONAL RECORD of April 28 and May 24, 1961; May 23 and July 10 and 11, 1962; August 1, 1963; and March 25, 1964.

Hearings of the Committee on Science and Astronautics especially useful in assessing the program can be found in reports dated May 12, 1961; May 15, 1962; July 25, 1963; March 18, 1964; and May 3, 1965.

No new technical information has been acquired since the Apollo budget authorizations for fiscal 1965, which now casts doubt on the feasibility of the program.

All development has proceeded as planned.

Arguments which originally justified Apollo appropriations and programming, and were considered acceptable by the Congress for the past 5 years, still apply.

To continue the Apollo program on its present schedule to July 1, 1966, we will commit ourselves to the expenditure of \$2,967,385,000.

This total can be broken down in the following way:

First. For spacecraft: Described on page 7 of your report, \$1,118,840,000.

Second. Saturn I. Described on page 11 of your report, \$4,400,000.

Third. Saturn I-B: Described on page 12 of your report, \$274,700,000.

Fourth. Saturn V: Described on page 15 of your report, \$1,236,500,000.

Fifth. Engine development: Described on page 18 of your report, \$140,700,000.

Sixth. Apollo mission support: Described on page 21 of your report, \$222,245,000.

Viewed solely from the standpoint of technology and methodology, these items have not, to my knowledge, come under question.

It is in the ever-changing area of public policy that Project Apollo and, indeed, the entire NASA budget, rightfully deserve close scrutiny by the Congress.

In this regard I call your attention to the additional views of various distinguished members of the science and astronautics committee starting on page 129 of your report.

Particularly in the views on page 131 it is pointed out that there is a need for taking further advantage of the potential inherent in nuclear propulsion.

It is my opinion, and that of the distinguished Member, the gentleman from Pennsylvania [Mr. FULTON], that programs should be started now to increase the research and development in various nuclear propulsion projects.

Such concern is, however, not incompatible with support of the NASA budget today.

Mr. Chairman, the Committee on Science and Astronautics is not afflicted by either moon madness or space obsession.

It has been for many months involved with a businesslike consideration of the financial requirements of the National Aeronautics and Space Administration for fiscal year 1966.

From the NASA budget proposal first submitted to us, \$30 million was cut from Apollo research and development alone.

Beyond this, reductions totaling \$8,779,000 were imposed by your committee on the original request of the National Aeronautics and Space Administration.

We give you a sound budget and, Mr. Chairman, on this basis I speak in behalf of the proposed allocations of both Apollo and NASA, and urge passage of H.R. 7717 now before you.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. FULTON of Pennsylvania. Mr. Chairman, I want to compliment the gentleman on his good statement, likewise compliment him on his fine, intelligent work on the Manned Space Flight Subcommittee. It has been a pleasure to serve with the gentleman on that committee, as I know personally, as the ranking minority member of the Manned Space Flight Subcommittee, of his good work and dedication to his duties.

Likewise might I compliment the gentleman on his insistence that we do adequate research in the future on nuclear propulsion as well as chemical propulsion, both liquid and solid. These are vital fields and will be vital in space in the future.

Mr. MILLER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KARTH], the chairman of the Space Sciences and Applications Committee.

Mr. KARTH. Mr. Chairman, I rise in support of H.R. 7717, the NASA authorization bill for fiscal year 1966. I had the privilege of being chairman of the subcommittee which considered the budget requests of the Office of Space Science and Applications, one of NASA's major program offices. This office has two main elements—the space science effort, and the applications satellite projects. I will begin by saying a few words about the space science program.

The importance of the work undertaken in the space science program can hardly be overestimated. Man's progress is directly linked to his ability to understand nature. This is the goal of science; and science performed in space has already contributed greatly to our understanding of natural phenomena.



Most of the information we have about the universe comes to us in the form of waves radiated from the surfaces of stars that are observed by our telescopes and other instruments here on earth. This star radiation, however, is largely absorbed in the atmosphere, and only a small fraction reaches our instruments on the ground.

Now, for the first time in the history of science, we have the capability to put instruments above this atmospheric curtain, and these instruments are able to observe the entire breadth of radiation. With this new technique, the science of astronomy has taken a giant step forward.

The tools of the space science effort are unmanned, instrumented spacecraft launched into orbits around the earth, or sent out into interplanetary space. These instruments provide our scientists with the eyes, ears, and other senses needed for exploring space.

The scientists engaged in this program are conducting experiments in space to extend our knowledge and understanding of the stars, the planets, interplanetary space, and the fundamental physical nature of the universe. The objective is the acquisition of new basic knowledge necessary for American preeminence in space.

Unmanned instrumented spacecraft have been sent to the vicinity of the moon and the nearby planets. Project Ranger produced over 17,000 closeup television pictures of the lunar surface of much higher resolution than had been achieved from earth based telescopes.

Mariner II is the only successful planetary probe by any nation to date. I might add that the Soviet Union has made many more attempts at lunar and planetary exploration, but virtually without success.

Mariner IV is now on its way to Mars; it has broken all records for long distance communication—well over 70 million miles; and at last report, it is operating satisfactorily. Next July 14, it will pass within 5,600 miles of Mars and is expected to send back the first closeup television pictures of the Martian surface.

Now I would like to say a few words about the work of the second part of the unmanned spacecraft effort, the Office of Applications. These are the programs which provide the greatest expectation for generous returns on our investment in the immediate or foreseeable future. Regarding meteorological satellites, the Members of the House have read enough in the press to know that this program is well underway. To date, NASA has launched nine Tiros satellites and one Nimbus spacecraft. This program has enjoyed a perfect record; every launch has been successful.

The data received from these experiments have opened up new horizons of research into the earth's atmosphere. Pictures of cloud cover received from Tiros satellites are valuable, but new advanced sensors to measure temperature, wind velocity, and moisture content at various altitudes are now under development.

An operational weather satellite system based on the Tiros technology has

already been undertaken by NASA and the Weather Bureau. We can look to the day, not far distant, when weather satellites, together with other more conventional equipment and techniques, will assist man in predicting significant changes in weather well in advance, with the result that untold savings can be made by farmers, industry, and the transportation services. We can only speculate on the amounts of money that will be saved by more accurate and more timely weather prediction; but we know that for lack of adequate preparation for changes in the weather, staggering amounts have been lost each year. Because of NASA's accomplishments, the future looks much brighter. I might point out that the Soviet Union has not yet launched its first meteorological satellite.

The second area of special interest to the Office of Applications is communications satellites. I hardly need to go into detail on what has been accomplished to date. Telstar, Relay, and Syncom were outstandingly successful, and have provided the technical base for a commercial system now being developed. Here is another effort where the United States is far ahead of the Soviet Union. A great deal of research remains to be done, and will be undertaken as part of the applications technology satellite program.

It is in the development of applications satellites—spacecraft which perform meteorological, communications, and navigation services—where the United States has its greatest opportunity for continuing leadership in space technology. I believe Congress should fully support this effort.

In closing, I want to make a few comments about the sustaining university program. This important program is being pursued at the same level of effort as was approved by Congress last year.

Nothing is more important, in my view, than to improve the universities' role in support of the national space effort, and to increase the future supply of scientists and engineers on which the space program depends.

At the present time, about 185 universities are working on NASA-sponsored research. And 142 universities in all 50 States and the District of Columbia, are now participating in the predoctoral training program. Nearly 2,000 graduate students are now engaged in research and advanced training under this program, and the number will increase to more than 3,000 this fall.

In my judgment, this is a well-organized, essential program which deserves our continued support.

Mr. Chairman, our committee took a very close look at NASA's proposed budget for the forthcoming fiscal year. The total request of the Office of Space Science and Applications this year is roughly comparable to the fiscal year 1965 level. The recommendations of our committee are made to the House after careful study, and with a sincere belief in the importance of the work of the Office of Space Science and Applications to the national space effort. Accordingly, the committee recommends authorization of a total of \$848.5 million for research and development, construction and administrative operations in support of these programs. I submit that the House of Representatives should endorse our committee's recommendations, and pass this bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman, who is the chairman of the subcommittee, for the excellent work of the subcommittee under his leadership. I agree with the gentleman that the subcommittee has gone into these matters and programs in detail and has been very careful in saving the taxpayers' money as well as in leaving room for adequate progress. I compliment the gentleman also on his adequate and excellent statement.

Mr. KARTH. I thank the gentleman for his remark.

Mr. Speaker, under permission granted I include the following "Space Science and Applications Recapitulation":

#### Space science and applications

##### RECAPITULATION

Program	Request	Approved	Reduction
Research and development:			
Physics and astronomy.....	\$172,100,000	\$160,500,000	\$11,600,000
Affected projects:			
OAO.....	(32,500,000)	(26,300,000)	(6,200,000)
OGO.....	(31,700,000)	(26,300,000)	(5,400,000)
Lunar and planetary.....	215,615,000	213,115,000	2,500,000
Affected projects:			
Lunar orbiter.....	(37,000,000)	(36,000,000)	(1,000,000)
Surveyor.....	(85,600,000)	(84,100,000)	(1,500,000)
Sustaining university.....	46,000,000	46,000,000	None
Launch vehicle development.....	63,600,000	60,600,000	3,000,000
Affected project: S. R. & T.....	(4,000,000)	(1,000,000)	(3,000,000)
Launch vehicle procurement.....	194,500,000	179,500,000	15,000,000
Affected projects:			
Procurement, generally.....	(194,500,000)	(189,500,000)	(5,000,000)
Centaur, S.E. & M.....	(19,400,000)	(9,400,000)	(10,000,000)
Bioscience.....	31,500,000	31,500,000	None
Meteorological satellites.....	42,700,000	42,700,000	None
Communications satellites.....	2,800,000	2,800,000	None
Applications technology satellites.....	28,700,000	28,700,000	None
Total R. & D.....	797,515,000	765,415,000	32,100,000
Construction of facilities.....	7,497,000	7,497,000	None
Administrative operations.....	80,195,000	75,595,000	4,600,000
Grand total.....	885,207,000	848,507,000	36,700,000

Mr. MOELLER. 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 Ohio?

There was no objection.

Mr. MOELLER. Mr. Chairman, I rise in support of H.R. 7717, the NASA authorization bill for fiscal year 1966. During the committee's deliberations on this bill I was privileged to serve on the Subcommittee for Space Science and Applications under the chairmanship of my colleague, the gentleman from Minnesota, Joe KARTH. I would like to take this opportunity to commend Mr. KARTH for his excellent chairmanship during 4 weeks of intensive probing into the requirement for funds to support the space science and applications programs of the National Aeronautics and Space Administration.

That part of the NASA request within the primary jurisdiction of our subcommittee totaled \$885.2 million for research and development, construction of facilities, and administrative operations. The projects and programs under this phase of the national space effort are far too complex to explain in detail in the brief time allotted to me. However, I think I can safely state that this phase of the NASA request is designed to maintain the world leadership in space exploration and exploitation which this country has labored so hard to achieve. The program is premised on a continuation of a formula for success based on the following principles: broad objectives of this country's own choosing; imaginative and soundly based projects to achieve these objectives; in government, industry, university, a team of outstanding competence and depth; the highest possible standards of science, engineering, and management; and a steady course with firm objectives.

From testimony presented before the subcommittee most of the program elements in the fiscal year 1966 request are a continuation of work already underway. Some projects such as Ranger, Mariner, Echo, Relay, and Syncom will have served their useful purpose and will be phased out during fiscal year 1966. From these projects we have obtained rewards from the bold and imaginative decisions which were made in past years. It is my opinion that we must continue to make such decisions so that the future may be even more rich than the present.

A review of the past accomplishments of space science and applications shows it has produced a total of over 50 successful space missions; 30 of these were scientific satellites, 17 were applications satellites, and 5 were deep space probes.

It is interesting to note that nearly 30 percent of the successful missions since 1958 were launched last year. At the same time, major advances have been made in the technology of space exploration. Testimony received indicated that spacecraft reliability stands at about 90 percent despite the fact that the advanced second- and third-generation spacecraft have been introduced into the program. Launch vehicle reliability has been vastly improved over the early days.

One recent addition to the very reliable class is the Scout which has been successful in 11 of its last 12 flights. Also the Atlas space booster has now been successful on 26 consecutive flights. The useful life of satellites has grown to about 1 year with several cases exceeding the 2-year mark. Second- and third-generation spacecraft have not quite reached this level but have provided a remarkable degree of stabilization, maneuverability, and versatility required for the more advanced missions.

The foregoing achievements attest to a very excellent and reliable system of management within the NASA organization, headed by outstanding scientists and engineers. In our deliberations we could find no indications of inefficiency.

Detailed analysis of the NASA fiscal year 1966 request has resulted in a reduction from the requested amount of \$885.2 million to \$748.5 million. Most of the reductions in the research and development program totaling \$32.1 million were in the nature of deferral of elements within the program until future years. A reduction of \$4.6 million in administrative operations was made since, in our judgment, some of the funds requested were not fully justified. The C of F segment of this program, in the amount of \$7.5 million, was not reduced since all of the projects appeared to be valid, well-justified requirements.

I consider that H.R. 7717 represents a well-balanced annual increment of our space effort. I recommend its passage of the House.

Mr. KARTH. Mr. Chairman, I ask unanimous consent that all members of the Space Sciences and Applications Subcommittee may be allowed to revise and extend their remarks immediately following my remarks in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. MOSHER].

Mr. MOSHER. Mr. Chairman, I support H.R. 7717, the NASA authorization bill for fiscal year 1966. I had the privilege of serving again this year as the ranking minority member on the Subcommittee for Space Science and Applications under the able chairmanship of our distinguished colleague, the gentleman from Minnesota, Joe KARTH. As has been my experience in the past, our deliberations on the NASA request were carried on in an atmosphere of friendly cooperation and bipartisanship.

That part of the NASA request falling under the primary cognizance of our subcommittee totaled \$885.2 million for research and development, construction of facilities and administrative operations to support programs falling within the jurisdiction of the Office of Space Science and Applications in NASA, headed by Dr. Homer E. Newell, who in my opinion is a very competent scientist and administrator. The projects and programs under his supervision are far too complex to explain in detail in the brief time allotted to me. However, in broad perspective, this part of the space program could be defined as one

of scientific study of the earth, moon, sun, planets, stars and interplanetary space, coupled with the development of technology pertinent to applied uses such as meteorological and communications satellites. This program encompasses a wide variety of projects and uses many well known space vehicles: the Ranger, Mariner, Voyager, Surveyor, Nimbus, and Tiros, to name a few.

The committee worked long and hard in their detailed review of the nine major subprograms within the jurisdiction of the Office of Space Science and Applications. During 4 weeks of hearings we probed diligently into every aspect of these subprograms to assure ourselves that the request was adequately justified and needed to support the national space program objectives. As mentioned by Mr. KARTH, after careful consideration of each item in the request, the committee reduced the research and development segment of the program by \$32.1 million, and the administrative operations request by \$4.6 million, or a total reduction of \$36.7 million.

Mr. Chairman, I emphasize that our reductions in the research and development request were primarily in the nature of deferrals, rather than deletion of major program elements.

In the case of administrative operations, the request for funds to conduct normal day-to-day housekeeping of installations was considered to be excessive.

No reduction to the construction of facilities request of \$7.5 million was made, since the six projects were all considered to be firm, valid requirements.

In retrospect, I can unequivocally state that the authorization request for space science and applications was subjected to a most deliberate and careful analysis, and that I have no qualms as to the validity of the requirements nor the necessity for these funds to support the Nation's space effort—assuming that we accept the general goals for these projects as being valid and necessary in the national interest.

Mr. Chairman, I suggest there are two areas where constructive criticism might be offered:

First, regarding the witnesses appearing before the committee in defense of the annual authorization request. Each year the Administrator, National Aeronautics and Space Administration, sends before our subcommittees a very excellent team of engineers and scientists associated with the various programs. These men are undoubtedly outstanding experts in their respective fields, and I have every confidence in their integrity and competence. The only fault that I find in this procedure, is that they are all from NASA. I feel that the complexity and importance of the national space program dictates that voices from other sources, expressing different points of view, should be heard. Testimony of witnesses from industry, and the academic and scientific communities should be taken, lest our deliberations be biased by the voice from only the agency most concerned with the annual fund requirement. Our committee should more actively seek and solicit honest criticism,



and positive suggestions for improvement in the NASA programs from competent people outside of NASA. Lack of time alone makes that difficult to do.

Secondly, regarding the matter of committee staffing. I have supported the additional views on H.R. 7717 in this matter, which may be found on page 132 of the committee report before you. The Committee on Science and Astronautics currently employs 12 professional and technical staff members to provide analytical data, advice, and counsel to a committee of 31 Members of Congress, in whom has been entrusted the responsibility to maintain surveillance over a program aggregating over \$5 billion annually. I have great confidence in the individual competence of the staff members presently employed by the committee. Their ability and standard of performance in the past has been above reproach. However, because of their limited numbers, there is serious question in my mind as to whether we are maintaining the degree and breadth of surveillance over the national space effort and other scientific activities that is our responsibility under the charter which established this committee. In my judgment, more staff personnel trained in engineering, electronics, and other space-oriented disciplines are needed if we, as Members of Congress, are to adequately perform our assigned tasks.

Despite the foregoing constructive criticism, I consider that H.R. 7717 represents a well balanced annual increment of our space effort. I recommend its passage by the House.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, previous speakers have explained this National Aeronautics and Space Administration legislation and I have no intention of extending unnecessarily the legislative history of the bill by repeating what others have said.

I do want, however, to have the record show that I voted in committee in favor of reporting H.R. 7717, and by and large, I support this program, especially now that the budget request is leveling off rather than climbing. In previous years I had been led to believe that, as planned, in excess of \$7 billion a year would be needed to continue the program, whereas, as I have publicly stated, I felt it desirable to view space exploration as not being a crash program. As such I thought hundreds of millions of dollars a year could be saved without sacrifice to the public interest.

Anyway, the spiraling annual expenditure seems to have been slowed, and as far as I know, any slippage in schedules was due to other causes than lack of funds.

Critics of this program have said it was a waste of money, and likewise a waste of manpower. The \$20 billion to land a man on the moon has been especially subject to criticism.

As for me, I have taken the position that the Apollo program had too high a priority, perhaps, or at least, that scientific data from instruments rather than

landing men on the moon would have given us the same information, even though with less glamour, at less cost.

In no way does this reservation as to the value of a multibillion-dollar moon voyage imply that I oppose exploration of space.

Let me in this regard point up what I believe to be a fine example of studying by instrument with far less cost. Take the Lunar Orbiter which is the successor to the Ranger series of moon photographic probes. The Orbiter will be equipped with ultrasensitive photographic and communication apparatus to provide new and more accurate scientific data. The moon will be photographed about 29 miles above its surface.

In the past, I have expressed concern that the goal of a 1970 manned moon landing was resulting in unnecessarily high cost. In fact, I tried to convince James Webb, Administrator of NASA, that 1975 might be a more realistic deadline for the first lunar landing.

In any event, let me make it clear that I support the overall program of NASA and, as I said, am grateful that the annual cost seems to be leveling off at lower than previously projected figures.

In conclusion, I want to point up that minority members of the House Science and Astronautics Committee, as set forth in additional views in the committee report could more effectively contribute to greater efficiency and economy if we had our own minority staff to scrutinize the agency's budget of expenditures. I hope the day will come when minority members of the committee will have both professional and clerical help, to assist us in doing a responsible job of investigating the expenditures of this huge agency. I have in mind investigating such extravagance as promises to be the case in acquiring a site for the electronic center in the Boston area.

Finally, Mr. Chairman, I want to say that members of the committee, of both parties, have most diligently carried out their duties and it has been a real privilege for me to work with them. Both the members and the staff are dedicated to the program.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the ranking Republican member of the committee.

Mr. FULTON of Pennsylvania. Mr. Chairman, I must say that on the committee the gentleman from Washington [Mr. PELLY] has served a real purpose. We need people who stand up and give their views, especially for efficiency and economy in the programs instead of accepting these programs that are given in a form that has just been predigested. The gentleman has insisted that these jobs be done, that they be balanced and that they be economical and I congratulate him.

Mr. PELLY. Mr. Chairman, I thank the gentleman from Pennsylvania. I hope I will always have an independent judgment and integrity.

Mr. MILLER. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. HECHLER], the chairman

of the Subcommittee on Advanced Research and Technology.

SUBCOMMITTEE ON ADVANCED RESEARCH AND TECHNOLOGY

Mr. HECHLER. Mr. Chairman, I ask unanimous consent that all members of the Subcommittee on Advanced Research and Technology have the opportunity to extend their remarks in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HECHLER. Mr. Chairman, the Committee on Science and Astronautics has been a wonderful committee on which to serve. I believe that any review of the thousands of pages of hearings and the 140-page report should convince all Members of the House that we have reviewed very thoroughly the operations of the National Aeronautics and Space Administration. And thanks to the leadership of the Chairman of our full committee, the gentleman from California [Mr. MILLER] we have kept on top of a highly technical subject.

We have some wonderful talent on our committee—the majority leader, the gentleman from Oklahoma [Mr. ALBERT]; our beloved former Speaker of the House, the gentleman from Massachusetts [Mr. MARTIN]; and our esteemed Speaker, the Honorable JOHN W. MCCORMACK—a pioneer, charter member of our committee, drops in frequently to aid in our deliberations.

Each item in budget requests presented by NASA has been reviewed independently. Many field trips have been made. I would like to extend my commendation and compliments to all members of the Subcommittee on Advanced Research and Technology on both sides of the aisle who have approached this subject without any partisanship and with great diligence. I am proud of their work.

CUTS BEFORE BUDGET REACHED CONGRESS

Mr. Chairman, it is more evident than ever this year that very extensive paring down of the space budget was made before it was presented to Congress. Some of these reductions were made by NASA Headquarters after submission of requests from the research centers and the field installations. Other reductions were made by the Bureau of the Budget and the President, when NASA was told to "go back and sharpen your pencils, and cut some more."

Finally, came the process which involved trips to the ranch, and which some publicists termed "the turn of the ratchet," when the President succeeded in keeping the national budget under the \$100 billion level.

This process deeply affected the programs reviewed by the Subcommittee on Advanced Research and Technology. Time after time during our hearings, we discovered that requirements had been cut to the bone. Why is this true to a greater degree in our subcommittee than in other subcommittees?

The answer is simple: The largest items in the Subcommittee on Advanced Research and Technology deal with developments which affect the future—the long future—rather than being linked

with specifically scheduled or planned flights and programs like Apollo or the weather satellites. That is why, Mr. Chairman, when the President and the Bureau of the Budget were faced with the decision of whether to cut on the moon program and other scheduled flights, as against basic and advanced research and technology, it was natural to look with greater favor on immediate goals we had to meet. This is why the funds requested in the 1966 budget for advanced research and technology were squeezed down until they were about \$35 million less than last year.

At the same time, we all recognize the vital role which advanced research and technology has always played in determining the future strength of this Nation. What we spend on advanced research and technology in the fiscal year 1966 will determine the strength of our space program not only a decade hence, but to a great extent in the 1980's and the 1990's. What are we doing in this vast and somewhat esoteric area of advanced research and technology?

NASA is creating new technology. And at the same time, NASA is building a great reservoir of technical competence. You cannot just reach up and take items off that shelf—this takes lots of time and advance planning. It also takes vision and an imaginative grasp of the future potential of the Nation.

Time is an irreplaceable resource. Turn back the pages to October 1957, when sputnik was launched and the Nation was rudely awakened to the fact that we simply did not have the big booster capability possessed in space by the Russians. If any lesson can be learned from the experience it is this: It is a mistake not to follow through with promising technology, especially in the field of large boosters.

#### IMPERATIVE NEED TO SUPPORT ADVANCED RESEARCH

During the hearings of our committee, I expressed to Dr. Raymond L. Bisplinghoff, the able NASA Associate Administrator for Advanced Research and Technology, my personal concern for the progressive reduction in funds for advanced research and technology. I pointed out that NASA spent \$536 million in 1964, this went down to \$519 million in 1965, and now they were dipping below half a billion for fiscal 1966 by asking for only \$476 million. I made this statement to Dr. Bisplinghoff in the hearings:

I don't believe we can afford to be complacent in this field if we are going to maintain our strength in the 1970's and 1980's. How can you possibly continue to cut down on research and technology and hope to maintain strength in the fields of aeronautics and astronautics in the future?

Dr. Bisplinghoff responded in this fashion to my question:

I think the answer, Congressman HECHLER, is that we cannot maintain that strength if we continue to cut down. I am hopeful that in future years we can return to a higher budget level in advanced research and technology, although I recognize that because of stringent budget limitations and costs of the other part of the program it is going to be

necessary for us in 1966 to accept a somewhat lower budget figure.

Mr. Chairman, I like to cut budgets as much as any of my colleagues. When we detect waste or unwise expenditures, it is our obligation to serve the taxpayers and prune away accordingly. But this phase of the NASA budget has already been pruned down until further cutting would seriously endanger the future of our space program.

This is the basic reason why, for I believe the first time in the history of our committee, we followed the Fogarty rule and decided to recommend the authorization of a greater amount than requested in the President's budget. We added three programs which had been taken out by the Bureau of the Budget—the M-1 liquid hydrogen, liquid-oxygen engine; the 260-inch solid rocket motor; and the SNAP-8 nuclear electric generating system. We added \$27.2 million to carry forward these three programs, and cut in other portions of the budget requests, so we came out with a net increase of \$3,369,050 over and above the \$740,601,000 requested for NASA in the 1966 budget. This made the total recommended authorization \$743,970,850.

Before I discuss these three and other programs on which there may be some questions and differences of opinion, I would like to point out that our subcommittee also had under its responsibility the great area of tracking and data acquisition. In this area, NASA requested \$246.2 this year, which is a decrease of \$21.7 from last year's request. Our committee cut the request by \$3,879,000—a very modest decrease which represents the committee's faith in the wise expenditure of funds in this category. The gentleman from Indiana [Mr. Roush], who presided over that portion of the hearings, will present additional information on the various tracking networks.

The comparatively modest amount of \$5 million is being authorized for the highly important program of dissemination to private industry of the possible application of new NASA techniques and inventions. This is not a large program, but I believe it has proven to be a good investment in keeping American industry abreast of some of the space breakthroughs which can be applied to the advantage of private industry.

Mr. Chairman, we have heard some comment today, and we have read comment in the press about whether certain things recommended by our committee have a mission. Does the 260-inch solid propellant motor have a mission? Perhaps not now. Does the M-1 engine have a mission? Perhaps not now.

The conclusion was reached in the 1950's that we had no mission militarily or spacewise for a big booster. We had miniaturized the atomic bomb, so it was said we had no need for a big booster. We got caught short. Let us learn a lesson from history and not repeat that mistake.

I say, Mr. Chairman, it is more important to have these items and not need them than in the future to need them and not have them. I say it is highly important that we move ahead with our work on such programs as the M-1 en-

gine and the 260-inch solid propellant booster. That is why our committee authorized funds cut out for budgetary reasons by the executive branch, and we believe these two programs, plus the SNAP-8 nuclear electric generator program must be carried forward.

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

Mr. HECHLER. I gladly yield to the gentleman from Florida.

#### THE 260-INCH SOLID PROPELLANT BOOSTER

Mr. FASCELL. I thank the gentleman from West Virginia for yielding.

Mr. Chairman, I take this time to specifically ask questions concerning the 260-inch solid fuel program.

Am I correct that in the testimony before the subcommittee on this program there was no evidence at all which would in any way call for a discontinuance of the program, no scientific evidence?

Mr. HECHLER. The gentleman is correct.

This program was cut out at the Bureau of the Budget level. NASA witnesses up through Administrator Webb categorically stated they had no technical or scientific criticism of this program and NASA will support the continuation of this program.

Mr. FASCELL. Is it not also true as a matter of fact, that the evidence was just the other way; that is, that the program is proceeding successfully at this point, and it has every opportunity of being completely successful?

Mr. HECHLER. This is correct. Evidence to support the point which the gentleman from Florida has just made is in the fact that NASA suggested the reprogramming of \$13.8 million to continue the development of the 260-inch solid propellant booster.

Mr. FASCELL. I thank the gentleman for making that point.

As I understand it now the \$13.8 million which has been reprogrammed will allow for the conclusion of phase 1 of the 260-inch program and provides for expenditures through December of this calendar year and would include the test firings of the one-half length full-bore motor; is that correct?

Mr. HECHLER. The gentleman is correct. With the \$13.8 million reprogrammed funds there can be duplicate firings of two each, half length boosters by two contractors—Thiokol and Aerojet General.

Mr. FASCELL. And if the gentleman will yield further, the committee, as I understand it, also authorized an additional \$6.2 million to go into phase 2 of the program. Am I correct on that?

Mr. HECHLER. The committee recommended an authorization of \$6.2 million beyond the President's budget which will not include an actual flight test, but added to the \$13.8 million which was reprogrammed will allow the testing and firing of the full-length booster by one contractor, the contractor to be determined by the outcome of the short-length firing.

Mr. FASCELL. I thank the gentleman.

Therefore, as I understand it, the subcommittee and the full committee which has strongly supported the solid fuel



booster program has indicated, both from the standpoint of authorization and the language in the report, that it fully supports the conclusion of the firing at least on the ground of the full-length 260-inch program?

Mr. HECHLER. This is correct.

I would point out to the gentleman from Florida that this is highly important because the 260-inch booster has a thrust capability of 6 million pounds, and in addition to that it could possibly be clustered in the future. The 260-inch program was initiated by the Committee on Science and Astronautics by its continued pressure on NASA. This was done to be sure that an alternate booster capability would be available to the Nation. Solid boosters are inherently cheaper, more reliable, simpler in design, construction, and operation.

In addition, the solid propellant booster is likely to cost us about 50 percent of the money expended on the Saturn V in order to bring it to a man-rated system. Actually, when you count termination costs and over-runs which were incurred when the program was initially under the Air Force, it is far cheaper to the Government to go ahead with this 260-inch program than it would be to terminate it.

It is a very simple development in comparison with all of the highly complex group of engines, pumps, turbines, et cetera, you have in the Saturn chemical propulsion system, and I believe it is worth the comparatively small investment it would take to complete it.

Mr. FASCELL. I thank the gentleman. I am impressed by the fact there is no evidence anywhere that suggests a change of the original decision that we should make an effort to go both routes; that is, the liquid route and the solid route, to determine the feasibility of the solid propellant, large-motor concept.

I appreciate the dedication of the members of the committee and their courtesy to me. I wish to thank the chairman of the full committee, the gentleman from California [Mr. MILLER]; the gentleman from West Virginia, who is chairman of the Subcommittee on Advanced Research and Technology; and the gentleman from Georgia [Mr. DAVIS], who chaired the subcommittee hearings during the phase on the 260-inch program. I am very grateful to them for their courtesy and attention to the views expressed by me. I welcomed the opportunity to learn of their great knowledge on this vital and complicated subject. I commend them as well as the members of the committee for their thorough review of these programs and their courage, determination, and action to make certain that the United States and the free world advance the cause of freedom in the conquest of space.

Mr. HECHLER. I thank the gentleman from Florida.

#### M-1 ENGINE

Mr. FULTON of Pennsylvania. Mr. Mr. Chairman, will the gentleman yield?

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

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman from West Virginia on his excellent statement. He has done a good job as chairman of the subcommittee in working with the full committee. The gentleman is exactly right, there has been no technical evidence that in any way derogates from the purpose of the 260-inch solid propellant booster, or the research and development on the M-1 engine, the high-thrust system. It is a second-stage engine, and it is the only one that is now in process of development. The testimony will show that the M-1 engine, when developed, will take only about three-fourths of the amount of fuel for other systems.

Mr. HECHLER. Mr. Chairman, in January 1962, NASA decided to take advantage of the growing technology in the use of hydrogen in liquid state as a propellant. This decision was made because the hydrogen-oxygen combination delivers the highest possible energy for the lowest weights in an all-liquid system.

The engine was designed to deliver 1.5 million pounds of thrust to power the second stage of the NOVA rocket. The development was initially funded with \$16,705,000 followed by \$35 million in fiscal year 1963. Prior to the submission of the fiscal year 1964 budget to the committee, a decision was made in NASA to drop the NOVA booster concept thereby greatly modifying the schedule and the objectives for the engine development and lowering of the funding level. In fiscal year 1964, NASA spent \$24 million, the same—estimated—in fiscal year 1965, and nothing in fiscal year 1966. Not including any action taken in this fiscal year, NASA under prior authority has or will spend \$99,705,000 for research and development to develop this engine, until the end of June 31 of this year. With regard to construction of facilities, NASA will have spent approximately \$48 million to support the program.

The subcommittee recognized that no other engine research and development program, currently in progress could possibly deliver the amount of energy and thrust with the M-1. The subcommittee is convinced that the future leadership we must achieve in space will be principally dependent upon the amount of thrust and engine capability we will have at hand when we need it. The subcommittee somewhat decries the almost psychopathic insistence heard from many quarters that there must be a definite mission planned for every technological development before research can begin.

The subcommittee also has recognized that the money already spent on the M-1 over 3 years represents substantial progress in developing engine components, nozzles, pumps, and valves of unprecedented complexity and performance. Termination costs of the program are almost equal to an additional year's cost to continue the program on the present level. The subcommittee believes that it is in the best interest of economy and NASA's future capability to continue the program on a technological development schedule, leading up to the test of an integrated engine component system.

However, it does not advocate at this time investing funds to climax in an engine flight test. By NASA following this recommendation, the subcommittee believes that the technologies already or soon to be realized will be available at a later date when the need for the development of an engine of this performance and capability will be more clearly defined. Therefore, the subcommittee recommendation to add \$15 million to the M-1 program is reasonable, logical and based on the best information available to it.

This program is about 50-percent complete, with the possibility of making the first ground system test sometime before the end of June of this year. NASA had reprogrammed \$3 million for the M-1 engine in this fiscal year. Our committee felt that \$15 million additional will carry this program through fiscal year 1966 at a reduced level from the \$24 million a year level at which it had been operating. The prior program was oriented to produce a primary flight vehicle by 1971. Since there is no mission specifically designed at this time for the M-1 engine, the committee felt that to continue at the same rate as has been done in the past 2 years is not necessary. Therefore, the funds we are authorizing—\$15 million beyond what the President's budget requested—will continue the program on an austere basis, yet allow development of a unique capability to include in the Nation's warehouse of launch vehicles. This further assures the country that there is no technology lag in the development of large boosters.

This program does not overlap or duplicate other developments. The F-1 engine used on Saturn V develops 1.5 million pounds of thrust at a specific impulse of about 250 seconds. The M-1 engine will deliver 15 million pounds of thrust at a specific impulse of 350 seconds. In addition, the mass friction is also reduced which makes this engine a very desirable upper stage. Therefore, it is a real accomplishment to provide an engine with this capability.

What do we buy for \$15 million. The continuation of this program will provide a complete ground system test with component development continuing as previously initiated. This means that the major components that have already been designed will be perfected and tested, and as soon as enough components are available a complete system will be made up, and then the complete system can be tested. No flight test is planned at this time.

#### SNAP-8 NUCLEAR ELECTRIC GENERATOR

Mr. Chairman, I want to add a few words about the third program for which our subcommittee added funds: the SNAP-8 nuclear electric generating system. This is a 35-kilowatt, 50-horsepower auxiliary power generating system. It is designed to be used on board a spacecraft to provide electrical energy for the various apparatus aboard. The term S-N-A-P stands for system for nuclear auxiliary power. The system works in the following manner: A nuclear reactor is used as a source of very high heat. Mercury is vaporized in the reactor and from there goes to a heat exchanger.

There, sodium and potassium is vaporized to a high pressure and is passed through a turbine. The turbine is linked to an electrical generator which produces about 30 kilowatts of electrical power. The vaporized metals—mercury, sodium, and potassium—are in a closed system and are returned to their respective heat sources in a condensed form. SNAP systems in no way can be used for propulsion. They are solely intended to provide electrical power to operate internal spacecraft components and transmitters.

Any question concerning the joint operations of NASA and the AEC in nuclear electric and nuclear rocket research programs has been answered rather effectively in the subcommittee hearings. There is no question that in the early days of the joint agency efforts, there were problems of management and decision that had to be ironed out. Management mechanisms such as coordinating groups and advisory boards were set up that have been and are functioning well. The subcommittee is thoroughly satisfied that Mr. Harold Finger and his associates are functioning under a satisfactory working arrangement that is fruitful and under which gratifying and important progress has been made. In effect, the AEC is functioning as contractor of NASA and Mr. Finger is the manager, for NASA. He does have certain administrative responsibilities within the AEC but these in no way make him the "slave of two masters."

The Atomic Energy Commission with \$9 million is developing the nuclear heat source required by this generator. NASA will develop the rotating turbine and electrical generator equipment to fit with the AEC heat source. To date, about \$100 million has been spent by NASA and AEC, with the NASA portion amounting to about \$47 million. The program is roughly 50-percent complete.

We understand that NASA initially requested \$10 million for the SNAP-8 program, with that amount being denied by the Bureau of the Budget. Subsequently, NASA reprogramed \$2.15 million to terminate the program sometime early in fiscal year 1966. The \$3 million made available by committee action will continue the program at the \$10 million level—when you count in the reprogramed funds. What we actually did was to add \$6 million to the nuclear electric systems program, with the stipulation that an additional \$2 million be utilized from the total \$33 million authorized for the nuclear electric systems.

#### ELECTRONICS RESEARCH CENTER

Mr. Chairman, I have been fighting so long and vigorously for the Electronics Research Center, and for locating it at Kendall Square, Cambridge, that one of my colleagues on the opposite side of the issue now always addresses me as "Dr. Kendall Hechler." Mr. Chairman, I am proud of that sobriquet and hope that it sticks.

The Electronics Research Center is here to stay.

I would like to sketch in a little background as to why we need the Center.

In the hostile environment of space, with extremely high and perilously low

temperatures, with radiation dangers, the great need for high-quality materials and high-reliability performance of components, men, and machines must have superior electronics to match the extreme demands. When you get way out in space, you must have for your men, and also for your instruments, superior guidance systems, superior internal spacecraft power, better communications systems—to mention only a few. You cannot have a small army of men with spare parts available in outer space as you have on the ground. You cannot check reliability with full platoons of men. We must develop self-checking systems.

We must develop a central national competence in electronics.

In November 1961, in response to these demands, an electronics and control division was set up in the Office of Advanced Research and Technology, to investigate how to concentrate the Nation's competence in electronics and to stimulate its development in the universities, private research organizations, and in private industry. The President's budget for the fiscal year 1964, transmitted to the Congress in January 1963, first asked for funds for an Electronics Research Center, which NASA felt would fill this critical need outlined. An Electronics Research Task Group was set up in NASA headquarters in January of 1963 to implement this idea.

In the 1964 fiscal year budget, \$5 million was initially requested for ERC. Congress, after a spirited fight, appropriated \$3.9 million for site and land acquisition. Congress further stipulated that the funds could not be spent until NASA transmitted to the Congress a detailed study of the geographic location, need for, and nature of, the Electronics Research Center. NASA by this time had decided that it was best to locate the Center in the Boston area because of its proximity to the numerous universities in that vicinity.

A thick, comprehensive report was officially issued by NASA on January 31, 1964, in compliance with the provision in the 1963 statute. The Committee on Science and Astronautics received and without objection officially accepted the report.

In March of 1964, NASA convened a Site Evaluation Committee which examined 160 sites in the Boston area. This Committee concluded that Cambridge was the best location. At this point, 13 sites in the Cambridge area were intensively reviewed, including the Watertown Arsenal and the Naval Ammunition Depot. One of the desirable sites considered was Kendall Square. Meanwhile, Congress last year appropriated \$10 million to add to the \$3.9 million already appropriated for ERC; this was for construction.

For many years, the city of Cambridge has been carrying on an active urban renewal program. On July 30, 1964, the city of Cambridge offered 29.2 acres in the Kendall Square area to NASA to constitute part of an urban renewal project. NASA accepted the offer on August 10, 1964.

The Electronics Research Task Group moved to Cambridge in September of 1964, and occupied quarters in leased space. Dr. Winston Koch was appointed to lead the Center. Early in January 1965, ERC personnel moved into Technology Square, two blocks from the MIT campus.

Mr. Chairman, we had much discussion in our subcommittee about the issues involved in utilizing the urban renewal procedure. Our subcommittee, accompanied by the chairman of the full committee, the gentleman from California [Mr. MILLER], visited Kendall Square and a number of the businesses there. I agree with the general nature of the conclusions of the Housing and Home Finance Agency that of the 104 buildings in the Kendall Square area 68 are substandard, 19 standard, and 17 deficient. They are clearly an eyesore and are logically included in any urban renewal project.

On April 20, 1965, I received a letter from the Urban Renewal Administrator, the Honorable William L. Slayton, enclosing an official announcement of a \$401,200 Federal advance to enable the Redevelopment Authority of Cambridge to begin survey and planning activities. This letter indicated:

It is anticipated that by October 1, 1965, all city, State, and Federal action will have been completed and the project will be under a loan and grant contract executed between the Cambridge Redevelopment Authority and the Housing and Home Finance Agency. This will permit the filing of condemnation of properties in the project area by the redevelopment authority under the "quick taking" provisions of the Massachusetts statutes.

The April 20 letter from Commissioner Slayton further stated:

In one portion of the project area where eight business firms would be affected, relocation can be carried out, structures demolished, and site improvements installed to permit delivery of land to a redeveloper by April 1, 1966.

I would like to emphasize, Mr. Chairman, that it is the city of Cambridge which is acquiring this property through urban renewal, and whether or not NASA establishes the Electronics Research Center at Kendall Square, the city of Cambridge will go ahead with clearing this land for urban renewal. NASA is in no way involved in the acquisition of land.

We had considerable discussion in our subcommittee about whether to amend the pending bill to limit NASA. The full committee voted not to limit NASA in proceeding with this Center. The committee did feel, however, that the schedule for the Center has already slipped so far that it appears unlikely that NASA will be able to utilize the \$10 million of construction funds requested for the fiscal year 1966. NASA already has \$3.9 million of fiscal 1964 funds available for site acquisition, plus \$10 million of fiscal 1965 funds for construction. If additional funds are needed between April and July 1966, the committee felt that NASA could come back for additional authorization.

As of April 6, 1965, 176 employees are already at work at the Electronics Re-



search Center, Mr. Chairman. A total of \$5.6 million was appropriated last year for administrative operations and research and development. This will all be obligated. There is in negotiation 28 contracts primarily for the improvement of component reliability and examining advance technology in the microwave region of the electromagnetic spectrum for communication and tracking purposes.

For the fiscal year 1966, our committee voted \$5 million for research and development at the Electronics Research Center and of the \$7,622,000 requested for administrative operations, our committee authorized \$7,240,000, for a total of \$12,240,890 for the Center. We feel that the denial of the \$10 million requested for construction funds will not impair the operation and progress of the Electronics Research Center.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. WOLFF. Mr. Chairman, I want to pay due regards to our able leadership of the gentleman from California [Mr. GEORGE P. MILLER], and the chairman of the subcommittee on which I was privileged to serve, the gentleman from West Virginia [Mr. KEN HECHLER].

As a new Member of Congress, they have given me both the assistance and opportunity of contributing to this great effort.

Mr. Chairman, it is my privilege to speak on behalf of the Advanced Research and Technology Subcommittee of the House Committee on Science and Astronautics in support of H.R. 7717.

I believe strongly that our national security is dependent on how we discharge our responsibilities in acting upon this measure. The activities of the National Aeronautics and Space Administration need no detailed description from me. We all recognize, I am sure, that the Vice President of the United States—with all the urgent matters that require his attention—would never have been put in command of our Space Council unless this field were of utmost importance to the national security.

The United States stands at the pinnacle of world power today because, in addition to being the most democratic nation on earth, it has always been in the forefront of the technological revolution. We must maintain the initiative in every aspect of this revolution. And perhaps the most important field in which we must do this is space exploration.

If this Nation is content to rest on its past achievements—if it grows fat or weary or complacent—the results could be catastrophic. It took the launching of Sputnik I to jar us into the realization that we were not without serious competition in the technological field. If Sputnik I properly alerted us to the challenges that confront us, and freemen everywhere, then we should never again need such a rude awakening.

No less important questions than these confront us today. The world prestige of the United States is committed to success in the area of space exploration. The rapidly developing, uncommitted nations sometimes cannot comprehend

the magnitude of the problems that beset us and our adversaries. But it is relatively easy to comprehend success or failure in space exploration. Either we shall succeed or our adversaries shall succeed, or both of us shall succeed in advancing the cause of mankind.

But if we fail—and particularly if we fail for lack of really trying—then we will have failed in more than merely the race to the Moon or to Mars or to other heavenly bodies. We will have failed to discharge our obligations to the entire free world and to civilization itself. For the whole community of nations looks to the United States for leadership and for freedom from the hardships of life. I believe that it is incumbent on the United States to maintain its leadership role in space exploration and in every other important endeavor in the technological revolution. We cannot afford to return to the cocoon consigned to perpetual earth dwellers whose horizons end at the water's edge or the tree line.

For all these reasons, I respectfully urge my colleagues to approve the appropriation bill now before us.

Outer space is not the private dominion of any one nation or group of nations. Indeed, it would be presumptuous of us to believe that outer space is even the private dominion of earthlings. The vast uncharted areas of space belong to mankind and to posterity. I am convinced that we and our adversaries must find some rational procedures for conquering the mysteries of space without indulging in the conquering of each other—at least militarily.

One reason NASA has been so immersed in research projects for so long has been to enable our country to accomplish in one lifetime man's adaptability to a space environment. This will be a truly remarkable achievement, if we are successful, when you consider that it took hundreds of millions of years for man to adapt to the environment of earth. There are those, of course, who say—perhaps rightly—that we have not yet accomplished the earthly adaptation. But I believe we have come close, if not all the way, and that we are destined to achieve greatness in the space age. It will not be easy. Sacrifices will be necessary. But these sacrifices must be made.

To get to the moon, or to get there first, really is not the important thing. The improvements we make along the way, in our technology and our civilization, will be far more important.

We must contribute to the future of mankind. Otherwise, our generation of Americans will be considered mere parasites who have lived off the land and ravaged it. I believe strongly that the future of the world will be determined in outer space. Thus, we must not only avoid the position of parasites on earth—but in outer space as well. We must make a contribution in this area that contributes not only to our national security, but to the national and international well-being in general.

I am convinced that virtually every possible economy in the NASA program has been made. The Subcommittee Section on NASA administrative operations,

which I had the honor to chair, made an across-the-board cut of 5 percent in the agency's request for administrative programs. This resulted in an \$8.5 million reduction in committee.

I want to emphasize that I firmly believe every wasted dollar should be trimmed from every budget we consider. This, I believe, has been done in the NASA budget. I again respectfully urge the House to approve this resolution.

Mr. FULTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I should like to give my wholehearted support to this NASA authorization this year, H.R. 7717. Since I have served on the committee, I have always thought that this was one of the most important programs in which the United States is engaged. I think the Nation, in gaining preeminence in the space area, will also take an important step in obtaining preeminence in the world at large. I want to echo the thoughts of the gentleman previously in the well in reference to those who work on this committee. The chairman, subcommittee chairman, and Members on both sides of the aisle have always worked together in a bipartisan fashion to bring about a good space program.

I should like to make this additional comment: I know we have discussed this before in committee. It has been my feeling always, and it has been shared by Members on our side of the aisle, that we should have a larger staff on the Science and Astronautics Committee. In order to do a good job in any endeavor, whether it is in the field of Government or business, the Army, or anywhere else, an important part of doing the job is checking up now and then. People have a tendency to put their best foot forward sometimes when they are checked up on, when someone is supervising to see if the job is well done. It would occur to me, with this, one of the biggest budgets in the Government, that staff members with expertise in science and engineering, those in the space business, should go out in the field and take a look at the NASA centers and places in industry where the work is performed. Here I think the Congress could make a real contribution and help the space effort by so doing. I would hope we will be able to increase the staff. I know some of us on the committee have talked to the chairman about it.

I wish to speak also in support of H.R. 7717, the authorization for the National Aeronautics and Space Administration for fiscal 1966.

As a Member of this House and especially of the House Committee on Science and Astronautics, I support the space activities of the United States wholeheartedly and without reservation.

There is no more important undertaking, on the part of our Nation, than its space program. It is my firm conviction that the nation to first gain clear preeminence and superiority in space will in turn be the acknowledged leader of the nations of this planet.

This is surely a frontier where new discovery is always expected and again

and again achieved. No one knows what lies beyond the horizon, but new wonders are the rule rather than the exception.

This Nation cannot afford to leave exploration of this truly new frontier to our rival, Communist Russia, nor can we afford to follow in the footsteps of the Communists in their endeavor. The United States must lead the way.

It is absolutely essential to this Nation to be first in space.

There are many reasons why this is important. First comes to mind the national security of this Nation. No one knows exactly what shape the military role in space will take by this or other nations. But it is significant that the present space program of this Nation and Russia grew out of the ballistic missile activities of the two nations. Engines, boosters, and the science and technology that goes into our peaceful and our military space programs are similar, overlapping and inextricably interwoven. The one complements the other.

Moreover, over the years, knowledge and skills in activities at first wholly peaceful, later become important militarily. No more dramatic example of this can be cited than the invention of the Wright brothers. The airplane at first considered to be a sort of freak invention later became a military weapon of great importance and a decisive factor in World War II.

All reasonable men fervently desire that space may be used for peaceful rather than warlike purposes. But the political forces contending in the world today make it plainly evident that the surest way to maintain the peace is through strength. It is imperative that the United States, the leader and bulwark of the West, the free world, become preeminent in space. Military activities of the future are destined to be conducted in space.

The acquisition of scientific knowledge is of great importance in this program. Space achievements of this Nation are rapidly increasing our knowledge about our home planet, the earth, the moon, the solar system, and the universe beyond. It cannot be doubted that we are on the threshold of great new discoveries here.

This past year has witnessed the great achievement of the Ranger program in the spectacular successes of photographing the moon.

Right now, every hour our Mariner space vehicle is hurling through space at thousands of miles per hour in its flight to Mars.

The NASA authorization of this year provides moneys for these important, ever-growing programs.

Space activities of this Nation include the great strides we are making in communications. Certainly one of the surest ways of better understanding of each other by the nations of the world is through improved communications.

It is only a question of time before the whole world will be connected by satellite communication systems. It cannot be doubted that such a network will help promote better relations among

nations. Just a few days ago, Europe and America exchanged programs of information and interest by means of Early Bird, our latest communications satellite.

Then, too, in the field of weather reconnaissance our space program has made new breakthroughs. Here we can look forward to the day when the world will no longer be caught unprepared by weather surprises—the great tropical storms that have caused tremendous damage, suffering, and loss of human life in the past.

Of great significance in the space effort of the Nation is the reservoir of knowledge and of trained scientists and engineers which the Nation is rapidly building up. This resource will prove of incalculable benefit to the Nation as the years go on.

Lastly, I think it is of vital importance to men and a nation to have a challenge to face and to meet and overcome. In the past history of our planet, exploration has been one of the great challenges. There is little left to be explored on this globe now. Shrunk in size it has indeed, with modern tools of transportation and communication.

While there are still some unexplored portions of our earth, there are none which are not open to man should he desire to go there. Space, the solar system and the universe beyond are the frontiers to be explored today. They constitute the great challenge to men and nations of our day. I do not doubt that meeting this challenge will benefit this Nation in ways far beyond our comprehension today.

The activities and the spending proposed for the next fiscal year of NASA have been gone over at great length by the Committee on Science and Astronautics.

I think it is significant, and that NASA is to be complimented for holding down its request for spending at almost exactly the same level as last year and the year before. As one of the Members of this House who works closely with the space programs, I think it can be truly said that management techniques and cost controls have become of age in NASA and that good mileage is being obtained from our space dollar.

In my opinion, the bill is a sound one, and I urge its support by my colleagues.

I cannot urge this House of Representatives more earnestly or fervently to support this year's authorization for NASA, in this bill, to the end that our great Nation will continue its strong space program, while it will permit us to gain preeminence and world leadership in these frontiers of today and tomorrow.

While my support of this bill is without reservation, there are matters in connection with the space program and the committee work which should be brought to the attention of this House. These matters are considered more fully in the minority report of the committee, in which I have joined.

First, I have been long concerned that this Nation has dragged its feet all too slowly in its military space program directed to manned space flight.

Although NASA is going full steam ahead and spending the major portion of its space dollar on manned space flight, and I support this program wholeheartedly, the Department of Defense has persistently, in my opinion, downgraded the role of the military in manned space flight.

A good example is the Dyna-Soar program, an Air Force manned space flight program which not only would have given the military valuable and needed experience in manned space flight, but also had as a prime object, a spacecraft which had capability of maneuvering upon landing.

After an expenditure of a good deal of money, this worthwhile project was shot down by the Department of Defense.

Dyna-Soar was replaced by the MOL program, the manned orbital laboratory. I think it fair to say that there is almost unanimous agreement that this is a space effort which is a must for this Nation. Not only is it designed to give the Nation a capability in long-duration flights, but in a near-to-earth orbit, an area which would most certainly be a first and prime military objective.

Signs are that the Russians have always had this inner space uppermost in their minds. Moreover, their space programs have continuously from the outset been directed by military men. Can it be doubted that they are continually striving for military applications in their space programs.

In short, then, I do indeed earnestly urge our policymakers in the executive branch of the Government, and the appropriate committees of Congress to probe more deeply into the vital matter of our military manned space program to the end that they may receive more attention and greater emphasis.

The other matter which troubles me is the staff situation of the Committee on Science and Astronautics. I believe most strongly that the committee should have a strong minority staff assigned for the exclusive use of the Republican members of the committee, and especially do I bring to the attention of the House that the committee staff needs to be greatly expanded.

The space budget has been over \$5 billion now for 3 years, counting fiscal 1966, which we are considering here. Certainly there is no more sophisticated or complicated program in all of Government.

The expertise of scientists and engineer staff types are needed by the committee to adequately supervise the spending of these vast sums.

The course of our Government today is that the executive branch, the administration, does most of the proposing of legislation. More and more the Congress loses initiative in this area. I doubt seriously if this scheme of things will ever change much or that Congress will recapture the initiative here. Nor do I intend in these remarks to argue the case one way or the other. I simply say this exists today and it does not look as though it would change.

Perhaps, the role of Congress in the future will more and more be directed



toward closer and more effective supervision of the administrative departments of the Government.

Of course, this has always been one of the prime functions of Congress. I simply say I believe it should become increasingly important and receive greater emphasis.

Now then, I believe the Science and Astronautics Committee could perform a far better service to the Congress and the Nation if it would assume a far greater role in supervising and policing the vast spending that goes on in the space business. As it is today, in my opinion, we give this NASA authorization little more than a lick and a promise. We really do not know if the program can be improved upon, because we are not scientists and engineers and therefore do not have the expert knowledge necessary to make proper assessment of what is going on.

I can say to this House that we try hard, and have able men on the committee, but we need people trained especially in this business.

What we really need are committee staff people out in the field, the year round, spot checking on what is going on, sampling here and there the operation and progress of the space agency, the NASA centers, the industry places where the work is going on. The committee tries to do this each year and does acquire some feeling about the progress, but does not have the training to recognize trouble spots if it sees them.

I know of no business, or for that matter, any human activity, that does not require checking up periodically to insure top performance.

The Committee on Science and Astronautics needs an expanded and expert staff to do this. Our able chairman, Congressman MILLER, has expressed his willingness to probe this matter. I would hope that some positive steps in this direction could be taken before we return to the House again with the authorization bill for next year. He certainly has been very receptive, and as I understand it, he is willing certainly to look into the matter to see if we might improve in that regard.

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

Mr. GURNEY. Yes, indeed, I yield to the distinguished gentleman.

Mr. MILLER. The chairman of the Manned Space Flight Committee or NASA Oversight Committee, the gentleman from Texas [Mr. TEAGUE] has agreed to take this up in the NASA Oversight Committee as soon as we dispose of the present business before us.

Mr. GURNEY. Yes, indeed, Mr. Chairman, and certainly we have you to thank for taking the leadership in this regard, and I am sure we can come up with a workable program.

The CHAIRMAN. The gentleman from Florida has consumed 4 minutes.

Mr. MILLER. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I would like to express my particular gratitude to the chairman of my subcommittee [Mr. HECHLER] for hav-

ing allowed me to occupy the chair on some of the most interesting phases of the matters of inquiry that have been under the jurisdiction of our subcommittee.

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

Mr. DAVIS of Georgia. I yield to the gentleman from Florida.

Mr. PEPPER. I thank the able gentleman for his kindness in yielding.

Mr. Chairman, I want to compliment the distinguished chairman and the members of this committee for the services they have rendered to our country and to democracy and freedom in the world by what they have done on this space program. I heard on the radio yesterday morning a statement attributed to Mr. Webb, head of the space program, that we were behind the Russians because of budget limitations or budget difficulties.

As one of the Members of this Congress and of the House of Representatives, if any fault is to be found hereafter with the progress of our space program, I do not want it to be on my hands at least and more importantly, I do not want it to be on the hands of this House of Representatives. I take it this able committee has recommended to the House what you think to be necessary in the national interest in the funds to be authorized in this program.

Mr. DAVIS of Georgia. I thank the gentleman for his contribution.

Mr. PEPPER. May I add just one other thing. I particularly want to commend the able chairman and subcommittee chairmen and all those who had a part in it for having the courage, and I believe the honesty of purpose to put items in this authorization bill that have not been recommended by the executive branch of the Government. I think that is consistent with the responsibility of the Congress to the country, and I think, particularly in respect to the 260-inch solid propellant motor, that you have had the wisdom and the foresight in authorizing that program and the use of that type of propellant in the Polaris and in the Minuteman, was the most important in this extension of that program, at least through the second phase that you have authorized here.

I hope the executive branch of the Government will accept the wise provision of this able committee in providing for continuation of that and the other two aspects of the program that you have added to the recommendations of the executive department.

Mr. DAVIS of Georgia. I certainly agree with views expressed by the gentleman from Florida.

As I was about to say, Mr. Chairman, it was my privilege to occupy the chair of the subcommittee during the time all three of these programs were considered. In view of some of the colloquy that occurred before the Committee on Rules yesterday, I would like to ask the indulgence of the Committee to address a few general comments to the questions involved.

I recall that the late President Kennedy said that in our outer space, we

have found a new ocean. That statement is almost literally true when you think about it. We, as human beings, have spent thousands and thousands and thousands of years, able to travel only on land. We ultimately came up with the invention of the wheel which was a great breakthrough when it happened, but we did not really improve our land transportation very much until we hit on a way to convert heat into thrust and propulsion.

We did it with the locomotive. Later we did it with the gasoline engine and the automobile.

Meanwhile, we had learned a good bit about building boats, but we did not go very fast or very reliably across the water until we hit upon a means of improved propulsion. We did it by converting heat into forward thrust, again.

Then, in our conquests of that ocean known as the atmosphere we never succeeded in manned flight until we hit upon a way of converting heat into forward propulsion. The Wright brothers were the pioneers in that effort. We never did succeed in any flight worthy of the name until we devised a means to do that.

Now we are at a key point in the field of propulsion again. The area we are dealing with now is the area immediately following the Lunar flight of 1970. We are about to squander a resource which we cannot replace, if we do not keep three programs in our total program.

The three programs to which I refer are the SNAP-8, the M-1, and the 260-inch solid fuel rocket. The letters "S-N-A-P" stand for space nuclear auxiliary power and the SNAP program is charged with the development of a nuclear powered system for generating 35 kilowatts of electrical power aboard a spacecraft for a 10,000-hour duration. The 260-inch solid fuel rocket motor, together with its second stage companion booster, the M-1 engine, are designed to place very heavy payloads into orbit. For example, if these two engines were to be used to lift a payload into near-earth orbit they would have the capability of launching and orbiting a load of 140,000 pounds.

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

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield the gentleman from Georgia an additional minute.

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

Mr. DAVIS of Georgia. I yield to the gentleman from West Virginia.

Mr. HECHLER. Is it not true, also, that if we terminate these programs we will break up the teams who have worked so closely together in developing them?

Mr. DAVIS of Georgia. That is indeed true.

The resource we are about to squander is the resource of time. Once we squander that resource, we cannot buy it back.

It took us 5 years to develop a large booster after Russia launched the first sputnik. Dr. von Braun said it would take 5 years. It did.

At this time we are still developing the big Saturn booster. I devoutly hope

that this committee will follow the recommendation of the House Committee on Science and Astronautics and leave in the M-1 program, the 260-inch solid booster development program, and the SNAP-8 program.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Is it not true that the F-1 engine, used in the Saturn, is parallel to the M-1 development today? If someone in the Air Force had not had the foresight to develop the M-1, we would be much further behind than we are today.

Mr. DAVIS of Georgia. That is exactly correct.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. Mr. Chairman, at the close or the culmination of our hearings of the Committee on Science and Astronautics, I should like to express my personal thanks to the chairman of the committee, the gentleman from California [Mr. MILLER], and particularly to the chairman of my subcommittee, the gentleman from West Virginia [Mr. HECHLER], for their kindness and consideration in aiding me in the performance of my duties as a member of the committee.

Further, I should like to express my thanks to all members of the staff who helped me, and particularly to Mr. Boone, who was of particular help to me in carrying out my duties in the manner I believed necessary.

Mr. Chairman, I rise today in support of the NASA authorization bill. I intend to vote for it, although I have some serious reservations concerning some of its provisions. Some of the reservations I have have already been expressed, and they are contained in the additional views in which I have joined, which appear in the committee report. The sections of the report follow:

#### COMMITTEE STAFFING

Minority members of this committee have repeatedly expressed concern over the total number of staff personnel available to the Committee on Science and Astronautics. In our opinion it is impossible for the 12 professional and technical staff members to adequately handle the workload associated with the committee's broad responsibilities in the field of science. This committee has one of the largest budgets in Government to authorize and to oversee and one of the smallest committee staffs in Congress to assist in this process.

It is the responsibility of this committee to study thoroughly the many space projects and programs. The committee staff must be composed of individuals trained in engineering, electronics, and other space-related disciplines to assist in this important work. With the present staff, despite their individual competence, we believe the committee cannot fully perform its prime functions—to review the National Aeronautics and Space Administration's budget and to assist in evaluating, on a continuing basis, these programs. This situation constitutes a weakness in the system of checks and balances. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to keep watch on a huge

executive agency. This is being "penny wise and pound foolish" and can certainly cause considerable waste and make inefficient our system of government.

In addition to the responsibility for the conduct of scientific research in the Government, the committee has authorization and oversight responsibility over one of the largest Government agencies—the National Aeronautics and Space Administration, with an annual budget totaling over \$5 billion. Without additional staffing the committee cannot carry out these oversight responsibilities throughout the year and in addition involve itself in the many other responsibilities in the fields of science.

The Congress should not continue to fail to exercise its constitutional prerogatives and responsibilities, and run the risk of wasting taxpayers' dollars by failing to insist that a competent staff be selected to assure reasonable supervision of this budget and efficient handling of the many other responsibilities of the committee.

JAMES G. FULTON.  
CHARLES A. MOSHER.  
RICHARD L. ROUBEUSH.  
DONALD RUMSFELD.  
EDWARD J. GURNEY.  
JOHN W. WYDLER.  
BARBER B. CONABLE, JR.

#### MINORITY STAFFING

We continue to believe that there is an urgent need for staff members responsible to the minority members of the committee, including both professional and clerical help. It is absolutely vital that staff members be available to all the minority members of the committee if the House is to be benefited by well-balanced views, conclusions, and recommendations. It is obvious that the most efficient way to provide a minority staff is to do so on a full-time basis so the staff members will not be overburdened by responding to both majority and minority efforts in carrying out the committee's work. Currently, the present staff is overburdened to the extent that it is difficult for them to be of assistance to minority members. It is our recommendation that at least one minority staff member be assigned full time for each subcommittee.

The Congress, the committees of Congress, and the majority and minority members have an obligation to the people of this country, and they fail in that obligation when, because of inadequate committee staff, they are unable to properly discharge their duties.

JAMES G. FULTON.  
RICHARD L. ROUBEUSH.  
THOMAS M. PELLY.  
DONALD RUMSFELD.  
EDWARD J. GURNEY.  
JOHN W. WYDLER.

#### THE M-1 ENGINE

We oppose the continuation of the development of the M-1 liquid oxygen-hydrogen engine as recommended by the committee. The Government committed itself in March 1964 to producing this engine for approximately \$238.6 million. By the end of July 1965 the Government will have spent \$100 million for the development of this item. NASA has continued this development project without a requirement, without any specific mission in mind, and finally chose to cancel it in the fiscal year 1966 request.

The committee has seen fit to override the Bureau of the Budget recommendation and the NASA request and provide an additional \$15 million to keep this program alive.

As Republicans, we find ourselves in the strange position of backing the President against his Democratic majority on the committee. We do this, however, because he is right in this instance. It is obvious he would not have approved the cancellation of

this program if it was vital to our Nation's space effort. If continued this program will cost at least \$125 million more to complete. This is a useless waste of the public's funds as reflected in the original NASA action.

The partial restoration of funds will keep the project alive but provide only for component testing and not a complete nor useful system. This halfhearted approach is likely to result in a program with no real value at all to the country and which will provide a yearly drag on the NASA budget.

We have consistently supported development of those items which we believed had a potential and were necessary to further the Nation's space effort. However, to proceed on an engine development costing an additional \$140 million, to complete without a mission in view, and not commensurate with the latest state of the art, is fallacious and wasteful of the public's funds. Mr. Wylder opposed the reinitiation of this project in the subcommittee, both of us did so in the full committee, and we impress upon the Congress the need for the better management of development programs.

We believe a full assessment of the values plus cost could only result in the cancellation of this development and the subsequent savings of an additional \$125 million or more dollars to the taxpayers of this country. We are told that the continuation of this project at the level authorized by the committee will result in at least 5 to 6 years of development without having an item capable of being used in space. For these reasons we are opposed and urge all of our colleagues to oppose the reinitiation of this program.

RICHARD L. ROUBEUSH.  
JOHN W. WYDLER.

#### ELECTRONICS RESEARCH CENTER

We believe that the National Aeronautics and Space Administration should select a different site for the Electronics Research Center.

The Kendall Square site which NASA has selected is unsound, the cost is unwarranted, and acquisition problems too involved and uncertain to justify the time and expense required.

The cost of the site is prohibitive. Originally Congress was told that NASA would spend \$3 million to acquire 1,000 acres of land, or \$3,000 an acre. Now, the Kendall Square site is estimated to cost \$3 million for less than 30 acres of land, or over \$100,000 an acre. This is more than 30 times the original estimate. Since the site is a developed piece of land which requires the use of urban renewal to clear, the cost estimates of acquisition are likely to increase.

In addition, because the Kendall Square site is in the center of the city of Cambridge, the National Aeronautics and Space Administration will require a second site for part of its facilities to be located in a nonurban area. They will have to acquire 400 additional acres of land for this purpose. Based on the original estimates this will cost an additional \$1,200,000.

And the truth of the matter is that this would merely be the start of the cost of this site to the American taxpayers.

The site selected in the center of the city of Cambridge is now occupied by 94 profitable businesses doing \$75 million in sales, having plants valued at about \$20 million, and employing 3,500 persons at an annual payroll of \$18 million.

All this must be swept away to clear the site before the National Aeronautics and Space Administration can start its Center. Estimates of the cost of land clearance by Urban Renewal range from \$20 million to \$40 million.

Finally, there is the cost to our Nation which will result from the loss of the free



enterprise that will be uprooted. The Congress has estimated that 35 percent of the going business is lost in an urban renewal project. That loss will cost more than 1,000 jobs and \$6 million in payroll because of this one project.

All this is to provide a site which adjoins the campus of Massachusetts Institute of Technology. The only justification for that requirement is that young college graduates who work at the Center will be able to walk to Massachusetts Institute of Technology (and take a nearby subway to Harvard) to continue their studies.

In our opinion this does not justify the staggering costs to the country detailed above.

Over the last 2 years the National Aeronautics and Space Administration has insisted that it needs this Center at once to perform desperately needed electronic research.

Yet, the selection by the National Aeronautics and Space Administration of the Kendall Square site insures that this research will be delayed at a time when we are dangerously behind the Soviet Union in space.

In fact, because of the selection of this site the construction program for this Center has slipped 1 full year already. Of the \$10 million which Congress appropriated for fiscal year 1965 not 1 cent will be utilized. We are now told that Urban Renewal believes it can deliver some part of the land so construction can begin 1 year from now.

We are not told the reasons for this additional delay of 1 year and why we do not buy land already cleared and start construction immediately.

We further believe the time estimates on the availability of this site are overly optimistic and not realistic. Urban Renewal recently granted funds "to begin survey and planning activities in the area." The Government has merely taken the first step in a long and involved process. The businessmen in the area have formed the Committee for the Preservation of Cambridge Industry and promised to fight the project to the highest court in the land. They have the financial means to do so. The question is whether the National Aeronautics and Space Administration and the Nation have the time to await the outcome of such proceedings.

There is real danger that the National Aeronautics and Space Administration will become committed to and so involved with this site that it will be unable in the years ahead to extricate itself from it. Each year will provide new reasons to accept delay. This country will lose the needed research to be produced by this Center.

There is surplus Federal land available within a few minutes' driving time of this site which the Federal Government could have at no cost and which could be utilized at once.

For these reasons, we believe that the National Aeronautics and Space Administration should select a different site at once for the Electronics Research Center.

CHARLES A. MOSHER.  
RICHARD L. ROUDEBUSH.  
THOMAS M. PELLY.  
DONALD RUMSFELD.  
EDWARD J. GURNEY.  
JOHN W. WYDLER.  
BARBER B. CONABLE, Jr.

#### THE SPACE PROGRAM AND NATIONAL SECURITY

In this committee's reports to the Congress in 1963 and 1964, I joined in views criticizing the lack of an American program to secure "inner space" and control it militarily.

Since that time, the lack of response from the Department of Defense (DOD) has been appalling and dangerous to our national security.

We have reached a moment in history when a decision must be made between science and security.

The present DOD hierarchy is noted for its reluctance to undertake the development of new weapons systems. Even so, it is hard to believe that it still treats the manned use of space for military purposes with skepticism, while a manned flight to the moon for scientific and prestige purposes is hailed as a national goal. It is impossible to justify such an illogical conclusion even if it is the work product of a computer.

This double standard of undertaking the most advanced research and development and spending billions in the name of science and prestige while insisting on detailed justification and clear-cut missions, when the objective is national security, is not noble and efficient but wrong, and a confusion of priorities that endangers our Nation.

It is time now to put the manned-military control of space on a "crash" basis equal in priority to the Apollo program.

The need for a military man in space is clear. It is the same as having a military man on or under the sea, in a tank, or in an airplane. His purpose is to control the environment around him, and our Nation willingly spends billions of dollars each year to maintain manned control of these earth areas without hesitation. Still we procrastinate about manned space control.

Even now military uses of space are evident. Man can now maneuver in space and has shown ability to leave his capsule and return.

The semisecret military satellites now circling the earth and performing reconnaissance for both ourselves and Russia could all be approached by a man in space, tampered with, and/or destroyed by a spaceman using equipment based on presently demonstrated capabilities.

There is no longer a question of whether we will have "space tanks," "space pillboxes," "space artillery," and "space sentries" but the only question remaining is when we will have them and whose they will be.

I also believe that the main opportunity for developing effective countering and defensive systems against enemy submarines and missiles will be based on men operating from space. The possibilities of aerospace military reconnaissance, surveillance, and communication are all too clear. In the face of this, it is hard to understand the hesitancy of the Department of Defense and its inability to act decisively.

It is even at this very late date still "considering the advisability" of proceeding with the manned orbiting laboratory (MOL), its only major program directed toward utilizing the military man in space.

That program should be given a green light at once and pushed forward on a "crash" basis. The fact that more than 2 years has been spent bringing the program to its beginning must be a comfort to our enemies.

The further fact that this program is not in any sense a weapons system and is merely to "explore military usefulness of man-in-space" puts us at the mercy of those who are willing to risk failure by pushing ahead to develop the weapons system of the future.

We cannot afford further lipservice or halfhearted actions as they serve merely to delude us. Activity is not action. I suggest the following steps be taken at once:

1. The first MOL flight is scheduled from 2½ to 3 years from now. This should be speeded up at least a year and the necessary sacrifices made to achieve it.

2. The Gemini capsules required for the MOL project should be ordered at once.

3. To achieve our goals effectively the manned earth orbiting program should be placed under military control. The Depart-

ment of Defense should assume the responsibility for the control of space. Manned earth orbit is not a civilian exercise but a military necessity.

I believe that the only way the Department of Defense can meet its responsibilities in "near space" is to assume direction of the manned earth orbiting program. It should reorganize the U.S. Air Force into the U.S. Aerospace Force and make it truly that.

Even now NASA is planning its follow-on activity to the Apollo program. It is in three parts calling for:

1. Exploration of the moon both from lunar orbit and on the moon surface.
2. Unmanned deep space probes looking toward an expedition to the planets.
3. An Apollo extension system (AES) which is to place crews in orbit around the earth for long periods.

I believe the first two are legitimate goals of the NASA program. The Apollo program should be continued as planned. The third proposal, however, is a military program and should have military direction. It is a duplication and dilution of the MOL program.

This is in no sense a criticism of NASA which is doing the job assigned to it and doing it well. There is no contest between NASA and the DOD. The decision we must make is not whether there will be military control of space but rather whether that control will be Russian or our own. Military direction of our program will help us achieve military control. The men of the NASA have succeeded in establishing the orbit capabilities we now have, and I believe that most of them would agree with me and put the interests of their country over those of their agency. Their talents and knowledge belong and are available to all Americans. Their program has matured to the point where direction of the manned earth program should be turned over and developed by the U.S. "Aerospace" Force to insure the necessary emphasis in "inner space."

It is the direction of the program and not its performance that requires its future development by the DOD. In this world, at this time, security must take precedence over science.

JOHN W. WYDLER.

In spite of these matters, much more can and should be said. The committee itself has recognized the serious difficulties being encountered with the present site of the Electronics Research Center by denying any further authorization for the construction of this project.

There are other areas in which improvements should be made in NASA operations. In the next few weeks I intend to take the floor of the House and bring these matters to the attention of the American public. I believe there is still time to take whatever corrective action is necessary in that connection.

In spite of these weaknesses, on balance, I believe the bill before us today is deserving of support today, and I intend to support it today. I urge my colleagues to do the same.

MR. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

MR. WYDLER. I yield to the gentleman from Pennsylvania.

MR. FULTON of Pennsylvania. I wish to compliment the gentleman on his eagerness, and his ability and hard work on the committee.

MR. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CONABLE].

Mr. CONABLE. Mr. Chairman, my view of the committee is necessarily a limited one. I am the most junior member on the minority side. I would like to say I am proud to have had a part in the effort that this committee is making at the moment to roll back the horizons of knowledge. Man has studied his environment ever since he was aware of it. The contribution that this committee is making to this knowledge is a substantial one.

I would also like to say that from what I have been able to detect of it, this committee is a well run, well led organization, carefully designed to peer behind the budgetary facts of NASA.

I would particularly like to compliment the chairman of my subcommittee, the gentleman from Minnesota [Mr. KARTH], for his hardheaded approach to budgetary matters, his long memory and his very specific knowledge of complicated technical matters. We have been proud of the hearings that we have held and the amount of deliberation that has been put into the consideration of the Space Sciences and Applications Division of NASA.

It seems to me that we have every expectation that this program will continue to carry on the function for which it was designed.

I would like briefly to mention, because I think this has some added significance to the people of my State, the economic involvement which we have in this program. I find, from studying the figures, in the first 8 months of this fiscal year 1965, there were prime contracts totaling \$229,930,000 for which the money was obligated in New York State. To date this program has obligated a total of \$693,216,000 in New York State.

In addition to this, the best information available to me indicates that for the first 6 months of this fiscal year, New York State received an additional \$23,700,000 in subcontracts. For the past 3 calendar years, a total of over \$138 million in subcontracts was expended in New York State. This is all of importance to the people of my State. There is always, of course, the hope that there will be more.

Certainly the contribution that NASA makes to the economic climate of some parts of our country is a substantial one and not to be overlooked. I wish to call this to the attention of my New York colleagues in the hope that they will support this budget, not only because our space program is important to our national welfare, contributing to the sum total of human knowledge, and bringing the specific benefits that have been discussed here, but also because of its contribution to employment in our State.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman as a new Member of Congress because he has shown a keen insight already into

the space programs, of which there are many. Second, he has certainly been working for efficiency and economy. I must say also to the citizens of New York that you can always tell he is from New York because he is so proud of the State.

Mr. CONABLE. I thank the distinguished gentleman from Pennsylvania and yield back the balance of my time.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. ROUSH].

Mr. ROUSH. Mr. Chairman, I would first like to pay tribute to my subcommittee chairman, the gentleman from West Virginia [Mr. HECHLER]. His skillful and diligent handling of the work of the subcommittee was a source of pride for each of us who served under him. Through his own endeavor several million dollars were deleted from NASA's request. These were funds which testimony and the facts would not justify. At the same time the program of NASA has been strengthened because of his keen insight and farsighted view of future needs of this Nation. The people of West Virginia are indeed fortunate to have such a man represent them in the U.S. Congress. My own part in the hearings was for the most part concentrated in just a few areas. Through Mr. HECHLER's generosity I chaired the subcommittee through those phases of the hearings which dealt with tracking and data acquisition and technology utilization.

#### TRACKING AND DATA ACQUISITION

The National Aeronautics and Space Administration had requested a total of \$246,200,000 for this operation which includes support to meet the requirements of all of NASA's flight projects as well as for projects of the Department of Defense, other governmental agencies, universities, private corporations, international organizations, and other countries engaged in mutual research programs. This support is provided for manned and unmanned flights; for spacecraft, launch vehicles, sounding rockets and research aircraft; for earth orbital and suborbital missions, lunar and planetary missions, and space probes.

The research and development funds provide for the operation and maintenance of the worldwide facilities, the procurement of equipment and modifications to adapt the facilities for new and changing flight project requirements, and the development of advanced tracking and data acquisition equipment and techniques. These are three main networks involved. They are the manned space flight network, the satellite network, and the deep space network. After very careful study the committee determined that the total sum of \$242,321,000 should be authorized for this phase of NASA's work. This amounts to a reduction of \$3,879,000. Additional funds were cut from the request made by NASA for the construction of facilities. I would like to use an example to show how diligent work and probing can result in preventing unnecessary expenditure of taxpayers' money. During the course of

our hearings the subcommittee discovered that the agency—NASA—was requesting authority for the appropriation of funds to be used for the purchase of land on Antigua which would be used for a station very necessary in the Apollo program. They asked for \$200,000 with which to purchase 40 acres of land. In other words, they were planning to pay as high as \$5,000 per acre for land. Inquiry with the Corps of Engineers indicated that this was very high for unimproved land on Antigua. Further inquiry revealed that the Air Force had considerable land under its control. Still further inquiry revealed that, because of certain agreements which this country has with Great Britain, crown lands could be obtained rent free. As a result the subcommittee deleted the \$200,000 request with directions to NASA to use either the available Air Force-controlled land or crown land.

In the area of technology utilization I think sometimes we overlook a program which although it takes only a small portion of the NASA budget is making a major contribution to the Nation's progress. Five million dollars has been allotted to this program this year. I am very intimately acquainted with that particular program which is taking place at Indiana University where we have one of the pioneer endeavors in this area of technology utilization. The center is known as the Aerospace Research Application Center. It is a rather unique program in that it combines the efforts of the Federal Government with private industry and with the efforts of the university.

In that particular program we have industries which are paying \$5,000 a year to participate and they have eagerly participated. During the first year of the program's existence 29 industries participated and paid their \$5,000. To show you its success I should tell you that 25 of these 29 industries have renewed their contract and are again participating in the program. The program has grown now to the extent that we have 38 industries participating in this aerospace and research program on the campus of Indiana University.

In my opinion the university is making a major contribution in the national interest through this unique and imaginative program. It is an example of ideal cooperation between the Federal Government, private industry, and the university.

Next, Mr. Chairman, I would like to comment just briefly on an amendment which has been made a part of this authorization bill. This deals with geographic distribution. Last fall the Daddario subcommittee went through an extensive series of hearings on this subject and made certain recommendations to the executive department and to the Congress. Included in the bill, in section 5, is a proviso which states that it is the sense of the Congress that it is in the national interest that geographic distribution be considered when giving out our research and development contracts.



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

Mr. ROUSH. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, I would like to commend the gentleman from Indiana for the pioneer work which he has done in obtaining the background for his persuasive arguments in presenting this amendment and getting it included in the authorization bill. I believe this is an outstanding contribution to the space program and will direct the attention of all agencies and departments of our Government to the fact that it is the sense of Congress that consideration be given to geographical distribution of research funds.

#### GEOGRAPHIC DISTRIBUTION

Mr. Chairman, the far-reaching impact of a single idea upon the economy of a particular area or a nation has been recorded countless times in history. In the past these have been the result of individual initiative and curiosity. Gradually through the centuries the decades, and the years there have been introduced additional stimuli. Today we describe such action as research and development programs.

They have become an essential part of effort to progress in all fields. The support of such programs in recent years by the private sector of our economy has expanded at a tremendous rate but not as fast as the demand for more and more knowledge. As a result we find the Federal Government today providing 70 percent of all funds now being expended for such purposes.

This 70-percent figure is now translated into an overall total of \$15 billion being requested for such purposes in the budget for the next fiscal year. Obviously the expenditure of such a sum, more than 15 percent of the entire budget of the Federal Government, has an effect of substantial proportions upon the Nation's economy.

In the rapid expansion of Federal funds for these purposes during recent years the natural forces at work have resulted in a concentration of such expenditures in only a few sections of our Nation. This natural action is producing unnatural effects upon our economy. This maladjustment of the geographical distribution of such funds contains a tremendous potential for economic and educational ill health in a great many sections of the country.

Ideas are translated into action and production and economic expansion in the immediate areas where they are originated. What we are seeing now is that the continued concentration of funds for idea production in a relatively few areas is drawing off the trained scientists and engineers from other sections. We are seeing areas of equal or close to equal competence bypassed to some extent, their growth rate stunted.

The problem has now reached a stage so severe and the potential benefits to the entire Nation are so great that we can no longer ignore the importance of including geographic distribution among the factors to be considered.

To remedy this condition it must be understood the efforts to be taken should not penalize those areas of demonstrated research competence.

I have recognized this in the amendment I presented to the House Science and Astronautics Committee. The committee has approved this amendment which directs that consideration be given to geographical distribution of such research funds whenever feasible. It also calls for the use of such other measures as may be practicable toward this end.

Mr. ROUSH. I thank the gentleman. I realize that in talking about geographic distribution and in presenting such an amendment one does run the risk of being charged with being parochial in his view, perhaps provincial in his view. But I sincerely believe that it is in the national interest that the knowledge potential of this country be developed throughout the country and that we leave no area as a research-poor area of the country; that by exploiting the talent which exists in Ohio, Indiana, California, Maine, Massachusetts, or Florida, by exploiting the talent which exists in every State of this Union we can best serve the interests of the entire United States.

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

Mr. ROUSH. I yield to the gentleman.

Mr. LAIRD. I would like to ask the gentleman from Indiana a question about his amendment. I too have been interested in the proper distribution of research dollars.

I have here a staff report which indicates that of the projected expenditure of space research dollars 78 percent of the amount authorized in this bill will be spent in the several coastal States. As everyone in this Congress knows these space research contracts and grants are not placed on a competitive bid basis.

Will this amendment have any effect upon this very unfair projection for 1966?

Mr. ROUSH. I would reply to the gentleman by saying that we hopefully think that it will.

Mr. LAIRD. If the gentleman will yield further, the gentleman thinks that the amendment will require reallocation of the proposed research spending as followed in 1965 and projected for 1966 by the National Space Agency?

Mr. ROUSH. I doubt that if there will be a reallocation of funds. However, I do believe that because of this amendment the National Aeronautics and Space Administration will direct its attention in planning the distribution of its funds and its programs in the future to a more equitable distribution of research and development funds throughout the various States of this Union.

Mr. LAIRD. It has been running from 78 percent to 80 percent to the coastal States since the program got started. Two years ago I announced that until this figure was reduced by at least 15 percent I would exercise my protest by voting against this authorization bill. I must express my deep disappointment over this projected allocation of research dollars for 1966.

Does the gentleman think that 1966 offers a proper distribution?

Mr. ROUSH. I do not.

Mr. LAIRD. It would seem to me that it would be far from proper and would be discriminatory toward the major sections of this country. I shall again express my disappointment over the 1966 authorization bill as to its allocation of research dollars by voting no on final passage, this is the only method available to those of us in the great central section of the United States in expressing our deep concern and sincere disappointment over the failure of the National Space Agency to follow through on their earlier commitments to recognize our section of the country.

Mr. TEAGUE of Texas. 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 Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Chairman, the equitable distribution of NASA funds not only to accomplish the space program but to strengthen the technological base of the Nation, is foremost in our minds. Below is included an analysis of geographic distribution of NASA funds:

#### REVIEW OF GEOGRAPHIC DISTRIBUTION OF NASA FUNDS TO INDUSTRY AND UNIVERSITIES

In view of the intense interest in the question of geographic distribution of R. & D. contracts and the indication that certain portions of the country are not sharing proportionately in the distribution of these contracts, a review has been made of the distribution of NASA university and industrial contracts. In addition to this a number of selected studies have been made such as one on the geographic distribution of prime bidders for major contracts and the distribution of NASA subcontracts. Subcontract data is a more reliable indication of specific location of performance. Another item of interest is the proposed NASA participation in the project 60 contract administration program being conducted by the Department of Defense. The summary sheet enclosed on that subject indicates the cities where NASA will have representatives.

The following exhibits are included as attachments:

- (a) Geographic distribution of prime contract bidders.
- (b) State ranking in geographic distribution of total Government and NASA research and development funds.
- (c) NASA representation in Defense Contract Administration Offices.
- (d) Distribution of NASA subcontracts.
- (e) Ranking of States by distribution of NASA university funds.
- (f) Rank of training grants by State.
- (g) Listing of 25 largest facility grants.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION GEOGRAPHIC DISTRIBUTION OF PRIME CONTRACT BIDDERS

This report covers a sample of eight competitive NASA prime contracts, all of which were awards of more than \$5 million. The purpose of this study is to indicate the geographic distribution of companies submitting proposals for these eight contracts. The study also indicates which companies received requests for proposals from the National Aeronautics and Space Administration.

The eight projects selected for this study were from the Office of Manned Space Flight and the Office of Space Science and Applica-

tions. The projects are: Voyager, Pioneer, S-IC stage of the Saturn, crawler-transporter, C-I 100-pound thrust engine, biosatellite,

lite, advanced orbiting solar observatory, and unified S-band system for the Apollo tracking network.

*Geographic distribution of prime bidders*

State	Project																			Winning Bids
	Voyager		Pioneer		S-IC		Crawler		C-I		Biosatellite		AOSO		S-band		Total			
	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid	RFP	Bid		
Alabama					1	(1)	1	(1)	9	(1)	1	(1)					12	(1)		
Alaska																	2	(1)		
Arizona	1	(1)	1	(1)																
Arkansas																				
California	26	*4	25	*6	10	3	6	(1)	6	*3	19	4	9	2	21	5	122	27	3	
Colorado			1	(1)							2	(1)	1	1			4	1		
Connecticut	1	(1)	1	(1)	2	(1)					1	(1)	1	(1)	1	(1)	7	(1)		
Delaware																				
District of Columbia			3	(1)			3	(1)			1	(1)	11	(1)	26	1	44	1		
Florida	1	(1)	1	(1)			6	(1)		(1)			1	(1)	6	1	15	1		
Georgia					1	(1)									1	(1)	2	(1)		
Hawaii																				
Idaho																				
Illinois	1	(1)	1	(1)			1	(1)	1	(1)						1	(1)	5	(1)	
Indiana *																				
Iowa *																				
Kansas					1	(1)											1	(1)		
Kentucky																				
Louisiana	1	(1)															1	(1)		
Maine																				
Maryland	2	1	4	(1)	1	1	3	(1)			2	(1)	4	1	10	1	26	4		
Massachusetts	4	(1)	4	(1)	1	(1)					3	(1)	2	(1)	2	1	16	1		
Michigan *			2	1	4	(1)	2	(1)	2	(1)	2	1	3	1			15	3		
Minnesota			1	(1)	1	(1)					1	(1)					3	(1)		
Mississippi																				
Missouri	1	(1)	1	(1)	1	(1)			2	1	1	1	1	(1)			7	2		
Montana																				
Nebraska																				
New Hampshire																				
New Jersey	2	(1)	1	(1)					4	*2	1	(1)	1	*1	4	2	13	5	2	
New Mexico																				
New York	4	(1)	3	(1)	10	(1)	2	(1)	3	1	3	(1)	4	3	11	1	40	5		
North Carolina																				
North Dakota																				
Ohio *	1	(1)			2	(1)	4	*1			1	(1)			4	(1)	12	1	1	
Oklahoma			1	(1)											1	1	2	1		
Oregon																				
Pennsylvania	2	*1	4	1	2	(1)	4	(1)			2	*1	2	1	3	(1)	19	4	2	
Rhode Island																				
South Carolina																				
South Dakota																				
Tennessee																				
Texas	2	(1)	1	(1)	1	(1)	1	(1)			1	(1)	1	(1)	1	*1	8	1	1	
Utah																				
Vermont																				
Virginia	2	(1)	2	(1)			1	(1)			1	(1)			8	(1)	14	(1)		
Washington	1	*1			1	*1	2	(1)	1	(1)	1	(1)	1	(1)	1	(1)	8	2	2	
West Virginia																				
Wisconsin *							2	1									2	1		
Wyoming																				
Total	52	7	57	8	39	5	38	2	28	7	43	7	42	10	*102	14	400	60	11	

\* Indicates no proposal returned.

\* Indicates winning State.

\* No bidders.

\* Submitted 3 bids; no contracts.

\* Submitted only 1 bid and got the contract.

\* 1 bid.

\* Canada had 1 RFP.

[Figures in parentheses ( ) denote total research and development funds. NASA distribution without parentheses]

	R. & D. dollars per industrial employee		Per scientist in universities		Advanced degrees conferred		R. & D. dollars per scientist		Universities per student enrolled		Federal tax contribution		Per capita		R. & D. dollars distribution	
California	(4)	2	(3)	1	(4)	2	(2)	4	(6)	2	(4)	3	(3)	1	(1)	1
Connecticut	(21)	21	(14)	14	(23)	20	(19)	22	(12)	11	(20)	20	(12)	18	(21)	19
Florida	(10)	4	(27)	19	(17)	12	(33)	5	(31)	20	(12)	5	(13)	6	(9)	6
Georgia	(41)	22	(26)	26	(21)	24	(33)	18	(24)	28	(43)	22	(34)	24	(33)	22
Illinois	(36)	25	(7)	9	(8)	13	(27)	24	(7)	12	(34)	28	(22)	31	(13)	15
Indiana	(37)	29	(38)	34	(47)	40	(31)	30	(34)	30	(37)	33	(27)	31	(26)	25
Iowa	(7)	1	(28)	32	(25)	30	(12)	3	(33)	35	(7)	1	(10)	2	(15)	3
Massachusetts	(20)	14	(5)	4	(6)	4	(13)	11	(4)	4	(13)	13	(9)	9	(3)	11
Michigan	(33)	27	(16)	11	(34)	21	(26)	26	(21)	14	(39)	35	(25)	25	(19)	17
Minnesota	(26)	18	(19)	10	(14)	7	(21)	19	(17)	10	(24)	17	(20)	21	(25)	18
New York	(18)	15	(9)	15	(20)	22	(16)	16	(10)	15	(25)	21	(11)	13	(2)	8
North Carolina	(46)	37	(32)	36	(31)	35	(34)	37	(25)	32	(44)	43	(31)	41	(29)	31
Ohio	(32)	20	(30)	33	(27)	31	(25)	17	(35)	34	(30)	19	(23)	20	(14)	12
Oklahoma	(35)	31	(36)	17	(44)	25	(37)	34	(29)	23	(41)	31	(31)	34	(36)	29
Pennsylvania	(24)	16	(18)	16	(18)	16	(20)	14	(19)	17	(23)	15	(18)	14	(5)	10
Tennessee	(17)	30	(20)	27	(36)	33	(14)	29	(32)	31	(15)	27	(16)	32	(18)	27
Texas	(13)	7	(24)	12	(29)	18	(18)	8	(36)	21	(18)	8	(17)	7	(6)	4
Virginia	(23)	11	(31)	25	(15)	19	(21)	9	(30)	26	(26)	10	(24)	11	(24)	13
Washington	(8)	23	(17)	43	(12)	42	(6)	31	(16)	42	(6)	29	(7)	28	(7)	26
West Virginia	(43)	42	(41)	29	(46)	36	(38)	42	(47)	38	(40)	39	(33)	44	(42)	41

NOTE.—Above figures represent State ranking in geographical distribution of NASA research and development funds in 8 categories of comparison.



NASA representation in offices of the Defense Contract Administration Service, actual and planned as of January 1965

Study regions and DCAS office locations <sup>1</sup>	Estimated value of NASA contracts (millions)	Date of establishment	NASA representation		
			Total	Contract	Quality assistance
Northeastern:					
Boston.....	\$217	June 1965.....	2	1	1
New York.....	890	August 1965.....	3	2	1
Philadelphia.....	495	September 1964.....	2	1	1
Midwestern:					
Chicago.....	139	October 1965.....	1	1	None
Cleveland.....	119	August 1965.....	1	1	None
Detroit.....	27	April 1965.....	1	None	1
St. Louis.....	508	October 1965.....	2	1	1
South Atlantic: Atlanta.....	820	June 1965.....	3	2	1
South Central: Dallas.....	1,105	October 1965.....	3	2	1
Western:					
Los Angeles.....	4,687	December 1965.....	None <sup>2</sup>		
San Francisco.....	63	do.....	None <sup>2</sup>		

<sup>1</sup> Study regions do not coincide with DCAS regions.<sup>2</sup> None required as a result of locations of Western Operations Office and other NASA installations in the area.

1st and 2d tier NASA subcontracts awarded by 12 major primes, \$10,000 or more, by place of performance

State	Jan. 1, 1962, to June 30, 1963	July 1, 1963, to June 30, 1964	Jan. 1, 1962, to Dec. 31, 1964
Illinois.....	9,267,643	11,252,055	28,764,146
Indiana.....	1,778,852	9,308,611	13,026,353
Iowa.....	18,335,066	37,451,820	86,125,310
Michigan.....	8,232,572	7,861,215	22,666,029
Minnesota.....	41,429,746	37,272,952	101,480,615
Ohio.....	10,188,022	16,241,994	52,362,527
Texas.....	4,390,063	6,426,463	22,306,429
West Virginia.....	647,026	82,048	836,481
Wisconsin.....	2,071,516	2,175,829	6,370,725

Ranking of total NASA university funds (top 21)

Rank		Research	Total university grants and contracts
1	Massachusetts.....	\$7,240	\$11,051
2	California.....	8,939	10,529
3	Illinois.....	4,627	5,602
4	Michigan.....	4,861	5,412
5	Texas.....	1,830	5,389
6	New Jersey.....	4,370	4,771
7	Pennsylvania.....	2,348	3,378
8	Georgia.....	1,164	2,645
9	Alabama.....	2,146	2,415
10	Ohio.....	1,283	2,143
11	Wisconsin.....	1,295	1,961
12	Missouri.....	639	1,890
13	Indiana.....	1,338	1,763
14	Florida.....	1,369	1,754
15	Virginia.....	1,195	1,536
16	Iowa.....	736	1,205
17	Minnesota.....	823	1,111
18	Colorado.....	924	1,334
19	District of Columbia.....	675	1,086
20	Arizona.....	841	1,024
21	Washington.....	678	928

Rank of training grants by State

Rank	State	Number of grants
1	New York.....	305
2	California.....	207
3	Pennsylvania.....	180
4	Texas.....	178
5	Illinois.....	156
6	Ohio.....	133
7	Massachusetts.....	108
8	Missouri.....	103
9	Indiana.....	100
10	North Carolina.....	94
11	Michigan.....	86
12	New Jersey.....	78
13	Iowa.....	77
14	Colorado.....	77
15	District of Columbia.....	73
16	Florida.....	68
17	Virginia.....	66
18	Georgia.....	65

Rank of training grants by State—Continued

Rank	State	Number of grants
19	Oklahoma.....	62
20	Maryland.....	60
	Tennessee.....	60
23	Connecticut.....	57
24	Arizona.....	52
	Louisiana.....	52
	Kansas.....	52
27	Utah.....	50
28	Washington.....	46
29	Minnesota.....	46
30	New Mexico.....	38
31	Wisconsin.....	37
32	Oregon.....	26
	Arkansas.....	26
	West Virginia.....	26
	South Carolina.....	26
36	New Hampshire.....	21
	Kentucky.....	21
38	Delaware.....	20
39	Mississippi.....	18
40	Montana.....	16
41	Nebraska.....	12
	Vermont.....	12
	Nevada.....	12
44	Maine.....	9
45	Hawaii.....	7
46	North Dakota.....	5
	Alaska.....	5
48	Wyoming.....	4
	Idaho.....	4
50	South Dakota.....	3

Ranking (top 25) of facilities grants by university

Rank	University	Location	Amount (thousands)
1	Massachusetts Institute of Technology.....	Cambridge, Mass.	\$3,000.0
2	University of California.....	Los Angeles.....	2,000.0
3	do.....	Berkeley.....	1,990.0
4	University of Chicago.....	Chicago, Ill.....	1,775.0
5	University of Michigan.....	Ann Arbor.....	1,750.0
6	Rice University.....	Houston, Tex.....	1,600.0
7	University of Pittsburgh.....	Pittsburgh, Pa.....	1,500.0
7	University of Maryland.....	College Park, Md.....	1,500.0
7	Rensselaer Polytechnic Institute.....	Troy, N.Y.....	1,500.0
10	Cornell University.....	Ithaca, N.Y.....	1,350.0
11	University of Arizona.....	Tucson, Ariz.....	1,200.0
12	University of Illinois.....	Urbana, Ill.....	1,125.0
13	Georgia Institute of Technology.....	Atlanta, Ga.....	1,000.0
13	Texas A. & M. University.....	College Station, Tex.....	1,000.0

Ranking (top 25) of facilities grants by university—Continued

Rank	University	Location	Amount (thousands)
15	Purdue University.....	Lafayette, Ind.....	\$840.0
16	University of Colorado.....	Boulder, Colo.....	792.0
17	University of Minnesota.....	Minneapolis, Minn.....	704.0
18	Polytechnic Institute of Brooklyn.....	Brooklyn, N.Y.....	632.0
19	Princeton University.....	Princeton, N.J.....	625.0
20	State University of Iowa.....	Iowa City, Iowa.....	610.0
21	Washington University.....	St. Louis, Mo.....	600.0
22	New York University.....	New York, N.Y.....	582.0
23	Stanford University.....	Stanford, Calif.....	535.0
24	University of Wisconsin.....	Madison, Wis.....	442.70
25	Harvard University.....	Cambridge, Mass.....	182.68

Mr. MILLER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. DADDARIO].

Mr. DADDARIO. Mr. Chairman, as the Committee on Science and Astronautics reviewed the program to be authorized by the bill before the House, I was impressed by the many ways the space program affects every citizen of this great Nation and, indeed, all mankind. One of the most interesting of these relationships and one having a high potential for the future is in the medical research being carried out to meet requirements of space flight.

It may well be that one of the greatest contributions of the national space effort will be the increased understanding of the human system as a dynamic whole. In the past, traditional medicine has measured the individual primarily in a static condition, that is, man at rest. Preventive medicine seeks to protect man from injury and disease. Clinical medicine has been concerned with the treatment of disease, injury, and stress. These professional approaches have resulted over the years in the development of highly refined and sensitive techniques by which abnormal conditions are diagnosed, treated, and prevented. However, most of these techniques are

applicable only to man as a clinical patient or to evaluations of the environment in which he works. Evaluations of normal ranges of human responses during activity have only begun to be explored.

Now, with the advent of the national space effort, four conditions exist which make it possible for the first time to study man as a total system.

First, healthy human beings are now being studied over a long period of time and quantitative data is being obtained on reactions of the human system to the environmental factors encountered in a stressful situation.

Second, biotechnology is making it possible to measure man's total reactions as a dynamic organism. As the sophistication of instrumentation continues to improve, the rate of change of living cells can be measured with increasing precision and comprehensiveness.

Third, in the space environment the human organism has six degrees of freedom of motion, free from external forces. In this environment, it will be possible to validate mathematical models that will provide analogs for more perfect standards of man's responses to dynamic situations. With these analogs as guides against which to measure the pattern of human-system function on earth, it will be possible to augment significantly the ability of medicine to prognosticate symptoms before they occur.

Finally, the increased interaction between the physical and biological sciences will advance understanding in such cases as molecular biology, mathematical biology, neurophysiology, bionics, and electrobiology.

This broad picture is the product of the combined efforts of many academic disciplines, heretofore strangers to each other, as well as the result of the combined participation of Federal agencies, university research centers, and industry. Many existing and potential benefits can be mentioned which can be expected to improve our knowledge and abilities in everyday life.

Ground based studies pursued to learn about the effects of weightlessness and other specific space flight stresses on man have included investigations of bed rest and the accumulation of data from instrumented participants in stressful activities. The results to date have shed further light on such matters as body fluid shifts, and the mechanisms by which the heart and blood vessels respond to stressful and subgravity environments. During these studies, heart rates, for example, were found to be capable of greater sustained increases than had been formerly thought possible without undesirable effect.

In another phase of the space effort, research into the field of electroencephalography—the measurement of electrical brain waves—has been accelerated resulting in a broadened spectrum of potential usage through miniaturization, and a broadened understanding of changes which occur. One direction of effort which appears very promising at this time is devoted to developing an automatic system of EEG interpretation which will enable the interpretation of

EEG's on a large scale. In addition, the ability to interpret resultant data has become more sensitive.

In a very practical vein, we may note the use of the NASA communication satellite to transmit an electroencephalogram from England to the United States for diagnosis.

As a result of the space effort, the existing state of the art in both ballistocardiography and phonocardiography—the measurement of heart rates by the movement of surrounding parts of the body and by the sound of the beats—have been advanced through the development, in the first instance, of an air-bearing device and, in the second, of an electronic filter. It must also be mentioned that a clean room system, developed by the Atomic Energy Commission and turned over to NASA and the space industry, is readily applicable to hospital operating rooms and appears superior to any system now in use.

Currently, NASA is conducting a program concerned with the computerized reduction, storage, and analysis of medical information obtained during the astronaut's preparation for space flight. This information is so prepared that ground based medical data and in-flight medical data are in an interchangeable form so that they may be used for purposes of comparison and prediction. An ultimate goal is to develop a standardized method to record and electronically store all useful medical data on a worldwide basis for immediate retrieval in connection with the diagnosis and treatment of medical problems.

Miniaturization of equipment is, of course, another field on which the space effort has exerted much influence, particularly in the biomedical area. These bioinstrumentation developments permit the gathering of data with little discomfort to the patient. Sensors capable of being placed in the body include devices for monitoring respiration efficiency, recording blood pressure and for transmitting temperature. These are being developed for animal evaluations, but ultimately they may very well lend themselves to clinical application beyond the already utilized techniques of implanting cardiac pacemakers. Indeed, the total development in the field of bioinstrumentation has permitted the collection of physiological information under dynamic conditions. The ability to record data on people engaged in various activities is widening our understanding of human functioning and of the role of certain types of stress factors in our daily lives. Several Government agencies are pursuing research in this general area.

Columbia University is presently using a lunar gravity simulator, developed by the NASA Langley Research Center, to facilitate the rehabilitation of muscular activity in handicapped patients. Originally designed to study locomotor activity at lunar gravity, the device suspends a subject with an arrangement of near-vertical cables perpendicularly to an inclined walkway.

An instrument designed at Ames Research Center to measure the impact of micrometeoroids on spacecraft, being

used to determine the heartbeat of a chick embryo for drug evaluation, may be useful in determining fetal heartbeat. We may also note that accelerometers developed to study acceleration effects in space travel are being used to study the protective value of impact safety devices such as football helmets, injury protection in car accidents, and tremor patterns in patients with Parkinson's disease. As a result of a NASA program, the concept of airbags for impact protection in airplane crashes was developed into a system which may find application in commercial air travel.

The removal of body heat by a water-cooling concept originating at Farnborough, England, and developed by NASA for the Apollo spacesuit, offers possibilities of practical application under conditions where the removal of body heat is a problem, as in diving and underwater exploration.

Also, we have heard very recently about the use of spacesuit technology by Tufts Medical School in developing a means of external assistance to the cardiovascular system during cardiac surgery. This research effort is currently limited to work with experimental animals but holds promise for clinical application to humans and can reduce the degree of risk associated with such procedures.

These are but a few of the advances, occurring as direct fallouts of the space program or resulting from the impetus to biomedical research and development provided our space activities. Without question, as our knowledge of man's physiological and behavioral responses in the space environment increases, so will our capabilities to understand and medically treat man in his natural environment.

NASA, however, is charged by the Congress not only with a research and development mission, but also with disseminating that information. A recent example of how this is done is illustrated by the recent extension of a contract with Midwest Research Institute—MRI. This contract extension provides for a combined effort with the Menorah Medical Center, Kansas City, Mo., to find space knowledge that will be useful to the medical profession. A research team of persons from Menorah and MRI will make an intensive and systematic review of aerospace technology to develop medical relevance. Only by combined research and development of facts such as this will the biomedical community of the Nation keep abreast of widening dimensions of technology and the potential applications to medical practice.

These benefits result from the fact that Government agencies concerned with medicine and health coordinate their work closely. One aspect of this coordination, about which the Committee on Science and Astronautics has been concerned in the past, has been in the field of space medicine.

During past hearings, this subcommittee has carefully examined the interrelationship of the NASA space medicine program and those of other Federal agencies. After scrutinizing in detail



the research and development in the biomedical efforts carried out by NASA and the U.S. Air Force, we were in previous years somewhat critical of a seeming lack of coordination among programs of these two agencies. This, we believed, could lead to an unwarranted duplication both of work and of facilities. It could indeed impose an unnecessary strain upon the available scientific resources of the Nation.

Acting upon suggestions made by members of the committee, NASA and the U.S. Air Force subsequently made a determined effort to develop a system of effective coordination between their space medicine and bioastronautics programs, respectively. Since it was recognized that the capability for detailed analyses of technical programs lay with those who managed the specialized technical efforts on a day-to-day basis, a plan was developed to provide for coordination at the task scientist, or laboratory management, level.

First applied to the fiscal year 1964 programs, the plan proved to be highly successful. In terms of magnitude of effort and depth of detail, this endeavor was unique in Federal research management. For example, 900 tasks were analyzed in detail during program reviews. Fifty-five were eliminated because they were considered to be in duplication of other tasks. Even more intensive effort was made in the review of fiscal year 1965 programs. Almost 1,200 tasks were analyzed. Of these, 68 tasks were canceled for the same reason.

In this latest review, a new category of task identity was created. This category was comprised of those tasks funded and monitored by both agencies to meet common objectives. They number no less than 43. This, in itself, is a forward step, since joint funding implicitly results in a closer interagency working relationship. This leads to more effective use of facilities, and to savings in time, manpower, and funds.

In the course of these reviews, it became apparent that many tasks were of mutual concern to both NASA and the U.S. Air Force. This awareness of detail by both agencies, brought about by the coordination process, now becomes a factor in preventing the task level scientists from unknowingly initiating research or development activities already in progress at the other agency. The significance of this result must not be underestimated in terms of our national economy.

It is encouraging, too, that task scientist coordination of programs did not cease with the conclusion of the formal reviews described. Spurred by the increased knowledge and understanding of their joint research potential and efforts, both NASA and Air Force scientists have continued to seek each other out, to exchange ideas for research, and to profit from each other's experience. This effort has been formalized, for example, by the establishment of the NASA Space Medicine Liaison Office in late 1963 at Brooks Air Force Base, home of the Air Force Aerospace Medical Division and of the School of Aerospace Medicine. Established to provide a continuing focal point for the exchange of task informa-

tion between the Air Force bioastronautics and NASA OMSF biomedical scientists, this office has proved to be highly effective. It has first assisted task scientists in obtaining current scientific reports and special technical information; second, arranged visits between personnel of the various laboratories and centers; third, review the status of facilities and specialized equipment in terms of applicability to both programs; and fourth, developed a Life Sciences Directory for the two groups. As the effective central point of reference for the task-level scientists of the Air Force and NASA, it has also been instrumental in disseminating that type of information which might otherwise have gone unnoticed, such as informal scientific estimates and judgments or research activities of a more subtle nature.

Mention should also be made of the fact that the U.S. Air Force Systems Command, as one part of its direct support to NASA, provides a Director of Biomedical Support housed physically within the NASA Offices of Manned Space Flight and contiguous to the Directorate of Space Medicine.

Thus, both at the NASA Headquarters and laboratory level, there now exists the formal machinery for the continuing coordinated effort in biomedical research and development to support the national space effort. This high degree of coordination between NASA and the U.S. Air Force has been vitally important both because of the fact that the Air Force bioastronautics program and the NASA space medicine programs have certain common mission objectives as well as mutual specialized areas of technical and professional interest.

The NASA space medicine program has been coordinated by means of task descriptions with the Army and Navy, through the Defense Director of Research and Engineering, the Civil Air Surgeon of the Federal Aviation Agency, the U.S. Public Health Service, including the National Institutes of Health, the Medical Director of the Veterans' Administration, and the Division of Medicine and Biology of the Atomic Energy Commission.

Within the NASA complex itself, moreover, an extremely significant step has been taken to integrate all aspects of the life sciences areas supporting the individual mission-oriented project offices. Recently there was established a Life Sciences Directors Group to include the Director of Space Medicine, Office of Manned Space Flight, the Director of Biotechnology and Human Research, Office of Advanced Research and Technology, and the Director of Biosciences, Office of Space Science and Applications. Dr. W. Randolph Lovelace II, Director of Space Medicine, was named as the permanent chairman by the NASA Associate Administrator. The Directors Group is charged with providing an integrated life sciences program for NASA with a logical and systematic feed-in of research and development results from basic research—biosciences—to supporting research and technology—biotechnology and human research—to application—space medicine. Requirements, on the other hand, flow in an orderly man-

ner in the reverse direction from application to supporting research and technology on to basic research. The three NASA programs in the life sciences now may be said to be truly an integrated program rather than three separate programs. Meetings of the Group are held on a regularly scheduled basis.

All these coordinated activities in the national space effort initiated in 1963 and representing a continuing effort not only with the Air Force but with other Federal activities as well, indicate the progress which has been made toward achieving integrated programs in this area within the Federal complex of research and development. The subcommittee is well satisfied that a sincere effort has been made and is continuing to be made to comply with its wish that every effort be made to assure the most productive use of funds, facilities, and manpower for furthering the national space objectives.

To summarize, the space medicine program has made significant progress. The program is designed to constantly improve the astronauts' ability to live, observe and do optimal work in space and then return safely to earth. The effort to coordinate the medical program within NASA and with other agencies has been highly successful. There exists now a creative partnership in the space medical field, and the steps to enlist the talents of scientists, both in Government work and private laboratories, from this Nation and from the foreign scientific communities is already proving its value to mankind.

For these and other reasons covered by my colleagues, I join in urging the House to approve this measure of vital importance to our Nation's well-being.

Mr. FULTON of Pennsylvania. Mr. Chairman, it is a real honor to yield such time as he may consume to the former Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I want to take this opportunity to express my support of the space legislation which is now pending before the committee.

Mr. Chairman, I have been in Congress a long time. But I want to tell you that I never saw a committee that more diligently went over these budget figures more carefully than the present Space Committee.

Of course, Mr. Chairman, they had in mind the desirability of retrenchment and they tried wherever there was a chance to without interfering with the program of space progress. They knew that the American people wanted progress in space and yet wanted economy.

Mr. Chairman, this is a progressive program and yet reasonably priced. It is one I do not believe you could cut much without harming.

Mr. Chairman, I am very happy to support this legislation. We had our difficulties, but I want to say also that perhaps we learned a lesson.

Mr. Chairman, the site location for the Electronics Research Center at Cambridge will be determined very shortly and will be located in the city of Cambridge. Cambridge has authorized the

legislature to begin the legislative process to give up to \$25,000 for firms forced to relocate. I believe this will expedite the adjustment. I am informed they expect to be able to turn over the land to NASA by October 1. This will expedite the program and be the business stimulant New England sorely needs.

The site selected is close to Harvard and the Massachusetts Institute of Technology. It is where it can best solve the technical problems, and it is believed NASA will do work in the new location of which the country will be proud.

Mr. MILLER. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, I thank the chairman for yielding me this time. It has indeed been a pleasure and honor to serve on such a dedicated committee. The House committee has heard a chronological detail of how this country has overcome its lag in the space age since the launching of the Saturn. It is due to the fine leadership displayed by our great chairman, the distinguished gentleman from California [Mr. MILLER], because I am confident there is no more dedicated man in the Congress, and certainly no more able a chairman. The House today has seen the distinguished subcommittee chairmen who know the complicated work that is involved in this great program. Each Member of the House can take pride in having brought this country to the forefront in the space age. It has been through their efforts, and we will maintain that position.

I want to invite all Members of the House and their constituents to visit my home district and see the Manned Spacecraft Center and the work that is being done there. This belongs to you Members of the House who had their part in building it. As Members they had a part in seeing that the job is well done, and I want you to meet those fine, dedicated people at the Manned Spacecraft Center, Houston, Tex., who make this program the success it is today.

Mr. MILLER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. WOLFF].

Mr. WOLFF. Mr. Chairman, I am happy to have the opportunity to recommend to the Congress a technical device, the Lunar Excursion Module—LEM—developed and produced in the Third Congressional District of New York. LEM development was started by the Grumman Aircraft Engineering Corp., of Bethpage, Long Island, N.Y., in 1962. The \$270 million to be appropriated for this project will be money well spent, a sound investment in the future of our people and all the free peoples of the world. LEM will push forward the time when Americans will land on the moon.

During fiscal year 1964, the preliminary design was completed. Work went forward swiftly during the year and by the end of 1964 four heavyweight propulsion rigs were delivered for use in the test program.

During fiscal year 1965, the program is undergoing a sharp buildup in development test activity. Major subsystems components are also under development.

A LEM test article—LTA—will be delivered to Marshall Space Flight Center for vibration tests with a Saturn test vehicle. A second LEM test article will be delivered to North American Aviation for electronic systems integration. By the end of the year, fabrication will have started on four additional test articles and the first LEM flight vehicle.

During fiscal year 1966, design and engineering and component development tests will be completed and the qualification test program on prototype flight hardware will be started. Dynamic tests will continue at Marshall Space Flight Center on the LEM-Saturn V configuration, using the LTA vehicle delivered during fiscal year 1965. Two additional LTA vehicles will be delivered for the test program: one for static structural tests with the LEM-S-IVB adapter, and one for vehicle static and dynamic structural testing. The remaining three LTA vehicles will complete manufacturing and will enter installation and check-out. Manufacturing will continue on the first LEM vehicle for orbital flight. Five additional flight vehicles will be in production.

I have had the opportunity to visit the Grumman plant where LEM is in production, and have inspected the LEM and seen demonstrations and tests of the model as well as the progress of the actual vehicles. In fact, I have been privileged to enter the module and operate the controls of this vehicle of the future. In the course of the visit I was also shown the training devices that are being used by our astronauts and saw the astronauts in training at Bethpage. The thoroughness and care going into this project impels me to bring to the attention of the House the excellent work being done.

Yet, the moon is but a target. The real point of our space effort is that we must be first if world security and the ascendancy of democracy is to continue. Losing this race to a Communist power would be a calamity for all mankind.

Thus I hope that this legislation, as well as the entire NASA appropriation bill, will receive the overwhelming endorsement of the House of Representatives.

The transcendent importance of our space effort, in terms of the future of mankind, makes the legislation we vote on today among the most important to be considered by the Congress this year.

Mr. MILLER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. VIVIAN].

Mr. VIVIAN. Mr. Chairman, today I would like to speak very briefly on two points:

First, as a new Member of this House and of the Science and Astronautics Committee, and more particularly as one of the small number of professionally trained scientists who have been privileged to be Members of Congress, I have been impressed by one salient fact which I personally can appreciate—but which, I think, is rarely appreciated by many of our constituents throughout the Nation: that many members of this committee, though not scientists, to their great credit have become remarkably well informed—at times to my slight embarrassment—

on the many diverse, complex and often obscure scientific matters with which the Science and Astronautics Committee must deal. I say this particularly of the chairman of the full committee, and of the subcommittee chairmen, on whom falls the brunt of this work. They have my deep respect. They deserve the appreciation of all of us.

Secondly, we of the committee, and the entire Congress, must very soon face and face thoughtfully, the task of establishing a new basic national policy to guide the geographical distribution of Federal research and development funds.

In the past, we have awarded work to the lowest bidder. This is certainly a wise procedure. We have located Government facilities where the climate and the terrain were best suited for such facilities. That too certainly is a wise procedure. But these procedures, wise as they are, are unfortunately no longer adequate. For it is a fact that many States are not sharing equitably in the powerful economic stimulus injected by our massive spending for advanced technology. More importantly, they are not sharing equitably in the potential for growth which the expansion of technological facilities and personnel inevitably promises. In fiscal year 1963, the East North Central region of this country, which includes Ohio, Indiana, Illinois, Michigan, and Wisconsin, received the lowest dollar volume of research and development funds, per capita, from the Federal Government, of any region in the Nation. Yet this area has traditionally been one of the key industrial production areas of the Nation. We need to find new criteria for distributing research and development funds. Otherwise, we will have in a decade hence new Appalachias, which will be deficient, not in coal or other physical resources, but rather in the mental resources, the resources of skilled labor, which will soon be the sign of economic well-being and capability in our increasingly technological society.

Mr. Chairman, shortly I will insert in the Record a number of specific suggestions which I hope will receive the consideration of our committee and of this House, in our efforts to meet and solve this pressing problem.

Mr. MILLER. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, it has been a great personal privilege on my part to serve on the Science and Astronautics Committee under the leadership of the gentleman from California, Chairman MILLER, and on the Subcommittee on Manned Space Flight under the gentleman from Texas, Chairman TEAGUE.

We have spent many hours listening to testimony and examining various facilities of the National Aeronautics and Space Administration. I rise to state my full support of H.R. 7717 to authorize appropriations of \$5,183,844,850 for fiscal year 1966.

The many technical aspects of this bill are being covered in detail by other speakers and I will therefore not cover again the material which will be handled by others.



I wish to emphasize one point in this—my first opportunity to comment on America's space program. I hope that our people in America will understand the basic purpose of the NASA technological development in space exploration. We are in a technological race with the Russians and other nations of the world in the whole broad field of space technology. The most dramatic aspect is the so-called "race to the moon" but we should not be misled by this single dramatic point. The race is in producing a level of technology in a complicated field on a broad enough level that we take advantage of the scientific discoveries that will occur in the next few years.

The psychological effects of the Russians landing first on the moon have been frequently mentioned but the true race is not a matter of who should arrive first but whether our level of technology as compared to the Russian level is such that we are there almost simultaneously. I do not believe it would be an overwhelming tragedy if the Russians should arrive a few days before we did, but I believe it would be a disaster if they should arrive a year before we did. The first parties on the moon who are able to consolidate their position will have an overwhelming scientific advantage in terms of ability to experiment in space technology in a gravity one-sixth that of the earth and without the inhibiting factors of an atmosphere.

Of great importance in my opinion is the fact that there will be in the future significant changes in methods of propulsion and construction of spacecraft. I do not believe the present systems of larger and larger boosters with more and more volatile fuels are the ultimate answer to space exploration and control. Such fields as nuclear propulsion and maneuverable spacecraft are going to be within man's grasp within the next generation. We must produce a scientific community in the United States that will have a technology capable of developing these ideas or, if they should be developed elsewhere, of rapidly moving to capitalize on them.

For example, we have developed a technology in land vehicles such as the automobile which in World War II enabled us to move rapidly into the production of Army trucks and tanks. We could not have done this if our stage of development in the automobile industry had remained in the technology of the model T.

As of today we have no basic problem in the production of defense materials to be used on the ground, in the sea, or in the atmosphere because we have established technology in those fields. We were left behind when the sputnik was launched and are only now gaining in the race because we lacked a space technology. This is what NASA is developing and why it is separate from the military.

We must spread throughout American industry—which we are doing—the ability to produce rockets and spacecraft that are operational. We are accomplishing this through the Gemini and Apollo programs and we must continue to advance in our scientific technology, if we are to survive in the space age of the coming generation.

This is why we do not look on this as a military program—though it has great military significance—but rather an effort by all of America to create its place in the space age.

The NASA is developing a series of launch vehicles for manned and unmanned space flight that will provide a capability for the United States that will insure this Nation's preeminence in space for years to come.

I have been particularly concerned with the status and plans for manned space flight.

The Manned Space Flight Subcommittee heard the status and plans for the Apollo program during the month of March. In the past week, I have had the opportunity to update myself on the progress made in the launch vehicle area.

The progress that has been made in just these few short weeks, since our hearings, is indicative of the vigorous approach the United States is taking in pursuing the manned space flight program.

I would like to spend a few moments commenting on some of the more significant events that have occurred in the Saturn launch vehicles and related launch operations preparation during recent months.

The vehicles under development are the Saturn I, Saturn I-B, and Saturn V. The Saturn I is now operational and is being used to place Pegasus micrometeorite satellites in earth orbit and to test early prototype Apollo hardware.

#### SATURN I

All the Saturn I development and qualification testing was completed during 1964. This required a total of only 6 launches instead of the 10 originally planned. SA-7 flight was a fully operational launch vehicle mission in which the boilerplate spacecraft was tested. The Saturn I flight program has successfully verified the use of liquid hydrogen fuel for the high performance stages.

#### SATURN I-B

Saturn I-B, a two-stage launch vehicle utilizing an updated S-I stage and an improved upper stage, the S-IV-B, can place approximately 3,500 pounds in 100-mile earth orbit. By adding the Centaur—which already has flown successfully—as a third stage to the Saturn I-B, 12,000 pounds can be placed in an escape orbit. As a comparison with other lifting devices, the Saturn I-B has a potential capacity of lifting two Surveyors and one lunar orbiter to the moon or could propel three Mariners to Mars or place a Voyager on a path to Venus. The first flight S-I-B stage is being fabricated and assembled at Michoud in accordance with the schedule. Live firing test was successfully conducted in mid-April and the stage is currently being shipped back to Michoud.

The second stage, S-IV-B, for the first Saturn I-B flight has been fabricated and assembled on schedule and hot firings on a test stage are currently in process. The first launch of the Saturn I-B is scheduled for 1966.

#### SATURN V

The Saturn V launch vehicle will make it possible to place large payloads in

orbit and to propel approximately 95,000 pounds on a translunar trajectory. With the addition of Saturn V the United States will possess a powerful and flexible launch vehicle system capability of wide range and variety of mission. Looking ahead to the requirements for the future, the Saturn V could place in orbit a 36-man space station with supplies for a 1-year period, or a 6-man space station in synchronous orbit over a fixed area of the earth and support extended lunar exploration from moon encampments. Capabilities, facilities, and personnel will shortly be available to place 200,000 pounds annually in earth orbit with 6 Saturn I-B launches per year and an additional 1½ million pounds annually with 6 Saturn V launches per year which will provide the United States with tremendous capability.

The Saturn V first stage, S-I-C, is fabricated by the Boeing Co. The first completely assembled ground-test stage, called the static-firing stage, was delivered to Marshall Space Flight Center and installed in the test stand on March 1, 1965, on schedule. The first single-engine firing of 15-second duration was conducted on April 10. A five-engine firing of 6½-second duration was accomplished 1 week later on April 16. This firing, where the thrust totaled 7.5 million pounds of thrust, was five times greater than the Saturn I's power and the most powerful rocket ever known to be fired. Both tests were successful and of great significance.

The second stage of the Saturn V vehicle is the S-II stage fabricated and assembled by North American Aviation. The ground-test stage was delivered last fall and performed a successful 10-second single-engine firing in November.

Because the Saturn V third stage, the S-IV-B being built by Douglas, is almost identical to the Saturn I-B second stage, its development is somewhat further advanced than the other two Saturn V stages.

This year of "ground testing" is extremely important in that the designs for a large percentage of the flight and ground equipment will face environments designed to test their adequacy to meet specified operational requirements.

#### LAUNCH FACILITIES

A significant event occurred at the Merritt Island launch area—MILA—on April 14, 1965, when the vertical assembly building—VAB—steel structural work was "topped out" at the 525-foot level. When completed, the VAB will be the world's largest building and its construction represents one of the largest projects in history. The VAB is scheduled for completion early in 1966 and is expected to be on schedule. Another important event occurred at MILA on April 3, 1965, when the crawler transporter No. 1 was moved for the first time approximately 50 feet in both directions and at a maximum speed of one-quarter mile per hour.

In conclusion, I would like to state that as a member of the committee responsible for our Nation's space program, I am continually impressed with the orderly, but rapid, progress in this challenging activity.

The progress that I have indicated today only covers a portion of the many things that are being accomplished daily in this program.

I, for one, am proud to be associated with this dynamic and worthwhile endeavor.

Mr. JONES of Alabama. Mr. Chairman, I want to record my fullest support for H.R. 7717 authorizing appropriations to the National Aeronautics and Space Administration.

In doing so, I would like first to pay a tribute to the gentleman from California, Chairman GEORGE P. MILLER, of the Science and Astronautics Committee, and to the members of the committee, for the remarkable and productive work they have done on this bill. It is a better bill because of their skillful and professional assessment.

Next, I would like to refer, generally, to the splendid, solid progress we are achieving in space. In a good many aspects of our space program we have already surpassed the Russians and before long it is likely we will achieve total superiority.

Truly, Mr. Chairman, we have, in a few short years, scored tremendous successes and have gained great knowledge and experience in the space field.

And our Apollo program which is designed to land a man on the moon in this decade is moving ahead smoothly and on schedule.

Our overall civilian-directed space program, as I see it, Mr. Chairman, has been an orderly one and I firmly believe it will continue to be so. It is based on a solid foundation. Certainly, the success of our present space activities is due, in large part, to the outstanding group of men engaged by NASA to direct and implement the program. All Americans can well be proud of this dedicated team.

It is appropriate for me to point out that H.R. 7717 will enable the continuation of the fruitful partnership existing between NASA and the city of Huntsville, Ala., situated in the congressional district which I represent.

In recent years this partnership has flourished to the mutual benefit of our national space activities and the civic and economic goals of Huntsville's citizens.

The NASA Marshall Space Flight Center at Huntsville is charged with the research and development for the Saturn launch vehicles. These impressive rockets, the Saturn I, Saturn I-B and Saturn V, each in turn adds greater capability to our manned space flight program, and the Saturn V will launch American astronauts toward the moon in the Apollo lunar landing mission.

The Marshall Center also has the responsibility of managing the contractors who will assemble, test, and launch these giant vehicles, and much of this work is actually done in Huntsville.

The guiding genius of the Marshall Center is Dr. Wernher von Braun, Director, who has provided brilliant leadership for the Huntsville program. Further, Dr. von Braun has assembled an exceptional staff at the Center and these loyal and devoted people have carried out

their duties quietly and effectively and have produced splendid results as the record clearly shows.

When the Marshall Center was established in 1960 the budget for its first year of operation was \$400 million. The total budget for the last fiscal year was about \$1.8 billion, more than four times the 1960 figure. This past year 7 percent of the \$1.8 billion was actually added to the economy of the Huntsville area.

Many new facilities have been added to the Marshall Center for use as laboratories and support offices, amounting to another \$150 million. The facilities at the Center are now valued at a quarter of a billion dollars.

The total strength of civil service personnel at Marshall is more than 7,000. This number, multiplied by the members of each worker's family, adds appreciably to the total population of greater Huntsville.

It has been estimated that the impact of the Marshall Space Flight Center upon the economy of the Huntsville area has meant an increase in population of more than 40,000, an increase of 17,000 automobiles, and 11,000 additional jobs created by other new industry in the Huntsville area. All of these statistics can be translated into tremendous gains in personal income, bank deposits, retail sales, and home purchases.

The economic gain has been matched by a new vigor in all of its undertakings by the city of Huntsville and the State of Alabama. Tremendous growth always calls for an increase in government services. A community either rises to the challenge or falls behind. Alabama has proved its ability to move ahead with the pace of the manned space flight programs of the Marshall Center.

Mr. Chairman, Alabama is proud of its substantial contributions to the American space program and will continue to do its part with vigor, imagination, and a sense of pride.

Mr. SHRIVER. 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 Kansas?

There was no objection.

Mr. SHRIVER. Mr. Chairman, I support H.R. 7717 which authorizes appropriations for research and development programs of the National Aeronautics and Space Administration for the coming fiscal year.

As in the past, my support of this national space effort is based upon the important scientific and military advantages which accrue to the United States and its citizens. On the basis of military implications alone which involve the security of our country, we cannot afford to lessen our activities in the space program. Of course, the many scientific and technological benefits which already have been realized will have a tremendous impact upon our way of life and standards of living.

I fully support my colleagues, the minority members of the committee, in their request to strengthen the committee staffing and particularly to provide

adequate professional and clerical staff for minority members.

We are dealing with a highly specialized and technical area involving billions of dollars. It is indeed "penny wise and pound foolish" if we fail to provide adequate and knowledgeable counsel to assist in the legislative responsibilities relating to this vital space program.

Mr. CORMAN. Mr. Chairman, I wish to express my wholehearted support for the proposed \$5.2 billion authorization for the activities of the National Aeronautics and Space Administration.

I am privileged to represent one of the Nation's leading centers of aerospace technology and production and, therefore, take particular interest in our national space program.

Despite some ill-advised opposition by obstructionists, Congress has wisely recognized the value of space exploration in broadening our scope of scientific knowledge and technological progress in the interest of freedom.

We are making excellent progress toward our goal of landing a man on the moon and returning him safely to earth in this decade, and I am proud of the role the 22d District of California is playing in this outstanding effort.

But now is not the time to sit back and rest on the laurels of our past achievements. Now is the time to keep moving forward in pursuit of our national objective. We have proven that we have the potential ability to master space, and it is incumbent on this Congress to make certain that we continue to channel our vast technological resources in this direction.

There is no second-class ticket to space. If we are to safeguard our position of leadership in space, we must obligate the funds necessary for moving full speed ahead with our space program.

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

The CHAIRMAN. There being no further requests for time on either side, the Clerk will read.

The Clerk read as follows:

H.R. 7717

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of \$5,183,844,850, as follows:*

(a) For "Research and development," \$4,537,121,000 for the following programs:

- (1) Gemini, \$242,100,000;
- (2) Apollo, \$2,967,385,000;
- (3) Advanced missions, \$10,000,000;
- (4) Physics and astronomy, \$160,500,000;
- (5) Lunar and planetary exploration, \$213,115,000;
- (6) Bioscience, \$31,500,000;
- (7) Meteorological satellites, \$42,700,000;
- (8) Communication satellites, \$2,800,000;
- (9) Applications technology satellites, \$23,700,000;
- (10) Launch vehicle development, \$60,600,000;
- (11) Launch vehicle procurement, \$179,500,000;
- (12) Space vehicle systems, \$35,000,000;
- (13) Electronics systems, \$34,400,000;
- (14) Human factor system, \$14,900,000;
- (15) Basic research, \$22,000,000;
- (16) Nuclear-electric systems, \$33,000,000;
- (17) Nuclear rockets, \$58,000,000;



(18) Solar and chemical power, \$14,200,000;  
 (19) Chemical propulsion, \$51,200,000;  
 (20) Aeronautics, \$42,200,000;  
 (21) Tracking and data acquisition, \$242,321,000;  
 (22) Sustaining university program, \$46,000,000;  
 (23) Technology utilization, \$5,000,000.  
 (b) For "Construction of facilities," including land acquisitions, \$60,675,000, as follows:

(1) Ames Research Center, Moffet Field, California, \$2,749,000;  
 (2) Goddard Space Flight Center, Greenbelt, Maryland, \$2,400,000;  
 (3) John F. Kennedy Space Center, NASA, Cocoa Beach, Florida, \$7,854,400;  
 (4) Langley Research Center, Hampton, Virginia, \$8,250,000;  
 (5) Lewis Research Center, Cleveland and Sandusky, Ohio, \$867,000;  
 (6) Manned Spacecraft Center, Houston, Texas, \$3,953,300;  
 (7) George C. Marshall Space Flight Center, Huntsville, Alabama, \$4,291,100;  
 (8) Michoud Plant, New Orleans and Slidell, Louisiana, \$269,500;  
 (9) Mississippi Test Facility, Mississippi, \$1,905,600;  
 (10) Wallops Station, Wallops Island, Virginia, \$1,048,000;  
 (11) Various locations, \$19,871,400;  
 (12) Facility planning and design not otherwise provided for, \$7,215,700.

(c) For "Administrative operations," \$586,048,850.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) contracts may be entered into under the "Administrative operations" appropriation for maintenance and operation of facilities, and for other services, to be provided during the fiscal year following that for which the appropriation is made.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new

facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

(h) When so specified in an appropriation Act, any appropriation authorized under this Act to the National Aeronautics and Space Administration may initially be used, during the fiscal year 1966, to finance work or activities for which funds have been provided in any other appropriation available to the Administration and appropriate adjustments between such appropriations shall subsequently be made in accordance with generally accepted accounting principles.

SEC. 2. Authorization granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11), of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed a total of \$53,459,300.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by each such committee of

notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds on a geographical basis whenever feasible and use other such measures as may be practicable toward this end.

SEC. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act of 1966".

Mr. MILLER (during the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read and open for amendment at any point, and printed in the RECORD.

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

There was no objection.

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

The Clerk read as follows:

Committee amendment: On page 2, line 13, strike out "\$34,000,000" and insert in lieu thereof "\$34,400,000".

The committee amendment was agreed to.

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

Mr. Chairman, as I understand it, the bill calls for an expenditure of some \$5.1 billion, of which almost \$3 billion is to be used for the purpose of trying to put a man or men on the moon. I wonder from what source this money is going to come? I have heard no suggestion as to where these billions will come from. We are fighting and financing two wars and I should think that somehow or other there would be some talk of fiscal responsibility on the floor of the House in connection with this and other multi-billion-dollar expenditures.

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

Mr. GROSS. I will yield in a minute.

Yesterday I voted for some \$16 billion for the defense of this country. It seems to me that we had better think in terms of pulling back on this moonshot business until we can catch up with ourselves in the matter of spending.

I yield to the gentleman from California.

Mr. MILLER. I am not conscious of any authorization or appropriation bills which come to the Congress as to which the legislative committee is required to determine from where the money is going to come. This is a subject and a matter for another committee, the Committee on Ways and Means, the money-raising committee of the House. I feel certain that the gentleman's plea should be made to them, rather than be an implied criticism of this committee. I do not believe the gentleman means to do that.

Mr. GROSS. It is most difficult for me to believe that the members of this legislative committee are not interested in the future solvency of the United States of America. I do not so believe, and I cannot accept the idea that all of the members of this committee are of the mind that we will just let the hide go with the horns in this matter of spending.

Mr. MILLER. The gentleman is very quick and very clever in picking up things and trying to make implications out of them. The gentleman is trying to put words in my mouth if he is trying to say I am not concerned and that the committee is not concerned.

Mr. GROSS. I am not putting words in anyone's mouth.

Mr. MILLER. Some of us become a little perturbed at times, or "teed off," at the continuous trying to wish onto all of us the fetishes which the gentleman may have with respect to this subject.

Mr. GROSS. I do not know whether it is a fetish. You can call it whatever you want to call it, but I am concerned for the future welfare of this country and those who someday will have to liquidate the enormous debts that are being piled on them. I do not know how it is proposed that we finance all these huge programs. Perhaps we will go over to Switzerland again and ask the Swiss to design a new and speedier printing press, and then have the West Germans produce the press to print the money faster.

In the meantime, I suppose Congress can be counted on to reduce taxes as it did last year to reduce revenue and pile the debt still higher.

Mr. MILLER. Mr. Chairman, will the gentleman yield again? I will say to the gentleman, with the new techniques we have developed in the space program, and the new technology we have throughout the country, we do not have to go to Switzerland or to Germany, to get quicker acting presses. We can do it right here.

Mr. GROSS. It has not been done in the past, and I do not know why you expect it to be in the future.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. If the gentleman can contribute something to the cause of fiscal sanity in this country, I will be glad to yield to him.

Mr. FULTON of Pennsylvania. The gentleman from Iowa has a good point, that we must be careful in this country not to run into deficits that will destroy the economy of this country and make us financially insolvent, not only in government but also our citizens. I do believe that there is a balancing interest in space. We must be protected in space and while it has not been emphasized here, it nevertheless is just like a truck—it can be used in wartime, too, just like a tank can. Any of these programs we are now developing and using the research and development money for, such as the moon flight program and the Apollo program, are likewise of great benefit militarily.

Mr. GROSS. Let me ask you this question: How can Congress reduce taxes and ever hope to pay the bills for programs of this kind?

Mr. FULTON of Pennsylvania. If the gentleman will yield to me?

Mr. GROSS. Unless you propose to print the money or resort to some other means of phony financing.

Mr. FULTON of Pennsylvania. This is the authorizing committee. When we first authorized this legislation for the moon flight, the Apollo flight, it was said that it would cost \$20 billion. At that time I am sure the chairman of the committee will remember that we called a rollover for it, saying that this was the start of the moon program, and anybody who objected should now object to it. We have now spent \$10 billion on that and have authorized the use of \$20 billion. Even the gentleman from Iowa himself voted to start the moon program.

Mr. GROSS. Yes, I did.

Mr. FULTON of Pennsylvania. Let me finish.

Mr. GROSS. And I will just give you a little clue that here and now I have reached the end of the rope with respect to this moon program. I am all through as of today voting for \$3 billion for a moon program and I will not again vote for it so long as we are in shooting wars and trying to finance the rest of the world.

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

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY, 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. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, pursuant to House Resolution 366, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered. The question is on agreeing to the amendment.

The amendment was 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. PELLY. 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 389, nays 11, not voting 43, as follows:

[Roll No. 97]

YEAS—389

Abbott	Dow	Jonas
Abernethy	Dowdy	Jones, Ala.
Adair	Downing	Karsten
Adams	Dulski	Karth
Addabbo	Duncan, Oreg.	Kastenmeier
Albert	Duncan, Tenn.	Kee
Anderson, Ill.	Dwyer	Keith
Anderson, Tenn.	Dyal	Kelly
Andrews, George W.	Edmondson	Keogh
Andrews, Glenn	Edwards, Ala.	King, Calif.
Andrews, N. Dak.	Edwards, Calif.	King, N.Y.
Annunzio	Ellsworth	King, Utah
Arends	Erlenborn	Kirwan
Ashbrook	Evans, Colo.	Kluczynski
Ashley	Everett	Kornegay
Ashmore	Evins, Tenn.	Krebs
Aspinall	Farbstein	Kunkel
Ayres	Farnsley	Landrum
Baldwin	Farnum	Langen
Bandstra	Fascell	Latta
Baring	Feighan	Leggett
Barrett	Findley	Lennon
Bates	Fino	Lindsay
Battin	Fisher	Lipscomb
Beckworth	Flood	Long, La.
Belcher	Foley	Long, Md.
Bell	Ford, Gerald R.	Love
Bennett	Ford,	McCarthy
Berry	William D.	McClary
Betts	Fontaine	McCulloch
Bingham	Fraser	McDade
Boggs	Frelinghuysen	McDowell
Boland	Friedel	McEwen
Bolton	Fulton, Pa.	McFall
Bonner	Fulton, Tenn.	McGrath
Bow	Fuqua	McMillan
Brademas	Gallagher	McVicker
Bray	Garmatz	Macdonald
Brock	Gathings	Machen
Broomfield	Gettys	Mackie
Brown, Calif.	Gibbons	Madden
Brown, Ohio	Gilbert	Mahon
Broyhill, N.C.	Gilligan	Mailliard
Broyhill, Va.	Gonzalez	Marsh
Buchanan	Goodell	Martin, Ala.
Burke	Grabowski	Martin, Mass.
Burleson	Gray	Martin, Nebr.
Burton, Calif.	Green, Oreg.	Matsunaga
Burton, Utah	Green, Pa.	Matthews
Byrne, Pa.	Greig	May
Byrnes, Wis.	Grider	Meeds
Cabell	Griffiths	Miller
Callan	Grover	Mills
Callaway	Gubser	Minish
Cameron	Gurney	Mink
Carey	Hagan, Ga.	Minshall
Carter	Hagen, Calif.	Mize
Cassey	Haley	Moeller
Cederberg	Hall	Monagan
Chamberlain	Halpern	Moore
Clark	Hamilton	Moorhead
Clausen, Don H.	Hanley	Morgan
Clawson, Del.	Hanna	Morris
Cleveland	Hansen, Idaho	Morrison
Clevenger	Hansen, Iowa	Morse
Cohelan	Hansen, Wash.	Morton
Colmer	Hardy	Mosher
Conable	Harris	Moss
Conte	Harsha	Multer
Cooley	Harvey, Ind.	Murphy, Ill.
Corbett	Harvey, Mich.	Murphy, N.Y.
Craley	Hathaway	Murray
Cramer	Hawkins	Natcher
Culver	Hébert	Nedzi
Cunningham	Hechler	Nix
Curtin	Helstoski	O'Brien
Daddario	Henderson	O'Hara, Ill.
Dague	Herlong	O'Hara, Mich.
Davis, Ga.	Hicks	O'Konski
Davis, Wis.	Holifield	Olsen, Mont.
Dawson	Horton	Olson, Minn.
de la Garza	Hosmer	O'Neal, Ga.
Delaney	Howard	O'Neill, Mass.
Dent	Hull	Ottinger
Denton	Hungate	Pasman
Derwinski	Huot	Patman
Diggs	Hutchinson	Patten
Dingell	Ichord	Pelly
Dole	Irwin	Pepper
Donohue	Jacobs	Perkins
Dorn	Jarman	Philbin
	Jennings	Pickle
	Joelson	Pike
	Johnson, Calif.	Pirnie
	Johnson, Okla.	Poage
	Johnson, Pa.	Poff



Pool	Saylor	Thomson, Wis.
Price	Scheuer	Todd
Pucinski	Schisler	Trimble
Purcell	Schmidhauser	Tuck
Quile	Schneebell	Tunney
Quillen	Schweiker	Tupper
Race	Scott	Tuten
Randall	Secrest	Udall
Redlin	Selden	Ullman
Reid, N.Y.	Shipley	Van Deerlin
Reifel	Sickles	Vanik
Reinecke	Sikes	Vigorito
Reuss	Sisk	Vivian
Rhodes, Ariz.	Slack	Waggonner
Rhodes, Pa.	Smith, Calif.	Walker, Miss.
Rivers, Alaska	Smith, Iowa	Walker, N. Mex.
Rivers, S.C.	Smith, N.Y.	Watkins
Roberts	Springer	Watts
Robison	Stafford	Weltner
Rogers, Fla.	Staggers	Whalley
Rogers, Tex.	Stalbaum	White, Idaho
Ronan	Stanton	White, Tex.
Roncalio	Steed	Whitener
Rooney, N.Y.	Stephens	Whitten
Rooney, Pa.	Stratton	Widnall
Roosevelt	Stubblefield	Willis
Rosenthal	Sullivan	Wilson, Bob
Rostenkowski	Sweeney	Wilson,
Roudebush	Taylor	Charles H.
Roush	Teague, Calif.	Wolf
Roybal	Teague, Tex.	Wright
Rumsfeld	Tenzer	Wyatt
Ryan	Thomas	Wylder
Satterfield	Thompson, La.	Yates
St Germain	Thompson, N.J.	Young
St. Onge	Thompson, Tex.	Zablocki

## NAYS—11

Clancy	Laird	Skubitz
Collier	Michel	Utt
Devine	Nelsen	Younger
Gross	Reid, Ill.	

## NOT VOTING—43

Blatnik	Fallon	Mathias
Bolling	Flynt	Powell
Brooks	Fogarty	Resnick
Cahill	Glaimo	Rodino
Celler	Griffin	Rogers, Colo.
Chelf	Halleck	Senner
Conyers	Hays	Shriver
Corman	Holland	Smith, Va.
Curtis	Jones, Mo.	Talcott
Daniels	MacGregor	Toll
Dickinson	Mackay	Williams

So the bill was passed.

The Clerk announced the following pairs:

Mr. Fogarty with Mr. Talcott.  
Mr. Corman with Mr. Griffin.  
Mr. Smith of Virginia with Mr. Halleck.  
Mr. Brooks with Mr. Curtis.  
Mr. Glaimo with Mr. Cahill.  
Mr. Daniels with Mr. Shriver.  
Mr. Hays with Mr. MacGregor.  
Mr. Blatnik with Mr. Dickinson.  
Mr. Celler with Mr. Mathias.  
Mr. Chelf with Mr. Toll.  
Mr. Flynt with Mr. Resnick.  
Mr. Fallon with Mr. Williams.  
Mr. Mackay with Mr. Holland.  
Mr. Powell with Mr. Conyers.  
Mr. Rodino with Mr. Rogers of Colorado.  
Mr. Senner with Mr. Jones of Missouri.

Mr. NELSEN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND

Mr. MILLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter in the RECORD on the bill just passed.

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

There was no objection.

CXI—611

## APPOINTMENT OF CHARLES O. LERCHE, JR.

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution (H. Res. 374) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. Res. 374

*Resolved*, That pursuant to the Legislative Pay Act of 1929, as amended, Charles O. Lerche, Junior, is hereby designated a minority employee effective May 1, 1965 (to fill an existing vacancy), until otherwise ordered by the House, and shall receive compensation at the basic rate of \$7,000 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 447. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

## INTERSTATE COMMERCE ACT AMENDMENTS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 358 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. Res. 358

*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. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three 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. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. BROWN] and myself such time as I may consume.

Mr. Speaker, if the Honorable Speaker and the Members of the House will in-

dulge me for a preliminary word, which I believe to be fitting, before I address myself to this rule, I want to say that we are just concluding one of the significant and monumental weeks in the legislative history of this House, and one of the most significant and monumental in the history of any legislative body in this country or, in my opinion, anywhere in the world. We are very proud of what this House and, indeed, this Congress has accomplished since the beginning of the 89th Congress.

The whole country has had a sense of awareness that this Congress, under the leadership of our distinguished President, was bent upon the public business and serving the public interest; and consequently we have entered a record on the statute books through the enactments of this Congress which has been said to rival, indeed favorably, the historic hundred days when, under the leadership of President Franklin D. Roosevelt, this Nation fought its way out of a desperate depression.

The greatest of commendation from the country and from all of us who have had the honor to follow them should go out to our President and the great Speaker of this House and our leaders, as well as the leaders of the other body in the Congress, for what we have accomplished thus far in this historic session of the 89th Congress.

But we have particular reason, I believe, to be proud of what this House has accomplished this week. On the first day of this week, Monday, we took up a number of bills of local significance but of great public import, pertaining primarily to the Consent Calendar; but matters of vital interest to the people of this country. And they were passed.

On Monday, before the day ended, a day usually devoted to the Consent Calendar, we passed a bill providing for the extension of community health services under the able chairmanship of the distinguished gentleman from Arkansas [Mr. HARRIS], chairman of the Committee on Interstate and Foreign Commerce, providing for improving services rendered to the people of this country in the field of health, a monumental contribution to the law of this land.

On Tuesday we had an appropriation bill providing for the Departments of Labor, and Health, Education, and Welfare. There again were vast programs and extensions of programs meaningful to the health and welfare of the people of this Nation and furthering the cause of the working people of this land.

We had two more bills in the health field providing for the extension of mental health centers at the community level in this country, to meet the challenge and the problem of mental retardation, dealing with its inception and with measures designed for its correction, the correction of that tragic illness of so many of our people in this land. And the other bill was to extend the immunization process which will save lives and contribute to the health of so many of the people of this country. Those three measures came out of the great Committee on Interstate and Foreign Commerce under the able leadership of its

distinguished chairman, the gentleman from Arkansas [Mr. HARRIS].

Then finally, only on yesterday, we came to one of the most monumental and historic measures; one of them was not just an appropriation of money but an affirmation of policy on the part of the Government of this country. I think all of us relish an opportunity for the Congress to participate in the declaration of affirmation of the foreign policy of this country because, after all, the executive and legislative branches of our Government are parts of the great enterprise of projecting the image and the interest of the United States in the affairs of the world. Yesterday, almost with solidarity, with almost complete unanimity of sentiment, this House stood firmly and courageously behind our own great Speaker and our own great President in reaffirming the policy of our Government to stand firm against aggression anywhere in the world as the best assurance not only of freedom for the people assaulted but also freedom from the recurrence of another tragic and devastating war. And so it was in the interest of freedom and peace that this House with almost unanimity yesterday voted to affirm the policy of the President to provide \$700 million for the extension of programs designed to protect freedom and to further peace for this Nation and for all the peoples of the world.

In the same day, historic as it was, the able gentleman from South Carolina, the distinguished chairman of the Committee on Armed Services, led this House in the adoption of one of the greatest programs ever enacted by this House in the procurement of weapons designed to secure not only our own safety but to protect freedom in all parts of the world.

May I say, Mr. Speaker, tragic as is that fact, disappointing as it is to many of us that it is so today, the United States is the policeman of the world and without our protecting hand and shield what nation on earth today save Russia alone, besides our own, is free from aggression from a stronger conqueror who might assault its borders and attempt to conquer its people.

Mr. Speaker, it is a role that is a burdensome one to us and an expensive one, and, tragic as it is, it exacts much treasure and draws much blood from many of the younger men of America who, too, love life as do we. But without America today standing strong against aggression and for freedom and peace, who is there in the world today to defend it?

The United Nations is impotent in the Security Council because of the veto power. Recently, the Assembly in which many of us have put so much hope has become frustrated by the opposition of some of the great Communist powers and the misguided adherence to that tragic policy of our ancient friend and ally, France. So that hope, that alternative hope, of peacekeeping in the world through the collective process of the United Nations acting through the Assembly is temporarily also paralyzed.

So, Mr. Speaker, there is no Security Council to which the nations of the world may go for redress. There is no Assembly which can be effective. No

other nation is willing to fill our role, and without the strong hand of the people of America who is there in the world today to defend any weak nation on the face of the earth against any aggressor who would devour those people and destroy their freedom?

So, Mr. Speaker, yesterday in that historic day we voted funds, yes, but more importantly, support and affirmation of the foreign policy of our country so ably enunciated by our President.

In addition to that we provided the weapons by which those policies might be preserved and protected.

And, today, how meaningful is the space bill which, under the able leadership of the distinguished gentleman from California, the chairman of the Space and Aeronautics Committee [Mr. MILLER] we have an opportunity to support and to carry out our great space operations.

Mr. Speaker, it may seem to some that the moon is far away. Some may not appreciate its relationship to our peace or our security. Surely they do not think far beyond the moment when they ignore the possibility of what an enemy could do to the security of America if it had possession of nuclear-weapon-bearing space satellites revolving around the world or located upon the moon, or elsewhere in space.

Mr. Speaker, I say to you today that this has been another meaningful day in the history of this House of Representatives, when we have rededicated ourselves to the exploration of space insofar as the interests of America require. We shall stop at nothing less than what our obligations to our people and our posterity are, because you do not lose but one modern war. And, how tragic it would be for us to err and say, "Well, it was too bad. We made a mistake. We were too little and too late." How often has that happened in our past? How tragically has it led to war? Every war in the history of America is primarily attributable to the weakness or indecision of this Nation.

Our great Speaker stated it so truly; it is weakness that promotes wars, not strength and firmness, or resolution. Let no one misunderstand what our policy is. In our space program we are not stopping with the periphery of the Earth, we are not stopping with the Moon, we are not stopping with Mars, we are not stopping in the infinite reaches of space so long as the interests of America are involved. Where American interests lie that shall be the perimeter of the reach of the power of the Congress and the country in our space operations.

So, Mr. Speaker, I ask your indulgence and that of my colleagues in making these observations and complimenting the historic progress made by this great House over which you, Mr. Speaker, have so ably presided this very week as we come to one of the last of our legislative days.

The measure, Mr. Speaker, to which I have the privilege of immediately addressing myself, House Resolution 358, is a rule that provides 3 hours of general debate by this House on the bill, H.R. 5401. This bill comes out of the

distinguished Committee on Interstate and Foreign Commerce. The bill has to do with transportation and the protection primarily of the precious transportation facilities and agencies of our country.

The details of the measure will be ably explained and presented to the House by the distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. HARRIS]. The Members of the House, I know, will be in concurrence with the committee in supporting this measure. I believe it merits the consideration of the House, and I hope the rule will be adopted.

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

Mr. Speaker, before I turn to the order of the day and take up the responsibility that has been placed upon me here this afternoon in bringing to the floor for consideration House Resolution 358, making in order a rule under which a bill from the Committee on Interstate and Foreign Commerce, H.R. 5401, is to be considered, I want to take this opportunity to congratulate my distinguished friend from Florida, whose able oratorical ability cannot be questioned, and whose words have been of much interest to all of us.

I do not want to take the time here today to point with pride or with alarm to that which has gone on in this chamber during the past few weeks and months. However, I think it could be stated in order that we keep the record straight that we have a record here, called the CONGRESSIONAL RECORD, in which the votes of every Member of the House are recorded. That RECORD shows that in almost every instance, without exception, this Congress and the House have stood united in world affairs and in the defense of this country, and in the preparation for our security at home and abroad.

I do not believe that patriotism knows any party lines. I am rather proud of the fact, let me say to the House, that the votes which have been cast in the last few days indicate that there has been strong support for a strong Nation from this side of the aisle, and we do not make any apologies to anyone for the record we have made. How different Members have voted stands in the sunlight of publicity.

You will find support comes solidly from this side of the House for that which the President is trying to do to preserve the peace of the world as the distinguished gentleman just mentioned a moment ago.

Each of us has our own responsibility. We may differ in our opinions as to whether a piece of legislation is good, bad, or indifferent, and whether we should or should not support it. I want to say to my distinguished friend from Florida that there has been some difference of opinion as to some of the legislation that has been enacted in the last few weeks and months by this House and by this Congress and there may be such a difference of opinion found throughout the country so far as that is concerned. That is a privilege and a right that we should protect at all times.

I do not want to be placed in a position where I have to agree to a particu-



lar piece of legislation that my judgment and my conscience tells me is not in the best interests of the people I represent and in the best interests of the Republic I have sworn to uphold in order to be a good Member of Congress. I believe that conscientious voting is our responsibility and I believe every Member of this House has met that responsibility as his own judgment and his own conscience has dictated.

I hope there will be no misunderstanding about it. Perhaps I have said too much. I do not believe you will find all the patriotism, all the love of country, all the sound judgment and all the ability wrapped up under one label—whether it be called Democratic or Republican. After all, we are all Americans first and we are all Members of this House of Representatives on an equal basis and when we cannot act as our judgment and conscience dictates, then it is time to close the doors of this Chamber and permit someone else to take over and do our thinking for us. If I have any complaint to make or any criticism to make of this great body of which I have been a Member for so many years, it is that perhaps at times we have permitted others to do our thinking for us. We should be doing our own thinking for ourselves.

Now, Mr. Chairman, I will turn to the subject at hand. This resolution makes in order the consideration of the bill, H.R. 5401. This is a very important bill from the Committee on Interstate and Foreign Commerce. It deals with amendments to the transportation code as it affects private transportation in the trucking industry.

The bill was reported unanimously by the Committee on Interstate and Foreign Commerce. There was some question raised by some people throughout the country and some interests—shippers and truckers, as to one or two provisions of the bill. Those problems were discussed in the Committee on Rules. They were discussed in other places. The chairman of this great committee, the gentleman from Arkansas [Mr. HARRIS] very wisely and very ably has prepared an amendment which has been agreed to by all the members of the committee, which some of us have seen, which seemingly answers any and all objections of anyone in the trucking industry or in any other portion of the transportation industry with but one minor exception that is not actually touched by this bill. The bill now fully meets their requirements.

There is no opposition that I know on this side either to the adoption of the rule or to the passage of the bill.

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

Mr. PEPPER. 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.

#### INTERSTATE COMMERCE ACT AMENDMENTS

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. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes.

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

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

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. 5401, with Mr. EVINS of Tennessee 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 1½ hours, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1½ hours. The Chair recognizes the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the instant bill, H.R. 5401 is the culmination of some years' consideration by the committee of problems in the surface transportation field and of various legislative proposals advanced for meeting them. These problems generally seem to stem from the basic fact that whereas over the years the Nation's demand for transportation service has steadily grown, since World War II the position of common carriers in our total national transportation system steadily has worsened.

In the first years after the war this fact was evident only in relative terms; that is, while all forms of transportation shared in the increased volume of traffic, common carriers did not participate proportionately in this increased total volume. In more recent years it appears that there has been an erosion even in absolute terms in their participation in the transportation of total traffic.

One factor leading to this erosion of traffic in the railroad and motor carrier fields has been the increase in illegal for-hire trucking; that is, the transportation of nonexempt commodities on a for-hire basis by persons not having authority to do so from the Interstate Commerce Commission or a State regulatory commission.

It was one of the considerations giving rise to the Transportation Act of 1958 in the 85th Congress. In that act the Congress dealt with difficulties in the common carrier field by virtue of certain illegal hauling of agricultural commodities and by reason of illegal transportation performed through "buy and sell" arrangements covering the commodities being transported.

It was at that time the Congress not only amended section 203(b) (6) to make specific identification of just what commodities might be transported under the "agricultural" exemption, but also amended section 203(c) to cover "pseudo-private carriage" or subterfuges to get around bona fide transportation by incorporating into law the doctrine enun-

ciated in a 1951 Supreme Court case; namely, a prohibition reading—

Nor shall any person engaged in any other business enterprise transport property by motor vehicle in interstate or foreign commerce for business purposes unless such transportation is within the scope, and in furtherance, of a primary business enterprise (other than transportation) of such persons.

In the 87th Congress, the subject was given extensive hearings in the Senate committee on such proposed legislation as S. 2560 and in the 88th Congress, our committee considered a number of facets of this problem and incorporated various approaches to its solution in the bill, H.R. 9903, that was reported by the committee just a little over a year ago. The bill, H.R. 5401 being considered here today, stems from these provisions in H.R. 9903.

That bill, H.R. 9903, was carefully worked out by the Committee on Interstate and Foreign Commerce. It was the first time in my years of experience in the Congress we had ever been able to get the major transportation industries together—the railroads, the truckers, the airlines, and a portion of, if not most of, the waterways. When we got to the Rules Committee, an issue developed affecting certain ports and port authorities. We had a question of the commodities clause. There was also a concern of the grain dealers all of which, in my judgment, was responsible for the Rules Committee not granting a rule in the 88th Congress.

Since I am referring to that bill which became the center of some controversy through the opposition to it arising from some quarters after the bill had been reported and during the time it was being considered by the Rules Committee, it may be well at this point briefly to indicate what portions of H.R. 9903 this bill does not cover.

#### HOW H.R. 5401 DIFFERS FROM H.R. 9903

H.R. 5401 does not take up the rate-making principles that were set forth in H.R. 9903 having to do with the transportation of agricultural commodities by all modes of transportation, and with the treatment of bulk commodities by water transportation. This subject which was treated of by the Presidential messages of both Presidents Kennedy and Johnson, is being given consideration by interested parties.

There was some further indication earlier this year that it was to be the subject of a further transportation message by the President. For these reasons the committee did not take up this subject at this time.

Another subject in H.R. 9903 which is not in H.R. 5401 is that of the repeal of the so-called commodities clause which is a prohibition that has been in the law since 1908 against carriers transporting commodities, other than timber, in which they have an ownership.

A third provision which was in H.R. 9903 but not in H.R. 5401 is that of a proposed new joint board comprising representatives of the Civil Aeronautics Board, the Federal Maritime Commission, and Interstate Commerce Commission, to treat of joint rates between carriers subject to jurisdiction of two or

more of these Commissions. This proposal recommended by the three Commissions was being reconsidered during the early part of this year and the revised proposal was received after the committee considered those matters embodied in H.R. 5401.

Now, it is important to see just what H.R. 5401 does do and speak of those other portions of H.R. 9903 that are carried forward in the bill we are taking up here today.

The committee has taken the work of State commissions all over the United States; the work of the National Association of Railroad and Utilities Commissioners, referred to as "NARUC"; the work of the Interstate Commerce Commission; the work of major transportation industries; such as the American Trucking Association, the freight forwarders, and various organizations; together with the work of the committee, and has endeavored to bring together in this bill a transportation bill which provides for enforcement proceedings to carry out the provisions of the Interstate Commerce Act, which has been developed over a long period of time.

Now that gives you a brief history of what we have. At the outset of this Congress the Transportation Association of America, which is an organization that is made up of panels from all the transportation segments in this country, recommended this bill, H.R. 5401. The Interstate Commerce Commission recommended to the Congress innumerable bills which had to do with the same subject matter. They are listed in the hearings and in the report. The committee held hearings on the subject, which are printed and available. All of these bills were the subject of hearings. So this matter has had long and careful study and consideration over the years for one purpose; namely, to do what we have tried to do throughout the years—to maintain a sound common carrier system in this Nation.

At the same time we want to make available adequate transportation to all of our people to try to do equity and justice to the various segments of our common carrier industry—the motor carriers, the water carriers, the railroad industry, the airlines, the contract carriers, the private carriers, the shippers, and the freight forwarders, and other organizations, in order to see that they were not encroached upon or penalized by the operation of one or the other. There are various sections and paragraphs of the Interstate Commerce Act, which is composed of four parts. To remind you of its makeup, part 1 has to do with the railroad industry; part 2 has to do with the motor carrier industry; part 3 has to do with water transportation; part 4 has to do with the freight forwarders. We have over many years developed this procedure of a common carrier system to serve the public but at the same time maintained private carriage and exempt carriage such as the farm products, and so forth, to serve the total needs of this country.

#### WHAT H.R. 5401 DOES

H.R. 5401 first provides some relief for common carriers for illegal and unfair

competition in the for-hire motor carrier field in two ways:

First, it provides for Federal-State cooperation in the motor carrier field through, section 1, agreements for the enforcement of State and Federal economic and safety laws and regulations and through, section 2, establishing standards for the registration within the several States of Federal certificates and permits, and

Secondly, it aids enforcement in the motor carrier field by extending, section 3, the civil forfeiture provisions of the act and increasing the amounts of maximum forfeiture, by assisting, section 4, the Commission to obtain service of process, and by permitting, section 5, any persons injured through certain violations of certain operating authority requirements of the act—applicable to freight forwarders as well—to apply directly to the courts for injunctive relief.

The bill, in addition, provides greater protection to the shipping public through providing a procedure enabling shippers to recover reparations from motor carriers, section 6 and freight forwarders, section 7.

Lastly, the bill H.R. 5401 encourages the development of water transportation upon inland waterways where no certificate may be in effect by providing, section 8, that any water carrier freely without a certificate can enter into the transportation of any goods over certain water routes, though its rates would be subject to regulation.

#### STATE-FEDERAL COOPERATION

Section 1 of H.R. 5401 would authorize the Interstate Commerce Commission to make cooperative agreements with the various States to enforce laws dealing with motor carrier operations, particularly illegal for-hire trucking operations.

The need for this legislation is evident when we recognize that such illegal operations may be carried out by any number of literally millions of trucks moving every day over the Nation's highways. Obviously, the small number of ICC highway enforcement officials—251 fieldmen in 1964—cannot do the enforcement job required in 50 States. These men must spend a considerable portion of their time handling administrative details dealing with more than 100,000 motor carriers that are subject to either the ICC's economic or safety regulations.

Therefore, if we are to expect any reasonable enforcement, we must lean heavily on State motor carrier enforcement officials, who are actually in a better position to take effective action against illegal operators because many of them have the power of arrest—a power not given to, nor being sought by, ICC highway enforcement officials.

Unfortunately, at present these State officials are unable to obtain helpful information from ICC motor carrier enforcement officials that would assist in apprehending and prosecuting illegal operators because of a provision in section 222(d) of the Interstate Commerce Act which prohibits any employee of the Commission divulging any information which has come to his knowledge during

the course of an inspection. The bill would correct this situation.

#### STATE REGISTRATION OF ICC CERTIFICATES

Section 2 of H.R. 5401 would specifically authorize the States to require ICC-regulated motor carriers to register their operating authorities, provided such registration is done in accordance with standards determined by the National Association of Railroad and Utilities Commissioners—NARUC—and promulgated by the ICC.

This section sets forth the specific items to be covered by such registration, and also provides for ICC determination of the standards if NARUC fails to act within 18 months from the date of enactment.

The purpose of such registration is to enable State enforcement officials to identify motor carriers hauling, on a for-hire basis, commodities subject to regulation—and thus take on-the-spot action against those who have not the authority to do so. This, in effect, means that we want to encourage the States in helping the ICC keep unlawful interstate motor carriers off the highways.

This provision, like section 1, would encourage greater participation by the States in curbing illegal for-hire trucking. A State official, if equipped with this registration information and backed up with the power of arrest, plus access to ICC supporting data for use in court, could be an extremely effective enforcement tool in this serious problem area.

Many States at present are already working hard in trying to stop unlawful motor carriage. A survey showed that, in 1963, 29 States reported prosecution of 18,231 cases involving motor carriers operating without proper authority. The fines, which generally were levied against the driver, averaged about \$68.

While 27 of the States reporting said they now require some form of registration of ICC motor carriers, there are no standards followed as proposed by this section. Passage of this legislation should result in more States requiring such registration, and in all of them standardizing their registering procedures.

#### INCREASE IN CIVIL PENALTIES

Section 3 of H.R. 5401 would permit the use of civil forfeiture procedures by the ICC in court cases involving economic violations by carriers claiming to be operating as lawful common, contract, or private motor carriers. At present, such cases have to be handled under criminal procedures, a more complicated method.

This provision would also apply a level of fines five times that now provided for under the civil forfeiture statute.

While much more needs to be done, the ICC is to be commended for its legal action against unlawful for-hire carriers. A tabulation of ICC cases handled in 1963 found that the Commission completed 432 court cases against illegal for-hire carriers, 379 of which were for operating without authority. The courts levied fines totaling nearly a half-million dollars, averaging \$1,277 for the 383 fines given.

These ICC cases show that violators are not just gypsy operators, since they



included 109 shippers, 352 unregulated carriers, 67 regulated carriers, and 50 individuals. In addition, the Commission's legal staff handled 27 cases that resulted in cease and desist orders against 58 carriers and 47 shippers. The relatively small number of cease and desist cases shows the time-consuming nature of processing a case through the Commission, and why direct court action is preferable.

With passage of this provision, it would be hoped that the number of such cases handled during each year would increase sharply, with a resulting decrease in illegal operations.

#### ENFORCEMENT PROCEEDINGS BY THE COMMISSION

Section 4 of H.R. 5401 would enable the Interstate Commerce Commission, in court cases involving illegal for-hire operations, to obtain service of process upon motor carriers or brokers and to join other necessary parties without regard to where the carrier or other party may be served. Present rules governing procedures in such proceedings limit the service of process to the territorial limits of the States in which the court sits.

The purpose of this proposal is to assure that neither the illegal operator nor the participating shipper avoids service of process, as is now possible, if located, or they remain, outside of the State where the legal action is being taken. This is very important, since the operations of such carriers often extend into many States.

Such legislation would also serve as a deterrent to shippers who might be considering unlawful operations, particularly large ones very jealous of their reputations with the general public, since they would be more susceptible to becoming a party in an illegal for-hire trucking court case.

It is obvious that without shippers' cooperation, illegal operations could not take place. Even with the limitations now placed on ICC court cases, many shippers are made parties to them. For example, in 1963, the courts found 109 shippers guilty of illegal for-hire operations, or aiding and abetting them, and the ICC issued cease and desist orders against 47 shippers for the same offenses.

#### ENFORCEMENT PROCEEDINGS BY INJURED PERSONS

Section 5 of H.R. 5401 would permit any person injured by an illegal for-hire operation, whether performed by a regulated or unregulated carrier, to seek direct injunctive relief in a Federal district court.

The ICC would be served with a copy of any such application for relief, and it could appear as of right in any such action.

To prevent harassing suits, the plaintiff would be required to post bond, and the party prevailing may, if the court so decides, recover both court costs and reasonable attorney's fees.

The passage of this section would greatly strengthen the enforcement powers available to stop illegal for-hire operations, since it would permit parties other than the ICC to take court action against outright violations. Yet at the same time it would provide reasonable safeguards against abuse of this privilege

and permit the ICC to participate in any cases that it believes necessary or desirable.

I think it may be well at this juncture to refer to some letters which some of the members have been receiving in opposition to this bill, particularly to section 3 and to section 5 which I just discussed, insofar as it relates to the committee action in striking a proviso that was contained in the bill as introduced.

Section 3 relates to the imposition of civil forfeitures by the Commission, and section 5 provides for a procedure where any person injured by another through a "clear and patent" violation of the Motor Carrier Act may seek an injunction in Federal court to halt the violation. Sometimes unscrupulous carriers violate the act by illegally carrying on for-hire operations under the guise of private carriage. Under the law today, the Interstate Commerce Commission has primary jurisdiction over determining whether an operation is valid private carriage and thus exempt from economic regulation.

When the Commission considers whether carriage is private it uses as a criterion whether the carriage is in furtherance of a primary business other than transportation. This language was written into the law in 1958 after extensive consideration by this committee and by the Congress.

The bill, H.R. 5401, in giving injured persons the right to sue for injunction in Federal court, provided that nothing in the paragraph should be interpreted or construed to deprive the Commission of its right to determine what constitutes private or for-hire carriage.

The Interstate Commerce Commission testified that the cautionary provision was unnecessary, it clearly has such right and the bill would not take it away.

The ICC points out that, under terms of the bill, when an injunction suit is filed a copy of the complaint would go to the Commission. If the Commission felt that the complaint did not indicate a "clear and patent" violation it could, as a matter of right, appear before the court as a party in the case and lend its expertise with the court deferring to the Commission.

So, the Commission reasons, its original jurisdiction is retained and the cautionary language is unnecessary.

The same language would have applied in instances where, under section 3 of the bill, a carrier is liable to civil forfeitures—fines—for Motor Carrier Act violations.

In these cases, ICC Chairman Charles A. Webb told the committee during hearings, the cautionary language is "surplusage" since the committee would be initiating the court action in forfeiture cases.

The Commission would not bring such an action unless it first exercised its primary jurisdiction and had decided that the violator had failed the primary business test.

The proviso that was contained in sections 3 and 5 was not in H.R. 9903, nor was it in the bill which the Interstate Commerce Commission sponsored, H.R.

9396. It was added to H.R. 5401 by those who had been considering this legislation in an attempt to remove some of the fears of certain private carriers and shipping interests. Spokesmen for these interests, however, testified at our hearings in complete opposition to this proviso unless it was further amended to suit them, and this amendment in turn was very strongly opposed by the Interstate Commerce Commission.

As the Commission stated in a letter to me:

If this suggested amendment were adopted, the purpose of section 5 would be largely nullified.

I think the Commission's position on this proposed amendment is of sufficient importance that it well should be included in the RECORD at this point:

#### INTERSTATE COMMERCE COMMISSION,

Washington, D.C., April 9, 1965.

HON. OREN HARRIS,  
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR CHAIRMAN HARRIS: In response to your letter of March 26, 1965, the Legislative Committee of the Commission submits the following comments on the testimony of witnesses for the Private Carrier Conference and the Private Truck Council concerning the primary jurisdiction and primary business provisions of sections 3 and 5 of H.R. 5401.

As indicated in my testimony of March 23, 1965, on H.R. 5401, the Commission believes that the "primary jurisdiction" clauses of sections 3 and 5 of the bill are unnecessary and, therefore, should be deleted. Witnesses for the Private Carrier Conference and the Private Truck Council apparently agree that the "primary jurisdiction" and "primary business" clauses would be ineffective and, therefore, they urge that the interpretation feared by the Commission be made explicit.

Specifically, the private carrier groups urge that the following language be added at the end of the provisos in sections 3 and 5 of H.R. 5401: "and the court shall not have jurisdiction to determine such validity in the absence of a previous determination by the Commission as to the particular operation, pursuant to section 204(c) of this part."

One of the procedural reforms adopted by the Commission several years ago was a delegation of authority to the Director of our Bureau of Inquiry and Compliance to institute, or to recommend to the Department of Justice, the institution of court proceedings involving violations of the Interstate Commerce Act and related acts. This delegation has worked extremely well. As a result of this delegation, members of the Commission are no longer required to act each year on hundreds of enforcement recommendations.

Our Bureau of Inquiry and Compliance has been instructed to refer to the Commission any substantial question involving an operation in dispute under the primary business test prior to the institution of a court proceeding. However, the amendments suggested by the private carrier groups would require that all primary business contentions, no matter how frivolous, be resolved by the Commission upon a formal record before any effective step to restrain such operations could be taken. This would severely handicap the Commission in its efforts to deal with illegal "buy and sell" schemes. Inevitably, the number of pending enforcement cases and the time required to dispose of them would increase.

Under existing law and under the provisions of H.R. 5401, as introduced, we would not institute court action, in the absence of prior determination by the Commission, in

any case involving a substantial question regarding the scope and applicability of the primary business test set forth in section 203(c) of the act. With respect to cases not made the subject of a previous determination by the Commission, the burden of proving that unlawful operations had been conducted would be on the Government. That burden could be met only by a preponderance of all the credible evidence.

The testimony presented on behalf of the Private Truck Council implies that the Commission is already required to determine in a formal hearing the validity of a challenged "buy and sell" operation before the matter is submitted to a court. Similar arguments have been advanced from time to time in court proceedings to avoid the imposition of judicial sanctions. To date all such contentions have been rejected. See, e.g., *Burnham v. United States*, 297 F.2d 523 (1961).

Another suggestion of the private carrier groups is that section 5 of H.R. 5401 be amended to provide, in lieu of optional appearance by the Commission in the actions authorized, that the "Commission shall be made a party in any such action." We recognize that some actions might be instituted by private parties which are ill advised, which involve operations under investigation by our field staff, or which are the subject of pending or prospective administrative proceedings before the Commission. We are satisfied that the present provisions of H.R. 5401 concerning notice to the Commission and its optional participation in court actions afford adequate protection to the Commission and to the defendants. However, compulsory participation by the Commission in a large number of private actions would disrupt the Commission's enforcement efforts by placing a severe strain upon our relatively small enforcement staff.

The Private Truck Council, on pages 4 and 5 of its statement, suggests as an alternative to its proposed amendment of section 5 of H.R. 5401, that the private party be required to file a complaint with the Commission and to request a stay from the court pending disposition of the complaint by the Commission. If this suggested amendment were adopted, the purpose of section 5 would be largely nullified. It is extremely doubtful that carriers would file a suit in court and post the necessary bond, knowing that the issues involved must first be determined by the Commission. If section 5 were amended as suggested, the self-help remedy intended to be authorized would be of little value and the Commission would be required to continue to handle a large number of complaints involving clear and patent violations of sections 203(c), 206 and 209 of the Interstate Commerce Act.

For the reasons set forth above, we are strongly opposed to the amendments suggested by the Private Truck Council and the Private Carrier Conference to sections 3 and 5 of H.R. 5401.

I trust that the above comments will be helpful. If you desire any additional information, please do not hesitate to let us know.

Respectfully submitted.

CHARLES A. WEBB,  
Chairman, Committee on Legislation.

What was proposed was that in every case instituted in the courts by an injured party, the Commission would have been named a party to the suit and the Commission itself would have had to reach a determination after a hearing of whether a violation had occurred, and the action in the court would have been stayed until such determination was made. Of course, it would have made fruitless the entire new procedure.

In addition to the fact that the Commission did not like the proviso as in-

troduced and the fact that the Private Carrier Conference and the Private Truck Council and certain shippers did not like the proviso as introduced without an amendment which would have nullified the purpose of the section, the committee also had presented to it a complaint that the proviso might be discriminatory unless it were enlarged to include other carriers.

Spokesmen for farming cooperatives contended that if the private carriers were enabled to secure some kind of reference in this bill applying to operations in the trucking industry under subsection 203(c), the bill should also be amended to give the same consideration to farm cooperatives and other farm groups under subsection 203(b).

In view of this effort to vitiate the purposes which were in mind in the consideration of this legislation and in view of the Commission's complete opposition to the proposal, the committee determined that the public interest best would be served by dropping the entire proviso. This it did in both sections 3 and 5 relating to civil forfeitures.

#### REPARATIONS

Sections 6 and 7 of the bill would amend parts II and IV of the Interstate Commerce Act, applicable to motor carriers and freight forwarders, respectively, so as to permit shippers to recover reparations up to 2 years after the cause of action therefor arises. "Reparations"—as defined for purposes of this legislation—are charges made for transportation in accordance with filed tariffs to the extent that the Interstate Commerce Commission subsequently finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial.

In effect, these sections would permit a court of competent jurisdiction to award reparations to persons injured through violations of the Interstate Commerce Act by motor carriers and freight forwarders subject thereto. This would be accomplished in accordance with established judicial reference procedures under which the injured party must first institute action in the courts and then the Commission would be called upon to aid the court by making necessary administrative determinations relating to the amount of reparations. This would restore a procedure formerly available to shippers which was set aside by the Supreme Court in 1959 by its decision in the *T.I.M.E.* case (359 U.S. 464) and would not affect in any way the right of shippers to recover damages for misrouting under the *Hewitt-Robins* doctrine—see *Hewitt-Robins Incorporated v. Eastern Freight-Ways, Inc.*, 371 U.S. 84 (1962).

#### REVOCATION OF CERTIFICATES AND PERMITS; FREE ENTRY IN WATERWAY TRANSPORTATION

One of the situations that has been of increasing concern to the committee during the hearings which have been conducted in recent years on a number of legislative measures has been that of the protection which the public is getting for its tremendous investment of millions and hundreds of millions of dollars in its inland waterways system in order to

provide a national transportation waterway network. The committee is concerned that the existing waterways should be used and also that the new waterways which are continuously being brought into being through the large projects going forward should also be fully utilized in the public interest.

At present, 268 water carrier certificates and permits issued by the Commission for Transportation on Existing Waterways are still in effect. Of this number, 84, or 31 percent, are not being used, 10 of which have been dormant since World War II, 20 years ago. The Commission testified that it "feels that the public interest is not served by allowing water carrier rights to remain in effect indefinitely."

It continued:

The mere existence of dormant rights under which operations can be lawfully reactivated at any time acts as a deterrent to the institution of new operations by other carriers and in some instances is a threat to the economic well-being of the transportation industry.

The bill would add a new section 312a to part III of the Interstate Commerce Act and a new subsection (h) to section 309 of part III.

Taken together, this new section and subsection would cancel out certificates where they are not used and would permit domestic water carriers to give common carrier service on those waterways where there is no certificated service by permitting water carriers to give such service without being required to go to the trouble of obtaining a certificate of public convenience and necessity. Where there is such certification, but the common carrier willfully fails to provide the contemplated service, his certificate could be revoked, and where such willful failure continues for 3 or more years, this section would require the Commission to revoke the certificate involved. It is the intention of the committee that the holder of a certificate should "use it or lose it." That is, he should provide the transportation or lose the right to do so.

The committee is aware, however, that once the carrier loses his certificate because of nonuse, the carrier may experience difficulty in having it restored. The record of the Commission in granting certificates is such that the committee is not optimistic about the Commission seeing to it that the waterways are fully utilized. Thus, on new or newly developed waterways or on other waterways where there is no certificate holder, the bill makes it possible for anyone to provide transportation service by water without the necessity of obtaining a certificate, although he would be subject to rate regulation.

The right of "free entry," without need to obtain a certificate, would obviously be meaningless if the Commission or others were able to thwart this right through a long-drawn-out rate proceeding. The committee therefore provides in this legislation that the Commission may not suspend any initial schedule filed by a common carrier performing transportation under this proposed subsection (h) for which the carrier never



has had rates on file with the Commission. Subsequently, of course, the Commission has the authority, as it has in all instances, upon complaint or upon its own initiative, to open up a proceeding for the determination of the reasonableness or nondiscriminatory character of the rates. It cannot, however, prevent a carrier from entering into the business through suspension of one carrier's initial rates.

#### PROPOSED FLOOR AMENDMENT

There is no opposition to this bill except in two parts. No. 1, the Private Carrier Organizations and the Traffic League had an amendment which they wanted and which in effect, from a technical standpoint, would have nullified the efforts to bring about the kind of enforcement that would be effective. They are groups representing certain segments of private carriers. Let me allay any fears anybody might have because of any wires that they have received and say that we do not interfere or change in any way the right of any industry or any private business activity to transport their own product. We do not in any way change the technical definition which is in the Interstate Commerce Act that covers what is commonly referred to as the primary business test. We do not in any way affect any of the exempt sections of the Interstate Commerce Act as they are applicable to the motor carrier industry in part II of the act, or the shippers organizations or associations or co-operatives that might have an exemption under part IV relating to freight forwarders' type of operation.

Notwithstanding what you may have heard I can assure you that there is no change whatsoever in the right of this group to do business on their own and for themselves legitimately, nor any change in the exemptions that have been provided in the various parts of the act affecting private carriers, or these shippers organizations to which I have referred.

Except for those two groups there is no opposition to this bill. As a matter of fact, everybody else supports it, including the American Trucking Associations, the railroad industry, the freight forwarding industry, and the Private Carriers Conference, with an amendment that I am going to offer later on, to reiterate that the primary business test is a responsibility of the Interstate Commerce Commission, which is charged with the responsibility of administering the act. I shall offer that amendment and explain why it is necessary, how it comes about, and why we are putting it in the bill, to make it abundantly clear that the Interstate Commerce Commission, who are the expert people in this field and therefore capable of determining these technical features of the operation of the Interstate Commerce Act, has authority to handle it.

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

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

Mr. WRIGHT. The gentleman's explanation is extremely reassuring on that point. Just for the sake of complete clarification I should like to ask the fol-

lowing question. It relates to private groups of merchants who band themselves together in shippers' associations, thereby availing themselves jointly, as small, independent merchants, of the larger bulk shipping areas that under other situations would not be possible for them because of the volume of business that they do.

Do I understand the gentleman from Arkansas correctly to state that there is nothing in this bill which would adversely affect their present operations?

Mr. HARRIS. This group to which the gentleman from Texas refers to is exempt from the operations and the provisions of the Interstate Commerce Act in section 402(c).

I will read the gentleman the language for the RECORD. This is a part of the act itself which appears on page 230 of the recently revised issue of the Interstate Commerce Act and section 402(c) is applicable to the operations of the group to which the gentleman refers and provides an exemption for them. I read:

The provisions of this part shall not be construed to apply (1) to the operations of a shipper or a group or association of shippers in consolidating and distributing freight for themselves or for the members thereof, on a nonprofit basis, for the purpose of securing the benefits of carload, truckload or other volume rates or (2) to the operations of a warehouseman or other shippers' agent in consolidating or distributing pool cars whose services and responsibilities to shippers in connection with such operations are confined to the terminal area in which such operations are practiced.

Therefore, such operations as this would continue to be exempt under the bill. It is not changed or touched.

Mr. WRIGHT. I thank the distinguished chairman for his explanation.

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

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

Mr. PELLY. Could I ask the distinguished gentleman as to whether or not his amendment would restore the primary business test under the primary jurisdiction of the Interstate Commerce Commission?

Mr. HARRIS. It would not restore it because it is still there, both under the bill and under the proposed amendment.

Mr. PELLY. It would preserve it?

Mr. HARRIS. It has not been touched. The amendment which I shall offer not only maintains the primary business test which is in the act today in section 203(c) of the Interstate Commerce Commission Act, but we broaden the reference here a little bit because we believed that if it should be applicable to shippers of which the gentleman speaks that it equally should be applicable to cooperatives and farm organizations, and others who are exempt.

So the amendment I shall offer will broaden it to include the other groups as well as those about which he speaks.

Mr. PELLY. Would the gentleman yield for one further question?

Mr. HARRIS. Indeed.

Mr. PELLY. I have a communication which states that sections 3 and 5 both eliminate the Interstate Commerce Commission's primary jurisdiction.

As I understand it, that is not actually so; is that correct?

Mr. HARRIS. The act—and if I may, I will discuss it right now—I was going to get into it a little bit later. Let me explain what would happen. If the gentleman will get a copy of the bill he will find a proviso in section 3 of the bill and a proviso in section 5, and look at the part of the bill that is stricken out and he will see that those provisos were contained in the original bill. The Interstate Commerce Commission took the position that this language was unnecessary, that they had the authority anyway and they were going to maintain it and carry out their responsibilities.

In the course of the consideration of the legislation the groups of private carriers to which reference was made as well as the shippers league were quite concerned about it and they wanted to put another proviso in which would get the matter in a state of confusion.

So the gentleman from Illinois [Mr. SPRINGER] offered an amendment to just strike out the whole proviso, saying that the Interstate Commerce Commission had the authority anyway, and the committee went along with that.

There seems to have been a great fear developed among some of the private truck operators, who want to continue to transport their own product unmolested. We expect them to do it, and they will do it. Among others, the Private Carrier Conference, a part of the American Trucking Associations, expressed this great fear. An amendment has been worked out which I will offer, and it is satisfactory to the gentleman from Illinois [Mr. SPRINGER] in view of the fact it was his proposal, that the original proviso be stricken out. The committee will offer this amendment to section 5, and that will take care of the entire matter. I intend to do that.

Mr. PELLY. I thank the gentleman for a very clear explanation.

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

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

Mr. WAGGONER. To further clarify the question asked by the gentleman from Texas [Mr. WRIGHT], with regard to associations entering into operations which were mutually beneficial, the thing, I believe, that needs clarifying is that where shippers are formed together in these different associations, is it imperative under the terms of this enforcement provision that they be legally authorized and banded together for this operation? Can it be just a voluntary and unlicensed operation?

Mr. HARRIS. They may do it either way. They may organize a legal corporation or they may jointly organize an association, or just agree among themselves. They can do it whichever way they want to do it.

Mr. WAGGONER. But under either circumstance they must have an interstate permit, or be licensed by some State?

Mr. HARRIS. Is the gentleman talking about shippers, now, or is he talking about the motor carriers?

Mr. WAGGONER. The shippers.

Mr. HARRIS. The shippers are expected under the provision I just read. That is where some misunderstanding occurred in connection with this, and where the problem comes from. We have an enforcement procedure proposed here where anyone who is doing business as they ought to under the law may continue to do so; but there is an enforcement process that if they are not doing legitimate business or there is some question—and some of these things are very fine as to their interpretation—and if somebody else is injured thereby, this provides he may go into court, file a proceeding, and enjoin him if it be a clear and patent illegal operation. But in so doing he has to file a copy with the Interstate Commerce Commission No. 1.

No. 2, he has to file a bond in order that if his action results in harm to the organization or people that he has attacked, he has to stand for it himself. He has to stand the costs and the expenses, and whatever results would be injurious to the other person in making the usual type of bond for the injunction.

If we stop right there, then perhaps some people might become alarmed about it, if they thought we were taking from the ICC the authority it has in the administration of the act in certain instances, and putting it in the courts. Because of that this amendment has been worked out which will be offered saying that since the ICC has the responsibility in it, the Commission may then assume the jurisdiction of it, and so notify the court. The court then will stay any proceedings pending the outcome of the matter before the Interstate Commerce Commission.

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

Mr. HARRIS. I yield to the gentleman.

Mr. GROSS. I would like to say to the gentleman the only objection I have had to this bill has been that dealing with section 5 and I am pleased to hear that the gentleman will offer an amendment to meet the objections that have come to me.

Mr. HARRIS. I thank the gentleman.

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

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

Mr. FRIEDEL. Mr. Chairman, when the bill H.R. 5041, was first introduced, the shippers association felt that they were not involved in any shape or form. But with section 417 they are very much concerned because they feel now that they can be harassed by the trucking association on any trivial thing and be taken into the Federal court where an injunction would be obtained.

Mr. HARRIS. The gentleman has brought to my attention the concern of his people. I had a conference with the gentleman and with two of his people—one of them a lawyer and the other, I assume, a businessman.

Mr. FRIEDEL. They were from the Baltimore Shippers & Receivers Association.

Mr. HARRIS. I explained to them and to the gentleman what the provi-

sions were and its operation. I read the provisions of the act that were applicable to them, and I assured them that I was going to offer this amendment. If this amendment is not adopted by this committee and by the House, then I will move to strike out the entire subsection (b). If we cannot straighten it out in this way, then I would be in favor of eliminating that entire subsection.

Furthermore, I assure the gentleman and his constituents as well as others who are interested in it that they will have an opportunity then to analyze this completely and fully before the committee in the other body where they are going to have hearings within the next few days and if they can find any bugs in it that need clarification, I myself will join in helping to straighten it out.

Mr. FRIEDEL. I thank the distinguished gentleman and as the gentleman has said, the group that we met with this morning were informed of that.

I would just like to ask two questions for the Record. One is: If section 417 is amended, will any person be permitted to seek a direct court injunction against a shippers association, such as Baltimore Shippers & Receivers Association, who claims an exemption under section 402 (c) of the Interstate Commerce Act?

Mr. HARRIS. No, the Commission has found it to be a legitimate operation and has so stated in its directive. So, therefore, there could not be any violation by that organization and this language says the jurisdiction could be extended to the court only where there is a clear and patent violation.

Mr. FRIEDEL. I thank the gentleman. My other question is this:

If section 417 is amended will any person be permitted to seek a direct court injunction against a shippers' association while a case against that association is pending before the Interstate Commerce Commission?

Mr. HARRIS. If the Interstate Commerce Commission has it before them, all they have to do is to notify the court and this provision requires the court to stay proceedings pending the outcome of the matter before the Interstate Commerce Commission.

Mr. FRIEDEL. I thank the good chairman very much and want to express my appreciation for his kindness to my constituents and the time that he gave us on this matter.

Mr. HARRIS. I want to thank the gentleman for his contribution and for his usual attention to these very highly technical and difficult problems that we try to work out here in the interest of all of the people who are involved with our great transportation system in this country. It is our duty as a Congress to look after the public interest and to see that we maintain a sound common carrier system. We have to have it. We are the only nation in the world that has it and all of our people have to have the benefit of transportation. At the same time we recognize a legitimate business operation and we want to be just as fervent in our efforts to see that they are protected and they do not suffer harassment from other people who are doing so mainly because of the competitive situation.

Mr. Chairman, I do not claim this is the answer to our overall transportation policies, but this is a continuing thing. We will never get to the point where we do not have more work and consideration to give to the transportation problems of this country because we are a great nation. We are expanding. Our demands and our needs are growing. Consequently, it behooves Congress to give attention constantly, to the overall transportation system, to meet the needs of all of our people and not merely to the needs of only a chosen few.

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

Mr. Chairman, for many years now, and particularly since 1962 the Committee on Interstate and Foreign Commerce has been considering bills dealing with surface transportation. We have heard many witnesses and looked at many versions of many bills dealing in omnibus fashion with the problems of regulation of rates on bulk and agricultural commodities, agricultural commodity exemptions, joint boards, reparations, and the commodity clause. Through it all there has persisted a series of proposals referred to as the "gray area" provisions. In all the smoke of battle which surrounded the many complex issues before us it was always understood that there was general approval of the gray area legislation.

Regulated trucking has been taking it on the chin for a long time now. More business has been steadily generated and they have been able to garner less and less of it. There have been many reasons why but the main reason seemed to be that a large proportion of the hauling was being done by carriers not entitled to it under the laws. In some ways this seems to be a contradiction in terms. If certain carriage is illegal, then enforce the law and stop it. This would be fair enough except that we had gradually devised a system which made it impossible to do so.

If the activity is clearly illegal but enforcement is difficult, then we should overhaul the enforcement machinery. Exactly. And that is what this legislation is designed to do.

As the law now stands just about everything possible stands in the way of adequate enforcement.

As long as Federal certificates could not be filed with the States it was difficult for State enforcement authorities to know when an operation was in violation of Federal rules or its certificate. The Federal establishment zealously guards its jurisdiction of operations within its purview. Under these circumstances State enforcement officers were not inclined to question anything likely to fall within Federal jurisdiction. This is understandable. As a result, however, all enforcement activities of Federal rules fell to the very small group of Federal personnel, despite the present size and the rapid growth of the trucking industry. The combined efforts of all enforcement agencies in the country could hardly hope to accomplish adequate enforcement. Many things in addition to this almost hostile attitude of State agencies add to the problem. If and when a case did come to the attention



of the Interstate Commerce Commission it was necessary for the Commission to institute court proceedings and appear as the complaining party. All in all, the odds were with the illegal trucking. It is exactly these situations which the present legislation would change.

The bill would allow a State to require the filing of ICC certificates. Once that is done and the Federal Government executes an agreement with State enforcement agencies, it will be possible for the State people to tell whether or not an operator is actually authorized by ICC and just what his certificate covers. Clear violations of law which have previously gone unnoticed will be readily recognized. Once this happens, it will be possible for the Commission to proceed against the violator by serving him wherever he may be found. Additionally, and perhaps more important, a party injured by clear and patent violations may exercise self-help by suing for an injunction.

While granting that such measures will help the legitimate trucking operation, each segment of the industry has had reservations about some provision or other. They are concerned about the possibility of the pendulum swinging too far. Overzealous enforcement and litigious competitors could harass innocent companies. For example, the household movers were concerned last year because H.R. 9903 did not provide standards for interpretation of ICC certificates. Household movers do not travel set routes as do some other carriers and they feel that there might be uneven and unfair interpretation of what their certificates allowed. This was corrected by the inclusion of language which will make certain that uniform standards will be created. Civil forfeitures and self-help measures are more apt to be used against carriers not holding ICC certificates. Private carriers need not have such certificates and the ICC has always made the determination where questions arose, using what is known as the "primary business test." Because of their concern about this point, the private carriers wanted certain language included in this bill. The committee, after considering the matter, determined that the language was at best surplusage. For this reason the language was eliminated from section 3 and section 5. It should be pointed out that the bill now provides for notice to the ICC and for the appearance of the Commission in the court case or alternatively for assumption of jurisdiction by ICC.

The language of the bill reconfirms the jurisdiction of the Commission to interpret permits and also its own rules. Further, jurisdiction is only conferred on the court for cases of "clear and patent" violation. It is my feeling that the language of the bill, as it stands, adequately protects the private carriers both before the ICC and the courts.

The bill treats with one other subject concerning surface transportation. It is not a matter of enforcement, but does provide a means for an injured shipper to retrieve money paid over and above a legal tariff. One cannot stop his business and delay deliveries while waiting for a

determination of the legality of a filed tariff. If it turns out he was gouged he should then be able to pursue those amounts wrongfully collected. Because of some peculiarities in the Interstate Commerce Commission Act and the interpretation by courts, this has not been possible if the transportation were accomplished by truck, but it was possible if the transportation was furnished by a railroad. This bill corrects the situation.

Over the last 2 years we have considered many of the problems of water transportation. Only two are dealt with here. In certain instances barge companies have requested certificates to service many river towns. Some of this was probably speculation on the growth of the community and the business it should generate. As time went on some of these communities did grow and did generate a fair amount of business, but not enough to prompt the certificate holder to render service. This seemed wrong. Especially would it seem wrong when other persons were willing and anxious to render such service. This bill provides for the revocation of unused certificates or portions of certificates.

There are also many places not mentioned in existing certificates which could be the source of business for a water carrier. To encourage the rendering of service to these points, the bill provides for what we call free entry. The owner of a barge or group of barges may see the opportunity to do business with several of these uncovered areas. He may do so without the formality of acquiring a certificate from ICC. He must, however, file his rates with ICC. Existing carriers take a dim view of all this. The best answer for them, however, would be to render service where it can be used, thereby making it unnecessary for additional carriers to come into being.

It could be said that the provisions of the bill before the House today touch only lightly the myriad problems of the transportation industry. I would agree with this. We have seen, however, the results of trying to bite off too much. It seems clear that transportation problems must be broken down, considered, and solved separately. Certainly we must try at the same time to keep our eye on the donut and to make sure that the individual pieces of legislation add to the whole fabric of national transportation policy. I feel that this bill meets this requirement and I recommend its passage.

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

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I join the gentleman at this point in the Record in stating that as a practical, factual situation I also believe it would have been a better bill without the amendment, if we had left it as the gentleman had it.

As the Interstate Commerce Commission said, the primary test was in the act. The authority of the Commission is maintained and it seems to me if it could have been agreed upon, it might have been a better procedure, overall, for our transportation program. I do

also appreciate the fears though of these groups who are involved with transportation problems. Just as was the gentleman, because of these fears, I was willing to go along at the present time with this procedure.

Mr. SPRINGER. I think the chairman of the committee has stated it correctly. There is no doubt under this amendment about the right of the Interstate Commerce Commission in these cases to intervene. I believe H.R. 5401 does do some things for the transportation industry that are good. There are some things that some of them have wanted for some time and I would say most of this bill has been enacted because it is in the public interest. We correct some inequities in the bill and for that reason I think it is good legislation and ought to pass.

Mr. HARSHA. Mr. Chairman, I rise in support of this amendment and urge its adoption. I know that many firms doing their own trucking and hauling are quite concerned about the deletion from the original version of provisions that give the Commission primary jurisdiction to determine the validity of any operation in dispute under the primary test.

Many concerns do a great deal of their own hauling and trucking of supplies throughout the Nation and although they are unregulated, they operate under the ICC jurisdiction and look to them for interpretation of their often highly technical rules and regulations and the enforcement thereof.

A primary jurisdiction of the Commission is to determine the validity of an operation in dispute under the primary business test; that is, is the private carrier hauling legally or illegally. The determination of this is often highly technical and should be judged by expert authorities in the field of transportation.

Under this bill without this amendment, the legislative doctrine under which they now operate as a private carrier—the primary business test—would be subjected to interpretations in the district courts without the benefit of ICC expertise in this highly technical field.

This amendment will retain the primary jurisdiction with the Commission and the private carriers will have the benefit of its experts in this field and a continuation of this policy will assure the private carriers of a continuation of the orderly process under which they now operate.

As the distinguished gentleman from Illinois [Mr. SPRINGER] knows, I discussed this amendment with him at great length yesterday and I want to take this opportunity to express my appreciation to him for his assistance to me in resolving this problem.

Again, I want to urge my colleagues to adopt this amendment.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 5401

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection*

(f) of section 205 of the Interstate Commerce Act (49 U.S.C. 305(f)) is amended by inserting after the second sentence thereof the following new sentence: "In addition, the Commission is authorized to make cooperative agreements with the various States to enforce the economic and safety laws and regulations of the various States and the United States concerning highway transportation."

Sec. 2. Subsection (b) of section 202 of the Interstate Commerce Act (49 U.S.C. 302(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following:

"(2) The requirement by a State that any motor carrier operating in interstate or foreign commerce within the borders of that State register its certificate of public convenience and necessity or permit issued by the Commission shall not constitute an undue burden on interstate commerce provided that such registration is accomplished in accordance with standards, or amendments thereto, determined and officially certified to the Commission by the national organization of the State commissions, as referred to in section 205(f) of this Act, and promulgated by the Commission. As so certified, such standards, or amendments thereto, shall be promulgated forthwith by the Commission and shall become effective five years from the date of such promulgation. As used in this paragraph, 'standards or amendments thereto' shall mean specification of forms and procedures required to evidence the lawfulness of interstate operations of a carrier within a State by (a) filing and maintaining current records of the certificates and permits issued by the Commission, (b) registering and identifying vehicles as operating under such certificates and permits, (c) filing and maintaining evidence of currently effective insurance or qualifications as a self-insurer under rules and regulations of the Commission, and (d) filing designations of local agents for service of process. Different standards may be determined and promulgated for each of the classes of carriers as differences in their operations may warrant. In determining or amending such standards, the national organization of the State commissions shall consult with the Commission and with representatives of motor carriers subject to State registration requirements. To the extent that any State requirements for registration of motor carrier certificates or permits issued by the Commission impose obligations which are in excess of the standards or amendments thereto promulgated under this paragraph, such excessive requirements shall, on the effective date of such standards, constitute an undue burden on interstate commerce. If the national organization of the State commissions fails to determine and certify to the Commission such standards within eighteen months from the effective date of the paragraph, or if that organization at any time determines to withdraw in their entirety standards previously determined or promulgated, it shall be the duty of the Commission, within one year thereafter, to devise and promulgate such standards, and to review from time to time the standards so established and make such amendments thereto as it may deem necessary, in accordance with the foregoing requirements of this paragraph. Nothing in this paragraph shall be construed to deprive the Commission, when there is a reasonable question of interpretation or construction, of its jurisdiction to interpret or construe certificates of public convenience and necessity, permits, or rules and regulations issued by the Commission, nor to authorize promulgation of standards in conflict with any rule or regulation of the Commission."

Sec. 3. Subsection (h) of section 222 of the Interstate Commerce Act (49 U.S.C. 322 (h)) is amended by striking out the words

"shall forfeit to the United States the sum of \$100 for each such offense, and, in case of a continuing violation, not to exceed \$50 for each additional day during which such failure or refusal shall continue" in the first sentence therein and by inserting in lieu thereof the following: "or who shall fail or refuse to comply with the provisions of section 203(c) or section 206(a)(1) or section 209(a)(1) shall forfeit to the United States not to exceed \$500 for each such offense, and, in case of a continuing violation not to exceed \$250 for each additional day during which such failure or refusal shall continue."

Sec. 4. Subsection (b) of section 222 of the Interstate Commerce Act (49 U.S.C. 322 (b)) is amended to read as follows:

"(b) If any motor carrier or broker operates in violation of any provision of this part (except as to the reasonableness of rates, fares, or charges and the discriminatory character thereof), or any lawful rule, regulation, requirement, or order promulgated by the Commission, or of any term or condition of any certificate or permit, the Commission or its duly authorized agent may apply for the enforcement thereof to the district court of the United States for any district where such motor carrier or broker operates. In any proceeding instituted under the provisions of this subsection, any person, or persons, acting in concert or participating with such carrier or broker in the commission of such violation may, without regard to his or their residence, be included, in addition to the motor carrier or broker, as a party, or parties, to the proceeding. The court shall have jurisdiction to enforce obedience to any such provision of this part, or of such rule, regulation, requirement, order, term, or condition by a writ of injunction or by other process, mandatory or otherwise, restraining such carrier or broker, his or its officers, agents, employees, and representatives, and such other person, or persons, acting in concert or participating with such carrier or broker, from further violation of such provision of this part, or of such rule, regulation, requirement, order, term, or condition and enjoining upon it or them obedience thereto. Process in such proceedings may be served upon such motor carrier, or broker, or upon such person, or persons, acting in concert or participating therewith in the commission of such violation, without regard to the territorial limits of the district or of the State in which the proceeding is instituted."

Sec. 5. (a) Subsection (b) of section 222 of the Interstate Commerce Act (49 U.S.C. 322(b)) (as amended by section 4 of this Act) is further amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following:

"(2) If any person operates in clear and patent violation of any provisions of section 203(c), 206, 209, or 211 of this part, or any rule, regulation, requirement, or order thereunder, any person injured thereby may apply to the district court of the United States for any district where such person so violating operates, for the enforcement of such section, or of such rule, regulation, requirement, or order. The court shall have jurisdiction to enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such person, his or its officers, agents, employees, and representatives from further violation of such section or of such rule, regulation, requirement, or order; and enjoining upon it or them obedience thereto. A copy of any application for relief filed pursuant to this paragraph shall be served upon the Commission and a certificate of such service shall appear in such application. The Commission may appear as of right in any such action. The party who or which prevails in any such action may, in the discretion of the court, recover reasonable attorney's fees to be fixed by the court, in addition to any

costs allowable under the Federal Rules of Civil Procedure, and the plaintiff instituting such action shall be required to give security, in such sum as the court deems proper, to protect the interests of the party or parties against whom any temporary restraining order, temporary injunction, or other process is issued should it later be proven unwarranted by the facts and circumstances. Nothing in this paragraph shall be construed to deprive the Commission of its jurisdiction to interpret or construe certificates of public convenience and necessity, permits, or rules and regulations issued by the Commission."

(b) Subsection (b) of section 417 of the Interstate Commerce Act (49 U.S.C. 1017(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

"(2) If any person operates in clear and patent violation of section 410 of this part, or any rule, regulation, requirement, or order thereunder, any person injured thereby may apply to the district court of the United States for any district where such person so violating operates, for the enforcement of such section, or of such rule, regulation, requirement, or order. The court shall have jurisdiction to enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such person, his or its officers, agents, employees, and representatives from further violation of such section or of such rule, regulation, requirement, or order; and enjoining upon it or them obedience thereto. A copy of any application for relief filed pursuant to this paragraph shall be served upon the Commission and a certificate of such service shall appear in such application. The Commission may appear as of right in any such action. The party who or which prevails in any such action may, in the discretion of the court, recover reasonable attorney's fees to be fixed by the court, in addition to any costs allowable under the Federal Rules of Civil Procedure, and the plaintiff instituting such action shall be required to give security, in such sum as the court deems proper, to protect the interests of the party or parties against whom any temporary restraining order, temporary injunction or other process is issued should it later be proven unwarranted by the facts and circumstances. Nothing in this paragraph shall be construed to deprive the Commission of its jurisdiction to interpret or construe permits or rules and regulations issued by the Commission."

Sec. 6. (a) Paragraph (2) of section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against common carriers by motor vehicle subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against common carriers by motor vehicle subject to this part within three years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

(b) Section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"(5) The term 'reparations' as used in this section means damages resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 216(e) of this



part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

Sec. 7. (a) Paragraph (2) of section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against freight forwarders subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against freight forwarders subject to this part within three years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the freight forwarder within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the freight forwarder to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

(b) Section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended by redesignating paragraphs (5), (6), and (7) as paragraph (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"(5) The term 'reparations' as used in this section means damages resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 406 of this part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

Sec. 8. (a) (1) Part III of the Interstate Commerce Act is amended by inserting immediately after section 312 the following new section:

#### "REVOCATION OF CERTIFICATES AND PERMITS"

"Sec. 312a. (1) Certificates and permits shall be effective from the date specified therein, and shall remain in effect until suspended or revoked as provided in this section.

"(2) Any certificate or permit issued under this part may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may, upon complaint, or on the Commission's own initiative, after reasonable notice and opportunity for hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to engage in, or to continue to engage in, the operation authorized by such certificate or permit.

"(3) The Commission shall, upon complaint or on its own initiative, after reasonable notice and opportunity for hearing, in any case of willful failure to engage in any operation authorized by any such certificate for a period of three or more years (whether occurring before or after the date of enactment of this section), revoke the part of such certificate authorizing such operation."

(2) The table of contents in section 301 of the Interstate Commerce Act, as amended (49 U.S.C. 901), is amended by inserting immediately after and below

"Sec. 312. Transfer of certificates and permits."

the following:

"Sec. 312a. Revocation of certificates and permits."

(b) Section 309 of the Interstate Commerce Act is further amended by adding at the end thereof the following:

"(h) No person shall be required to obtain a certificate under subsection (a) in order to perform transportation subject to the provisions of this part over any route or routes or between any ports with respect to which no such certificate is in effect, and on and after the effective date of this subsection no such certificates shall be issued to perform such transportation over any route or routes or between any ports with respect to which no such certificate is then in effect.

Any person performing such transportation under the provisions of this subsection shall be deemed to be a common carrier by water for the purposes of this part. The Commission may not suspend any initial schedule of rates filed by any person performing transportation under the provisions of this subsection for which such person has never had rates on file with the Commission."

Sec. 9. The amendments made by this Act shall take effect on the ninetieth day after the date of enactment of this Act.

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be inserted in the Record at this point.

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

There was no objection.

#### AMENDMENT OFFERED BY MR. HARRIS

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

The Clerk read as follows:

On page 15, line 19, strike out the quotation marks, and immediately after line 19 insert the following:

"(3) In any action brought under subsection (b) (2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

Mr. HARRIS. Mr. Chairman, this is the amendment I referred to a moment ago. Section 5, containing a new concept of "self-help," has created some apprehension in the motor carrier industry. Since the Commission will no longer be the sole avenue to obtain injunctions for violations, some motor carriers—particularly the private carriers—have been concerned that the courts will replace the expert body which we have created to pass upon transportation matters. In other words, these carriers worry that the Commission will no longer have the primary jurisdiction which it now exercises over technical questions of the validity of motor carrier operations.

Their fears, in the opinion of the committee, are unfounded. Language to make certain that this jurisdiction would remain in the hands of the Commission was included in H.R. 5401 as introduced. It was stricken from the bill which is before you largely because the ICC said that it was unnecessary. In effect the ICC's Chairman said "The bill cannot by indirection take away from us one of our most basic duties."

However, since the bill was reported out I understand that many members have been contacted by private carrier groups expressing "grave" concern over the elimination of this language.

Accordingly I have offered this amendment which will restore the intent of the stricken language.

This amendment simply says that if a private person seeks to enjoin a violation of the act (under the procedure set forth in section 5) the Commission may notify the district court that the same specific controversy is to be brought before the

Commission for settlement. If this happens then, under this amendment, the judge will stay the petition for injunction until the ICC has passed upon the issue.

I should like to make it abundantly clear that this procedure does not contemplate a proceeding by the Commission to determine if it will involve itself in a court proceeding. In other words, we do not intend that a person against whom an injunction is sought might petition the ICC to intervene in the court and thus tie up the court case. We firmly believe this new enforcement tool will be a good one. It should not be subverted by any practice which will avoid or delay prompt settlement of the issues.

This amendment is somewhat broader than the language originally in H.R. 5401. It would encompass any type of controversy which might arise under this new section 5 procedure. It certainly would include an issue which might involve the "primary business" test which has concerned the private carriers, and would include the question of exemptions which has concerned some of the farming and cooperative interests.

I am confident that adoption of this amendment will allay any fears which might continue to be entertained by a majority of the private carriers. In fact, I would like to state that I have been informed that this amendment has the support of the American Trucking Associations, Inc., and the Private Carrier Conference of the American Trucking Associations, and the National Industrial Traffic League, and the Transportation Association of America. The ICC believes the language of the amendment to be unnecessary but it interposes no objection to it.

I have here a wire from the managing director of the American Trucking Associations, Inc., which says:

WASHINGTON, D.C.,

May 5, 1965.

HON. OREN HARRIS,  
Washington, D.C.:

The American Trucking Associations, Inc., urges enactment of H.R. 5401, a bill containing amendments to the Interstate Commerce Act designed to strengthen enforcement of that act. We also support the proposed amendment which we understand will be offered by Chairman Harris for the committee.

W. A. BRESNAHAN,  
Managing Director, American Trucking Associations, Inc.

Likewise I have a wire received the day before yesterday, May 3, from the American Trucking Associations, Inc., in which it clarifies its position on the amendment to which I have referred, which I will include in the Record:

WASHINGTON, D.C.,

May 3, 1965.

HON. OREN HARRIS,  
Chairman, Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.:

The American Trucking Associations, Inc., representing the entire trucking industry, supports enactment of H.R. 5401. The bill will be of material assistance in our continuing effort to achieve adequate enforcement of the Interstate Commerce Act and thus improve our service to the public. The amendment, which we understand you will propose to section 5, is in keeping with the

intent of that section and is acceptable to ATA.

We understand this language will recognize the right of the ICC to notify a district court that it intends to consider a matter in controversy under this section and that the district court shall then stay its proceedings on this matter pending disposition of the ICC case.

W. A. BRESNAHAN,  
Managing Director, American Trucking  
Associations, Inc.

I have also a wire, Mr. Chairman, from W. E. Givens, president, Private Carrier Conference, Inc., American Trucking Associations, Inc., in which it says that with the amendment it is supporting the bill. I will include this in the RECORD with my remarks:

WASHINGTON, D.C.,  
May 5, 1965.

Chairman OREN HARRIS,  
House Interstate and Foreign Commerce  
Committee, U.S. House of Representatives,  
Washington, D.C.:

Section 5 of H.R. 5401, as reported by Commerce Committee, totally unacceptable to private carrier conference of ATA, but amendment of section 5 which would add new subsection (3) beginning on page 15, after line 19, would make it acceptable.

PCC composed of over 4,000 business concerns who are engaged in private carriage in United States. As representative of these concerns, PCC proposed to ICC, after committee report, that Commission have right to remove cases from Federal courts. ICC language designed to implement right in such new subsection (3) would read as follows:

"In any action brought under subsection (B) (2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter as a proceeding before the Commission, upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission." As section 5 now reads PCC understands: (1) only clear and patent violations could be heard in Federal courts against certificated, permitted, private and exempt carriers if violation is not clear and patent, Federal court cannot exercise original jurisdiction; (2) ICC can intervene as a matter of right in clear and patent cases and participate as a party before the Federal courts. As section 5 would read with amendatory language in a new subsection (3) to section 5, PCC further understands: (1) ICC in all cases filed in Federal court pursuant to section 5 would have the absolute right, to be exercised by the ICC in its own discretion, to remove cases from original jurisdiction of Federal court and to consider such cases as its own, making its own findings and conclusions. In the event of an exercise of such right the Federal courts would be required to stay any further action pending outcome of cases before ICC.

(2) Amendment would, therefore, give more protection to private car carriers by giving ICC additional power in any case involving the law as it applies to private carriers to demand that it pass on the case.

Request this telegram be read into the CONGRESSIONAL RECORD during floor debate on H.R. 5401.

W. E. GIVENS,  
President, Private Carrier Conference,  
Inc., American Trucking Association,  
Inc.

Also I have a wire and a letter from Mr. Harold Hammond, president of the Transportation Association of America in which he urges the adoption of this

amendment in order to allay the fears that we have referred to:

WASHINGTON, D.C.,  
May 6, 1965.

Hon. OREN HARRIS,  
Washington, D.C.:

The Transportation Association of America, a national policy organization composed of users, investors, and carriers of all modes, supports most provisions of H.R. 5401 and opposes none, and urges approval of committee-approved amendment to protect private carrier interests.

HAROLD F. HAMMOND,  
President, Transportation Association  
of America.

TRANSPORTATION ASSOCIATION  
OF AMERICA,  
Washington, D.C., May 4, 1965.

Hon. OREN HARRIS,  
Chairman, House Interstate and Foreign  
Commerce Committee, U.S. House of  
Representatives, Washington, D.C.

DEAR CHAIRMAN HARRIS: This is to confirm that the following telegram was sent to you today. It indicates TAA's views on the proposed amendment, as worked out by the ATA and ICC, to section 5 of H.R. 5401.

"While TAA continues to favor the 'primary business test' proviso included in H.R. 5401, as introduced, it supports the proposed amendment to subsection (b) (2) of section 5 of the committee-approved version of H.R. 5401 to permit the ICC to take jurisdiction over any case brought under this subsection, since we believe this would provide added protection for shippers engaged in private carriage."

Sincerely,  
HAROLD F. HAMMOND, President.

So we attempted in this way to make it abundantly clear that the ICC continues to have primary responsibility in the administration of the Interstate Commerce Act. It is only those clear and patent violations that could go into the courts, where they ought to be and where they will attempt to determine whether or not there is a violation. It is just that simple. That is the reason we are offering this kind of procedure.

I will agree with my distinguished colleague, a member of the committee from Texas [Mr. ROGERS], that it is rather unusual procedure to file proceedings in the court and then have an agency notify the court that they are interested in it and therefore we want it over here. But nevertheless that is the way it seems best for this program to be administered and that is the reason, I believe, under the circumstances it is the best approach to it.

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

Mr. HARRIS. I yield to the gentleman.

Mr. KORNEGAY. Mr. Chairman, I thank the gentleman for yielding to me. I have a few questions I would like to propound to the gentleman at this time.

No. 1. Does this amendment restore the proviso in section 3 and the proviso in section 5, which were originally in H.R. 5401, as introduced?

Mr. HARRIS. As I have already explained, section 3 provides for the Commission being able to obtain forfeitures for violations of the act. Since the Commission must have made a determination of a violation before it can seek

forfeitures, there is no need for any such additional proviso in section 3 beyond the authority of section 203(c) which is still in the law and will continue to be if this bill is enacted. In section 5, referring to enforcement proceedings by individuals, we are restoring, with a new paragraph here in a clearer and broader form than what was in section 5 as introduced, the proviso stricken out by Mr. SPRINGER's amendment. So the answer to the gentleman's question is "Yes."

Mr. KORNEGAY. No. 2. Since the proviso was not in the exact words of the original bill, does the amendment nevertheless make it mandatory that the ICC retain its primary jurisdiction as it relates to private carriers?

Mr. HARRIS. Under the Interstate Commerce Act, even with the amendments that we have here, it is a matter of fact that the ICC retains its primary jurisdiction. With reference to certain clear and patent violations, the ICC could give way to the courts.

Mr. KORNEGAY. No. 3. Does the amendment apply equally to section 3 as well as to section 5?

Mr. HARRIS. The answer is "Yes."

Mr. KORNEGAY. No. 4. Under the proposed amendment if a private carrier were the subject of Federal court action and it petitioned the ICC to assume its primary jurisdiction, is it mandatory that the ICC grant such petition?

Mr. HARRIS. It is not mandatory, but I want to clarify what I said in answer to the previous question. The language is not restored in both section 3 and section 5, but the intent and purpose are still in section 3 as well as in section 5—the primary business test, as an example, which is in the law itself and also is the responsibility of the Commission.

Mr. KORNEGAY. No. 5. How does the amendment differ as compared to the proviso or protective clause for the regulated carriers? To put it another way, is the private carrier protected equally as much as the regulated carrier?

Mr. HARRIS. My answer to that would be "Yes," and that is certainly our intention. We intend to try to bring better enforcement for the protection of the regulated carrier that is required to operate under the ICC Act. But at the same time we intend to protect the private carrier who is exempt from the act and we expect that his business may continue without change and interruption.

Mr. KORNEGAY. I want to thank the chairman very much for this fine explanation of the amendment and say that this certainly helps to write a fine legislative history with reference to the amendment and the bill.

Mr. HARRIS. I thank the gentleman from North Carolina for his help and the fine work which he has done with the committee in connection with this very important and somewhat highly technical legislation.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.



## AMENDMENT OFFERED BY MR. HARRIS

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

The Clerk read as follows:

Amendment offered by Mr. HARRIS: On page 17, line 2, strike out the quotation marks, and immediately after line 2 insert the following:

"(3) In any action brought under subsection (b)(2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

Mr. HARRIS. Mr. Chairman, this amendment is precisely the amendment that was just adopted which was applicable to part II of the act. This makes it applicable to part IV.

Mr. Chairman, Mr. Giles Morrow, in testifying for the freight forwarders and those who are required to operate under the act, stated:

If you are going to create this procedure and make it applicable to the motor carriers, then why not give us the same protection?

We do not want to interrupt or bother anyone who is exempt from the act from their legitimate business. We want to be required and we are required to comply with the act and, consequently, with reference to the overall enforcement, we think it should apply equally to both of us.

That is both parts. The committee did so, and it is for that reason that I offer the amendment, so that the same equality of treatment will apply here for the protection, if it be needed, for shippers associations, as would apply to private motor carriers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

The CHAIRMAN. The question is on the committee substitute, as amended.

The committee substitute as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. EVINS of Tennessee, 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. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes, pursuant to House Resolution 358, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was 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 bill was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD at the proper place on the bill H.R. 5401.

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

There was no objection.

## PERSONAL EXPLANATION

Mr. REDLIN. Mr. Speaker, on roll-call No. 92 I was absent from the floor because of urgent business affecting my district. Had I been present I would have voted "aye." I have repeatedly stated my support for President Johnson's handling of the difficult Vietnam situation.

## THE 17TH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. BINGHAM. 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. BINGHAM. Mr. Speaker, I rise to call the attention of the House to the fact that today is the 17th anniversary of the independence of the State of Israel.

We all have cause to celebrate this anniversary of the day when a shining new star was added to the firmament of nations.

I personally feel a strong sense of satisfaction at the enormous progress Israel has made in these 17 years. I had occasion to visit Israel in 1952, when the Government literally did not know from one day to the next how it was going to pay for the next shipment to arrive in the port of Haifa. I was there again last summer and was thrilled to see the inspiring progress that has been made in every field.

Two of Israel's primary problems, as I know from my conversation with Prime Minister Eshkol last summer, are national defense and water. So far as national defense is concerned, Israel has made gigantic and remarkably successful efforts on her own. I trust that our Government will stand ready to make available to Israel such military assistance as may be required so as at least to maintain equilibrium in the Middle East. So far as water is concerned, Israel is taking full advantage of the available sources of natural water. This includes her share of the Jordan waters, within the limits proposed by the late Eric Johnston in his plan, which was generally hailed as a fair and equitable proposal for the distribution of the Jordan waters. Nevertheless, the time is not far off when natural waters will not suffice to meet the needs of the State of Israel and when it will be imperative for her to draw upon

the limitless supply in the Mediterranean. Accordingly, I am glad that we are today cooperating with the State of Israel in a major effort to develop economical means to carry out this great task.

For the future, I look forward to the day when, pray God, there may be peace in the Middle East and Israel will be in a position to play a great role in contributing to the peaceful development of the entire area. Israel is already a bastion of democracy in the Middle East. She could be also a bastion of economic and social development for the many millions of people inhabiting that part of the world.

On this 17th anniversary, we can look back on the achievements of the past with satisfaction and look forward with confidence to an even brighter future for this state to which we have such close and rewarding ties.

## SEE AMERICA FIRST

Mr. GROSS. 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 Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, President Johnson has called upon Americans to see America first and stop tourism to Europe this summer in the interest of reducing the deficit in the international balance of payments. To that end I note on the news wire this morning the fact that several hundred cadets are not going to be able to take their usual travel cruise around the globe this summer by military transports in behalf of their training. But I also note in the morning paper that "Recreation Superintendent Milo F. Christiansen and National Parks Service Director T. Sutton Jett have left to attend a recreation conference in the Mediterranean principality of Monaco, long a favorite playground for Europe's millionaires."

Mr. Speaker, I would like to know who is doing what to whom and why in the matter of international travel?

## USE OF SEATO IN VIETNAM

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, I have spoken out long and often in this Chamber on the events in Vietnam. Yesterday, by an overwhelming majority from both sides of the aisle, the President received the endorsement of this body for his direction of American participation there. I went on record myself in support of the President. At the same time I called for continued exploration of any and all further possibilities for settling the Vietnam fighting.

Mr. Speaker, such a possibility exists today. I am talking about SEATO.

At the conclusion of the SEATO Council meeting yesterday in London, the members of that Organization, with the exception of France and Pakistan, strongly endorsed the efforts of the South Vietnamese to repel the invaders of their homeland.

SEATO was organized for this purpose. Article II reads:

In order more effectively to achieve the objectives of this treaty, the parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

#### Article IV states:

Each party recognizes that aggression by means of armed attack in the treaty area \* \* \* would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional process. If, in the opinion of any of the parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any party is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the parties shall consult immediately in order to agree on the measures which should be taken for the common defense \* \* \* it is understood that no action \* \* \* shall be taken except at the invitation or with the consent of the Government concerned.

What a golden opportunity.

Mr. Speaker, I do not believe that we Americans should carry this burden alone. What is needed is the assistance and participation of other southeast Asia nations who themselves face a future common threat from Communist expansionism. I think this body should go on record strongly in support of efforts to utilize SEATO in Vietnam.

SEATO could very well be the key to peace in southeast Asia.

#### WE ARE STILL IN THE RED

Mr. ABERNETHY. 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 Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the executive branch of the Government announced the other day that the deficit for fiscal 1965 would be \$1 billion less than the earlier projected \$6.3 billion. I am sure the entire Nation was gratified to receive the good news. However, I am equally sure that a good many thinking people were more concerned than gratified because of the remaining \$5.3 billion in the red.

Mr. David Lawrence, editor of U.S. News & World Report, has put in the May 10 edition of that highly respected publication an editorial entitled "Only \$30 Billion in the Red." Here Mr. Lawrence points out the folly of continued and increasing national debt. In the 5 fiscal years from July 1, 1960, the gross public debt will have increased by about \$30 bil-

lion and the annual interest on the debt, which cannot be put off but must be paid every year, is running more than \$11 billion.

It is not an easy thing to balance the national budget and it has not been done many times in recent years. It is easier to talk about it than it is to do it. Yet it can and must be done. Simple logic defies the indefinite continuation of deficit spending. Such is bound to produce economic chaos. No matter how difficult, we must summon the know-how and the self-discipline needed to balance the Federal budget and begin paying off the national debt.

Mr. Lawrence's editorial follows:

#### 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 the 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.

#### THE SHAME OF AMERICAN FARMING

Mr. COHELAN. 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. COHELAN. Mr. Speaker, in a powerful article on the problems and conditions confronting America's itinerant farmworkers, Mr. Truman Moore, writing in the May issue of the Atlantic Monthly, has examined the price we pay for agricultural prosperity.

Mr. Moore is no abstract writer. He spent 4 years traveling and working with migrant farmworkers—talking with growers, union officials, ministers, and social workers—and so his comments are based on the facts and not mere flights of fantasy.

We are today concerned with the roots of poverty; of what can be done to alleviate the wretched conditions which afflict fully one-fifth of our people.

But as Mr. Moore points out:

Until we see the connection between migrancy—the corpses piled on the roadway,



the children left to the darkness of ignorance and illiteracy, the despairing, destitute families groping for a way to live—and the bountiful supply of fruits and vegetables on every corner fruitstand or in every supermarket, no changes will come. Without this understanding, no war on poverty can hope to win more than a few skirmishes.

Mr. Speaker, I believe that our colleagues will find this to be persuasive commentary on one of the great social problems of our time, and I commend it to their thoughtful reading and consideration:

#### SLAVES FOR RENT—THE SHAME OF AMERICAN FARMING

(By Truman Moore)

Each year when the harvest begins, thousands of buses haul thousands of crews to fields across America as millions of migrant workers hit the road. They ride in flatbed trucks or old condemned school buses patched together for just one more season. They go by car: Hudson bombers with engines knocking, laying a smokescreen of oil; prewar Fords packed with bags, bundles, pots and pans, children crying. They go in pickups made into mobile tents—a home for the season. They ride the rods of the friendly Southern Pacific.

They come from farms in the Black Belt, from closed mines in the mountains of Kentucky and West Virginia, from wherever men are desperate for work. They come by whatever means they can find. These are the migrants—the gasoline gypsies, the rubber tramps—crossing and recrossing America, scouring the countryside in a land where the season never ends. There's always a harvest somewhere.

From Florida to Oregon the fruit tramp pursues the orchards. From Texas to Michigan the berry migrants work from field to field. Two million men, women, and children invade every State of the Union to pick fruit, to chop cotton, to scrape beans, to top onions, to bunch carrots, to pull corn, to fill their hampers with the richest harvest earth ever yielded to man.

The circus and the college house parties leave Florida after Easter. The first week of April, the major league clubs wind up their spring training and go home to play ball. The snowbirds start back to the cities of the North with their tans. And the migrants form crews and follow the sun. Sometimes a single bus will carry a crew; sometimes they pass in ragged convoys as the migrant battalions rumble out of Florida and up the eastern seaboard.

The invasion hits South Carolina in May, North Carolina and Virginia by June. By late summer they have passed through Pennsylvania into New Jersey and New York State. Some go into Delaware and Maryland, others to Long Island, and a few on to Maine. By October the upstate crops are in, and the migrant tide flows back to the southern tip of Florida.

The workers find little to do in November. It is after a lean Thanksgiving and a bleak Christmas that hands are needed again in the fields and groves of the winter gardens.

From Texas the pattern is much the same. This is the home base of the largest migrant group. The exodus begins in early spring. Storekeepers close down for the season as the little towns depopulate. Everyone who can bend and stoop starts for the great corporate farms of the North and the West. From the steaming valleys of Arizona and California to the great Pacific Northwest comes a string of harvests. There is no crop in the world that can't be grown on the Pacific coast, and relatively few that aren't. Where once was a vast desert wasteland, there are now the rich irrigated valleys, principally the Imperial and the San Joaquin. In steady sun and several inches of water,

crop after crop is produced with factorylike precision.

Into all these fields, through State after State, the migrants cut a footpath across America. But in spite of their mobility, the migrants are shut off in their own world. Migrant America is a network of side roads, of farm towns and labor camps and riverbanks, of fields and packing sheds. The famous cities are not New York, Boston, and San Francisco, but the capitals of the agricultural empire of the big growers: Homestead and Belle Glade in Florida; Stockton in California; Riverhead on Long Island; and Benton Harbor in Michigan. For the migrants, no roadside motel or tavern offers a neon welcome. The host community sees them not as a potential payroll but as a blight to the community's health and a threat to the relief rolls. Businessmen, dance bands, and tourists making their way across the country find many services and comforts at their disposal. The migrant can hope at most for good weather, a grassy bank, and a filling station that will permit him to use the rest room.

There is always blood on the harvest moon. No one knows how many luckless migrants have died on their way to gather the harvest. Only a few of the more spectacular crashes make their way to America's breakfast table by way of the local newspaper. A few years ago, a half-ton truck left Texas for the sugarbeet fields of Wyoming. In it were 54 migrant workers. As the truck neared the outskirts of Agate, Colo., the driver suddenly hit the brakes. The truck spun around and turned over twice, scattering workers across the highway. There was one death, a baby who died in a Denver hospital shortly after the accident. In October 1963, not 3 miles from the spot in Fayetteville, N.C., where a truckload of migrants died in 1957, a truck carrying 24 beanpickers turned over when a tire blew out, strewing its human cargo like a handful of oats. Fortunately no one was killed.

When the ICC was considering regulation of migrant transportation in 1957, a representative of the "Jolly" Green Giant Co. complained that restriction of travel between 8 p.m. and 6 a.m. was a hardship on the workers and the employers. "It has been our experience," said the company's man, "that these trucks can complete the trip from Texas to Wisconsin in from 50 to 60 hours with stops only for meals, gasoline, and general stretching."

A vegetable packer said that it was practically impossible to attach seats securely and still use the trucks to haul produce. He did not advance this as an argument against carrying workers in produce trucks, but against using seats. Many crew leaders use trucks because of the extra money they can make hauling the crops from the fields to the processors. Jon Misner, the director of migrant labor at Stokely-Van Camp in Indianapolis, said he knew crew leaders who made \$15,000 hauling vegetables—in an 8-week season.

#### THE CREWLEADER

Little Jim was a good crewleader. His bus, the beanpicker special, was a bit run down, and the tires were slick. But the driver was sober and careful. The camps that Little Jim found for his crew while they were on the road were not always what he had promised them, but he could hardly help that. He couldn't demand that the grower put the crew up in the Holiday Inn.

The crew went hungry before the crop came in, but Little Jim never told them he was going to feed them. If he lent them money to buy food before they got work, he charged them no more than the going rates, just as a bank would. And he had not been greedy about the money he took from their pay. A dime out of every dollar was his take. He stuck to it. And he

charged a couple of dollars for each job he got them, and there were no more than three or four a season. While they were on the road, he got them to "help on the gas." When he deducted for social security, he always turned it in, as he was supposed to. If there was a big shopping center near the camp, he'd stop on the way back from the field so that the crew could do their shopping there instead of in the little stores near the camps, which always overcharged.

His wife thought he was stupid to pass up any chance to make money. So he sold moonshine. There was a good profit in that. "I keep a little around because some of them—they won't work without it. If you don't have it for them, they'll go out and get it." He bought from a bootlegger for \$1 a quart and sold it in the fields at 50 cents a shot. A heavy drinker gets thirsty in the field. But Little Jim had to be careful not to give a bad drinker too much. He had one worker named Leroy Small, who was a mean drunk. He pulled out a homemade machete one afternoon and almost took a man's head off. After that Little Jim was more careful.

He was usually on the road with the crew 4 to 5 months a year. During that time, he was the crew's official representative. It is the crewleader, not the grower or the corporate farm, who is recognized as the employer. Whether or not a migrant ends the season money ahead or money behind often depends on his crewleader.

There are more than 8,000 crewleaders in the migrant streams. They come in all shades of reliability and honesty. Good or bad, the crewleaders perform a service that is invaluable to the grower. A grower in Maryland can make a simple agreement with a crewleader to supply a given number of migrants at a specified date and for a stipulated price. The farmer, theoretically, can rest assured that his labor problems will be taken care of. In practice, however, he can never rest easy until he sees the crew pull into camp. An unscrupulous crewleader can shift his crew to a higher paying farm at the last minute. The first farmer can easily lose his crop for lack of a harvest crew. Because both the migrants and the farmers depend on the crewleader, he is in a good position to take advantage of both. Hamilton Daniels was like that.

You had to admire Hamp. He was a thorough professional, with imagination and style. He usually honored his obligations to deliver the promised number of workers at the agreed price and time. Sometimes he came a little late though, because he would stop for a few small unscheduled jobs on the way. Born in New Orleans, a diplomat and a shrewd judge of character, Hamp had a quick intelligence far beyond what 5 years in school had given him. He knew how to get along with the white growers. He just played Uncle Tom.

Sometimes when the grower was around, Hamp would ride herd on the crew just to let the man know he was in charge. But the growers knew that. They depended on Hamp to bring the migrants in on time and get them out when the work was done. Neither Hamp nor the grower would profit by argument. His dealings with the growers were usually cordial; a balance of power existed that neither cared to test.

Hamp could make a flat price for harvesting and then cut the crew's pay as low as they'd stand for. On a flat-fee basis, Hamp's profit was the difference between what the grower paid him and what he paid the crew. Hamp didn't care for this because if the weather was too hot or it rained too much, he might even lose money.

If there was a good crop and a high market, the grower might agree to an hourly rate so the crew would take their time and not damage the crop. But the usual agreement was a piece rate. This fixed the cost for

Hamp and the grower. The rates were usually set up on a sliding scale. When the crop was good, the rates were lower, and as the fields thinned out, the rates went up. When the fields thinned out, the crew didn't want to work them because it was hard to make any money. So the grower would pay a bonus at the end of the harvest to all the workers who stayed on the job. But it really wasn't a bonus. He just withheld some of their money until the job was finished.

Whatever arrangement was made, the crew seldom knew the details. If the grower gave his camp rent free as part of the payment, Hamp might still charge the crew rent. He was careful never to cut into a man's pay directly, except to take out social security, which he never turned in to the Government.

His dealings with the migrant crew were complex. For one thing, he lived closely with them. His impression on them was important. If a crew leader looked too prosperous, the crew might think he was crooked. If he looked too poor, they might doubt he was a good crew leader. Hamp managed to look just right. He had a pair of brown pants and a red shirt that were ragged to the point of fascination. He was the raggedest man they'd ever seen. Close examination of this costume would have revealed patches sewn over whole cloth, but the effect was one of arresting poverty. To contrast with this, Hamp drove a Cadillac. His garments attested to his humility and his car to his success.

In picking a crew, Hamp seemed to work with little thought or design. Actually, he was very careful about whom he took on. He wouldn't take boys who looked as if they were trying to save money for college in the fall. They held too tight to their money, and most of them would leave the crew to go back to school before the season was over.

Hamp looked for the quirk, the twist: the reason this man or that woman wanted to work the crops. He preferred workers, either male or female, in the first stages of alcoholism. Some crew leaders wouldn't hire the drinkers, but Hamp knew better. You had to wait until a man was hooked. Then he didn't seem to know or care what you took out of his pay as long as he had enough to eat and drink. He might get mad, but he didn't leave. Of course, a hardened wino was worthless. He couldn't stand the pace. It isn't easy to bend over in the broiling sun all day.

Hamp kept a good supply of white mule and had places along the way where he could get it. There was good money in it. He also kept little white packets of dope. There was the real money. But sometimes it was hard to get. You really had to push it all the time to make it pay, and it was too bad if the Government men caught you with junk.

He kept his hands in the ordinary rackets, too. He got a 15-percent cut from the grocery store near the camp. If the storekeeper refused to pay a kickback, Hamp would take the crew to another store. The crew seldom had cash, so Hamp worked out a credit system with the storekeeper. The crew members were never shown an itemized bill; they just paid what Hamp said they owed. Hamp also had beer and cigarettes in his trailer at double the store prices. For a 50-cent bottle of wine, he charged \$1.45. None of the crew stocked up on these things because they never had the cash. With one thing and another, Hamp cleared about \$20,000 in a fair year.

On the west coast, the crew leader is called a labor contractor. (The term "crew leader" refers to the foreman.) Nick Peronni is a labor contractor in California. He has a fleet of buses and trucks that haul workers in and out of the San Joaquin Valley. He operates out of the "slave market," a big fenced-in lot that serves as a hiring hall, just up the street from the farm placement service in the skid-row section. Before a

man can work, he has to get a white card from the placement office. If he changes crews, he can't get another card. Even if the grower cheats him, he can't quit without losing his white card.

Most of the growers that Nick works for prefer to contract workers from elsewhere. Part of Nick's job is to keep too many of the local workers from getting on the crews. Nick does not travel with the crews. He loads the buses out of the slave market each day for these short hauls into the valley. He also handles the paper work. No one is sure how much Nick makes, but estimates run high. As he himself puts it, "If this thing blows up tomorrow, I'll go fishing. It'll be a long time before I get cold and hungry."

These men are representative of crew leaders. For the most part their lives are hard to trace. Some use colorful pseudonyms like Sugar Daddy, Cool Breeze, or Meatball. A few years ago, the New York Times reported that only half of the crew leaders coming into New York State gave addresses that could be located. Tax investigators in Oregon found that relatively few crew leaders had ever filed personal income taxes, and almost none had filed social security returns for the crew, even though all presumably deducted from their migrants' paychecks.

In 1964, Congress passed a crew-leader registration law designed to put dishonest crew leaders out of business. The crews have just started to move now. It remains to be seen what effect the new law will have.

#### THE TAR-PAPER CURTAIN

Across America there are tens of thousands of migrant camps. They are in the valleys and in the fields, on the edges of cities and towns. Some are half deserted. Some are behind barbed wire and even patrolled by armed guards. Migrant camps are within commuting distance of Times Square, under the vapor trails of Cape Kennedy, and surrounded by missile sites in the Southwest. They have names like Tin Top, Tin Town, Black Cat Row, Cardboard City, Mexico City, the Bottoms, Osceola (for whites), Okeechobee (for blacks), and Griffings Path.

Negroes from the Black Belt are dismayed by camps they find up north. Okies and Arkies who migrate today find camps much like those the Joads found in "The Grapes of Wrath." You can drive from New York to California and never see a migrant camp. You have to know where to look. To borrow a popular analogy, a tar-paper curtain separates the migrants from the rest of America.

Let us look at a typical migrant camp which we will call Shacktown. Shacktown is owned by a corporate farm, one of whose foremen is in charge of the camp. "But mostly," he says, "we just turn it over to the people to run for themselves." In other words, no one collects garbage or maintains the camp in any way. The camp is built on the grower's sprawling farm. It cannot be reached without trespassing, and several signs along the road remind the visitor of this fact. Even finding it is difficult. Local residents are suspicious of outsiders who are interested in migrant camps. Requests for directions are met with icy stares.

Shacktown was built about 15 years ago. No repairs to speak of have been made since then. Most of the screen doors are gone. The floors sag. The roofs leak. The Johnsons, a Shacktown family, have a 6-month-old baby and five older children. "When it rains," says Mr. Johnson, "it leaks on our bed and all over the room. At night when it rains, we have to stand up with the baby so he don't get wet and catch pneumonia."

All the rooms in Shacktown are the same size, 8 by 16 feet. When the Johnsons moved in, they found they needed much more space. They sawed through the wall, a single thickness of 1- by 6-inch pine, and made a door to the next cabin, which was not occupied. The exterior walls are unpainted and uninsulated. They keep out neither wind

nor rain, sight nor sound. Cracks between the boards are big enough to put your hand through. There is no privacy, and the Johnsons, like most Shacktown families, have learned to live without it. The windows are simple cutouts with a hatch propped open from the bottom. Some have a piece of clothlike screening tacked on.

The only touch of the 20th century in the Johnsons' cabin is a drop cord that hangs down from the ceiling. It burns a single light bulb, plays a small worn radio, and when it works, an ancient television set that Mr. Johnson bought for \$10, through which they get their only glimpse of urban, affluent America.

Although there are trees nearby, the camp is built on a barren, red-clay hill, backed by a blazing summer sun. There are four barrack-type frame buildings, divided into single rooms. Behind the barracks are two privies, both four-seaters. The door to the women's privy is missing, but the rank growth of weeds serves as a screen. There are no lights, and no one uses the toilets after dark. The Johnsons use a slop jar at night. It is kept in the kitchen and used for garbage, too.

There is virtually no hope of keeping out the flies that swarm around the privies. But one county health inspector found an unusual way of getting the growers interested in the problem. The inspector would drop by the grower's house just before lunch and ask to see the migrant camp. When they came to the privy, the inspector would throw a handful of flour over the seats, which invariably swarmed with flies. On the way back to the house, the inspector would manage to get invited to stay for lunch. At the table he would remark, "Well, I'm sure glad you asked us all to lunch." And there crawling around on the fried chicken would be a floured, white-backed privy fly.

During most of the season in Shacktown there will be several full- or part-time whores. The going price is \$3. Prostitution thrives behind open doors. Venereal diseases are sometimes epidemic. In a crew near Morehead City, N.C., 1 woman infected 10 men in the course of 3 days. Six out of eight crews working in the area had at least one syphilitic.

There are two hasps on the Johnsons' door in Shacktown. One is for the family to use. The other is for the grower. If the rent is not paid, the family will find when they return from the field that they have been locked out. Some growers provide cabins free. Some charge according to the number of able-bodied workers. Rents run from as low as \$10 a month to as high as \$50.

The Johnsons, like most Shacktown families, do their own cooking. But grocery shopping is not easy. There is a small cracker-barrel store near the camp, run by the grower, but the prices are a third higher than in town. "We got a 10-cent raise," says Mr. Johnson, "and everything in the store went up a quarter. He wants us to buy from him or move out. It don't seem right."

Cooking is done on a small, open-flame, unvented kerosene stove which serves as a heater in the cold weather. Fires and explosions are not uncommon. The cabins are not wired for electric heaters; natural gas is not available. Bottled gas requires a deposit and an installation fee. Asked if the tenants did not suffer from the cold nights, the camp manager replied, "Oh, heat's no problem. You would be surprised how hot it gets in one of them little cabins with so many people."

For most of the year the cabins are miserably hot. Refrigeration is nonexistent, and perishable foods seldom find their way to the migrant's table. The baby's milk sours quickly, and he is given warm Coke. Good water is always scarce in Shacktown. Between the long buildings there is a single



cold-water tap. The faucet leaks, and there is no drainage. A small pond has developed, and the faucet is reached by a footbridge made of boards propped on rocks. This is the only water in camp.

Just keeping clean is a struggle. Water must be carried in from the spigot, heated over the kerosene stove, and poured into the washtub. In the evening, the oldest children are sent out with buckets to stand in line for water. Sometimes when the line is too long, the Johnsons buy their water from a water dealer, who sells it by the bucket. "We get some of our water down the road about 5 miles," says Mrs. Johnson. "Sometimes I get so tired I would just like to go in and die. We have to boil the water and then take it to the tub to wash the cloths. We have to boil water for washing dishes. The last camp we was in had a shower, but you had to stand in line for it half a day, especially in the summer."

The problem of getting water is widespread in migrant camps. A Mexican national in California said his camp was without water for a week. "The contractor said the pump broke. There was a small rusty pipe that brought enough water for washing the hands and the face, but we could not wash our clothes, and we could not take a bath for a week. The inspector ordered the pump be fixed right away. Now the water from the baths is pumped out of a big hole, and it flows through a ditch between the bunkhouse and the tents. When it makes warm weather it smells very bad. To me it looks like the contractor is not afraid of the inspector."

When several children in a Swansboro, N.C., camp became ill, a young minister named Jack Mansfield had the water in the camp tested. It was found to be contaminated. He reported this to the county health office, but they said nothing could be done since the camp had been condemned long ago.

Shacktown is a typical migrant camp, but not all migrants live like the Johnsons. Some find better camps. Many will find no room at all, and unfortunate workers will live, as they say in Arkansas, "under the stars." Three hundred migrants were stranded in Nevada when the harvest was late. "For days they had barely enough food to keep alive," the Associated Press reported. "They camped—men, women and children—in the open, along ditch banks, without protection from winter rains and freezing night temperatures. They took their drinking water from irrigation ditches used by cattle. Many children were sick. And they had no work."

Migrant workers are often housed with the livestock. A Mexican worker in California described his camp this way: "We are installed in a barn which was used for the cows when we moved in. You have to slide the big door and go in and out the same as the cows. The cracks between the wall planks are about 8 or 10 centimeters wide. This makes very good ventilation for the cattle, but it allows the wind to pass over our bunks at night. It is strong and fresh cow smell. It is necessary to use much Flit, and the smell of this chemical also affronts us. The Americans are very inventive. Perhaps someday they will invent a flit with perfume. . . . The only person who comes to see us is the father, who hears confessions and says the Rosary. We are ashamed to have him come on account of the smell of the cows and the stink of the Flit."

As bad as conditions are in the camps where the migrants live, they are worse in the fields where they work. A Florida Health Department report noted that at times crews refused to harvest fields because of the human waste deposited there by an earlier crew.

Americans are probably the most dirt-conscious people in the world. We are a

bathroom-oriented society. Chains of restaurants, motels, and hotels across the country appeal to customers almost solely on the contention that their establishments are spotlessly clean. In such a society, it is not pleasant to imagine that beneath the cellophane wrapper lies a head of lettuce that has been urinated on. A storm of controversy erupted when a labor union showed a movie of fieldworkers urinating on a row of lettuce. Growers charged that the picture was posed by unionmen in old clothes. Perhaps it was, but it need not have been faked.

The fields of the modern factory farm are immense. And there are no bathrooms. A Catholic priest observed that "most consumers would gag on their salad if they saw these conditions, the lack of sanitary conditions, under which these products are grown and processed."

After a tour of leading farm States, Senator HARRISON WILLIAMS of New Jersey said: "In the fields . . . sanitation facilities are a rarity. Unlike other sectors of our commerce, agriculture generally does not provide migrant farmworkers with field sanitation facilities such as toilets, hand-washing facilities, and potable drinking water."

"We as consumers have good reason to be uneasy about this situation. Much of our soft food and other products are picked, and often field packed, by migratory farmworkers. If we object to filth anywhere, we certainly should object to it in any part of the process that brings the food from the fields to our tables."

One grower, a woman, docked the workers an hour's pay if they left the field to go to the bathroom. The woman stayed with the crew most of the day. The men had to relieve themselves in front of her. They found this humiliating but were unwilling to lose the wage.

Antonio Velez, a fieldworker in the San Joaquin Valley, said he was told by the grower to drive a pickup truck into the fields which carried two chemical toilets. The grower told him to drive fast so that the toilets would slosh around and be dirty, and no one would want to use them. He was afraid the workers would lose too much time going to the bathroom. The idea of providing fieldworkers with toilets and clean water strikes most growers as an unnecessary refinement. Consumers who realize that diseases such as amebic dysentery, polio, and infectious hepatitis (to name only a few) can be transmitted through human excreta may not be so convinced of the frivolity of field sanitation.

Dysentery is often considered a joke. It is called by a host of humorous euphemisms. The facts about dysentery are not funny. It kills 6,000 Americans a year, finding its heaviest toll among children less than 2 years old, many of whom are the children of migrant workers.

It will be argued that to supply fieldworkers with rest rooms would be prohibitively expensive. In 1955, as a result of newspaper articles and State investigations about the lack of bathrooms and hand-washing facilities, a group of Western lettuce growers started a voluntary program. A novel type of mobile toilet and hand-washing facility was developed and tried out in the lettuce fields and found to be successful. Forty of the units were built and put into the fields in the spring of 1956. None of the other growers picked up the idea; so when the pressure abated, the project was abandoned.

#### THE CHILDREN OF HARVEST

The man put down his hamper. "It sure looks like rain," he said. The skies were a bright crystal blue, with only a trace of clouds to the east. The crew kept working, but a few looked up and saw the three men coming down the row. One was the grower, who seldom came around. The other was

the crew leader. The third man was a stranger. He carried a brown leather case and a clipboard. The men just nodded as they passed.

Then went up and down the rows, the first two walking easily. The third man, the stranger, stumbled now and then—a city man used to flat sidewalks. They crossed the red-clay road and went into the south field. A woman looked up as they came past the stacks of empty crates. Before they were close enough to hear, she turned to the busy crew. "Sure looks like rain." Two small pickers dropped their boxes and darted through the vines and ran into the woods. Someone on the next row passed the word. "Sure looks like rain." Two more children ducked into the vines and ran.

The children hid beyond the road in a small clearing in a clump of scrub oaks. From here they could see the man leave. It was their favorite game. Hiding from the inspector was about the only thing that broke up the long hours in the field. In the camp they played hide and seek this way. When you were it you were the inspector. But it was more fun when there was a real inspector.

Luis at 12 was the oldest of the children. He had been to school off and on since he was 6, but he was only in the fourth grade. If he ever went back he would be in the fifth grade, because he was older and bigger now. But Luis didn't want to go back. He wanted to run away. He had been around the country a lot. Last year his family went to California and Oregon. One year they went to Arkansas. Once long ago—he was too young to remember when—his father took them to Florida for the winter citrus harvest. Luis was an ageless child. He had a way of taking a deep weary drag on a cigarette, and after a long while letting the smoke curve slowly out of his nostrils. His face was wrinkled, marked with a tiny network of fragile lines at the corners of his eyes and deeper lines across his forehead.

Still a child, he liked to play games. He enjoyed the gaiety at the Christmas feast. But at the end of the working day, he would stand stooped over slightly with his hands stuck flat into his back pockets. From behind he looked like a dwarf, a tiny old man whose bones had dried up and warped with age.

Billy was the youngest of the children. He was not quite 5 but old enough to do a little work. He didn't earn much, but it was better, his father said, than having him sit around the day-care center costing them 75 cents every single day. His mother kept the money he earned in a mason jar. When fall came, he'd get a pair of shoes if there was enough money. He could start school, if there was one nearby, in new shoes.

His brother lay beside him in the clearing. John was 10. In the years that separated Billy and John, a brother and sister had died, unnamed, a day after birth. John kept them alive in his imagination. There were few playmates in the camps and fields that he ever got to know.

"I got two brothers and a sister," he would say. "And they're all in heaven but Billy there."

He called his invisible brother Fred, which is what he wanted to be called instead of John. Faith was the name he gave his sister. He saw her as soft and gentle, wearing a dress with white frills, like a china doll. He played over in his mind a single drama with endless variations. Faith was hurt or being picked up by some bully. He would come to her side to help or defend her. Then he and Faith and Fred would sit beneath a tree, and they would praise him for his bravery, and he would say it was nothing. They would have something cold to drink and maybe some candy to eat. He retreated more and more into this pleasant world. His mother had noticed his blank gaze many

times and had heard him say "Faith." She thought he was going to be called to the ministry to be a gospel preacher or a faith healer.

Robert was almost as old as Luis. He had been on the season for 2 years. His father came from the sawmill one day and said, "They don't need me any more. They hired a machine." His father had tried to make a joke of it, but late at night Robert could hear his mother crying. He knew it wasn't a joke about the machine being hired. They sold their house and packed everything into the car. Robert left school, and now they lived in one camp after another. Sometimes they slept in the car.

The man with the clipboard left. The children came out of the bushes, picked up their boxes. They bent over in silence and began to pluck at the vines. These are the children of harvest. "The kids that don't count" they are sometimes called. "The here-today-gone-tomorrow kids."

Inspectors from the Department of Labor find children working illegally on 60 percent of the farms they inspect. And no one knows how many hide in the woods when it "looks like rain." No one really knows how many migrant children there are. Estimates run from 100,000 to 600,000. The most frequently used figure is 150,000. One survey in the olive groves of California showed that nearly three-fourths of the workers were children. An Oregon survey showed the importance of the child's labor to the family. There the average migrant worker earned \$32 a week during the weeks he worked. But his wife and children together earned \$48. In some crops women and children do more than half the harvest work.

The birth of the migrant child will most likely be in a migrant shack or, at best, in the emergency room of a county hospital. His nursery is the field and his toys the things that grow there. A few camps have day-care centers. There are 24 such registered centers in the United States, with a total capacity of less than 1,000 children.

The migrant child may never develop any idea of home. His family is never in any place long enough, and home to him is wherever he happens to be. He seldom sees a doctor. It is almost certain that he will have pinworms and diarrhea. Other common ailments untreated are contagious skin infections, acute febrile tonsillitis, asthma, iron deficiency anemia, and disabling physical handicaps. A poor diet condemns the child from the start. A report on a camp in Mathis, Tex., showed that 96 percent of the children had not drunk milk in 6 months. Their diet consisted mainly of cornmeal and rice. A doctor commenting on the report said there was evidence of ordinary starvation. The migrant child is prone to scurvy, rickets, and kwashiorkor—a severe protein deficiency. Some reports have put the incidence of dental abnormalities at 95 percent, and others said that bad teeth were universal.

Epidemics, like the one in the San Joaquin Valley a few years ago, take a heavy toll. Shigellosis, a form of dysentery, had been rampant in the valley for years. The infant mortality rate was extremely high. Within a short time, 28 babies died of dehydration and malnutrition. The migrant child is also prey to a host of diseases now rare in the non-migrant world: smallpox, diphtheria, and whooping cough. A medical survey in California showed that two-thirds of the children under 3 years of age were never immunized against diphtheria, whooping cough, lockjaw, or smallpox. Two-thirds of the children under 18 had not received polio shots.

There have been many brave attempts to provide migrant workers with medical service, usually on a shoestring budget and through the energy of a few determined people in a community. In the little farming towns around Morehead City, N.C., the Rev-

erend Jack Mansfield got together the first mobile medical clinic, a white trailer called the Rocking Horse, equipped with the rudiments of a doctor's office. The Rocking Horse—so named because it tilted back and forth when you walked around in it—was staffed by a group of local doctors who took turns going out to the migrant camps. The welfare department was persuaded to provide a social worker. The National Council of Churches provided a migrant minister.

By the light of a flickering kerosene lantern, the lines of workers waited to see the doctor. Some had unnamed miseries of the head and the chest, aches and pains that move up the back and seize the neck in a vise. Colds, bad teeth, rheumatism, and chronic headaches could only be treated by the same white pills.

It would take a full staff of psychologists to evaluate the psychic condition of the migrant children. But even in the absence of any thoroughgoing study, the symptoms of frustration, bitterness, and disorganization are easy to see. A daycare center was started in the basement of an Arkansas church for migrant children. One of the most successful parts of the center was a workshop run by a young man named Alec Johnson. The shop was set up in a corner room with small windows for ventilation at the top. It was cool and pleasant on the hottest days.

Alec had assembled the usual carpentry tools and some leatherworking tools. By the end of the season, when the migrants pulled out, he had learned several things about migrant children by watching them at play. Joey Smith was a blond blue-eyed boy from Kentucky. The family had been on the road for almost 10 years, which was most of Joey's life. He was two when the coal mine was closed and his father lost his job. When Joey first came to the shop, he was quiet; by the end of the second week, he was racing around the room banging the chairs with a hammer. Alec had to take the hammer away from him, and Joey sulked and refused to do anything.

Alec got Joey interested in making a leather billfold. "I got all the material together," said Alec, "and Joey started with a flurry of energy. But within an hour, he had put it aside and was toying with some pieces of lumber. I started him back on the billfold. Joey hit it a few whacks with the mallet and then looked around for something else to do. Joey wanted the billfold and had been excited about making it. But he didn't seem to be able to stay with it and finish. There were many of the kids who were like this. It seemed to be a characteristic. They start out with great enthusiasm, but as soon as they hit a snag, they toss whatever it is aside and go to something else. They haven't had any experience in building anything or in solving problems. They have no confidence in themselves." Teachers, doctors, and ministers have the most contact with the migrant children. They are, understandably, not optimistic about the future.

Children have worked on farms since the first farmer had a son, and it has always been considered part of the rural way of life. But there is a difference between the farmer's boy doing his chores and the migrant child topping onions and digging potatoes. The two are blurred together in the minds of people outside agriculture. The blurring gets help from such spokesmen as North Carolina's Congressman COOLEY, who enunciated the Blue Sky Doctrine: "There are no sweat shops on the farms of America," he said. "On the farms of our Nation, children labor with their parents out under the blue skies."

Under the blue skies of Idaho, a 12-year-old girl got her ponytail caught in a potato-digging machine. It ripped off her scalp, ears, eyelids, and cheeks. She died shortly afterward in a hospital. On a farm in California, a 10-year-old girl came back from

the fields exhausted from a day's work. She fell asleep on a pile of burlap bags as she waited for her parents. As other workers returned from the fields, they tossed the empty bags on the stack, and the little girl was soon covered up. A 2-ton truck backed across the pile and drove off. They did not find her body until the next day.

If children were mangled in steel mills, there would be a storm of public protest. But death and injury on the mechanized farms seem to pass unnoticed. Under the blue sky of the farm factory is no place for little children. Agriculture is one of the three most hazardous industries. In California alone, more than 500 agricultural workers under the age of 18 are seriously injured every year.

The migrants who follow the harvest are the only people in America who are desperate enough for this work to take it. Their children will be another generation of wanderers, lost to themselves and to the Nation.

#### FACTORIES IN THE FIELD

The family farm used to be the citadel of virtue in the American rural tradition. Life was made hard by the vagaries of the weather and complicated only by the bureaucrats in Washington, who always meddled with farming. In 1900, when the population of the United States was under 76 million, 40 percent of the people lived on the farm. Today, only 8 percent live on farms, and more leave every year.

Today, the important farms, as units of production, are more like factories. Great cultivators and harvesting machines lumber through endless fields. Gangs of workers bring in the harvest. One cannot ride past these giant farms after the harvest is over and the crew has left without an eerie feeling of being in a land without people. A verse from Isaiah rides the wind: "Woe to those who join house to house, who add field to field, until there is no more room, and you are made to dwell alone in the midst of the land."

The importance of making the distinction between the big farm and the little farm—between the homestead and the factory in the field—is essential to the story of migrant labor. To begin with, the family farmer and the migrant worker are in the same sinking boat. The family farm, while providing an income and a place to live, no longer contributes significantly to America's food production.

If the earth suddenly swallowed up a million and a half small family farms in America—nearly half the total number—food production would drop by only 5 percent. Half of our food is produced by only 9 percent of the farms. These highly mechanized, capitalized, and integrated companies use most of the seasonal labor. Only a relatively few big growers (5 percent of the total number) use more than \$2,000 worth of labor a year. The real giants—the top 3 percent—hire more than a third of all farm labor.

It is through the fields of the farm factories that the migrant stream flows. And these are the growers that have brought foreign farmworkers to America each year. The growth of corporation farming and its effect on the traditional family farm have been watched with concern for many years. In 1923 a North Carolina land commission issued a still-urgent report: "It is quite conceivable that under capitalistic or corporation farming, greater gains might be secured than under a system of small individual holdings."

"It is quite inconceivable, however, that the \* \* \* farmer would be as good or as efficient a citizen, that he would take as great pride in farming, that he would get as much contentment and happiness for himself and his family out of his home, or that he could develop as satisfactory a community for himself and neighbors as he could and would if he owned the house in which he



lives and the farm he cultivates. The problem, then, is that of life on the farm, the development of rural communities and the building of rural civilization with which, after all, we are most concerned. \* \* \* The late Governor Bickett said: 'the small farm owned by the man who tills it is the best plant bed in the world in which to grow a patriot.' Every consideration of progress and safety urges us to employ all wise and just measures to get our lands into the hands of many and forestall the most destructive of all monopolies—the monopoly of the soil."

The policy of the Federal Government has always more or less agreed with this. Nearly every administration has declared itself in favor of preserving the family farm. It is ironic that each, in turn, has brought it closer to extinction.

In 1963 the Government spent \$4.7 billion on surplus commodities. Most of the money went to prosperous commercial farms, with only pennies trickling down to the hard-pressed family farms. The Government-support price is often more than the production costs of the big commercial farms. This means they can produce without worrying about the market since "Uncle Sucker"—as some of the farmers say—will buy what they can't sell elsewhere.

In 1961 2 corporate cotton farms received Government subsidies of \$2 million each; 13 great farms each received \$649,753 on the average; and 332 farms received \$113,657 each. By contrast, 70 percent of the cotton farms were given an average of \$60.

The Government has subsidized the big operators in a more important way. Until this year the commercial farms have been allowed to draw on the pools of cheap labor from other countries, principally Mexico. The presence of hundreds of thousands of foreign workers has naturally disrupted the domestic labor market, resulting in low wages and poor working conditions. The family farmer, who hires little outside help, has to value his and his family's labor at no more than the commercial farmer pays for gang labor.

The exodus from the farm is proceeding at the rate of about 800,000 people a year, although cities and towns have as little immediate need for surplus rural population as the Nation does for surplus farm production. It has been seriously proposed many times that overproduction is caused by a surplus of farmers and that we should let the natural laws of competition weed out the less successful. This way, the problem of surplus production and surplus farmers would solve itself at no expense to the taxpayers. But, as we have already seen, most of the food is produced by a relatively few big farms. And, of course, when the small farmer finally gives up and goes to the city, his land is taken over eventually by another farmer and remains in production.

As a unit, the larger family farm is not without merit. According to a 1962 Government report, "Family farms (in this case those using 1.5 man-years of hired labor) are more efficient than large corporate-type farms \* \* \*. When the management of a farm is taken away from those who supply the labor, there is a loss of incentive, diligence, skill and prudent judgment which are necessary to maintain efficiency." The report said that the advantages of the corporate farm lay primarily in superior financing and control on the market.

No farmer, of course, whether big or small, can dominate the market. But the vertically integrated farm is its own market. The perishable harvest from the field goes to the farm's own processing and canning plants and is sold canned or frozen under less urgent conditions. (In 1962, however, the Government bought up \$1.3 million worth of California canned apricots.) The small farmer selling perishable produce is com-

pletely at the mercy of the market, or specifically, the buyer.

Today the position of the buyer is stronger than it has ever been. In 1958, supermarket buying agencies handled 60 percent of the food dollar. At the present time, it is said that chain buyers account for 90 percent of the food dollar.

There are about 3.7 million farms in the United States. What seems to be happening is this: The 312,000 first-class farms are big and getting bigger; the 1,755,000 middle-class farms are struggling, and to survive they need a more equitable marketing structure, some Government aid, and an orderly farm labor force; the third-class farms, of which there are 1,641,000, are marked for certain death if agriculture continues for much longer on its present path.

The farm of the classic rural tradition, the family farm, required little outside labor. A hired man or two were enough on the bigger farm for most of the year. And at planting or harvest, neighboring farm families joined together and did the work, going from farm to farm.

#### THE EXPLOITATION OF LABOR

The history of migrant labor is sketchy, but its dominant themes are quite clear. The rise of the corporate farm and the growth of the migrant labor force were twin developments. It is arguable which came first. Some say the industrialized farm developed because growers saw a chance to utilize a growing pool of unemployed labor. Others say that the development of the giant farm created a demand for gangs of itinerant labor, and the migrants came to fill the need. Whichever way it happened, the result has been that the corporate farm is, and always has been, dependent on cheap, migrant labor.

The migrant force of today still bears the marks of our history. Since early America was largely rural, farm interests dominated the Government. While manufacturers adjusted to the industrial revolution early, agriculture was able to win exemption from most of the social legislation passed since the turn of the century. Agriculture has grown from a society, or way of life, into a complex food industry without coming to terms with its labor force. Had the automobile industry been able to import cheap labor from underdeveloped countries, it is unlikely that the automobile union would have made much headway.

The commercial farm has never adjusted to the realities of modern labor conditions or wages. Furthermore, the modern commercial farmer holds on to the idea that he somehow has a God-given right to unlimited cheap labor. Never has he had to enter the labor market and make serious efforts to attract farm labor. If anything characterizes the history of the seasonal farmworker, it is this—fate, through famine or depression, war or revolution, has time and again delivered to the commercial grower an ample supply of cheap and docile labor.

The migrant drama caught the Nation's attention in the thirties. Great dust storms swept the plains and dimmed the sun as far away as the east coast. Long lines of tenant families, the gasoline gypsies, crossed the desert into California looking for work. The dust bowl refugees were only one set of characters in the migrant epic that began long before the Joads of "The Grapes of Wrath."

By 1934 the Anglo population in the labor camps reached 50 percent. As the bitter years of dust storms and depression set in, Okies and Arkies continued to stream into California in caravans of jalopies. It was ironic that after so many years of coolies and peons, American workers took over in a time of widespread unemployment. Hence wages and working conditions, bad as they were, got worse. For every job that was open, there was a hungry carload of migrants. Men fought in the field over a row of beans. For

the first time Western growers admitted there was a labor surplus. The Farm Security Administration reported that by 1938, 221,000 dust bowlers had entered California.

#### THE BRACEROS

With the coming of World War II, shipyards and aircraft industries drained off the surplus labor left by the draft board. Food demands climbed to wartime levels. Another source of cheap labor had to be found. The Government was induced to sanction the wetbacks. And in 1944 the United States spent nearly \$24 million to supply the growers with 62,170 braceros—Mexican farm laborers.

As the war progressed, prisoners of war were turned over to growers, along with convicts. Japanese-Americans, impounded in concentration camps, were released to the custody of the big growers. Armed guards patrolled the fields. When the war ended, the POW's went back to Italy and Germany, and the convicts went back to their cells.

The wetbacks remained, and their questionable legal position became more and more evident. Border patrols, on orders from Washington, looked the other way during the harvest season, and the wetbacks streamed in. The Federal Government not only condoned wetback traffic during the harvest season but actually encouraged it. The President's Commission studying the problems of migratory labor discovered this incredible situation:

"Wetbacks (who were apprehended) were given identification slips in the United States by the Immigration and Naturalization Service which entitled them, within a few minutes, to step back across the border and become contract workers. There was no other way to obtain the indispensable slip of paper except to be found illegally in the United States. Thus violators of law were rewarded by receiving legal contracts while the same opportunities were denied law-abiding citizens of Mexico. The United States, having engaged in a program giving preference in contracting to those who had broken the law, had encouraged violation of the immigration laws. Our Government thus has become a contributor to the growth of an illegal traffic which it has the responsibility to prevent."

In 1950 when the police action began in Korea, President Truman appointed a commission to study the problems of migrant labor. The pressure was building up for more cheap labor to meet the anticipated new demands for food. The McCarran-Walter Act (Public Law 414) had just been passed over the President's veto. This was a new Immigration and Naturalization Act, which permitted the temporary importation of foreign labor under contract for periods up to 3 years.

Following completion of the report of the President's commission, the 82d Congress, on July 12, 1951, passed Public Law 78. The commission had recommended a few months earlier that "no special measures be adopted to increase the number of alien contract workers beyond the number admitted in 1950." In that year 192,000 legal braceros (literally arm-men) came in under contract to work in the fields of the Southwest. Illegal wetback traffic began to decline, but by the end of the decade the number of braceros had risen far above the wartime emergency levels of either World War II or the Korean war. In 1959 there were 437,000 Mexican nationals scattered across the United States from Texas to Michigan.

Over the years growers have shown a decided preference for the foreign farm workers. The reasons are many. The foreigner many times does not speak English. He is uninformed about his rights and in a poor position to defend them if they are violated. He is willing to work for less and under poorer conditions. Imported farm workers are always single males. Housing and transportation are simpler. And when the farmer is

done with them, they can be shipped back where they came from. And if any of them make trouble, they can be shipped home a little early.

Shortage of workers amid mass unemployment; foreign workers in record numbers while American workers can't find jobs—these are long-standing contradictions in farm labor. Growers say they can't find workers. Workers say they can't find jobs. Part of the answer lies in the definition of the terms. A shortage of labor exists for many growers when they don't have more than twice the number of workers they can get by with. Extra hands keep the wages down and the union out. The workers' idea of the proper labor supply is when he can choose between jobs and take the one that pays the most.

The theory of the laws that enable growers to import labor was that both worker and grower could be served. In practice these laws crushed the worker and gave the grower an almost limitless supply of cheap labor. Obviously, when a worker refuses a job at 35 cents an hour (the prevailing wage for fieldworkers in Arkansas, for example), he only makes it possible for the grower to get Mexicans. Until very recently, Arkansas was the third largest user of braceros, employing about 40,000 annually.

An interesting example of the law in action was the shifting wages in the Imperial Valley. For many years domestic workers in the winter lettuce harvest were paid a piece rate of a penny a head for harvesting lettuce. This amounted to an hourly wage of from \$1.25 to \$2, good money for harvesting.

As growers began to use more braceros, the piece rate was finally dropped and the wage level in the valley fell. For several years prior to 1961, it was frozen at about 70 cents an hour. When President Kennedy signed the extension of Public Law 78 in 1961 (for 2 years), he instructed the Secretary of Labor to see to it that the program had no adverse effect on domestic labor. As a result, Imperial Valley growers who sought to use braceros were instructed to reinstate the old piece rate of a penny a head. (It can be noted in passing that if harvest wages were doubled, the labor cost would be only 2 cents a head.)

In anticipation of this change, growers had increased the hourly wage from 70 cents to \$1. But as soon as the Labor Department called for the old piece rate, 200 growers flew to Washington to protest. The Department backed down and agreed that the growers could pay either \$1 an hour or the piece rate of 24 cents a carton. The choice was to be left to the worker. That the growers were satisfied with the new arrangement indicated that they didn't intend the workers, most of whom were braceros, to have much say in the matter after all. And the nature of the choice—between \$1 an hour or \$2 an hour—indicated that the Department of Labor was either naive or cynical.

The mystery was cleared up when an accountant employed by an El Centro lettuce company announced that she had falsified the payroll records. What she had done, on the orders of the company owners, was to pad the hours reported by the labor crews. This lowered, on paper, the hourly wage. Thus the Labor Department was unaware of what the piece rate earnings actually were. Apparently the wage surveyors had asked the growers what they were paying. But no one bothered to ask the workers what they were earning. If it had been discovered that the piece rate was equal to \$2 an hour, then the bracero wage of \$1 would have had to be doubled. It would have been clear that the use of the Mexicans had definitely had an adverse effect on other wages in the valley.

The low wages in agriculture may seem to be of little importance to the rest of society. But "agriculture as a whole," according to the California Democratic Council,

"still remains our largest single industry. Depressed farm purchasing power contributes directly and significantly to fewer sales, fewer jobs, lower business profits, and a lower general level of national output and income than what the U.S. economy should be producing."

#### MEASURED IN PENNIES

The marketing of agriculture products needs a thorough investigation. In many cases neither the grower nor the worker is getting a fair shake. Tomatoes grown in McAllen, Tex., and sold in Denver, for instance, produced a net income to the grower of \$68.85 per acre. But the consumers paid \$9.660 for this acre of tomatoes. Only a small fraction of retail food prices reflect farm crop prices. And a much smaller fraction represents harvesting wages.

There is room here for fair profits to growers and honest wages to workers. What the harvesters need is the dignity of work done under conditions meant for farmworkers, not farm animals. The issues that are fought over are cabin space, hot water, and piece rates, but the real issues are basic human rights and fairplay. The migrant doesn't want charity or handouts. He wants a chance, a start, to build his strength and manage his own life.

The wages paid harvest labor constitute a tiny fraction of the retail cost of food. In many cases, an increase in wages as much as 100 percent would barely affect the retail price. The price to consumers of eliminating migrant poverty is measured in pennies.

Legislation designed to help migrant labor is urgently needed. In 1964 a number of bills were enacted which will help States improve migrant education, expand the restrictions on child labor, provide some new day-care centers for children, and help farmers provide field sanitation. Congress could, if it would, establish a minimum wage for migratory workers, improve the methods of recruiting, training, transporting, and distributing farmworkers, and extend the National Labor Relations Act to cover agriculture.

The ingrained poverty and underemployment that exist among the seasonal farmworkers will be difficult to eliminate. Our agricultural system has made harvest work shameful. It has made the welfare check often more honorable than harvest work. It has made pride and satisfaction impossible. No man goes into a field to harvest crops if there is any other choice open to him. The new laws passed in 1964 do not constitute a complete solution. But they would make a start.

#### NOTHING BUT DESPAIR

The Brent family is typical of many thousands of migrant families. They were forced off their land in Georgia. They blundered into the migrant stream when the owner combined it with five other "mule and nigger" farms. One afternoon a placard appeared in the window of the filling station-grocery store near their home. It offered "employment opportunities" in the harvest in Homestead, Fla. The family was desperate for work. They loaded their household goods into their 1940 Dodge and started for Homestead.

After a long, hot, and dusty trip, they stopped in Belle Glade, north of Homestead, where the harvest was underway. Once there, they found plenty of work, and the whole family went to the fields. In a month it was all over. They never got to Homestead. Work was finished there, too. They realized, too late, that they would have to go where the crops were. They sold their car and joined a crew headed for Pennsylvania. They had become migrants.

Crew leaders and roving busdrivers make recruiting drives into the South, and many workers enter the migrant stream this way. The promise of "a hundred dollars a week

and live in a hotel" sounds good. A favorite target of the recruiters is the debt-ridden tenant family. Cash earnings and a place to live are heady inducements.

Some families enter the stream to search for a better place to live. One member will go on the season to look around up North or out West. Still, many of them wind up in the rural slums that lie at the fringes of the suburbs across the land. There are, for example, many Negroes from North Carolina living in Riverhead, Long Island. They came with migrant crews first and later brought their families.

Settling is a slow and difficult process. A Long Island woman explained it this way: "A man comes alone with a crew and picks a place to settle down. Next season, he may come back with another of the men in the family. If they decide it's OK, he'll come next year with his wife. At the end of the season, they stay in Riverhead. No one wants to hire a migrant because they're supposed to be wild and unstable; no one will rent him a house for fear he'll tear it up. So the first place the family lives is a real chicken-house. If he finds a job, he can move his family out of the ex-migrant slum into a regular slum. After that, he's got it made. A lot of them don't, and they get stranded. Sometimes the husband has to leave so the wife can get welfare."

The valleys of California and Arizona and the suburbs of the Middle West are filled with the cabin slums of Mexican-Americans, Negroes, and poor whites trying to settle down. After a few years a migrant who cannot escape the stream is broken by it. The poverty, anxiety, homelessness, and isolation wear away his spirit. It is this apathy that is often called acceptance and makes people say, "They like things that way."

"We're always goin' someplace," said a sandy-haired Oklahoma migrant, "but we never git no place." In a tired, flat voice, an old woman in a Michigan field put it only a little differently: "I been ever' place, and I got no place."

A migrant minister in a Belle Glade camp asked a woman in his camp church if she was going on the season again. "I don't know. Ever' year I go up broke and I come back broke. I don't know why I go even."

A migrant in Arkansas sat on the steps of his one-room cabin. For an hour he had talked about where he had been, and the things he had done to keep his family alive. Suddenly it seemed as if the memory of the years crushed him. "I get sick of the world sometimes and ever'body in it. I don't know what's goin' to happen. Used to make a livin' pickin' cotton. Then they started bringin' in them Mexicans by the truckload. Now they're gettin' them machines every day."

Few urban Americans have any awareness of this vast impoverished army that tramps through their country to bring the crops in from the fields. It cannot be seen except as a broken-down car or bus here, a truck there, a ragged crew working somewhere off in a field.

But the harvest cycle yields its own fruits: ignorance, poverty, death, and despair. Until we see the connection between migrancy—the corpses piled up on the roadway, the children left to the darkness of ignorance and illiteracy, the despairing, destitute families groping for a way to live—and the bountiful supply of fruits and vegetables on every corner fruit stand or in every supermarket, no changes will come. Without this understanding, no war on poverty can hope to win more than a few skirmishes.

#### RABBI BERNSTEIN DISCUSSES AIPAC OBJECTIVES

Mr. HORTON. 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 New York?

There was no objection.

Mr. HORTON. Mr. Speaker, earlier this week it was my pleasure to attend a dinner sponsored by the American-Israel Public Affairs Committee. My distinguished constituent, Rabbi Philip S. Bernstein of B'rith Kodesh Congregation in Rochester, N.Y., is chairman of the committee.

Rabbi Bernstein addressed those attending the dinner and cited the committee's objectives and the reasons behind the support which the committee's members give these goals.

I am sure my colleagues will be interested in reading Rabbi Bernstein's remarks and having the benefit of his views on these issues of crucial importance to the United States and the free world.

It is with pleasure that I point to my long association with Rabbi Bernstein and publicly express my appreciation to him for the counsel he has given me on many of these matters. He has been of invaluable help to me in framing the various legislative measures I have introduced to help further the objectives of the American-Israel Public Affairs Committee, including U.S. condemnation of Soviet anti-Semitism, blocking any aid to the United Arab Republic which would perpetuate Nasser's persecution of Israel, and helping American businessmen overcome the intimidation of the Arab boycott.

Mr. Speaker, at this point, and on this 17th anniversary of Israel independence, I include Rabbi Bernstein's speech in the Record:

**SPEECH BY RABBI PHILIP S. BERNSTEIN**

By the vagaries of the Jewish religious calendar we are now in the midst of a terrible anniversary. It was in just this week 22 years ago that the inhabitants of the Warsaw ghetto were engaged in the last throes of their heroic resistance. The Nazi troops had set out to destroy every building in the ghetto and to slaughter every Jew. Although they knew it was hopeless the Jews decided to die fighting. When the smoke cleared only a handful had escaped, but they and the dead had written another epic in the history of human heroism and martyrdom as their oppressors had written another page, perhaps the worst page, in the black history of man's inhumanity to man.

When some 2 years later Europe was liberated it was revealed that 6 million Jews had been done to death by Hitler and his cohorts. The great Jewish communities of Europe were gone forever. The survivors were caught in displaced persons camps from which it seemed they could not escape. Only when Israel came into existence and the fate of Jews was in Jewish hands were the camps liquidated and life began anew in freedom and dignity. The largest surviving Jewish community in Europe still suffers disabilities and discrimination. We appreciate that 190 Members of the Senate and House have sponsored resolutions condemning Soviet anti-Semitism.

Jews have determined that what happened to our people in our lifetime shall never happen again. Herein lies the first major purpose of the American Israel Public Affairs Committee. There are various ways to help

Jews and to enable Israel to survive and be strong. The United Jewish Appeal is the primary instrument of resettlement. Bonds for Israel is building the new country's economy. Innumerable efforts are being made along religious, cultural, social, personal lines.

Our committee is concerned with the political activity necessary for the survival and the strengthening of Israel. This is entirely consistent with American democratic practice. It is also consistent with the mood of the American people and the known attitudes of its leaders which have been sympathetic to Israel even long before the state came into existence. Every President beginning with Woodrow Wilson, every Congress for nearly half a century expressed approval of the Zionist aspiration for the reestablishment for those who needed and wished it, of a Jewish homeland in Palestine.

Therefore the AIPAC has supported the U.S. program of economic aid to Israel as well as to other deserving countries. This aid which has been generously given has been of indispensable assistance to the new state struggling with almost overwhelming problems.

We have supported an arms balance in the Middle East. Unfortunately, Israel's Arab neighbors have proclaimed and reiterated innumerable times their determination to destroy Israel and to drive its Jewish inhabitants into the sea. The attacks last week on President Bourguiba and the Tunisian Embassy in Cairo make clear that there is no change in the official Arab position. There is obviously no readiness for peace. The dominant Arab leadership is animated by a blind, unreasoning hatred. Its intent is clear. Israel must be strong enough to deter aggression. A weak Israel would be an invitation to attack and to destroy. We who are committed to the survival of Israel, and I hope that encompasses everyone in this room, therefore must be concerned with the arms balance.

President Kennedy and subsequently President Johnson, in a joint communique with Prime Minister Eshkol, have made such a commitment. In our opinion the aid given for this purpose should be open and clear. The failure to arm Israel directly obscures the commitment.

It is then to win support for economic aid to Israel and for strength for Israel's survival that our committee holds as its first objective.

The second objective, inextricably bound up with the first, is the strengthening of United States-Israel relations in the interests of the free world. Israel is a democracy. It is committed to the West. It hopes some day to normalize relations with the Soviet Union and its allies, but by the deepest ties of conviction it belongs in the free world. It is bound with bonds of history and faith to American Jewry. It is dependent upon the aid of the U.S. Government and of U.S. Jews. Thus Israel has become the one dependable bastion of democracy in the Middle East.

That the United States cannot depend upon Nasser and his cohorts has become abundantly clear. The Egyptian ruler has sought to undermine the American position in North Africa and among the new African states. He has permitted the burning of the U.S. library. He has told us that we may jump into the sea. How can we possibly trust him? Israel has displayed unshakable loyalty to the West, and Israel has also displayed a readiness to defend its own sovereignty and the Western position in that part of the world. In our own interests we had better be certain that Israel has the tools to do the job.

These then are the two basic objectives of our committee. Each year this committee

holds a policy meeting in Washington to formulate and implement our position in relation to current realities. We are now at the conclusion of the 1965 conference. I will briefly restate our policy concerns for the coming year.

The first is deterrent strength, to which I have already referred. Israel should have the necessary military strength to deter aggression by the Arab states which are being armed by the Soviet Union. We recommend that our country arm Israel directly and openly. We believe this is the best way to prevent aggressive action.

Water: Israel's national water carrier is now in operation. This project is consistent with the Eric Johnston plan for regional water development which was proposed by the United States and designed to secure equitable distribution of water to all states in the region. Jordan has begun diverting the Yarmuk River away from Israel, and this too can be consistent with the Johnston plan.

Now the Arab nations have begun spiteful diversionary projects for the avowed purpose of depriving Israel of her fair share of the water. We urge our Government to make clear to the Arab states that unlawful water diversion projects are acts of aggression and will be so considered. World opinion should be mobilized to influence the Arab governments to accept regional cooperation so that the Near East may put waters to work instead of to waste.

Desalting: We applaud our Government's initiation of a joint beneficial United States-Israel water desalting project and trust that funds necessary to implement it will be made available.

Refugees: In past years we have urged that the Arab refugees be helped to settle in Arab lands and become productive citizens. The formation recently of a Palestine liberation organization which is recruiting and training refugees for combat against Israel is a threat to peace and a cruel disservice to the refugees. We call upon UNRWA to take strong measures to counteract war propaganda and war preparations among the refugees.

Boycott: We endorse S. 948, the Williams-Javits antiboycott bill to amend the Export Control Act of 1949, making it illegal for American businessmen to comply with demands for information and documents required by the Arab boycott. This bill gives businessmen long overdue protection against a boycott that is in restraint of trade and which violates American principles of unrestricted commerce with countries friendly to the United States.

Economic aid: Israel is progressing rapidly but is faced with the grave economic problems that flow from its absorption of vast numbers of refugees, its tremendous development plans, and its defense needs. Accordingly we urge continued economic aid to Israel, beleaguered by hostile Arab nations committed to destroying her.

We have always favored economic aid for the Arab peoples as well as for Israel. However we believe our Government must guard against the misuse of our assistance. The United Arab Republic which depends heavily on food shipments from the United States is systematically exacerbating tensions throughout the developing world. Egyptian arms have gone to the Congo rebels. Egyptian technicians will man Soviet missiles on Cyprus. Egyptian soldiers are still at war in Yemen. Egyptian subversion endangers the British position in Aden. Egyptian propaganda and policy incite Arab states to renewed attacks on Israel. Egyptian authorities permitted the John F. Kennedy Library in Cairo to be burned. President Nasser has belittled America's aid to Egypt. He has assisted Communist East Germany and other Communist nations to gain influence in the Near East and in Africa.

We therefore urge the administration to implement the 1963 congressional enactment which would ban aid to countries preparing for aggression.

President Johnson told Israel Premier Levi Eshkol in June 1964: "We are aware . . . of the problems of political adjustment that Israel faces with her neighbors. We know that you want to live in peace with those neighbors, and we believe it not only possible but imperative that these problems be peacefully resolved."

The American Israel Public Affairs Committee believes that there are Arab leaders who share President Johnson's view that peace is imperative. We believe that Arabs and Israelis must someday soon reverse the drift toward war and engage in peace negotiations that are direct and unconditional.

Our own Government, as the leader of the free world, can exercise moral leadership to create a climate of opinion in the Near East which will isolate and outlaw the warmongers, and which will hasten the day of disarmament, regional cooperation, and peace for all peoples of the area.

#### FOREIGN AID

Mr. SWEENEY. 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 Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, soon the attention of the House of Representatives will be directed toward the program of the Agency for International Development of the Department of State. I have been extremely interested in studying the broad accomplishments of this agency and the effect of its programs upon the national economy and, in particular, the people of the State of Ohio that I am honored to represent here in the Congress.

Foreign aid concerns places far away from our daily lives and yet, at the same time, it is very close to home.

Putting aside for a moment the usual preconceived ideas about "foreign aid," let us examine briefly certain key aspects of our Nation's overseas assistance program, particularly the economic aid operation administered by the Agency for International Development.

Since postwar recovery assistance to Europe and Japan ended more than 10 years ago, United States efforts have centered in the developing regions of Asia, Africa, and Latin America. It is a far different—and far more painstaking—type of overseas assistance because it involves building up something from little or nothing rather than helping restore already sophisticated economies. I like to think of it as America offering a guiding hand to those countries which are now going through many of the same trials our own country surmounted during its own amazing geographic and economic development over many decades. It is well to remember, too, that while our forefathers displayed the ingenuity and New World pioneer spirit leading to success, much of the capital and foundations which enhanced our achievements in those early years came similarly from other, already established countries.

Our aid program of the mid-1960's definitely is not the usually pictured, stereotyped version inherent in popular

concepts—or misconceptions—accumulated through the years. It has been a changing thing, harkening to the will of Congress and the people; so much so, in fact, that it is ironic that many people should persist in attacking it now just when it is really assuming those characteristics always widely wished upon it. It is realistic in size for what can hopefully be accomplished; it is concentrated in those countries which show a corresponding spirit of self-help and which are most vital to our own interests in blocking the spread of communism; it is embracing American private business and finance as a real working partner in the big development tasks remaining, and it has corrected those conditions which put it at conflict occasionally with our Nation's best economic interests—such as the balance of payments.

The telltale argument, of course, is that the program is working. A decade ago the Republic of China on the island of Taiwan was being written off as a likely prospect for long-term existence as an independent nation. Very successful development efforts have taken place since then, with strong and well-coordinated U.S. assistance. So successful has the program been, in fact, that right now the U.S. economic aid program in Taiwan is in the process of closing down in the next few months. This type of economic help no longer is needed. Programs were similarly closed out successfully in other lands, too, such as Lebanon and Greece. And it is nearing this stage presently in several other countries, we are assured by David Bell, Administrator of AID. But in still other instances the challenge remains large.

Despite the Nassers and Sukarnos—rather, far more important than them, for their outcries are fleeting—this is what our own Nation is deriving from a sensible aid program:

Mutual security at far less cost than deploying our own troops on the rims of the Communist bloc.

A "foot in the door" for American goods—often the first modern products introduced to new consumers in those countries.

Encouragement and assistance to private American investment in those fertile lands.

The healthy spread of the American way of doing things through the technical know-how and experience we share.

These are not the only direct benefits to us, however. Many Ohioans are realizing more and more that the foreign aid program actually begins for them at their factories, docks, offices, or schools. This pertains in part to the commodity procurement program of AID under which developing countries can buy needed materials and equipment. AID provides financing primarily through repayable loans, and these dollar credits usually can be used only for purchase of American-made goods. It means currently a billion dollars a year sales volume for American industry and commerce, representing more than 90 percent of all AID-financed commodity expenditures.

Ohio was second highest among all States in production of goods exported

under AID financing last year, according to a production source sampling of that Agency. The sampling shows that our State had at least \$27.3 million in AID program orders last year, part of a cumulative total of more than \$68 million for the State during the past 3 years and 2 months—since January 1962. Because this is only a partial sampling, the actual dollar value of Ohio business under this program probably is much greater.

A special listing which that Agency prepared for me illustrates how, in the last half of 1964 alone, 161 plants located in 55 different Ohio communities participated in this sizable segment of commerce.

These AID summaries are limited generally to industrial output from Ohio, including such major items as steel, industrial and construction machinery, rubber products, and automotive goods. It does not take into account the volume of agricultural products from Ohio farms sold or given overseas through aid programs such as the food-for-peace effort. On top of both of these fields add other AID program business generated for the State's economy in such areas as transportation of these products, related port operations, and indirect benefits to secondary suppliers and service firms.

Ohio's business and academic resources also occupy a prominent role in another phase of the AID program—providing technical and training services. Ohio contractors, including firms, institutions, and individual experts, hold \$12,312,720 in technical service contracts in support of the AID program throughout the developing world. Ohio is among the top 10 States in this field, too.

We might mention here that the AID program, contrary to views often heard, is not a significant factor in our Nation's balance-of-payments deficit. This is so because most of our aid does not go out to other countries as dollars but in the form of the goods and services we were discussing. Therefore, to carry out the extreme suggestion of eliminating all U.S. aid would reduce the overall gold outflow but little; instead, it would strike out this large segment of export business.

This present contract activity is only one side of the coin, however. After aid has given way during coming years to strictly commercial trade in those nations we are now helping, Ohio business and labor will share in the greater American trade which can be anticipated if the past is any indication. Consider how the American-produced goods initially introduced to a developing country through AID financing immediately become the "name brand" for later purchases. Also, the more highly developed a country becomes, the greater ability it has to buy. U.S. exports to Europe more than doubled during the last 10 years and American exports to Japan have more than tripled during the same time. This same trend is beginning to take shape in the developing regions, and they represent a potential market for American exports four times the size of our present major overseas customers in Western Europe.

But what about the potential competition for American industry from foreign economies built up with American assist-



ance? This might cause real concern if certain facts are not kept in mind. However, the AID program can and does screen assistance proposals to avoid aiding any foreign industry which would unduly compete with American industries, either in United States or regular export markets. This must be done in accordance with an amendment to the Foreign Assistance Act of 1961. For instance, every application for an AID loan is examined against a checklist to make sure no funds are provided for the construction or operation of a productive enterprise abroad if there appears to be a substantial likelihood its products will compete directly in America's markets. At the same time we must remember that, far from harming our future trade, other countries' own export capabilities are an integral part of the commerce our Nation desires, since others cannot possibly have the foreign exchange means to buy from us unless we also buy from them. Their dependence on export sales to generate funds for international trade—including any sizable share with U.S. business—may be readily recognized when considering that American foreign aid to them never accounts for more than a small fraction of a country's total financial resources. In other words, this flow of trade must go both ways. It ultimately enters the context of free enterprise—a condition to which American industry has always been more than equal.

Considering all these points on balance, the results of U.S. foreign aid's principal "exports"—American know-how and the means to develop in a free society—far outweigh the negligible risks involved, whether political or economic. To abandon the field in the developing nations to Communist encroachment could do more than foreclose future markets to us in the two-way direction of aid and trade; it could clear the way for the single direction of Communist intentions.

*Ohio production under AID financing, July 1-Dec. 31, 1964*

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

<b>Akron:</b>	
Adamson United Co.	\$371,036.44
Akron Chemical Co.	2,000.00
Akron Paint & Varnish Co.	3,045.80
Akron Standard Mold.	123,019.88
Alcon Tool Co.	1,116.00
Bellows-Valvair Co.	2,036.57
Cutler-Hammer	2,000.00
Firestone Tire & Rubber Co.	188,090.17
General Electric Supply Co.	2,000.00
General Tire & Rubber Co.	60,415.70
B. F. Goodrich Co.	58,024.45
Goodyear International Co.	5,752.46
Goodyear Tire & Rubber Co.	317,689.33
Hardware & Supply Co.	5,658.70
McNeil Machine Engr. Co.	403,994.79
Mohawk Rubber Co.	39,860.99
National Rubber Machinery Co.	155,032.83
R. J. Paulin Co.	450.00
B. W. Rogers Co.	3,736.97
W. J. Ruscoe Co.	11.20
A. Schrader & Sons	50,000.00
Seiberling Rubber Co.	88,968.00
Lloyd Simmons Co.	27,680.00
Westinghouse Electric Co.	4,100.00
Willmott Electric Co.	3,314.00
Avon Lake: B. F. Goodrich Co.	63,878.28
Barberton: Seiberling Rubber Co.	11,083.70

*Ohio production under AID financing, July 1-Dec. 31, 1964—Continued*

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

Bay Village: Clark H. Joy Co.	\$324.23
<b>Bedford:</b>	
General Motors Corp.	28.28
Ferro Corp.	11,271.00
Belpre: Shell Chemical Corp.	8,795.00
Bluffton: Triplett Co.	608.20
<b>Brookpark:</b>	
Goodyear International Corp.	18,808.33
Goodyear Tire & Rubber Co.	3,145.77
Bryan: Aro Corp.	15,151.68
Canfield: Carbonic Dispenser, Inc.	187.00
Canton: Timken Roller Bearing Co.	134,361.34
<b>Cincinnati:</b>	
American Laundry Machine Industries	9,460.00
Balcrank, Inc.	11,232.05
Cincinnati Electrical Tool Co.	430.00
Cincinnati Milling Co.	9,302.50
Cincinnati Milling Machine Co.	30,386.00
C. Allen Fulmer Co.	25,015.00
R. K. La Blond Machine Tool Co.	10,064.00
Lloyd Bros., Inc.	1,359.54
Matheson Coleman & Bell	2,700.00
The Cincinnati Shaper Co.	31,054.00
<b>Cleveland:</b>	
Addressograph Multigraph Corp.	10,113.86
Briggs Shock Absorber Co.	1,868.91
Carlisle Hammond Division	2,831.74
Chemical Rubber Co.	1,192.00
Cogan Machine Corp.	29,645.00
Darling & Co.	27,231.38
Eaton Manufacturing Co.	3,089.60
Firestone Tire & Rubber Co.	1,409.28
General Motors Corp.	15,792.84
Jones & Laughlin	164,366.33
Industrial Owens, Inc.	501,295.00
Ingersoll Rand Co.	1,140.00
Injection Molders Supply Co.	324.00
Lincoln Lubricating Systems	231.65
Martindale Electric Co.	280.00
Master Builders, Inc.	3,810.00
May-Fran Manufacturing Co.	24,312.00
Mibo Steel Corp.	36,927.00
Midwest Materials, Inc.	35,075.48
Murphey Phoenix Co.	531.16
National Acme Co.	104.80
National Telephone Supply Co.	3,647.00
The Ohio Crankshaft Co.	40,202.00
Preformed Line Products Co.	21,428.29
Republic Steel Corp.	10,338.25
Schweitzer Equipment Co.	2,915.40
Thompson Products Export Division	2,022.58
Thompson Ramo Wooldridge International, S.A.	6,500.00
Towmotor Corp.	64,831.00
Union Carbide Corp.	33,434.00
United States Steel Corp.	29,918.19
United States Steel (New York), Inc.	10,180.05
Upson-Walton Co.	21,824.75
Westinghouse Electric Corp.	11,301.60
Worthington Corp.	7,000.00
Producer not known	3,060.45
<b>Columbus:</b>	
Ebco Manufacturing Co.	4,774.88
Industrial Nucleonics Corp.	48,387.00
Jaeger Machine Co.	22,405.20
Leeds & Northrup Co.	347.40
Ranco, Inc.	559.70

*Ohio production under AID financing, July 1-Dec. 31, 1964—Continued*

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

<b>Cuyahoga Falls:</b>	
Campbell Machinery Co.	\$152.19
McCandless Corp.	1,140.00
<b>Dayton:</b>	
R. E. Conduit Co.	1,233.31
Chrysler Corp.	14,969.71
General Motors Corp.	63,085.66
Master International	5,856.47
Egbert: S. K. Wellman Co.	18,396.78
<b>Findlay:</b>	
Carwood Industries, Inc.	57,158.00
Cooper Tire & Rubber Co.	191,118.50
Giant Tire International	2,055.00
<b>Galion:</b>	
Eagle Crusher Co.	60,109.00
Galion Iron Works & Manufacturing Co.	411,582.60
Hudson: General Motors Corp.	50,056.00
Lima: Baldwin Lima Hamilton Corp.	682,650.00
<b>Lorain:</b>	
Ford Motor Co.	5,100.00
United States Steel Corp.	999,227.69
Louisville: Jones & Laughlin	10,500.00
Maple Heights: Lempco International, Inc.	5,232.49
Mogadore: General Tire & Rubber Co.	1,291.06
<b>Mansfield:</b>	
Bearings, Inc.	601.15
Convey-All Metal Products Corp.	1,911.00
Hartman Spring Co.	372.60
Ideal Electric Co.	66,570.00
Mansfield Electric Supply Co.	44.78
Mansfield Hardware & Supply Co.	354.87
Mansfield Tire & Rubber Co.	13,206.10
Phoenix Sales & Electric Co.	212.31
Tenny Tool & Supply Co.	298.02
Marietta: Cyanimid, International	1,590.23
<b>Marion:</b>	
Huber-Warco Co.	56,697.00
Marion Power Shovel Co.	12,605.29
<b>McDonald:</b>	
United States Steel (New York) Inc.	3,672.00
United States Steel Corp.	22,213.64
United States Steel Export Co.	15,386.17
<b>Middleton:</b>	
Armco International Corp.	37,555.31
The Black Clawson Co.	62,129.00
Minerva: Minerva Wax Paper Co.	2,035.00
Montpellier: General Motors Corp.	860.06
Mount Sterling: Robertson Fence Co.	6,063.15
Napoleon: Plummer Spray Equipment Co.	12,051.81
Newark: Westinghouse Electric	29,435.51
New Lexington: Lempco International, Inc.	5,232.50
Painesville: Coe Machinery Co.	7,840.00
Piqua: French Oil Mill Machinery Co.	228,954.26
Plymouth: The Fate-Root Heath Co.	50,268.75
Ravenna: The Stay Warm Electric Co.	6,719.00
Reading: Carlisle Chemical Co.	756.87
<b>Salem:</b>	
Deming Division, Crane Co.	4,458.00
<b>Sandusky:</b>	
Farrell Check Steel Co.	879.20
General Motors Corp.	6,253.36

## Ohio production under AID financing, July 1-Dec. 31, 1964—Continued

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

Sidney:  
General Motors Corp.----- \$823.80  
Westinghouse Air Brake Co.----- 11,537.05  
Springfield: International  
Harvester Co.----- 1,122,243.84  
Steubenville: Weirton Steel  
Co.----- 68,581.80  
Tiffin: Sterling Grinding  
Wheel Co.----- 1,064.32  
Toledo:  
Champion Spark Plug Co.----- 30,540.62  
General Motors Corp.----- 123.26  
Goodyear International  
Corp.----- 6,587.22  
Equitable Equipment Co.----- 5,400.00  
Helb, Inc.----- 6,850.00  
Hobart Bros.----- 42,803.24  
Kaiser Jeep Corp.----- 465,117.58  
Prestolite Division of  
Electra Corp.----- 7,117.75

## Ohio production under AID financing, July 1-Dec. 31, 1964—Continued

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

Toledo—Continued  
Surface Combustion Divi-  
sion of Midland Ross  
Corp.----- \$77,821.00  
The DeVilbiss Co.----- 11,138.72  
Toledo Scale Company.----- 1,790.05  
Willys Overland Export  
Corp.----- 7,547.60  
Warren:  
Ajax Magnethermic Corp.----- 154,573.74  
Denman Rubber Manu-  
facturing Co.----- 10,500.00  
Halsery W. Taylor Co.----- 1,303.00  
Van Huffel Tube Co.----- 10,500.00  
Producer not known----- 2,633.45  
Wickliffe:  
Bailey Meter Co.----- 27,301.00  
Cleveland Tramrail----- 3,748.00  
The Oster Manufacturing  
Co.----- 575.00

## Ohio production under AID financing, July 1-Dec. 31, 1964—Continued

[Partial; orders reported under letters of credit, denoting plant or supplier and its dollar total]

Wooster: Wooster Co.----- \$30,251.00  
Yorkville: Wheeling Steel  
Corp.----- 31,339.68  
Youngstown:  
Jones & Laughlin----- 4,662.71  
Roll Formed Products Co.----- 9,713.00  
United States Steel Corp.----- 1,868,212.15  
Youngstown Sheet & Tube  
Co.----- 596,626.48  
Canton, Bucyrus, Columbus,  
and New Philadelphia:  
Timken Roller Bearing Co.----- 82,653.91  
Producer not known:  
Brookpark and Toledo----- 2,445.48  
Cleveland and Warren----- 58,485.31  
City not known:  
General Tire & Rubber Co.----- 10.19  
Sharples Chemical----- 1,647.60  
R. T. Vanderbilt Co.----- 268.10  
Total----- 11,552,335.09

## Current technical service contracts as of Dec. 31, 1964

## OHIO

Contractor	Country	Dollar value of contract	Total dollar value by contractor	Brief description
University of Akron, Akron, Ohio..	Worldwide-----	\$138,000	\$138,000	Conduct a program for training in engineering management of water supply systems for certain nationals of cooperating countries.
Battelle Memorial Institute, 505 King Ave., Columbus, Ohio.	do-----	120,000		To conduct a study and analysis of transport mode technology ranging from the simplest level through the more complex, showing for each mode and level what can be accomplished, at what costs (e.g., facilities and resources), using what skills and what equipment.
	Turkey-----	98,550	218,550	To perform a study in order to provide AID with certain information required by AID for the purpose of providing assistance to the Government of Turkey in connection with construction of a hydroelectric dam at Keban, Turkey.
Dalton-Dalton Associates, The, Cleveland, Ohio.	Sudan-----	335,269		To provide certain assistance to the Building Unit of the Ministry of Education in Sudan with its general administration and architectural and engineering services for different types of schools, including but not limited to elementary, intermediate and post intermediate schools for both general and technical education.
	Africa regional-----	Open	335,269	Under task orders provide architectural and engineering services particularly concerned with the collection and analysis of basic data, preliminary plans, and cost estimates leading to the construction of school buildings, dormitories, instructional shops, etc., necessary to the development or expansion of educational facilities.
Richard Fox, 156 East 316 St., Willowick, Ohio.	Worldwide-----	1,500	1,500	To assist AID in connection with the revision and expansion of a book entitled "An Introduction to American Civilization" which is presently utilized by the AID Office of International Training.
The Fund for International Cooperative Development, 246 North High St., Columbus, Ohio.	Latin America regional-----	82,100		To conduct studies to assist the cooperatives of Latin America to assess the possibilities of a cooperative institution organized on a regional basis and the possibilities of attracting nongovernment capital; and to make available specific plans and recommendations for creating financing institutions for cooperatives on a regional basis, and/or in the selected countries, for consideration in terms of financial and technical assistance by AID and other agencies interested in cooperative development in Latin America.
	do-----	250,000	332,100	To review, to the extent necessary, the findings and recommendations of the original study and to assist in implementing the program emerging from this review and revision, as this is the second stage of the program to establish a system of financing for the cooperatives of the Latin American countries.
Neal F. Gill, 11850 Edgewater Dr., Lakewood, Ohio.	China-----	5,200	5,200	A nuclear fuel specialist working under the direct supervision of the team leader and under the policy guidance of the U.S. AID Director to perform a comprehensive study and evaluation (survey) of the energy resources for the Government of the Republic of China for the purpose of determining the most efficient and economical method of supplying energy requirements from the present to 1980.
Frank Gillespie, 1270 East 146th St., East Cleveland, Ohio.	Vietnam-----	10,500	10,500	Assistant development officer to advise and assist the Government of Vietnam through U.S. AID in the implementation of proposed assistance programs at the provincial level. The contractor shall also act as liaison between U.S. AID and province-level Vietnamese officials, and between U.S. AID and MAAG sector advisers in the development of rehabilitation, Chieu Hoi, self-help, security and economic projects.
Ohio State University, Research Foundation of the, 1314 Kinner Rd., Columbus, Ohio.	Sudan (task order No. 3).-----	12,000		To provide for the conduction of workshops in supply management for the Government of Sudan.
	Brazil-----	965,000		To provide professional advice and technical assistance to the Government of Brazil in order to improve agriculture education in Brazilian educational and other institutions including integration of teaching, research, and extension activities modeled after the land-grant college system of the United States.
	India-----	3,064,960		Technical advice and assistance in the field of agriculture, veterinary science, home economics, and animal husbandry, and, in addition, technical advice and assistance in highway engineering in connection with graduate courses.
	do-----	1,645,100		Provide in-service training of academic school teachers in cooperation with all-India Council for Secondary Education.
	Africa regional-----	Open		To provide advice and assistance to certain African countries with respect to evaluating the supply management and contracting practices in connection with their government procurement and supply management functions.
	Worldwide-----	Open		Land-grant college. Training of participants in the United States.
	do-----	Open		To conduct training courses of approximately 12 weeks' duration each in fundamentals of supply management for nationals of various foreign countries.
Kent State University, Kent, Ohio.	Tanzania-----	784,000	784,000	To provide technical advice and assistance for the improvement and expansion of the teacher education program in Tanzania principally through an institute of education to be established at the Changombe Teacher Training College in Dar-es-Salaam and to assist in alleviating the teacher shortage at secondary school level which threatens to block the expansion of secondary education vital to the development of Tanzania.
Donald O. McAllister, R.D. No. 5, Carrollton, Ohio.	Jamaica-----	7,500	7,500	To provide advice and assistance to the Government of Jamaica through U.S. AID in connection with the agricultural development and dairy development.



Current technical service contracts as of Dec. 31, 1964—Continued

## OHIO

Contractor	Country	Dollar value of contract	Total dollar value by contractor	Brief description
Ohio University, Athens, Ohio	Nigeria	\$1,145,000		To provide advice and assistance to the Government of Nigeria for the improvement of teacher training, the reorganization and operations of the Kano Day Teacher Training College in Kano, and the upgrading of teachers through inservice training programs.
	Western Nigeria	2,615,626		To provide technical advice and assistance in carrying out the host government's elementary and commercial teacher training programs.
	Vietnam	299,250		Contractor will provide assistance to the Department of National Education, Government of South Vietnam, in the development of preservice training programs for secondary schoolteachers in the faculty of pedagogy, University of Saigon and the secondary school attached thereto and in the faculty of pedagogy, University of Hue and the secondary school attached thereto.
	Worldwide	Open	\$4,059,876	To train participants at the institution in such fields as agriculture, business administration, community development, education, engineering, housing, labor affairs, public administration, public health, public safety, supply services, transportation, and such other fields as may be mutually agreed upon.
	do.	636,821		To review and analyze programs for the development and improvement of agricultural credit institutions and services in a limited number of developing countries, in connection with the foreign assistance program administered by the Agency for International Development.
	do.	16,344	6,370,225	To prepare, develop, administer, and conduct a course in management of material resources for AID supply, trade, and material resources advisers.
E. S. Preston & Associates, Ltd., 1620 East Broad St., Columbus, Ohio.	do.	50,000	50,000	To provide expert engineering and economic services, advice and assistance in connection with AID's program of technical and economic assistance to other governments for short-term intermittent periods upon the issuance of task orders.
Total dollar value for State of Ohio.			12,312,720	

#### UPDATING OF DISASTER ASSISTANCE PROGRAM

Mr. ROUSH. 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. ROUSH. Mr. Speaker, during the past 13 months we have seen various sections of our Nation ravaged by individual eruptions of Nature's violence to such an extent that they have received the unwanted title of "a major disaster area."

Prior to 1950 Federal assistance to such areas was provided through individual bills designed specifically to aid the particular area. It was in that year that Congress saw fit to enact what has become known as the Disaster Act of 1950. It represented a comprehensive approach toward alleviating and eliminating the many problems which are left with the rubble and chaos in the aftermath of natural disasters.

Experience in the 15 years since its enactment has underlined the soundness and effectiveness of this particular act. Experience has also shown there are vacuums in this overall program of assistance. Experience has shown it has still been necessary from time to time to enact additional legislation to fill in such gaps of assistance for specific disaster areas.

The Palm Sunday tornadoes which ravaged large sections of my own congressional district and the efforts since then to enable the several thousands of individuals affected to regain the normal paths of life they followed before impressed upon me the need for a refinement and expansion of the provisions of this original act.

Accordingly I am introducing today a bill to accomplish this purpose. In particular I have been concerned about the lack of assistance for those individual citizens who find themselves in positions of severe financial hardship.

These are the individuals who, prior to the disaster, were in a position to borrow through normal financial channels. Suddenly their collateral to obtain such private loans has disappeared. There are provisions in this bill to correct this situation. Some of the provisions provide for an extension and expansion of disaster aid authority to the Federal agencies. There is a provision to establish a disaster fund for non-Federal insured loans in which the initiative and implementation rests within the States, in which the Federal Government shall provide 75 percent of the funds required through a grant with the individual States providing the balance of the moneys.

These and other provisions of the proposal are designed to bring up to date the Federal Government's disaster assistance program so that our citizens may be assured of all help possible to return to a normal life.

#### GOVERNMENT POLITICS

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

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

There was no objection.

Mr. BATTIN. Mr. Speaker, I am well aware that the Federal Government is engaged in many and various enterprises, including the dissemination of what I would call pure propaganda.

Just 2 years ago, I called the attention of my colleagues here to the open and obvious efforts of the Secretary of Agriculture to influence the outcome of the wheat referendum vote through not only the authorization but the actual designation of Federal funds to be used in "selling" the Department's position in that referendum. But in spite of the Secretary's personal efforts and the various directives that went out to State and

county ASCS offices, the wheat farmers of the Nation voted the other way. Since that time, the office manager of the McCone County, Mont., ASCS office, the office that exposed the fact that they were supposed to spend \$900 in "advising" the farmers of that area how to vote, that office manager, Mr. Francis D. Kelly, has been fired. It was not, of course, Mr. Kelly but the elected county ASCS officials who advised me of what I still believe was a violation of Federal law in authorizing the expenditure of Federal funds in an effort to influence the outcome of the wheat referendum.

As a further illustration of just how far the Federal Government will go in its brainwashing campaign, and again this is the Department of Agriculture, I received a copy of an amazing document recently. This one is an official publication put out by the regional forester of the northern region of the U.S. Forest Service. Embellished on its cover with the official emblem of the Forest Service and labeled "U.S. Department of Agriculture, Forest Service, Northern Region, Missoula, Mont.," and titled "Reference Points," the brochure carries a signed letter from the regional forester addressed to division chiefs, forest supervisors, Director, EDC, and advises that its subject is "Training."

Attached to the cover and letter is a reprint of an article from Harper's magazine with a note stating it was reprinted by special permission from Harper's magazine.

Now this Harper's article, you might guess, would have something to do with forestry or agriculture or at least management or personnel matters in view of the subject of the cover letter under which it was mailed—at Government expense.

But guess again. The subject of the article was "The Paranoid Style in American Politics," and a prefacing paragraph explains:

It had been around a long time before the radical right discovered it—and its targets

have ranged from the international bankers to Masons, Jesuits, and munitions makers.

Now I have no more sympathy for the so-called radical right than I have for the so-called radical left. The terms are used so loosely and recklessly these days that I am not sure anyone, including the authors who so phrenetically condemn one or the other flank of the extremists, really know what they mean. They may know what they think these terms mean or possibly have their own prejudiced or colored focal points.

I do not intend to clutter up the RECORD or burden the taxpayer at \$90 a page with the contents of the Harper's magazine article. It was in the November 1964 issue in case any of you want to know anything about paranoid politics you have not heard here.

But I would like to quote the opening sentence of the article and the regional forester's letter that conveyed the reprint in the Forest Service magazine—printed and mailed at taxpayers' expense:

American politics has often been an arena for angry minds. In recent years we have seen angry minds at work mainly among extreme rightwingers, who have now demonstrated in the Goldwater movement how much political leverage can be got out of the animosities and passions of a small minority.

And here is the regional forester's letter which conveyed this reprint to his division chiefs, forest supervisors, and director, EDC, whoever that is:

The attached article, "The Paranoid Style in American Politics," deals with one facet of political psychology. The author simply borrowed the clinical term "paranoid," for descriptive purposes.

The term "politics" should be considered in its broadest aspect—group behavior. Today, understanding of group behavior and group dynamics is an important part of every forest officer's job. The word "style" has more to do with the way in which ideas or causes are believed or advocated than with the truth or falsity of their content. It has to do with the tactics and techniques used by some special interest groups to attract supporters and to influence political leaders. As the author points out, the paranoid style has a greater affinity for bad causes than good, but nothing prevents the use of this style for advocating a sound program.

The term "politics" he says should be considered in its broadest aspect—group behavior. So I presume this puts us all in the same boat because none of us profess to be other than politicians. But I had been under the impression that we represented congressional districts as individuals and acted, usually, as members of one party or the other rather than as a group and, by implication of the regional forester's letter, a paranoid group.

But this is beside the point. The point is this. Why is the understanding of group behavior and group dynamics as explained in an article such as "The Paranoid Style in American Politics," an important part of every Forest officer's job? This has no more to do with his job than would a reprint of the two very excellent volumes put out by the House Un-American Activities Committee, "Facts on Communism."

But the real point is that the regional forester nor any other Government official

has any right to produce, reproduce, circulate, or distribute such material under an official Government seal and frank. This, I believe, is actually a violation of the Hatch Act if that act any longer has meaning or can or will be enforced.

I would not object if the regional forester should send out material devoted to better methods of forestry; the need to plant trees and grow forests, insect control, fire protection, erosion control, and possibly even a hint that the alternative to politics is something he or few other Americans would tolerate.

#### EXPORT BENEFITS CANNOT OUT-RUN IMPORT DAMAGE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MOORE. Mr. Speaker, not much has been said during this session of the Congress about the problem posed by increasing import competition. The so-called Kennedy round has been very slow in developing, with the result that those of us who have a profound interest in what shape the negotiations will take, have been waiting and waiting.

I believe that there is no point in waiting any longer and that some comments with respect to the negotiations are in order in any event.

Mr. Speaker, I am afraid that the present state of business activity has produced some dangerous blind spots in those who should have a deep concern about employment in this country and the drain away of job opportunities by the preference of capital for overseas ventures.

We should look more deeply into the developments in our foreign trade than superficial observation of official statistics permits. Too many observers are satisfied by our so-called surplus of exports. They believe that this surplus shows that we enjoy a favorable position in world trade. They believe that the surplus of nearly \$7 billion in 1964 in our exports proves beyond the shadow of a doubt that we are competitive in foreign markets.

Worst of all they believe that our employment gains more from exports than it suffers from import competition.

Mr. Speaker, it is high time that we take off these blinders.

First. Our so-called export surplus is more apparent than it is real. Our exports include our foreign aid shipments, our Public Law 480 exports, and our shipments of so-called commercial exports of highly subsidized wheat, wheat flour, and raw cotton. None of the exports under these categories can qualify as competitive exports.

Moreover, we tabulate our imports on the basis of foreign value, while nearly all other countries use the cost, insurance, and freight basis, which adds

freight and insurance. This practice of ours reduces our imports of 1964 compared with those of other countries by some \$3 billion.

Second. Our exports of manufactured goods has failed seriously to hold its own in world trade in relation to other countries. The decline has been alarming and the outlook is not improving.

Third. Our imports have been shifting away from raw materials toward finished manufactures and manufactured foodstuffs.

Fourth. Our domestic investments in new plant and equipment have been predominantly for modernization. The great expansion in such investment in recent years, moreover, has been in non-manufacturing enterprises.

Mr. Speaker, these recitations add up to an ominous trend, and we disregard them at our peril.

I wish to call to the attention of all Members of this body a thoughtful and penetrating study on this subject by O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy. This is a very illuminating paper and I trust it will be not only read but studied. It opens up some new and telling considerations in our study of the relative merits of exports and imports, particularly as they affect investment and employment.

Mr. Strackbein's challenge is so basic that anyone disagreeing with his conclusions would do well to prepare a detailed rebuttal.

Under leave to extend my remarks, Mr. Speaker, I offer his study under the title "Export Benefits Cannot Outrun Import Damage":

#### EXPORT BENEFITS CANNOT OUTRUN IMPORT DAMAGE

(By O. R. Strackbein)

Throughout the great controversy that has raged around protectionism and free trade in recent years, the heart of the issue has not been sufficiently examined. The core of the question is the blight visited by competitive imports on domestic industry and the helplessness of exports to come to the rescue.

Moreover, the unexamined character of the American economy, an outgrowth of its unique development in the world, marked by bold departures from its European forebears, has been oddly neglected. So pronounced has been the oversight that the real problems created by drastic tariff reductions, such as we have imposed on our economy, could not be fully understood.

The lure of export markets blinded economists and industrialists, as well as sundry farm and labor groups to the disruptive consequences of the successive steps that were to lead to free trade, particularly in the final approaches. Scholarly economic texts have been devoid of new avenues of inquiry that would lead away from Adam Smith and John Stuart Mill. These were the great British economists who, in happy tune with the cheap-food and raw material needs of the British insular position in the days of the industrial revolution, elaborated the blessings and beauties of free trade. They succeeded in saddling American economists with the identification of free trade with the eternal economic verities by which all smart people must be guided or suffer the consequences.

Well, the United States was long so obtuse in flouting these "eternal laws" of economics that she did indeed suffer the consequences: i.e., she achieved world industrial leadership.



Yet, so deep-seated had become the free-trade philosophy as expounded by our colleges and universities to the tender minds that came for instruction generation after generation that we could not rest with our conscience until we finally moved with determination toward the promised land. The academic economic mind felt somehow ashamed to live under a system so crude and unsophisticated as they held protectionism to be. The opportunity came with the great depression of the thirties.

Dismantling of the tariff, long the goal of the doctrinaire free-trade advocates, gained support from two sources that previously had been either protectionist or neutral. One source was the great industries that had built such a great productive machine, thanks to protectionism and other principles, mentioned later, that they spilled over the edges of the home market, notably in steel, automobiles, packinghouse products, electrical goods, sewing machines, agricultural implements, etc. They went eagerly looking for world markets, such as was already enjoyed by cotton and tobacco. Without them the free-trade program would have died. The other consisted of political activists who did not think much of the American system in the first place, and sought to change it more to their taste. They had supped at prosperity's table somewhat scantily and sourly noted certain "contradictions" within our economic system. They saw these to be of such dire character that a downfall could only be a matter of time. They vastly preferred "production for use" to "production for profit." The great depression provided them, too, the opportunity for which they had been waiting. They charged hard.

The quick answer of those who looked toward free trade as the road leading to an internationally planned economic society, was ready for use when injury to domestic industry was mentioned as the price of free trade. This patronizing but persuasive answer was that enlarged exports would repair the damage. A wound in one spot was to be saved by a spot of honey elsewhere.

There was at the outset of the trade program (1934) little concept of the problem of automation and unemployment as resultants of import competition. It seemed altogether fitting then that one industry could be hit on the head and sent reeling so long as some other unrelated industry (preferably one that was politically potent) would be given a benefit, through increased exports, equal to the damage done to the first one (politically not so potent).

Even today there is very little recognition of the connection between tariff reduction and unemployment. The trouble is that elite economists are in a beartrap from which they cannot extricate themselves. They insist on trying an economic world after the manner of a judge, by accepted economic principles that are not usually operative and cannot survive unbroken in the practical everyday political world such as we endure. Should they admit this; i.e., by getting out of the trap, they must admit that they typically judge programs such as "reciprocal trade" by a set of economic "laws" that are never practiced because of political interference. This is a fact they cannot face. Like General Pfuhl, a fastidious military theoretician described by Tolstoy in "War and Peace," they cannot abide practical considerations. The general had no use for practical considerations that interfered with his theory of warfare; and he lost battles. In his views, however, he lost them because his theories were violated in practice, but he had no idea of how the violations could be overcome.

The elite economists, for example, insist on the superiority of free trade over protectionism on the grounds that a free market can brook no interference. Yet they

are not really interested in the free market since they have fervently supported scores of domestic policies that shatter the very concept of the free market (farm price supports, minimum wages, social security, etc.). The principle has indeed been massacred beyond repair by political pragmatism, with the torrid plaudits of many of these economists. Yet do they solemnly call for free trade in a world that has never known it and among an array of diverse economies in which indeed it could not survive.

It is not difficult to nominate and support a policy that has the happy faculty of pleasing both theoreticians and powerful interests that are otherwise generally mutually hostile. On the other hand it is indeed difficult to open a new transillumination of the subject under such circumstances. Yet, it must be done.

In the first place it is now and has been an error to judge the American economy by the European or the Japanese. These, to be sure, are moving in our direction, and one day may become suitable partners on a dead level of free interchange; but not yet, not yet. The profound differences that separate us are deeply entrenched, and it would be a serious error to ignore this fact.

In the second place the nature of import injury to our economy in recent times presents a unique facet that needs examination.

The injury inflicted by imports on domestic industry, when it occurs, may indeed be of one kind only, or of two kinds, or both.

Injury of the one kind consists of displacement of domestic production roughly equal to the volume of imports. This type of injury governs nearly all thought in this field. It falls both upon (1) the domestic industry in the form of deprivation of sales that would otherwise be made, or loss of actual sales volume previously enjoyed, and (2) upon employment as a direct result of reduced sales.

This type of injury, on reflection, is seen to be associated principally with staple products for which the demand is quite steady, i.e., a certain amount per capita, and inelastic, i.e., not responsive to price changes or to changing consumer income. It represents visible, measurable injury. If, for example, the domestic market absorbed a billion pounds of wheat flour per year, imports of 200 million pounds would reduce the sales of domestic mills by a roughly equal amount, or 20 percent. If each worker produced 100,000 pounds of flour per year (not an estimate) approximately 2,000 workers would be displaced by imports.

The free trade supporter would answer, that by selling the 200 million pounds of flour in this country, the foreign exporters would come into possession of, say, \$5 million. They might then buy other American goods of an equivalent value. The 2,000 workers who were displaced in the flour milling industry would be absorbed elsewhere by the exporting industries.

The transaction would then approximate an offset of displaced workers by added employment. If, moreover, the countries were poor producers or nonproducers of wheat, they would gain from the exchange. If this country should buy tin or coffee with the proceeds of our exports, we would also gain because either we do not produce these products or could only produce them at a high cost.

It is this type of trade that held the attention of Adam Smith and his successors. They had little or no knowledge of a species of goods that exhibits a very different market behavior. Adam Smith wrote nearly 200 years ago and John Stuart Mill a hundred years ago. With minor exceptions the output of land, forests, and factories was dedicated in those days to the satisfaction of necessities. Luxuries and semiluxuries of

the kind that are the very lifeblood of many of our industries today were then either nonexistent or in relatively small demand.

It was the American economy, not some other, that fumbled and groped its way toward building a type of producer-consumer interchange that brought forth a new and hitherto unheard of material abundance. It is not the purpose here to explain why it devolved upon this country to take the lead in this uncharted field. Suffice it to say that we had the makings in the form of a temperate climate and human and natural resources. These were let loose together in a medium of freedom, discipline, and individual reward. The human resources included inventiveness, regard for law, and willing acceptance of toil and hardship.

After the Civil War a decision was necessary. To give the economists their due, they helped greatly to illuminate the fatal dangers of monopoly power, vested in tightly integrated economic ownership and control. This insight, which found expression in anti-trust and antimonopoly legislation beginning with 1890 marked one of our first departures from what became an accepted European pattern, i.e., the cartel.

This innovation was a providential step because it opened the way to a new vision not experienced elsewhere in the world.

If, because of technological development, more goods could now be produced with fewer hands, the cost of production could be lowered. Then free competition (as a substitute for monopoly) would in time pass the lower costs to consumers. The latter could then buy more than previously. This much we had perceived.

Whether the consumers would respond depended on the elasticity of demand for the goods. If the demand were elastic, purchases would go up considerably as prices fell significantly. This would not happen if the demand were inelastic as it is for food, etc., but would occur if the goods were non-essential and represented status or offered comfort and convenience.

Yet this was only half of the equation. If consumer income itself were increased even as costs and prices were lowered, it could then absorb ever more and more of the pleasing but not essential goods that could now be produced. Higher wages hand in hand with higher productivity per man would supply the answer. Sales of the non-staples might rise to astounding levels. Seeing this possibility now seems simple but it had long been hidden from view. Earlier it was thought that reduction of wages offered the best means of lowering costs. In Europe and Japan this idea continued to flourish. The new vision discarded this concept as self-defeating in an expanding economy. Once more, economists helped greatly in establishing recognition of this principle.

As to which should come first, the lower prices or the higher wages, was a puzzle that was unlocked by Henry Ford either as an originator or as one who recognized a new idea when it was presented to him. The \$5 per day wage represented one of his greatest claims to fame. He already had the high productivity potential that justified the higher wages.

Had Ford been a monopolist the vision could not have blossomed as it did, in the form of hundreds of thousands of "Tin Lizies." He would have held the price at too high a level. Also, had he had no possibility of a profit, such as our system did provide, he might have folded his arms or walked away from the vision. Having been lured by the prospects of possible handsome gain, he would nevertheless have despoiled his vision had he then bowed to greed and kept all the profit to himself. He followed neither of these paths. He took a profit, to be sure, but not so much of it that he could not increase his pay envelope, thus setting

an invaluable example in establishment of a proper balance.

He was engaged, perhaps under the torment of doubt and misgivings, in laying the foundation of the great mass-production, mass-consumption system that was soon to break out in a succession of industries. This is not intended as an apostrophe to Henry Ford, but as an illustration of a purely American economic development that held the promise of a second industrial revolution.

The secret lay in the difference between the demand for nonessential goods and the necessities. Were the demand for cars inelastic, Henry Ford's drastic price reduction would have brought him little response, and he would have gone broke; but the demand might be elastic, and he proved it. This difference, once exploited uncovered another factor that assumed great importance in the market generally—something that Adam Smith had no need to bother about. It was of psychological origin. Its name was and still is "confidence." It is inextricably linked with profits and elastic demand.

The difference in the demand for the two classes of products arises from the simple fact that consumers can postpone or even do without consumption of the nonessentials while they must have the necessities in order to live. (There are, of course, intermediate degrees of demand.) The demand for the necessities is readily calculated once per capita consumption has been accurately determined and a reliable census by age groups is on hand. Food intake, while variable, is nonetheless limited by the stomach. In like manner the consumption of necessary items of clothing, sanitation, and shelter may be predetermined. Here communism is in its true element. Economic planning is relatively simple.

With respect to the nonessentials, demand is sensitive, mysterious, and highly variable. Slide-rule calculations in this field are best known for their unreliability. Capitalism, with its profit motive, is the most suitable instrumentality for maximum production in this field but also the most volatile and vulnerable. The risks are so numerous that only a system that offers adequate rewards will succeed in attracting the necessary enterprisers. Unlike the field producing only essentials, this one offers the possibilities of bonanzas to those who have the necessary wit, the rugged burden-bearing qualities needed and the capital to invest. "Production for use, not for profit," is not at home here.

The whole productive process becomes more complicated. At the outset and for some years it may be a process of market trial and error, very uncertain; whereas setting up a flour mill needed only a stream, a millpond, a grinder and some wheat. The demand was at hand waiting. It was not necessary to awaken hunger.

In the more exciting and uncertain field of the nonessentials we first need the scientist or inventor. Not himself usually a producer, he passes his invention to the next stage, the manufacturer, who in turn may need the help of a financier or banker. The manufacturer is not necessarily a merchant-diser and also needs the help of those who will better know how to dispose of the flood of goods that can be produced by use of the new invention. He needs the help of salesmen and advertisers. The inventor is usually given a stake in the sale through his patent rights. The other stages are bound together in the quest for sales and profits. Demand in this field is seldom automatic at the outset. The virtues of the products must be widely attested and displayed.

The consumer is the quarry. He is also the king who must be educated, flattered, and satisfied (or made to feel as if). He becomes the object of study and analysis. He must be awakened, tantalized, and his

appetites hitched to his ego; not merely counted.

The most perplexing aspect of the consumer of nonessentials is that he is not only an animal but a human being. He has not only primary needs, as does the animal, but also secondary desires. His behavior becomes less predictable the more he learns and knows and particularly the more he suspects. Demand in this field is subject to vicissitudes and oscillations that can only be estimated in tentative projections. For this reason every effort is made to forecast what lies ahead; and here are the breeding grounds of confidence or fear.

What was learned by our enterprisers was the possibility of building veritable industrial empires based on supplying scores of millions of consumers with goods they did not need but relished once their desires had been awakened. Milady could perhaps do with a pair or two of really sturdy shoes per year, but once awakened to the ego-pleasing sensation of having a variety of shoes, the shoe manufacturers had a potential gold mine and more workers had jobs. With each drop of a few dollars in cost of shoes, thousands of converts to multiple shoebuying were made, and more jobs sprang up.

A hundred other products could be mentioned, wherein the possession of multiple units carries with it marks of status or ease and comfort that have always been highly prized. Here are lush markets, to be had through the right product, rich imagination, smart pricing, and self-spurring energy.

The great depression burnt into us respect for employment and purchasing power; but the view was limited. After all, this was the first time the vast and complicated machine that we had built stalled dead in the middle of the road.

All the desires and needs that had been so eagerly awakened and whetted by advertising and then filled with more and more goods, made by more and more workers, now turned on the system with the resentment of deep frustration. We had been used for the enrichment of loud and blatant business. The full venom of broken careers, shattered fortunes, and blasted ambitions turned on the owners, directors, and managers of business. The admiration of the twenties swung to hatred; and it rained dark drops a long time. The lower consumer income resulting from unemployment and other causes sharply reduced the demand for nonessential goods and this withdrawal of demand exposed the industries catering to it to a chilling outlook. No one would now venture, and nonventure meant reduction of investment to a trickle and still less employment. The country settled into a state of oppressive economic doldrums.

The remedy hit upon was "pump priming" through public works. If more workers were employed, purchasing power would rekindle and our economy might respond. We fastened great hope on the Keynesian formula of the reemployment multiplier. One man put to work on a public project would pull others with him, in the supporting activities and services.

Public works as an unemployment remedy, however, are like sawdust. They do not hold together. That this fact was understood even in the thirties is implicit in the words "pump priming." Once primed, it was felt, business would again get underway. The profit motive would supply the necessary impulsion.

Two difficulties were encountered: (1) Public works by themselves provide no continuous lift. There is no future in them beyond the immediate sustaining appropriations. When these run out the pressure stops. There is no magnet drawing forward into the future. (2) Business was frightened out of the possibility of confidence in the future by governmental acts of regulation that had the appearance if not the actuality of distrustful hostility. The need for regulation was

converted by the high feelings of the day into something resembling vengeance; and that was deadly to business confidence.

Until this blockage was removed the system would not revive despite all the pump priming. Production devoted to meeting the nonessential responds to a lure, not a whip or coercion.

Because of the new appreciation of the function of purchasing power we did in those years extend the concept of fair competition to the field of wages. We outlawed sweatshop operations and child labor as eroders of purchasing power and established minimum wages to assure fairness of wage competition.

These steps were in keeping with the other foundations of the private, competitive, wage, price-profit system to which we hitched the mass-production, mass-consumption process. Regulation as such need do no violence to this finely balanced mechanism. It will indeed upset the balance only if it crumbles one or more of the supporting legs; for the confidence that is needed for motive power will falter.

Distortions or crippling effects are, of course, not confined to regulation. They may come from nonregulation of one or more factors if the other factors are regulated.

This brings us to the other type of injury that may come from competitive imports. In this field the injury is not confined, as in the example, to the simple displacement of domestic production and employment. It produces more damaging and farther reaching effects.

Confidence, to repeat, has special meaning in the field of nonessential goods because consumers may hold aloof when one or several factors are not right. The element of uncertainty therefore confronts the producer. Today he has a score of signs that he watches in an effort to read the future so that he may arrange his production schedules, plan for possible expansion of output, including new facilities.

If the signs do not look good, he becomes hesitant. If they look dark he may even curtail his operations. Instinctively the businessman seeks to expand if the outlook is inviting, for that way may lie greater profits.

On the domestic front he has many helpful reports that permit him to look into the future and to reduce uncertainty. On the seaward side visibility is poorer and uncertainty therefore greater.

In recent years more and more American industry has faced both the likelihood of a rising import invasion and the actuality of it. This fact has confronted it with various alternatives. One has been a reduction of costs in order to remain competitive. This could best be accomplished by modernizing, which means installation of labor-saving devices. Another alternative is to invest abroad, usually as a supplement to the first alternative. This course has been seized extensively because of the very much lower foreign wages, the rapidly rising productivity and the high profits to be made abroad.

Our economy has assumed the character of a high-pressure weather area bordering on low-pressure areas on all sides. It will slide, indeed, is sliding, as by gravitational force into the low wage, rising productivity areas, with results for the homefront not pleasant to behold.

When, after some two generations, the other industrial countries, having observed our industrial prowess, decided to adopt our system, we were inevitably bound for serious trouble. Unless we exercise due care soon, our high-pressure area will be dissipated and we will have lost our economic leadership. If we dissipate the factors by which we rose and if we ignore the sensitivity of our system, we will unravel our century of achievement. The problem would not have attained to present acuteness were



we not already pelted by problems of unemployment as a result of automation. Foreign competition is one of the prime pressures behind this development.

A veritable debacle indeed lurks in some past inopportune tariff reductions and contemplated new ones. By exposing scores of our industries to a form of wage competition that was outlawed at home to preserve purchasing power, we are knocking down one of the indispensable props to our system. Fairness of domestic wage competition increased the vulnerability of domestic industry to imports. This, together with the higher wages that resulted from obligatory collective bargaining, magnified the potential damage from competitive imports.

Production and manufacturing in many lines, especially in the segment of consumer goods that enjoyed an elastic demand, had confidence shot out from under them by the fusiliers of our free-trade policy. Industries that would have expanded at home as they did in the past, hesitated. First, to repeat, they modernized by improving productivity. This meant unemployment; but as it reduced costs it would have led to much greater consumption and employment if the demand for the product was elastic and if imports with their own lower prices had not preempted all or most of the increased consumption and thus also despoiled the outlook.

Our system was thus systematically robbed of its crowning glory. Even the new growth industries, such as electronics, felt a withering blight falling on their hopes. The backwash of internationalizing our technology plus our lowered tariffs, deprived us of the accustomed dividend resulting from installation of labor-saving devices in industries that catered to an elastic demand.

Confidence in the possibility of gaining a vastly expanded market through automation and cost reduction, such as was the expectation in former years, now was shaken or even shattered in many industries. Means of adjusting to domestic technological competition could always be found right here at home, but imports were different. We had been assuming pridefully that our industry was tough and resourceful enough to overcome all obstacles and to withstand buffeting of all kinds while overlooking the private profit system's sensitive psychology.

Very well, big business, the multinational corporation, has indeed prospered abroad and continues to do so. The remainder, including all of labor, most farming, suppliers of materials, parts, and components to big industry, and finally small business, have a bleak outlook. In the face of declining employment at home our foreign investments have risen much more rapidly in recent years than domestic investment in new plant and equipment. The magnet of confidence has moved abroad.

Our export markets, meantime, are dwindling relatively. Stripped of our subsidized agricultural commodities and sales under tied foreign aid, et cetera, our exports have declined absolutely, measured by a constant dollar.

This fact destroys the long-suffering hope of the free-trade enthusiasts, who without adequate reflection have insisted that increasing export coming from freer trade would compensate for any injury inflicted by competitive imports.

If our imports were confined to staple commodities and if we were on an equal competitive footing with other countries; if the law of comparative advantage had a meaning in the field of nonessential goods where it has fallen a victim to technology; if there were no political interference with foreign trade, and if there had been no such interference in the past—all of them assumptions contrary to durable facts—under such conditions the benevolent claims for exports might be sustained. At least, what

one segment lost might be added as a benefit to another segment.

Imports are now moving more and more into the very area, i.e., of finished consumer goods, where markets can be made or broken for the domestic manufacturers by nothing more substantial than creation or disruption of confidence.

This is the towering factor that has been so thoroughly overlooked in our foreign trade policy. Exports cannot come to the rescue, even if they should outstrip imports without the help of subsidy.

The vulnerability of our industries, especially those dedicated to the production of nonessential consumer goods, to import competition produces a psychological allergy that cannot respond to anything found in the medicine cabinet of exports. We may export 6 million bales of cotton without relieving in the least the troubles of the steel industry, the textile, or the cattle industry from imports. There is no way of transforming the benefits to an unrelated industry into an elixir for an afflicted industry if the latter suffers from different causes on a different plane. The benefits in the one case cannot even shake hands with the distress in the other. Imports of \$2 billion of sensitive consumer goods may do more damage than subsidized exports of \$5 billion could repair.

These are the reasons that must undermine fatefully the hopes that have been so romantically centered in the trade program. Much the same can be said for adjustment assistance.

Let no one believe that the segment of our industry that caters to nonessentials is unimportant to our economy as a whole. It represents the difference between this country and Russia. It seems safe to say that well over half of our production falls into this category, if we allocate to it the proper share of primary products, such as steel, lumber, fibers, oil, leather, copper, etc., as well as the proper share of machinery, fuel, transportation, finance, etc.

Imports have stricken both industries and workers that were formerly seemingly immune to import competition, as evidenced by many industries that have shifted from an export to a net import position, i.e., now import more than they export: steel, automobiles, petroleum, textiles, sewing machines, typewriters, consumer electronics goods, shoes, etc. These are not inefficient, marginal industries. Among them are the giants and early leaders of our surge to world leadership. Most of them are seeking self-salvation by investing heavily abroad and thus shrinking domestic employment, and their future exports. The vast machinery exports of today that follow the foreign investments will mean more imports and lower exports in the future.

The crippling of confidence in the domestic market as an indefinitely expandable outlet for consumer goods by knocking out the prop of fair wage competition cannot be undone by increasing exports, and represents a reversal of the process by which we gained world industrial leadership. This prospect has an ominous ring for our existing foreign trade policy.

That is one of the prime reasons why the policy is in acute need of reexamination.

#### THE CHOICE YOU MAKE

Mr. HUTCHINSON. 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. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on Sunday, May 2, 24 Members of Congress and their families took a trip to Annapolis. We attended chapel, visited with the Superintendent, Rear Adm. Charles S. Minter, Jr., and later had lunch with our appointees in Bancroft Hall while the womenfolk and the children had lunch at the Officers Club.

It was a most rewarding trip and one of the inspiring occasions was the sermon by Capt. James E. Reaves, the senior chaplain at the Academy, on the subject "The Choice You Make." We were so impressed with the sermon that we felt it should be given a permanent place in the CONGRESSIONAL RECORD. The sermon follows:

#### THE CHOICE YOU MAKE

(Sermon preached by James E. Reaves, captain, CHC, U.S. Navy; senior chaplain, U.S. Naval Academy; May 2, 1965)

A few years ago there was a popular program beamed throughout the country on TV. On one particular occasion the master of ceremonies laid two gems out on a beautiful piece of blue velvet and said to the contestant who stood before him, "You may make a choice. You may choose which of these gems is to be yours. One is synthetic, the other is real. You make the choice." And this lady stood and looked with mingled feelings, I am sure, at the gems laid before her. Finally, rather hesitantly, she reached out and touched the one that she had chosen. Unfortunately for her it was worth only \$500 instead of \$5,000. For she had chosen the synthetic. You and I are choosing each day certain things that will affect us throughout all of the rest of our lives.

There came a time in the life of Joshua, the leader of ancient Israel, when he thought that his life was slipping away from him. And he felt that he had to say one more thing to the people of Israel before dying so he called them all together in a great assembly. There he stood before them and recounted to them the history of that nation, telling how these tribes had wandered up and down the wilderness and how God with His mighty hand had delivered them from the bondage of the ancient pharaoh. When he got all through with this though he said some things not found in the Scripture that was read today, but which is there between the lines for each of us to get. I am sure he said to them in effect something like this: "You are making choices that are most unwise from day to day and I would like to lay it on the line for you." And then he did it. He said "Choose you this day whom you would serve; if you are going to serve these foreign gods, the gods of the tribes we have conquered, then go ahead and serve them but say so, stand up and be counted this day."

And then, I can picture old Joshua as he drew himself up to his full warrior's height looking out over this multitude and saying, "But as for me and my house, we will serve the Lord." He had to make a choice and these people had to make their choices just as we do today.

This was very evident when Jesus called these disciples to come and follow him. He came to them there as you heard read from the gospel according to St. Matthew and said to these men, rugged fishermen, "Leave what you are doing and come, follow me, and I will make you to become fishers of men." This was laying it on the line. They had to decide. He didn't say "Now after you have taken care of your families, after you have done all the things that you think you ought to do, if you have any energy left over, come and follow me." He didn't say that at all. He pointed directly to Simon Peter and to John and to James; to each one as he

confronted him as an individual he said, "Leave what you are doing and come and follow me and I will make you to become a fisher of men."

When we confront that command today: "Choose you this day whom you will serve," I think we ought to not be dishonest, we ought to face the fact that there is a philosophy that has been kicked around in this world of ours for a long time. It has particular significance to the people of my generation. A philosophy that said "After all you don't have any choice, really, it's all a matter of fate. If your number is on it the bullet is going to get you. If it's time, then your ship's going to get it." How many of you who were in combat in World War II or Korea or before remember having heard people speak like that? One day in my ship I heard a sailor talking to some of his buddies saying in effect, "It doesn't really make any difference what I do; if I'm gonna get it I'm gonna get it." This was after we had held services for a shipmate who was buried over the side. I stopped there and listened for a little bit and then joined in the conversation and asked one question. I said, "In a couple of hours they are going to pass the word to darken ship." (We were in an old attack transport that still had the portholes and they had to be secured every evening.) "When the word is passed to darken ship suppose you take the attitude that you've just expressed? Do you feel that if you fail to carry out your part of the duties in darkening ship, if you left a porthole open and this light caused our ship to stand out bright and clear against the sky, and that submarine lurking out there should get us lined up and loose a torpedo upon us that would make a direct hit amidships and blow us apart. Do you feel it would be just fate?" (And that old ship couldn't have stood a torpedo amidships or anywhere else, I can assure you for even a near miss caused us to take on water faster than we could pump it sometimes.) This sailor and the fellows about him immediately laughed and said, "Oh, no; Chaplain we don't really mean that. Each one of us has a responsibility for doing what he can to preserve his own life as well as the life of his ship."

But you see there was rampant when I was a young man this philosophy that said it doesn't make any difference what you do. It was a sort of a behavioristic psychology and mechanistic philosophy that said you are just a pawn, it doesn't really make any difference. And that philosophy was furthered by a book that some of you had to read in English. Theodore Dreiser's "An American Tragedy." Do you remember that? The whole theme of this book was that here is a young man born in very unprepossessing surroundings out in the Midwest, whose career is traced until he meets death in the electric chair in New York State. The whole import of that book was that it doesn't make any difference what you want to do as an individual. The outcome is already set for you. Call it fate; call it what you will. You can't influence what's going to happen to you because you are simply the product of your environment and your heredity.

It is always wise to choose a good grandfather and grandmother. It's always wise to be born on the right side of the tracks but a great many of us weren't, and we weren't able to influence any of that at all. I submit to you that there comes a time in the life of every individual when, no matter what his heredity, no matter what his background, he has to stand on his own two feet and say, "This may be so, I may not have the brains that I would like to have because my grandfather and my forebears way back there didn't have them. And they just simply weren't passed on to me. I may not have all of the things that I want, by way of equipment." (How often when I sat on the bench and watched a halfback,

whose slot I filled at times, make brilliant runs, how often I wished that I had the physical equipment to be out there starring instead of that guy, but I didn't have it and so I spent a lot of time on the bench.) We all wish that we had certain things and yet we have to live and work with what we've got. And there comes a time for each of us when it is our choice to make as to what we are going to do. Here I am responsible for channeling whatever equipment I have in this life.

You gentlemen make choices every day. Not long ago someone said to me "It must be a real source of satisfaction for you as the chaplain to see all these young men who have all their choices made for them. They are told when to get up, when to eat; they are told when to do this, when to do that." And that is true as you so well know. There are many things we are told to do at certain times. And yet the things that are really fundamental about life, the things that really count in the long run, are choices that you make as individuals day by day. When, therefore, we say with Joshua "Choose you this day whom you will serve," we are saying that it is a choice that you have to make; and when we say this day we are saying that there will come a time with most of us when we no longer can make choices that we can make today. We've got to make them as the days go by; we can't wait until we have reached a certain level of achievement before we make the choices that really determine our character. This is the sort of thing that happens in little ways, day by day. Sometimes the very drift of life will take us beyond the point that we can make choices. If a person just drifts along and doesn't intelligently make his choices, before long you will find that he has gotten into a pattern of reaction that causes him to choose the lesser rather than the greater good. And so, I would say this morning as you consider the words of scripture read before us: Make your choices every day wisely and intelligently remembering that you are going to live with them from now on. You can choose what goes into your mind; you can feed it trash if you want to, or you can feed it upon those things that shall give you intellectual and spiritual nourishment if you so desire.

Ah, yes, there are different backgrounds and there are people who come out of the same backgrounds who end up entirely differently at the end of their days. Look at the slum area of Chicago. Two people I would name for you came out of that same area. One looked at it all and said, "Something ought to be done." And Jane Adams dedicated her whole life to the settlement house work that now bears her name. And how many hundreds of young men and women were influenced by her having looked upon this and saying, "We ought to do something about it." There was another person from the same area of Chicago. I shall not detail the events in his career but we know him by the name of Al Capone.

What kind of a choice do we want to make as we go on? Let's remember that the blind Milton said, "The mind is a place all of its own, and in itself can make a hell of heaven or a heaven of hell." It is what we let go into our very being as we make those choices that counts in the long run. We can stay out of situations sometimes that will lead people into trouble. I think that is what the phrase in the Lord's prayer, "and lead us not into temptation," means. And perhaps it was never so well said as it was by William Temple, the Archbishop of Canterbury, who wrote many things but at his death the New York Times printed only one little excerpt from all of his writings. He was commenting upon the abdication of Edward the Eighth from the throne. Sometimes we don't like to hear things that are blunt and to the point, but listen to this.

I'll read it: "The occasion for Edward's choice ought never to have been made. It has happened to many a man before now to find himself beginning to fall in love with another man's wife. That is the moment of critical decision. And the right decision is that they should cease to meet before passion can so develop as to create an agonizing conflict between love and duty." And the cold, practical, pragmatic approach of the New York Times said, "This is one of the things that made this man, William Temple, Archbishop of Canterbury, great." There is a statement concerning the choices that a man makes day by day.

A good many centuries ago there was a Chinese ruler of Formosa, where some of you have been, who went into this land and decided to try to do something about the customs that he found there. There was a custom that said that at every new moon there had to be a human sacrifice offered to the gods. This custom was gradually modified until finally they were only offering a human sacrifice once a year. This Chinese ruler, GoHo, finally convinced these people by his very character and concern for the well-being and the sacredness of individual human beings that they ought to follow his advice, so they gave up offering human sacrifice. They gave it up until some twenty years later they came upon a series of hardships, crop failures, what have you. These savage tribes didn't take long to revert to the ways of their fathers and they came and said, "We are going to offer a sacrifice. It is the only thing that will save our people." The ruler, seeing that they were adamant and that he could no longer influence them, said to them, "All right, tomorrow morning you will find the victim tied to a tree at a certain spot in the forest. This victim will be clad in a red robe and he will have a red veil over his face and will be there awaiting you. You go and take him and slay him. But I tell you now that you shouldn't do it." The chiefs of the tribe went there the next morning and found, as the ruler had said, a victim tied to a tree with a red robe upon his shoulders and a red veil over his face. So they took him and according to their custom immediately lopped his head off. When they did that the veil fell and they saw that it was the ruler GoHo himself. And the chiefs of these tribes realized that this man had been willing to give his very life to convince them that the thing that is sacred is human character, human personality. And from that day to this there has not been, so far as anyone knows, a repetition of human sacrifice in that manner. Our Lord, whom we honor this day, stood before Pilate and in effect said, "Here is my life. If it is necessary for it to be taken for me to show the world that God loves each one of us, then take it." And they did. What kind of choices are you making today? For you know the choice is yours. Let us pray.

O God, our Father, help each one of us to face himself without sham or pretense and to consider well the choices we must make.

Through Christ our Lord we pray. Amen.

#### HELP FOR DECLINING U.S. FISHING AND MERCHANT FLEETS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. KEITH. Mr. Speaker, as a nation we are becoming increasingly dependent



upon others to supply us with fish. It is ironical that no single segment of our domestic food industry has so great a potential for growth and yet domestic production falls steadily and sharply behind the flow of foreign-caught imports—fish often caught in our own adjacent waters. It should also be noted that no other food industry has a more necessary and strategic role to play in the years ahead, as the world verges on a tremendous population explosion.

There are many reasons, of course, for the decline of the American fishing industry, a decline that has seen us plummet from second to fifth place in only a few years in rank among the major fishing nations of the world. But certainly a basic problem today, which lies at the root of the industry's troubles, is the continuing deterioration of our commercial fishing fleet, despite several Federal programs to assist in vessel replacement.

Similarly, and in a comparably short period of time, the United States has dropped from an unchallenged position as the mightiest maritime power in the world to that of a country with a sixth-rate merchant fleet. We have the world's most powerful navy, there is no question. And it is true that in many instances—and we can be justly proud of our success in this area—the United States has the fastest, most efficient, and most modern merchant ships. We have proven our supremacy as innovators and our continued command of the technology.

But the size, age, and general condition of our overall merchant fleet leaves much to be desired, and that is probably the understatement of the session, considering the fact that this country is currently engaged in military operations requiring waterborne logistical support in at least two major conflicts at opposite ends of the earth, and in each case thousands of miles from primary supply bases.

Two World Wars and the fight in Korea dramatically underscored the importance of maintaining a healthy merchant marine. South Vietnam and the trouble now in the Dominican Republic should prove to us that the need for this fleet, from a national security standpoint, has not diminished even in this age of the ICBM. Operation Steel Pike I last fall, the largest peacetime amphibious exercise ever held in the Atlantic, demonstrated how swift and how effective the American merchant marine can be in its role in combined operations under emergency conditions—and how essential it is to our national security.

Mr. Speaker, these comments have been by way of introducing a bill that I have today filed to provide both the fishing industry and the merchant marine an effective means to carry out vitally needed vessel replacement and fleet expansion programs. A similar measure (S. 1858) has been introduced by the distinguished chairman of the Senate Subcommittee on the Merchant Marine and Fisheries, Senator BARTLETT.

In very brief terms, this bill would allow merchant ship and fishing vessel

operators to contract with the Secretaries of Commerce and Interior, respectively, for the establishment of a vessel replacement reserve fund. Into this fund would be deposited the proceeds of the sale of any vessel, proceeds of any insurance and indemnities, annual depreciation charges, earnings on deposits in the fund and, if the operator chose to do so, moneys from other sources, such as operating profits.

Such deposits would be treated as tax deferred, but only if they are used for this exclusive national interest purpose—replacement and rebuilding of merchant and fishing vessels.

In the case of merchant vessels, the bill provides further that Government payments in the form of freight-rate differentials on Government-sponsored cargoes—in the degree determined by the Secretary of Commerce—be deposited in the reserve fund for use ultimately in the replacement of a vessel. Senator BARTLETT has explained the need for this provision:

It is apparent to me that to a substantial degree the singular inadequacy we can now note in the so-called Cargo Preference Act is that it has not promoted the construction of a modern tramp or bulk-carrying fleet. This must be corrected now. With this correction we can look to the construction of modern vessels—and with them a vast lowering in the cost of differential payments as these programs continue in the future.

Those of us from New England are, of course, particularly concerned about the state of our commercial fishing fleet. It might be appropriate to note that 2 years ago, for the first time in American history, imports of foreign fish exceeded our own domestic production. Tariff protection for our fishermen has been virtually nonexistent while at the same time this Government has channeled more than \$115 million in aid to foreign fisheries, along with an estimated \$182 million in counterpart funds for the same purpose—as of the summer of 1962. Because of the many forms this aid takes, it is difficult to obtain specific breakdowns. The Fish Boat, however, in a recent annual edition, compiled a table, based on just one source, the Agency for International Development and its predecessors. With permission, I would like to offer that table for the information of my colleagues:

*Who gets U.S. dollars for fishery projects? Summary of foreign aid from only 1 source, Agency for International Development and predecessor agencies, for fishery projects by region and country, fiscal years 1955-64*

Grand total.....	\$16,358,000
Near East and South Asia.....	2,980,000
Pakistan.....	1,833,000
India.....	1,129,000
Turkey.....	18,000
Latin America.....	406,000
Brazil.....	55,000
British Guiana.....	55,000
Chile.....	102,000
El Salvador.....	42,000
Peru.....	152,000

*Who gets U.S. dollars for fishery projects? Summary of foreign aid from only 1 source, Agency for International Development and predecessor agencies, for fishery projects by region and country, fiscal years 1955-64—Continued*

Far East.....	\$11,295,000
Cambodia.....	213,000
China, Republic of.....	1,534,000
Indonesia.....	907,000
Korea.....	5,531,000
Laos.....	13,000
Philippines.....	82,000
Thailand.....	147,000
Vietnam.....	1,908,000
Regional (AEDF).....	960,000
Africa.....	1,560,000
Congo (Brazzaville).....	10,000
Ethiopia.....	43,000
Ghana.....	88,000
Ivory Coast.....	267,000
Liberia.....	229,000
Nigeria.....	325,000
Somali Republic.....	451,000
Tunisia.....	147,000
Europe.....	117,000
Iceland.....	15,000
Spain.....	2,000
Yugoslavia.....	100,000

SUMMARY OF OBLIGATIONS BY FISCAL YEAR	
Total, fiscal year 1955-56..	16,358,000
Predecessor agencies.....	15,044,000
1955.....	1,928,000
1956.....	2,354,000
1957.....	3,559,000
1958 <sup>1</sup> .....	2,212,000
1959.....	2,201,000
1960.....	2,274,000
1961.....	516,000
Agency for International Development.....	1,314,000
1962.....	793,000
1963.....	330,000
1964.....	191,000

<sup>1</sup> Includes \$686,000 for development loan authorized in fiscal year 1958 for improvement of fishing in the Republic of China.

This foreign aid, which in no small way has contributed to the great expansion of fisheries development overseas and the exploitation of fisheries since World War II, has played a significant role in the building of new foreign fleets, many of which embody the latest design concepts and most modern equipment. We have been left behind in this development, and it has meant spiraling operating costs for U.S. fishermen, diminishing profits and a weakened competitive position in the world market and here at home in our own markets.

The average age of the U.S. documented fishing fleet is over 20 years. A third of the fleet is over 20 years old and nearly 500 vessels are over 50 years old. In 1961, the Bureau of Commercial Fisheries reported that one vessel built in 1865 was still operating commercially. It is not only the age of our vessels that is a deterrent to efficient and safe operation, it is their general lack of modern gear as well. Fish Boat reports that only 14 percent have hydraulic winches, that

only 36 percent have electric plants, that less than 10 percent have refrigeration and only half the fleet has radiotelephones. Approximately 18 percent of these operators have not been able to afford an engine overhaul in the last 9 years.

Mr. Speaker, the bill that I have introduced today is far from the complete answer to this growing problem, but, coupled with the Fishing Fleet Improvement Act of 1964 and the fisheries loan program, which I hope Congress will renew this year, it can help the industry establish a basic financial platform for the orderly replacement and modernization of the fishing fleet.

Representing a major fishing area, I have dwelled, perhaps, on the troubles of the fishing industry, but the bill also provides the same program for the non-subsidized portion of our merchant fleet, and that aspect of the bill is equally important to the national economy and the national security.

In conclusion, I urge every Member of Congress, regardless of what region of the country he represents, to consider the problems faced by these two historic maritime industries and their indispensable contributions to our national welfare. If this is done, I am confident that I can count on their enthusiastic support for the proposal I have introduced. Thank you.

Mr. Speaker, two other tables prepared by the Fish Boat are pertinent to these comments, and I insert them in the RECORD at this point:

*What is the age of the U.S. fishing fleet? <sup>1</sup>*

Years in service	Number of boats	Percentage
Under 10.....	2,487	20.9
10 to 20.....	4,959	41.6
20 to 30.....	2,028	17.0
30 to 40.....	1,218	10.2
40 to 50.....	804	6.7
50 to 75.....	398	3.3
75 to 100.....	34	.3

<sup>1</sup> Average age 20.6 years.

*What is the age of main engines on boats of the U.S. fishing fleet? <sup>1</sup>*

Years in service	Number of engines	Percentage
1 to 3.....	3,192	21.8
4 to 6.....	3,396	23.2
7 to 9.....	1,919	13.1
10 to 12.....	2,966	20.2
13 to 20.....	2,689	18.4
21 to 29.....	251	1.7
30 to 40.....	133	.9
41 and over.....	103	.7

<sup>1</sup> 42 percent of main engines in the U.S. fleet are 10 years or older.

## TWO QUICK-THINKING YOUNGSTERS

Mr. HUTCHINSON. 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 Michigan?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, in a period in which we read and hear a

great deal about juvenile delinquency and school dropouts, we are inclined to forget about the overwhelming percentage of young people who are leading meaningful lives, working hard in school and learning how to be good citizens.

This morning it was my pleasure to attend a ceremony at the White House at which our President presented the American Automobile Association's Gold Lifesaver Medal Award to two quick-thinking youngsters from Three Rivers, Mich., which is located in the Fourth District.

The boys are John Abel, 13, son of Mr. and Mrs. Harold C. Abel, and Donald Brunner, 12, whose parents are Mr. and Mrs. Donald A. Brunner.

Donald and John were instrumental in saving Sandra Williams, age 9, on March 19 of this year, from serious injury in an unusual situation. As Sandra was leaving a car in front of her school, the door slammed shut on her coat. The driver, unaware of this, proceeded to drive away and dragged Sandra along the snowy street.

Donald was returning from his post as a safety patrol when he heard the little girl screaming. He ran behind the car to attract the driver's attention. John, on patrol duty at the corner, saw the car approaching him and ran into the street to signal the driver to stop. The driver said he did not hear the girl's screams or cries for help because of a noisy car heater fan, and he praised the boys' quick thinking and actions which prevented serious or fatal injury.

## LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. 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 Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time in order to make an inquiry of the distinguished majority leader as to the legislative program for next week.

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

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, we have finished the legislative program for the week, and I think Members can take pride in the accomplishments of this week.

The legislative program for next week is as follows:

Monday is District day. There are no District bills.

There are five bills which the chairman of the Committee on Merchant Marine and Fisheries, the gentleman from North Carolina [Mr. BONNER], has said he will call up under unanimous consent agreement on Monday. Those bills are as follows:

H.R. 720, expanding the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act.

H.R. 724, authorizing the transfer of certain Canal Zone prisoners to the custody of the Attorney General.

H.R. 4528, regulating archeological exploration in the Canal Zone.

H.R. 5990, granting increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act and extending cash relief benefits to widows of recipients.

H.R. 7059, authorizing appropriations to the Smithsonian Institution to carry out its functions under the act of July 2, 1940.

Also on Monday, H.R. 2984, the Health Research Facilities Amendments of 1965 under an open rule with 3 hours of debate.

Tuesday, the 1966 appropriations act for the independent offices.

Wednesday and the balance of the week:

S. 701, International Coffee Agreement Act of 1965, open rule, 2 hours' debate.

H.R. 6755, additional authorizations for certain river basin plans to cover fiscal year 1966.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, will the gentleman from Michigan yield for some unanimous consent requests?

Mr. GERALD R. FORD. I yield to the gentleman.

## ADJOURNMENT OVER TO MONDAY NEXT

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## PERMISSION TO FILE REPORT BY COMMITTEE ON FOREIGN AFFAIRS ON H.R. 7750

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tomorrow night to file a report on H.R. 7750.

Mr. GROSS. Mr. Speaker, reserving the right to object, that, of course, includes the minority report?

Mr. MORGAN. Yes, that includes the minority report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.



## AIRCRAFT NOISE ABATEMENT

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. TENZER] is recognized for 30 minutes.

Mr. TENZER. Mr. Speaker, I have today introduced legislation relating to aircraft noise abatement.

My original interest in the subject of jet noise stems from the fact that I reside in the Fifth Congressional District of New York State—the southern third of Nassau County—and from the fact that I reside in the village of Lawrence, part of the five towns area of Long Island, which is within 1 mile of Kennedy Airport in neighboring Queens County of New York City.

The Port of New York Authority operating the regional airport system experienced its greatest air travel year in history during 1964 as 22,856,000 domestic and overseas travelers passed through Kennedy International, La Guardia, and Newark Airports. The recordbreaking year constitutes an increase of almost 16 percent over 1963. The greatest portion of this traffic is handled by Kennedy International which also accounted for a substantial part of the traffic increase in the area.

The problem of jet noise created by this traffic at Kennedy Airport is one of the most serious problems facing the residents of my district, affecting their physical and mental health, the quiet and peaceful possession of their homes, and the reduction in value of their property.

On January 7, 1965, I introduced H.R. 2086, which was referred to the Committee on Interstate and Foreign Commerce. H.R. 2086 is a bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the establishment of an Aircraft Noise and Pollution Control Service within the Federal Aviation Agency and for other purposes.

After conferring with representatives of the various agencies of the Government having an interest in the problem and who may be affected by the proposed legislation, and other interested organizations and persons, I have concluded that the problem of aircraft noise is one of much greater magnitude than I at first realized, and one which calls for action by the Congress. It is a problem that should not be dealt with in conjunction with other problems such as air pollution from aircraft, airport operation and other aspects of civilian, military or Governmental operation or control of aviation.

I shall accordingly ask the distinguished chairman of the Committee on Interstate and Foreign Commerce, to which the bill has been referred, to lay on the table H.R. 2086.

My interest in jet noise control is now based upon my conviction that the problem is one which is far greater than the parochial view which I myself had at one time, as a citizen residing in the shadow of Idlewild, later to become Kennedy International Airport. I have consistently urged that the problem was one which called for an all out research program under the auspices of the Federal Gov-

ernment. As a result of conferences held since January 1965 with Federal Government Agencies, Representatives of the National League of Cities representing 13,000 cities of the United States; representatives of the National Association of Counties of the United States; representatives of aircraft manufacturers; representatives of public agencies and private operators of airports throughout the United States I now come before this House, Mr. Speaker, with much greater knowledge and information about the problem to sound an alarm to my colleagues and to inform them that we stand today only on the threshold of the jet age and with it the increasing problem of jet noise, which is developing into a national emergency of major proportions.

There are approximately 9,000 airfields in the United States; only 100 or so of them have the facilities to handle jet aircraft. The residents of many communities are not affected by the problem of jet noise as of today, but when we realize that the jetplane is comparatively new to the aviation industry, we must prepare them for the problems they are soon to face. As time goes on, airports will lengthen their runways to facilitate the landing and takeoff of jetplanes, in order to bring faster and speedier airplane service to more and more municipalities throughout the Nation. In addition, there is now operational a smaller jetplane requiring a shorter landing strip which will be available to airlines seeking to bring jet service to other sections of the Nation. In addition as newer jetplanes are delivered the airlines may soon be selling the obsolete jetplanes to companies which do not or could not make the purchase in the first place.

Mr. Speaker, I have suggested several elements of the problem; namely, the physical and mental health of the people; disturbance to the quiet and peaceful occupancy of their homes and the devaluation of their property.

Let me outline another area of the problem and make a personal reference to the community in which I reside. The town of Hempstead in Nassau County has spent considerable sums of money to establish and to maintain a noise abatement center. They have employed engineers and purchased measuring and detecting devices, all at great cost and expense to the local residents adding to their already heavy tax burden. The villages of Lawrence and Cedarhurst located in the town of Hempstead and in turn all located within my Fifth Congressional District have passed legislation fixing the height at which aircraft departing from and approaching Kennedy International Airport shall travel. This without regard to the pilot's necessary discretion to use his best judgment when the safety of his passengers and crew is involved. In my opinion all of these steps taken at great cost and expense to the residents of the community serve no useful purpose and can bring no solution to the problem. I point this out to my colleagues, Mr. Speaker, because what has been experienced by the communities surrounding the busiest airport in the

world will be the experience—in varying degrees—in every State of the Union and in every subdivision thereof—where there is an airport in operation, governmental, quasi-governmental or private.

Therefore, in addition to the effect upon the physical and mental health of the people of our Nation, and the adverse effect on property values, there must be added the tax burden created by the inept steps taken by local officials in their attempt to do something about jet noise. And now let me point up another factor, namely the cost and expense of litigation by the municipalities against airlines and against airport operators by local residents.

Mr. Speaker, there are today pending in the United States more than 180 lawsuits—damage claims against airlines and airport operators. These suits reflect the claims of more than 2,400 citizens seeking damages totaling more than \$21 million. This is only the beginning. I am privileged to serve as a director of the New York County Lawyers Association, the largest local bar association in the world with a membership of 10,000 lawyers. I have seen the problems which arise out of strike suits. No one will deny the right of a resident of the United States to institute an action for injury to his person or damage to his property or for the removal of a nuisance, but I foresee a surge of unwarranted, unreasonable, and unnecessary litigation arising from the growth and expansion of the use of jetplanes. Yes, I foresee an avalanche of strike suits.

The U.S. Supreme Court has held in *Griggs v. County of Alleghany*, 369 U.S. 84, that the agency operating an airport was liable for compensation to property owners when low-flying planes make their land so useless as to constitute a "taking" of the property for public use. Since that decision many lawsuits have been filed against airports. There is a legitimate and grave concern over the huge financial burden which might accrue from future litigation.

The problem of jet noise is a national problem requiring the best efforts of the Federal Government because there is no commercial value to the discovery of the way to control jet noise. Therefore, private industry cannot be expected to meet the financial burden of this necessary research and development without the help of the Federal Government.

At the present time a great deal of uncoordinated research is being conducted on the basic nature of sound; the effective measurement of sound; the theory, development, production, and economic feasibility of various noise suppression devices; the effects of noise upon man, physically and psychologically, individually and in community; and the phenomenon of sonic boom.

This research is being conducted by the National Aeronautics and Space Administration—NASA, the three branches of the Armed Forces, the Federal Aviation Agency—FAA, the Armed Forces National Research Council Committee on Hearing and Bioacoustics—CHABA, and the Bureau of Standards.

At present there are only three areas in which to search for an acceptable solution to the problem of aircraft noise, the first is reducing noise at its source. Technology has already produced some useful innovations. Among these are the effective design of in-flight sound suppressors and the development of turbojet engines which are significantly quieter at takeoff and develop more thrust, thus allowing for a faster, steeper climb.

Second, we can endeavor to move the source of noise away from people. This is more difficult because major airports must of necessity be located close to major population centers. The major progress made to date in this area has been the ineffectual promulgation of a series of unsanctioned guides by the Federal Aviation Agency.

The third area which offers hope for relief is the attempt to move people away from the source of noise. The FAA has so far been quite helpful in giving advice to those communities requesting it as to planning, zoning, and redeveloping communities for compatibility with airport operations. I favor the continuation of this FAA policy to help our cities plan for the future.

The FAA has repeatedly stressed the desirability for action on the local level to alleviate the noise problem.

The mere encouragement of private industry by the FAA is not enough.

Although many airports are municipally or publicly owned, the bulk of any progress to be made with respect to operational techniques will have to be initiated by Federal agencies. The FAA has the primary responsibility for the establishment of rules, regulations, and preferential runways in takeoff and landing operations. In cases where the modification of existing airports is required, such modification will undoubtedly entail considerable expense.

It is for this reason that the proposed legislation provides for a partial subsidy for these alterations. Where changes in airport design are required, the Government in protecting the public may justifiably provide financial aid.

While planning, zoning, and redevelopment are primarily a local responsibility, the Federal Government should recognize that the creation of buffer zones—such as parks, roads, and low-density building—may be necessary in some instances. Local communities need Federal assistance to carry out such programs.

The original legislation which I offered—H.R. 2086—was intended to alert people on a nationwide basis to the problems of aircraft noise and air pollution. After analysis and numerous conferences I have revised the original bill and introduced two separate bills.

The first bill would amend section 203(a) of the National Aeronautics and Space Act of 1958 to provide for a program of research and development by NASA to reduce or eliminate aircraft noise. The problem of air pollution control has been omitted from this bill because it is felt that this is a problem which can be more effectively dealt with by separate legislation.

The bill declares the policy of Congress to be the abatement and alleviation of disturbance and annoyance caused by the operation of aircraft and airports.

Under the bill NASA is authorized to coordinate and consolidate existing research programs and conduct further research to, first, develop a workable measuring system for correlating the intensity and quality of aircraft noise with the distress to people on the ground caused by such noise; second, develop quieter aircraft through research and development in the fields of airframe and powerplant design and in the field of vertical takeoff and landing equipment for aircraft; third, develop a comprehensive body of knowledge concerning methods and devices for aircraft noise abatement such as noise suppression devices, ground baffle systems, preferential runway systems and greater ascent and descent angles for aircraft and administrative procedures such as airport site selection, local zoning regulations and encouragement of appropriate land use by Government and private persons in areas near airports and along present and proposed flight lines.

NASA has been named as the coordinating agency for research in the above fields because it is generally recognized as the agency most expert in the research and development functions required under this legislation. Last November I visited Cape Kennedy and conferred with NASA officials at that installation. I learned that the Federal Government had purchased a 5-mile area around the space center to prevent private developers from building homes which would be affected by noise from launchings. I discussed the point of view that the Government was doing at Cape Kennedy what it should have been doing for the past 15 years as jet airports were being built; namely, to acquire adjacent land rather than to wait until private developers built houses in areas surrounding airports thus aggravating the problems caused by jet noise and involving higher costs for land and buildings acquired by condemnation.

When I returned to Washington I scheduled a number of conferences and briefing sessions seeking information to guide me in proposing this legislation.

I learned that five agencies of the Federal Government were conducting research in this field, each doing a minimal job on a major problem. The thrust of my first bill was to authorize one agency to consolidate and coordinate efforts in the field of research to combat aircraft noise. I believe that duplication of effort in this field can be effectively eliminated.

The cost of implementing this bill is minimal and, by eliminating duplication of effort and coordinating research activities, a saving will be realized in the long run. The need for accelerated research programs is apparent and, by placing NASA in control of current and future activities, we will insure continued progress in the field of aircraft noise control.

The second bill would amend section 302 of the Federal Aviation Act of 1958

and confer the following authority upon the Administrator of the FAA:

First. To prescribe such regulations as he may deem appropriate to provide for the elimination of noise caused by aircraft, and for the protection of communities in this country from excessive interference or annoyance due to the operation of aircraft.

Second. To establish such rules and regulations as may be necessary to require the maximum utilization of aircraft noise elimination techniques and devices with due regard to safety.

In addition to the rulemaking powers conferred by this bill, I believe the significance of Federal legislation in the field of aircraft noise control lies in the provisions of this legislation which acknowledge Federal responsibility for sharing the cost of implementing the techniques and devices which will afford relief to those citizens now suffering from jet noise.

Under the second bill, the FAA Administrator is authorized to reimburse domestic air carriers, owners, and operators up to 30 percent for the cost of modifying aircraft and airports under FAA rules and regulations. In addition the powers of the FAA are broadened to include studies of appropriate land use by both Government and private persons in areas near airports and along present and proposed flight lines. The Agency is authorized to reimburse the State or any municipalities up to 90 percent of the cost involved in acquiring land near airports or flight lines when the land is acquired to reduce the effect of noise, glare, or other annoyances.

In preparing these bills for introduction, I have conferred with Federal, State, and local agencies and with counsel and representatives of the following organizations concerned with the problem of jet noise:

- First. Aviation Development Council.
- Second. American Municipal Association.
- Third. The Long Island Association.
- Fourth. National Association of Counties.
- Fifth. National League of Cities.
- Sixth. Port of New York Authority.
- Seventh. County executive of Nassau County and his counsel.
- Eighth. Members of City Council, City of New York.
- Ninth. Airline Pilots Association.
- Tenth. Operators of private airports.
- Eleventh. The Lawrence Association.

The suggestions and recommendations made by these organizations and individuals interested in legislation to further the abatement of aircraft noise have been most helpful to me.

The legislation introduced today expresses the sense of Congress that aircraft noise is a national problem, but more important it makes clear that the Federal Government is willing to participate financially in plans for the abatement of this problem. The legislation does not stop with accelerated research programs. It provides the mechanics for swift implementation of techniques which have been perfected. It provides Federal assistance for the expense incurred by airport owners and operators



who install or modernize equipment or take other steps to further the rules and regulations promulgated by the Federal Aviation Agency as a result of the findings and recommendations of the National Aeronautics and Space Administration after research and development procedures have been perfected.

President Johnson is the architect of our Great Society. We in the Congress are dutybound to weave into the fabric of the Great Society such plans and specifications as may insure its greatness.

Not by a patch here and there but rather by weaving it into the fabric.

What has been done to date with the jet noise problem has been patchwork. I ask my colleagues to join me in viewing the problem of jet noise in its proper perspective.

I urge my colleagues in the House to give serious consideration to these proposals which would first recognize aircraft noise abatement as a national problem and second, afford the machinery for the relief of residents of areas surrounding the Nation's airports and whose property rights have been deprived because of the annoyance of jet noise.

#### VOTER RIGHTS DEMONSTRATION IN SELMA AND MONTGOMERY, ALA.

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 60 minutes.

Mr. CONTE. Mr. Speaker, I want to make just a few remarks in response to the presentation made in this Chamber on Tuesday, April 27, which contained certain allegations concerning the behavior of some individuals during the recent voter rights demonstration in Selma and Montgomery, Ala.

I have delayed in responding to those remarks in the hope that I might avoid a hasty ill-tempered reaction. I have delayed my response in an effort to determine a constructive basis for that presentation.

I have tried, as I think we were all tacitly expected to do, to go beyond the text of that presentation and search for a greater meaning behind the lurid scenes painted for us with such exquisite detail.

I have tried, to find the broader implications, to grant some responsible basis for those charges in terms of the public welfare, in terms of pending legislation, in terms of a moral obligation to conduct responsible debate in this Chamber with some regard for the fact that our words and deeds are projected on a screen viewed by virtually every human being in the world, from the most sophisticated to the most primitive, by adult and child alike.

I have tried, but I have failed.

I have failed to find any justification to support what is termed a *prima facie* case for, I suppose, the fact that there is sin in the world.

This is, of course, a most worthy advocacy. It has been championed by some of the most important intellects of the last 3,000 or 4,000 years. I might add, I

would have been happy to concede the point without the supporting citations submitted here on April 27.

I think rather what we have seen is an application of one of the oldest tricks in the book. It has been an effort to discredit what is to some an unpopular social movement. It is a tactical smoke-screen, thrown up to blind the public to a far more serious social evil.

It has been an attempt to sap the energy and determination of the vast majority of American citizens in their efforts to rectify a grave injustice, to right a great and longstanding wrong.

I daresay, toward these objectives, the effort has been a dismal failure.

I do not intend to lend further distinction to the charges by countering them on a point-by-point basis. I am happy to note that other Members of this body, from both sides of the aisle, have already taken specific issue on many of the points raised and, judging from the reaction in the press, have pretty well revealed the whole package for the trumped-up humbug that it is.

I do not intend to insult the intelligence of this body or of the American people by denying that some abuses, some improprieties, could have occurred during the demonstrations in Alabama. We make no claim that these people are all saints. They are human beings, the same as you and me.

There are examples of this sort in the case history of virtually every social movement to which men have committed themselves. According to some of the more contemptuous critics of this very body, there are abuses of propriety and decorum occurring right here every day.

But we do not throw out the whole barrel because there are one or two bad apples in it. We do not condemn society because it harbors the despotic as well as the virtuous. We do not condemn Christianity because one of its disciples was Judas Iscariot.

As you know, Mr. Speaker, I, too, was a witness to some of the events in Selma and Montgomery during the recent demonstrations there. I suppose, in a sense, these remarks can be considered my personal affidavit with respect to those events.

My distinguished colleague, the gentleman from Massachusetts, the Honorable Ed BOLAND, and I visited Selma over the weekend of March 14, shortly after the bludgeoning slaying of Rev. James Reeb, of Boston. We went down at the request of the gentleman from Massachusetts, Speaker MCCORMACK, as a bipartisan delegation from Massachusetts.

We wanted to demonstrate our concern for the welfare of all the people of Alabama and our sympathy for the voter rights cause. We made a lot of calls and talked to a lot of people on both sides of that so-called "Berlin rope."

I think I can safely speak for my colleague from Massachusetts when I say that our impression was not quite the same as that projected in this Chamber on April 27.

We were instead impressed by the facts—the hard cold facts—that have now been made a part of the permanent record of our consideration of voter

rights legislation now pending before this Congress.

The religious leaders we met in Montgomery and Selma were, in every instance, of high courage, of unquestionable personal integrity, and of absolute commitment to God-fearing principles that permit no compromise in human rights and dignity.

They had indeed come to stick their noses into that business because their business is the business of all mankind, not merely of factional self-interest or geographic provincialism.

They were guided by an oath to assert and defend the principles of a greater truth. They went to Selma through no search for personal gain or recognition. If they sought thrills, they were not of the variety referred to here last week.

They did not, as was suggested, go to Selma and Montgomery to "mingle with and assist the spurious." They did not go, as was suggested, to lend their dignity and prestige to the kind of activities which were described so vividly here last Tuesday.

I and every other Member of this respected body know the reasons why men like James Reeb went to Alabama.

The spectacle I witnessed in Selma was hardly spurious and without dignity. It was thrilling, however.

I was thrilled by the manifestations of a mood of brotherhood and interfaith understanding which was ignited by the agony and injustice inflicted on those who asked nothing more than to be allowed to exercise their constitutional right to vote.

The abridgement of that right has triggered what I consider in the nature of a minor miracle. I saw the leaders of all faiths, Christian and Jew, Protestant and Catholic, united on the common ground of human rights and understanding, assuming the leadership and inspiring young people to follow in the drive to reaffirm the moral principles on which this country is founded.

The events in Alabama have ignited a movement toward ecumenical interfaith cooperation which is without precedent at the level of the laity. I do not think that mood or that movement is going to founder in the morass of innuendo and calumny spilled in this Chamber last week.

If the dignity and respectability of these leaders have been disfigured, it is the fault of the disease, not the cure which they have sought to administer. The blame lies with the sickness and, above all, with those who revive and prolong that sickness by trying to discredit the doctors who would eradicate it.

Such tactics reflect no credit on this body. They do no credit to the great State of Alabama. They are a disservice to the underlying principles of both our political parties. I hope I am reflecting the consensus of the Republican Party when I suggest that our party offers no sanctuary for such tactics.

In the final analysis, of course, these tactics are a reflection on this Nation and upon the ideals and principles on which it is founded.

I have, as I said, Mr. Speaker, tried to think in rational, objective terms

about the implications of the presentation made in this Chamber last week. And it seems to me, after all, that, regardless of the veracity or lack of it with respect to the affidavits and allegations, it can have little bearing on the certain outcome of the greater issue with which they are concerned. Most of these charges are, therefore, worthy only of being ignored.

There has been some indication of interest over the last few days in expanding the questions and possibly launching a full investigation of the matter. I have myself considered offering affidavits from members of the clergy and other individuals who were on the scene in Selma and Montgomery which, with precisely the same degree of legal authenticity, would repudiate the claims made in the affidavits brought before us here last week.

I have put aside that idea, for the time being, and I urge my colleagues to do likewise.

We will, of course, risk charges of being afraid to face the truth of the allegations. We will risk further attempts to capitalize on our unwillingness to dignify these charges in open debate or through costly and tedious investigations.

I think the risk is worth taking. I think the taxpayers deserve something better than for us to fill the pages of the CONGRESSIONAL RECORD with material that might be more at home scribbled on the walls of a washroom.

I think the taxpayers have a right to expect something more responsible from this body. I intend to turn a deaf ear to those who would plead with us to betray this obligation.

Mr. Speaker, I now yield to my colleague, the gentleman from Massachusetts, Mr. Ed BOLAND, who made the trip to Selma with me on March 14.

Mr. BOLAND. Mr. Speaker, I want to congratulate and compliment my colleague from Massachusetts [Mr. CONTE] on a very persuasive and splendid statement. As he indicated, both of us did go down to Selma as representatives of the Massachusetts delegation and at the request of the Speaker and other members of the delegation. We went down to Selma and spent some hours in Montgomery and Selma and, as was indicated by the gentleman from Massachusetts [Mr. CONTE] I think the one major observation we came away with, and the most impressive observation was the fact that, as we saw, these people were dedicated, sincere, and spirited people who were down there in Selma. They were anxious for the State government of Alabama to give them their constitutional rights. I think that the gentleman from Massachusetts [Mr. CONTE] will agree with me that their demeanor and character was as high as that of any group of individuals we have ever seen. My colleague and I visited the compound area and were behind the barricades. We went all through the area and talked with a good number of people from all over the Nation, both religious people and others in all walks of life. We had an opportunity to visit Brown's Chapel and were on Sylvan

Street for the better part of half a day. We did get a chance to talk with these people and to observe their activities. I must say that both of us came away from Selma, after talking to the people who were there, with the definite impression that they were there for a great cause and were a people of whom all of us could be proud. They were great Americans and were dedicated Americans.

In company with Mr. CONTE and I were Mr. William Evans, the administrative assistant to Senator KENNEDY, who made the same observation and came up with the same conclusions as we did. My colleague will agree that on talking with the number of reporters with whom we spoke from all over the Nation—and there were a number of reporters from our own State of Massachusetts, as well—we were impressed with the fact that they also came to the same conclusions as you and I and Mr. Evans, and agreed that the demeanor of the crowd and the spirit of the crowd and the appearance of the crowd and the nature of the people who were there was of the very highest.

Mr. CONTE. I agree with the gentleman fully. I think that the many reporters we spoke to and the people who were running the television cameras, if they were withholding the news reported here on the floor last week, then they were guilty of conspiracy. I am certain that such a high type of individual, such people who are dedicated to their profession of journalism, would not be guilty of such a conspiracy in withholding news from the American public. The religious people there, the ministers, the rabbis, the Catholic priests and nuns were of the highest caliber. We came back and the major subject of our conversation on the way back was the high grade of people involved in the demonstration on Sylvan Street.

Mr. BOLAND. Actually it was the type of person who was there that gave the inspiration to the groups and the leaders which all of us could be proud of and which Dr. Martin Luther King could be proud of. All of these people joined together in this common cause. You have said that we talked with these reporters and one of the most distinguished of these reporters was a gentleman from my own State, Mr. Edward McGrath, from the Boston Globe, who was just as impressed as we were with the type of person there. He saw no evidence of what was charged on the floor here. I am delighted at the gentleman's remarks and compliment my colleague for taking the floor and not leaving this field completely to those who seek to discredit the people who participated in the march and seek to discredit the march itself. I think there is substance in what you say, that there ought to be a closer look taken at this and some affidavit should be forthcoming from people who were there and have been charged by others in this Chamber with regard to particular activities. I think it is something that we ought to look into and I will be delighted to join with my colleague on another day to expose the fallacies and inconsistencies of some of the statements made here on April 27 and March 30.

Mr. CONTE. Mr. Speaker, I want to thank my colleague from Massachusetts for the constructive contribution he has made here this afternoon. Mr. Speaker, I now yield to my colleague from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, I thank the gentleman from Massachusetts for yielding. First, I should like to express my appreciation to him for taking time on the floor of the House of Representatives to examine this question in a serious vein after a good deal of research and careful thought.

The gentleman, I think, was right and sound. I think all of us on this side of the aisle and the other side are sound, also, in speaking on this subject after due consideration and examination of the facts and the passage of sufficient time to allow some of the emotionalism to calm down.

One of the most important developments in the United States in recent years, it seems to me, has been the commitment by first, the clergy of all religions and second, younger people, particularly those in academic life, in the civil rights movement. It is a commitment on the part of groups in our society that heretofore have been rather strangely silent, compared with the activism of those groups in other democracies. One of the exciting aspects of this development is the realization by these people that nothing happens by itself; that you do not correct injustice and bring about justice—any more than you get adjustments in our legal or social structure when needed—without an active commitment.

It is perplexing, after all, that a whole century has gone by, and nothing really important has been done with respect to the civil rights promises made by the 14th and 15th amendments after the Civil War until the last 10 years, beginning with the Eisenhower administration, when the first civil rights bills in almost 100 years were passed.

During that decade the cause of civil rights has marched forward each year, culminating with the 1964 Civil Rights Act. Parenthetically, I may say that I was delighted that the gentleman from Massachusetts referred to the fact that our party—his party and mine, the Republican Party—cannot be ever a haven for those who would either deny or slow the march toward the equal protection of the laws for all citizens. It was the party of Lincoln, our party, that first recognized the special obligation and responsibility of the National Government to safeguard individual citizens in their rights and liberties from what Alexis de Tocqueville called the possible tyranny of local majorities. That sums up the whole meaning of civil rights legislation on the national level.

Therefore, when one sees the commitment in an active way of the clergy, of students, and others toward the completion of what should have been completed after the country made its great decision shortly after the middle of the last century, one recognizes that fulfillment has to be brought about by citizen engagement.

The great march on Washington in connection with the 1964 Civil Rights Act



was an exciting thing. It was constructive. It was one of the first of the big demonstrations. The participants were white and black, old and young, and they were from every walk of life. It was an enormously well controlled, dignified demonstration. It set the tone for the ones to follow.

Since then we have had other demonstrations of various kinds. In most every case they have been peaceful, as they should be. Among those that were peaceful demonstrations in the best sense of the word were the ones that took place in Selma that the gentleman from Massachusetts has just been talking about.

One of the most important of the rights contained in the Bill of Rights—some people think it is the most important of all—is that contained in the first amendment: Free speech. The free speech amendment to the Constitution not only refers to the right to speak one's mind.

It is also devoted to the question—equally important and on an equal footing with the right of free speech—which is the right of every American to assemble peacefully with other Americans to petition the Government against grievances.

Strangely enough, that right contained in the Constitution does not have a specific statutory implementation. Indeed, I am one of those who has been struggling year after year to put into civil rights legislation a protection of this right.

It would be very simple to give the Attorney General sufficient injunctive powers to safeguard the right to petition against grievances by the method of peaceful assembly.

I think if we could even get it in the voting rights bill this year and get it through the House, we would have accomplished a great deal that has been neglected in this field for a long time.

Now, Mr. Speaker, if a demonstration that is peaceful is not permitted to occur—and they will not be permitted to occur if they are defamed and slandered—then you may see the eruption of nonpeaceful demonstrations.

The use of these peaceful demonstrations has been twofold: First, they provide a forum for the natural urges and wishes of young people and of the clergy who wish to see an improvement in our society. Second, they represent a safety valve, a natural outlet. If you repress it in any way, you will remove the safety.

This country became the most powerful country in the world in an extremely short space of time with only one revolution. Very few other democracies can point to that kind of history. We have done so by having enough safety valves in our system so that people can let off steam.

Also, there has been enough flexibility and commonsense among our people and our governmental institutions so that we can make sufficient adjustments as we go along to remove the sources of pressure.

So, Mr. Speaker, these demonstrations have been a safety device. They have also, I believe, been a constructive means by which citizens have exchanged their

ideas and communicated with their governmental officials at every level. Thus the civil rights march on Washington in 1964 played a helpful and positive role in the enactment of the civil rights bill in 1964.

Returning to the gentleman's comment about the Republican Party, the Record should show that our party in each of these legislative accomplishments, the 1964 act, the 1960 act and the act of 1957 presented a higher percentage of Members of this great body in support of the legislation than on the other side of the aisle.

Therefore, the gentleman is quite sound and correct in restating the Republican Party's commitment to that cause which was begun by the first President of our party, Abraham Lincoln.

I do think so, Mr. Speaker, that on the facts of this particular matter it is relevant that neither the press nor any of the members of the clergy who were participants in the march made any reports of the kind or quality that the gentleman was talking about when he was disagreeing with the remarks made in this Chamber a few days ago.

I commend the gentleman, as I do his colleague from Massachusetts [Mr. BOLAND] for their trip to Selma. I only wish I had been free to go myself.

I have talked to a great many of the young people and clergy who were participants in the Alabama demonstrations. I have seen them in New York and on the campuses of universities in the Middle West. I have talked to boys and girls at the undergraduate and graduate levels who participated in the Montgomery march. I have discussed it with several members of the clergy of my own personal acquaintance who participated, as well as other members of the civil rights leadership here in Washington and elsewhere.

There simply is no basis for the charges that were made. It is not true that there was the unseemly, untoward conduct that the gentleman last week attempted to persuade the House took place.

But that is almost beside the point.

It is almost irrelevant because the problem here is the right of people to demonstrate their concern about what happens in our great country and what changes they would like to see take place. Whether or not we agree with their point of view, whatever it is, so long as the assembly is a peaceful one it has Bill of Rights protection. That protection will be lost by this kind of attack that the gentleman is attempting to correct now. It will be lost just as quickly as if the Government itself were to use its great powers to put an end to peaceful demonstrations.

No one suggests that the right of peaceful assembly is an absolute one, that has no limits at all, any more than the right of free speech does. We know that the Supreme Court time and time again has laid down reasonable inhibitions on free speech, depending on competing interests and the circumstances. One is not permitted to shout "fire" in a crowded theater. In some of the legislation passed by the Congress there are certain

inhibitions to free speech. The Smith Act is such an example.

The same is true with respect to the right to picket or to petition reasonably. The point is that the right itself is supreme as long as reasonable conduct and conditions exist it must be protected, particularly from the pressures of disagreement on the part of others. They may petition or demonstrate themselves, if they so wish.

We Members of Congress are accustomed to pressure. We are petitioned every day of the week. We receive delegations in our congressional offices here, and in our congressional offices back home. We listen to thousands of complaints. We take a good deal of abuse from time to time ourselves because the Congress does not do this or does not do that. It may or may not be personal. We may be urged to consider something or not to consider something. Still we receive petitions. We almost take them for granted. Therefore it seems to me we have a double obligation here, and have a right also to speak, as the gentleman has done this evening, in protection of the right of persons and citizens to petition other segments of our society, governmental and nongovernmental, to illustrate their views.

We Republicans, in particular, maintain a historical interest in this freedom because it was the Republican Party which originally began and encouraged some of the great petitions of the past, most dramatically in the early years of the founding of our party.

We restate our commitment tonight to the cause of civil rights—I, like my colleagues, will work day and night in these times in another effort to improve our legislative system and our body of law and to strengthen that system and the law to do what is right and to do what we must do. In that process, and in the process of speaking here tonight, we reassociate ourselves with the wants and needs of every citizen who demands that he at least begin on an equal footing with other citizens; that he be safeguarded according to the tenets of the Constitution; and that he receive due process and the equal protection of the laws.

That applies to the body of the law—to voting rights and to the principle of a fair chance for all citizens. It also applies to the citizen's right to speak and be heard.

Once again, I compliment our friend, the gentleman from Massachusetts. I hope what he has done tonight and the words that we have spoken here tonight will be an important part of this day's CONGRESSIONAL RECORD and an important part of our party's—the gentleman's and mine—long history.

Mr. CONTE. I want to take this opportunity to thank the gentleman from New York for the contribution he has made here this evening in this colloquy and on this very important issue. I am pleased to hear his remarks.

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

Mr. CONTE. I am glad to yield to my friend, the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, I commend the gentleman from Massachusetts for the presentation that he has made here today.

It seems to me almost incredible that in this day and age a Member of this House of Representatives should have to rise to defend the clergy of the country who are performing, in my judgment, a service for which this House and the entire Congress and the Nation owe them a great debt for providing the moral leadership which is so necessary in meeting these problems and the continuing problems of civil rights. The gentleman from Massachusetts is to be commended for the stand that he has taken today, and I want to compliment him for it.

Mr. CONTE. I thank the gentleman. I would like to add a word on behalf of the distinguished Representative from New York, the Honorable OGDEN REID, who wanted very much to be here today to take part in this colloquy. The gentleman also made a trip to Selma and Montgomery and has indicated to me that his reaction was pretty much the same as my own.

I am sorry the gentleman was unable to be here this afternoon. I know his views would have been an important contribution to our discussion.

#### STATUTES, REGULATIONS, POLICIES, AND PRACTICES OF SELECTED FOREIGN COUNTRIES PROVIDING FOR PREFERENCES FOR DOMESTIC MATERIALS AND FIRMS IN THE AWARDING OF PUBLIC SUPPLY AND PUBLIC WORKS CONTRACTS

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, I submit for publication in the CONGRESSIONAL RECORD the purchasing policies of the Governments of India, Japan, and the Philippines.

A study of this document reveals that India tolerates imports only when domestic materials are not available except when equipment and materials are to be financed by loans made by the International Bank for Reconstruction and Development or by the generosity of the U.S. Agency for International Development.

It is also interesting to note that Japan's "Buy Japan" policy closes the door to foreign goods regardless of cost savings even before the bidding starts, and that the Philippine Government has so many laws and regulations prohibiting purchase of foreign products that they are difficult of interpretation and seem to conflict with one another. In any event, the intent is most effective in limiting imports to emergency cases.

It is ironic that while industrial nations elsewhere largely prohibit use of foreign products in public works projects, the U.S. Government continues to buy in world markets without regard to economic conditions in this country. The remedy is for Congress to attach an

effective buy American provision to every authorization requiring any use whatsoever of Federal funds.

Following is No. 6 of the series on purchasing practices of other governments in contracting for public works projects:

#### INDIA (MEMBER OF GATT)

According to reports from the U.S. Embassy in New Delhi, in recent years the Government has been under pressure from some elements of the Indian business community to take steps to enact a "Buy India" act but thus far the Government has resisted such pressure.

Nevertheless, in all fields of supply and works government procurement, every effort is made to use local Indian resources to the utmost extent possible, subject to limitations imposed by "tied" external financing arrangements, such as those of the U.S. Agency for International Development.

For example, the Directorate General of Supplies and Disposals, in implementing the policy, accords price preferences to locally manufactured items and may also allow some relaxations in specifications and standards for such items. In effect, the Directorate imports foreign items only when unavoidable because of inadequate domestic manufacturing capacity. The Directorate, which accounts for more than 5 percent of total Indian imports, is responsible for the procurement of the major portion of the supplies and equipment purchased by the Central Government of India, state governments, municipalities, district boards, port trusts, and various other official and quasi-official agencies.

Procurement by the Ministry of Railways, commonly known as the Railway Board, which exercises all the powers of the Central Government for the construction, maintenance, operation, and regulation of the Indian railway system, is governed by the provisions of "Indian Railway Code for the Stores Department." The Code provides that, when making purchases, preference shall be given to local materials and that they should be accepted unless it is considered that the quality cannot meet the standard required. The Board has interpreted the provision to mean that local materials will be utilized insofar as possible even though imported materials may be of better quality and on occasion cost less. Most of the tenders for equipment and materials procured by the Board outside India are to be financed by loans made by the International Bank for Reconstruction and Development, which requires international public bidding, and by the United States Agency for International Development.

#### PRINCIPAL SOURCES

(1) Airgram No. A-57 dated July 12, 1963, from the U.S. Embassy in New Delhi, entitled "Indian Government Procurement Procedures—Directorate General of Supplies & Disposals."

(2) Airgram No. A-81 dated July 19, 1963, from the U.S. Embassy in New Delhi, entitled "Indian Government Procurement Procedures—Railway Board."

(3) U.S. Department of Commerce, "Investment Factors in India," Overseas Business Reports, OBR No. 62-40 (December 1962).

(4) U.S. Department of Commerce, "India: A Growing Market for U.S. Products and Investment," Overseas Business Reports, OBR No. 63-26 (January 1963).

(5) Kust, "Foreign Enterprise in India: Law and Policies" (Chapel Hill (N.C.), 1964).

#### JAPAN (MEMBER OF GATT AND OECD)

The fundamental principle of Japanese Government procurement is competitive tendering with public advertisement, but many exceptions have been provided for in laws and orders pursuant to Article 29 of the Account Law. In many cases it is customary

to adopt limited competition by selected suppliers.

The most important exceptions, which provide for an outright preference for Japanese products, are set forth in the Cabinet Order No. 336 of September 25, 1963 (published in the Official Gazette of the same date), which amended the special exceptions to the Cabinet order concerning budget, settlement of accounts and accounts (Imperial Order No. 558 of 1946) to provide additionally as follows (unofficial translation from Japanese):

"Article 4-(15). In purchasing any of the goods included in the goods designated by the Minister of Finance (hereinafter referred to as the 'Designated goods'), the chief of any Ministry or Agency may, for the time being for the purpose of encouraging the use of domestic products, make such purchase through limited competition, in addition as provided for in laws and orders in accordance with the provisions of Article 29-(3), paragraph 5, of the Account Law.

"Before inviting the limited competition in accordance with the provisions of the preceding paragraph, the Chief of any Ministry or Agency shall confer with the Minister of Finance.

"Article 4-(16). If the Chief of any Ministry or Agency finds that in a competitive bidding invited with respect to the purchase of any of the Designated goods, there are two or more persons who have offered the same price that would make their bids successful, he may, for the time being, designate as the successful bidder, the person who will supply such Designated goods in domestic products. If, in that case, there are two or more persons who would be the successful bidders, the successful bidder shall be determined in accordance with the provisions of article 83 of the Cabinet Order."

According to Japanese counsel, the "Buy Japan" policy reflected by the above-quoted provisions will be carried on in such a way as to give preference to Japanese goods, regardless of cost, notwithstanding the provisions of article 4-(16).

Notification No. 382 dated December 13, 1963, of the Minister of Finance (published in the Official Gazette of the same date), a copy of an unofficial translation from Japanese of which is attached hereto as Schedule A, designated 14 items, including automobiles, office machines, and agricultural machinery, for purposes of Article 4-(15) of the Cabinet Order, that is, items that can be purchased by selecting suppliers without recourse to public tendering.

The Cabinet Order and the Ministerial Notification obviously have the effect of virtually shutting out from Government procurement foreign-made articles on the list because only Japanese manufacturers and dealers with items made in Japan will be permitted to participate in the bidding. Proposals have also been made to broaden the list of designated articles.

The Cabinet Order of September 25, 1963, was adopted in implementation of the "Buy Japan" policy laid down in the Cabinet Decision of September 20, 1963 (Cabinet (TSU) No. 90 of 1963), in the following terms (unofficial translation from Japanese):

"In order for the Japanese economy to attain growth at the rate expected by the Government, the Government should take the lead in carrying out such measures as are within its jurisdiction to take, while keeping the international payments in balance and at the same time voluntary co-operation should be expected from the Industrial & Financial Circles.

"So far, there has been a tendency in this country for excessive preference for foreign products and it is often the case that foreign products are used despite the fact many domestic products are available which are not inferior to foreign counterparts in quality, performance, design, price, etc. Such tendency is particularly conspicuous with respect



to machineries, partly because they are low in reliability, the important factor that makes them competitive as a result of insufficient experience in their manufacture and use. Such tendency seems to be threatening to aggravate with the furtherance of liberalization from now on.

"It is therefore decided that correct evaluation for domestic products, including machineries, be established and that effort be made to encourage the use of domestic products by the Government and Government agencies, in order to prevent the outflow of foreign exchange through unnecessary imports and to promote the domestic industries.

"The local public entities, the industrial and financial circles are hereby called upon to render cooperation in this matter."

By Cabinet decision of November 1, 1963, a copy of an unofficial translation from Japanese of which is attached hereto as Schedule B: The Department for Standardization of Government Goods and Promotion of Use of Domestic Products was established in the Office of the Prime Minister of Japan for the purpose, among others, of promoting the "Buy Japan" policy.

In the field of public works, Japanese construction firms are clearly favored under the construction enterprises law of 1949, which requires a foreign construction firm to qualify as a Japanese firm and contractor under the provisions of that law in order to bid on or participate in a construction contract of the Japanese Government. Contractors must first make application for registration and a license to the Ministry of Construction or the appropriate prefectural government and, except in the case of small projects, contractors who obtain licenses also must make application to become "designated contractors." That procedure involves the rating of contractors according to their size and capabilities.

The Minister of Home Affairs still had under consideration in February 1965 the issuance of "Buy Japan" instructions to the various local governments, but by then many Government-owned corporations had also initiated action to implement the "Buy Japan" policy. By notification No. 45 of July 3, 1964 (published in the Official Gazette of the same date), the Nippon Telegraph and Telephone Public Corporation, which operates all the domestic telecommunications facilities, amended its accounting regulation by the insertion of the following provision (unofficial translation from Japanese):

"(Preference of domestic products in case of same price offered in bidding.)

"Article 42-2. If in a competitive bidding invited with respect to the purchase of any of the goods falling within the items to be provided for separately, there are two or more persons who offered the same price that would make their bids successful, the person who will supply the goods which are among the designated domestic products shall be the successful bidder."

The items referred to are the same as those designated by Notification No. 382 dated December 13, 1963, of the Minister of Finance, and Article 42-2 apparently will be applied in the same way as Article 4-(16) quoted above on page 2 so as to give preference to Japanese goods regardless of cost.

The Japanese Monopoly Public Corporation has not codified the "Buy Japan" policy in its regulations, but, in recognition thereof, it has limited its purchase of automobiles to domestic products.

Similarly, the Japanese National Railways have taken the position that there is no need for codification because their policy already is to purchase domestic products in most cases.

By Cabinet Decision of September 25, 1964, it was decided to initiate a strong drive on the entire domestic front for recognition of the excellence of domestic products. For that purpose the Domestic Product Promo-

tion and Improvement Headquarters, an incorporated foundation (Zaidan Hojin), was designated to conduct a campaign to encourage and expand the use of domestic products. By Cabinet Decision of October 13, 1964, the week of November 16-22 was fixed as "recognition week" for the second half of 1964.

#### PRINCIPAL SOURCES

(1) Memoranda dated December 5, 1963, May 2, 1964, June 10, 1964, September 17, 1964, and December 18, 1964, prepared by McIvor, Kauffman & Christensen, attorneys of Tokyo, Japan, for Cravath, Swaine & Moore, New York.

(2) Foreign Service Despatch No. 1094 dated March 11, 1960, from the United States Embassy in Tokyo, entitled "Procurement Practices and Policies of the Government of Japan."

(Unofficial translation from Japanese)

SCHEDULE A—JAPAN: MINISTRY OF FINANCE  
NOTIFICATION NO. 382 DATED DECEMBER 13, 1963 (OFFICIAL GAZETTE, DECEMBER 13, 1963)

In accordance with the provisions of Article 4-15, paragraph 1, of the Special Exceptions to the Cabinet Order concerning Budget, Settlement of Accounts and Accounts (Imperial Order No. 558 of 1946), the items mentioned hereunder were designated.

December 13, 1963.

KAKEU TANAKA,  
Minister of Finance.

1. Four-wheeled vehicles:
  - (a) Passenger car (including car for passenger and cargo use).
  - (b) Buses.
  - (c) Trucks.
2. Calculation-type electronic computer (including input and output power apparatus and auxiliary parts).
3. Office machines:
  - (a) Electric computers, accounting machines, cash registers.
  - (b) Typewriters.
  - (c) Copying machines and rotary mimeographs.
  - (d) Micro-photographic equipment.
4. Air-conditioners.
5. Measuring apparatus and measuring instruments:
  - (a) Testers.
  - (b) Electric measuring instruments.
  - (c) Analyzers.
  - (d) Water gauges.
  - (e) Scales.
6. Civil engineering and construction machinery:
  - (a) Caterpillar tractors.
  - (b) Shovel-type digging machines.
7. Agricultural machinery:
  - (a) Wheeled tractors.
  - (b) Plows and harrows.
8. Wired and wireless communication apparatus, wireless applied apparatus and their parts:
  - (a) Wired telegraphic instruments.
  - (b) Wired telephone equipment.
  - (c) Electric communication equipment for carrier system.
  - (d) Wireless communication apparatus.
  - (e) Wireless applied apparatus.
  - (f) Parts for equipment and apparatus mentioned in (a) through (e).
9. Wires and insulating cables.
10. Aircraft.
11. Thermal electric generators:
  - (a) Dynamos.
  - (b) Steam boilers and their auxiliary equipment.
  - (c) Steam turbines (including steam condensers).
12. Pumps, blowers (including exhaust blowers), and compressors.
13. Printing and bookbinding machines.
14. Machine tools:
  - (a) Lathes.

(b) Drilling machines and boring machines.

(c) Milling machines.

(d) Planing machines.

(e) Grinding machines.

SCHEDULE B—JAPAN: CABINET DECISION OF NOVEMBER 1, 1963, REGARDING ESTABLISHMENT OF THE DEPARTMENT FOR THE STANDARDIZATION OF GOVERNMENT GOODS AND PROMOTION OF USE OF DOMESTIC PRODUCTS

(Unofficial translation from Japanese)

1. Establishment: For the purpose of the Government and Government agencies making efficient use of the appropriated money and assisting in the promotion of industrial standardization by standardizing the goods to be purchased by them, and encouraging the use of domestic products by giving preference to the purchase of domestic products, and in order to attain closer connection and coordination among the agencies concerned and carry out the policies uniformly, there shall be established in the Prime Minister's Office the Department for Standardization of Government Goods and Promotion of Use of Domestic Products (hereinafter referred to as the "Department").

2. Organization: The organization of the Department shall be as set forth below; provided, however, that the members may be added to as the necessity arises.

Chief of Department: General Affairs Deputy Director, Prime Minister's Office.

Members: Chief of Deliberation Office, Prime Minister's Secretariat, Chief of Inspection Bureau, Administrative Management Agency, Chief of Budget Bureau, Ministry of Finance, Chief of Heavy Industry Bureau, Ministry of International Trade and Industry, Standard Department, Agency of Industrial Science and Technology, and Chief secretaries or similar persons of the following Ministries and agencies:

Police Agency, Imperial Household Agency, Administrative Management Agency, Hokkaido Development Agency, Defense Agency, Economic Planning Agency, Science and Technology Agency.

3. Operation:

(1) The Department shall hold a meeting from time to time when necessary, such meeting to be called by the Chief of the Department.

(2) The Department shall hold, from time to time when necessary, a meeting of the Managing Committee composed of officials of the agencies concerned, such meeting to be called by the Chief of Deliberation Office, Prime Minister's Secretariat.

(3) The general affairs of the Department shall be handled by the Deliberation Office, Prime Minister's Secretariat, and the Heavy Industry Bureau, Ministry of International Trade and Industry, or the Standard Department, Science and Technology Agency.

#### THE PHILIPPINES

Philippine central procurement activities are carried on by a number of departments, agencies and government corporations, as well as by provinces, cities and municipalities. The most important national procurement authorities are the Department of Public Works and Communications (through the Director of Public Works) and the Department of General Services (through the Bureau of Supply Coordination). The Director of Public Works is generally responsible for contracts relating to the construction and repair of public works and buildings. Revised Administrative Code, section 1901. Rule 1 of the "Rules, Procedure, and Guides Governing the Procurement of Supplies, Materials, Equipment, and Non-Personal Services" (hereinafter called the Supply Rules), promulgated by Department Order No. 32 of the Secretary of the Department of Public Works (59 Official Gazette [O.G.] 1895, March 25, 1963) contains the following provisions with regard to supply contracts:

"Rule 1. Who are required to file requisitions with the Bureau of Supply Coordination.—All departments, bureaus, and offices of the National Government, including their branches, dependencies, and instrumentalities, shall file their requisitions for supplies, for official use, with the Bureau of Supply Coordination. However, government-owned or controlled corporations, and provinces, cities, and municipalities may avail of the procurement service of the Bureau at their option. They shall be subject, however, to these rules and regulations."

The basic principle that public contracts shall be awarded only through public bidding is well established in Philippine law and practice. In the field of public service and public supply contracts, Executive Order No. 298 of August 12, 1940, as last amended by Executive Order No. 40 of June 1, 1963 (59 O.G. 3579), provides that no contract for public service or for furnishing supplies, materials and equipment to the government or any of its branches, agencies or instrumentalities shall be renewed or entered into without public bidding, except for "very extraordinary reasons" to be determined by a committee the composition of which is specified in the Executive Order. The Order contains exceptions for emergency purchases and for purchases from an exclusive dealer or manufacturer. A copy of Executive Order No. 298, as amended, is attached hereto as Schedule A.

In the case of public works contracts, Section 1917 of the Revised Administrative Code, a copy of which is attached hereto as Schedule B, provides that contracts for all national public works involving an estimated cost of 10,000 pesos (about \$2,600) or more shall, with the exceptions therein provided, be awarded to the "lowest responsible bidder" after publication in the Official Gazette. The annual public works appropriation acts usually contain a provision making publication of the calls for bids for public works projects in newspapers sufficient compliance with the advertising requirement contained in Section 1917. See, for example, Section 14 of Republic Act No. 2701 of June 18, 1960.

Executive Order No. 114 of December 27, 1947 (44 O.G. 11) provides that, except in cases of urgent necessity and those where the law or charter of the particular corporation concerned expressly authorizes the award of public works contracts without public bidding, all contracts for repair or construction works entered into by government-owned or controlled corporations, when the estimated cost is 3,000 pesos (about \$780) or more, shall be submitted to public bidding and awarded to the lowest responsible bidder after publication or advertisement.

Generally, a qualified bidder who has properly exercised his right to bid is entitled to the award only if (1) he is the lowest bidder; (2) he has complied with the requirements and specifications of the advertised proposals to bid; and (3) his bid proves to be "advantageous" to the Government. See *Dumdum v. Secretary of Public Works and Communications et al.*, 54 O.G. 1844 (1957) (Philippine Court of Appeals). In the case of public works contracts, the terms "lowest responsible bidder" in Section 1917 of the Revised Administrative Code is interpreted to mean the lowest bidder in price who the contracting authority determines has the requisite business judgment, capacity, skill and responsibility and who proposes to furnish contract materials of the requisite quality.

Supply Rule No. 46 establishes the following criteria for the award of supply contracts:

"Rule 46: Basis of awards.—Contracts shall be generally awarded to the lowest complying bidder. The following points shall be the basis for making awards:

(1) Public interest;

(2) Price quoted, considering the Flag Material Law, Commonwealth Act 138, (see Appendix H) and other laws and policies pertinent to procurement;

(3) Quality and kind of supplies offered and/or conformity with specifications;

(4) Time of delivery. When time is essential, the bidder who offers to deliver within the period stipulated in the invitation to bid shall be awarded the contract; provided that the price is not unreasonably higher than the lowest price offered;

(5) Whether the offer is whole or partial. All other things being equal, the bidder who offers to supply the whole quantity shall be preferred in order to obtain uniformity in quality, tensile strength, color shade, etc.;

(6) Reliability of supplier as bidder or contractor. The supplier may be required to furnish satisfactory evidence of his ability to comply with the contract;

(7) Requirement and recommendation of the using unit or agency. Justifications (for recommending an award) that are not contained in the advertisement for bids should not be entertained.

"The Director may consult the NASSCO on requisitions for shop manufacturing work; the National Development Company on clothing materials; the National Coconut Corporation on laundry soap; the Cebu Portland Cement on cement; and other government agencies for supplies about which they have official technical knowledge, familiarity, and/or authority."

Philippine laws and regulations abound in provisions that discriminate against foreign bidders and foreign products, some of which are in seeming conflict with one another. The basic preferential provisions are contained in the so-called Philippine Flag Law (Commonwealth Act No. 138 of November 7, 1936, 36 Philippine Annotated Laws [PAL] §§ 12-15), a copy of which is attached hereto as Schedule C. The Law is obviously based on the Buy American Act of 1933 of the United States.

Section 1 of the Flag Law contains broad provisions requiring every governmental instrumentality of any nature to give preference to materials and supplies produced, made and manufactured in the Philippines or in the United States, and to domestic entities, in the purchase of articles, materials and supplies for public use, public buildings and public works. Section 3 provides, among other things, that only articles, materials and supplies grown, produced or manufactured in the Philippines or in the United States shall be purchased for public use. When the lowest foreign bid, including customs duties, exceeds 2,000 pesos (about \$520), the award must be made to the lowest domestic bidder, provided his bid is not more than 15 percent, in excess of the lowest foreign bid.

For purposes of the Law, the term "domestic entity" is defined to mean any citizen of the Philippines or of the United States habitually established in business and engaged in the manufacture or sale of the merchandise covered by his bid, or any corporate body or commercial company duly organized and registered under the laws of the Philippines, 75 percent of which is owned by citizens of the Philippines or of the United States, or both.

The application of the Flag Law is buttressed by the general provisions of annual appropriations acts, which usually contain a proviso granting a 10 percent differential in addition to that granted by the Flag Law. For example, section 9 of the Appropriation Act for the fiscal year July 1, 1963-June 30, 1964 (Republic Act No. 3845 effective July 1, 1963), provides as follows:

"Sec. 9. Purchase of locally manufactured equipment, parts, accessories, supplies, and materials.—All appropriations for the purchase of equipment, supplies and materials authorized in this Act shall be available

only for locally manufactured equipment, parts, accessories, supplies and materials, except when none is available in the market, or when the prices of the locally manufactured article exceed those determined by the Flag Law by ten percent."

Other discriminatory provisions are contained in Commonwealth Act No. 541 of May 26, 1940 (36 PAL 325-326), a copy of which is attached hereto as Schedule D. Act No. 541 requires all branches, offices and subdivisions of the government and all government-owned or controlled companies authorized to contract, and make disbursements, for construction or repair of public works to give preference in awarding contracts to Filipino and American contractors and domestic entities when the lowest bid of a domestic bidder is not more than 15 percent in excess of the lowest foreign bid, subject to the proviso that "foreign bids" shall not be allowed on national defense construction contracts.

Act No. 541 differs from the Flag Law in that:

(a) Act No. 541 gives preference only to persons whereas the Flag Law gives preference not only to persons but also to articles, materials and supplies.

(b) Act No. 541 contains an absolute prohibition against the admission of foreign bids on national defense construction contracts.

Still further discriminatory provisions are contained in Republic Act No. 912 of June 20, 1953 (36 PAL §§ 16-20), a copy of which is attached hereto as Schedule E. Section 1 of that Act provides that in construction or repair work undertaken by the Government, whether done directly or through contract awards, "Philippine made" materials and products, whenever available, practicable and usable, and if they will serve the purpose as well as foreign made products or materials, shall be used. In effect, Act No. 912 greatly diminished the preference enjoyed by domestic bidders and domestic products under the Flag Law, insofar as materials and products for "construction or repair work" undertaken by the government are concerned. The principal differences between the Flag Law and Act No. 912 are as follows:

(a) The Flag Law requires that raw materials used or to be used in the manufacture of products be substantially of the growth, manufacture or production, as the case may be, of the Philippines or the United States, whereas Act No. 912 requires merely that the materials or products be Philippine-made, without any further requirement as to the percentage or quantity of the local raw materials that go into the manufacture of the products.

(b) The Flag Law contains a scale of differentials in favor of domestic bidders, entities and products, whereas no such differential in prices is provided in Act No. 912.

A fourth discriminatory provision is contained in Public Act No. 4239 of August 22, 1935 (36 PAL § 24), section 1 of which provides as follows:

"Section 1. No contract for the construction of any public building, excavation, pipe laying, bridges, piers, drainage, roads, water works, irrigation projects, or any other class of public works or improvements which shall be undertaken and done at the expense of the government or semi-government entities, shall be awarded to any contractor who is not a citizen of the Philippine Islands or of the United States, or of any country the laws of which grant similar right or privilege to citizens of the Philippine Islands or of the United States, nor to any association or corporation that is not duly registered or incorporated under the laws of the Philippine Islands, and of which at least seventy percent of the capital stock or of any interest in said capital stock, belongs wholly to citizens of the Philippine Islands or of the United States."



The application of the Flag Law, Commonwealth Act No. 541 and Public Act No. 4239 to foreign bidders and materials with the exception of United States bidders and materials is clear. The application thereof to United States bidders and materials must be considered in the light of the provisions of Republic Act No. 76 of October 21, 1946 (18 PAL § 43), and Article VII of the Trade Agreement of July 4, 1946 (61 Stat. 2611), as revised by an agreement signed on September 26, 1955 (6 U.S. Treaties and Other International Agreements 2981) (hereinafter called the Revised Trade Agreement).

Section 1 of Republic Act No. 76 provides as follows:

"Section 1. Existing laws or the provisions of existing laws granting privileges, rights or exemptions to citizens of the United States of America or to corporations or associations organized under the laws of any of the States of the United States of America, which are not enjoyed by citizens or nationals of any other foreign State or by corporations or associations organized under the laws of such State, are hereby repealed unless they affect rights already vested under the provisions of the Constitution or unless extended by any treaty, agreement or convention between the Republic of the Philippines and the United States of America."

Article VII of the Revised Trade Agreement provides as follows:

"1. The United States of America and the Republic of the Philippines each agrees not to discriminate in any manner, with respect to their engaging in business activities, against the citizens or any form of business enterprise owned or controlled by citizens of the other and that new limitations imposed by either Party upon the extent to which aliens are accorded national treatment with respect to carrying on business activities within its territories, shall not be applied as against enterprises owned or controlled by citizens of the other Party which are engaged in such activities therein at the time such new limitations are adopted, nor shall such new limitations be applied to American citizens or corporations or associations owned or controlled by American citizens whose States do not impose like limitations on citizens or corporations or associations owned or controlled by citizens of the Republic of the Philippines.

"2. The United States of America reserves the rights of the several States of the United States to limit the extent to which citizens or corporations or associations owned or controlled by citizens of the Philippines may engage in any business activities. The Republic of the Philippines reserves the power to deny any rights to engage in business activities to citizens of the United States who are citizens of States, or to corporations or associations at least 60 percent of the capital stock or capital of which is owned or controlled by citizens of States, which deny like rights to citizens of the Philippines or to corporations or associations owned or controlled by citizens of the Philippines. The exercise of this reservation on the part of the Philippines shall not affect previously acquired rights, provided that in the event that any State of the United States of America should in the future impose restrictions which would deny to citizens or corporations or associations owned or controlled by citizens of the Philippines the right to continue to engage in business activities in which they were engaged therein at the time of the imposition of such restrictions, the Republic of the Philippines shall be free to apply like limitations to the citizens or corporations or associations owned or controlled by citizens of such States."

The Revised Trade Agreement will expire on July 3, 1974, unless extended, which seems unlikely, or unless abrogated or modified prior to July 3, 1974, by mutual agree-

ment between the United States and the Philippines, which seems more likely in view of the highly nationalistic opposition to most of its provisions by many Filipinos.

The application of Act No. 76 and Article VII has been the subject of several conflicting interpretations.

In an informal opinion addressed to an undisclosed private company in August 1962, Mr. John J. Czyzak, the then Assistant Legal Adviser for Far Eastern Affairs of the United States Department of State, stated that the Department did not consider that Article VII of the Revised Trade Agreement was applicable to government procurement of goods or services either in the United States or in the Philippines and that whether foreign bidders may participate in such procurement is within the discretion of either government. The opinion is directed specifically to Commonwealth Act No. 541 but obviously has much broader application. The opinion reads in part as follows:

"The United States 'Buy American Act' is not unlike Philippine laws relating to governmental procurement contracts in that it also establishes preferences in favor of domestic bidders. Executive Order 10382 prescribes the procedures and provides the tests for determining whether an offer by a domestic supplier is unreasonable, thus allowing an award to a foreign bidder. While in the case of Philippine laws the differential is 15 percent, under the Buy American Act, it is either 6 percent, after deducting the duty and costs incurred after arrival in the United States, or 10 percent excluding such duty and costs.

"The lack of specific provision on government procurement in the Revised Trade Agreement indicates that the agreement was not intended to interfere with the operation of either the 'Buy American Act' or like Philippine laws.

"Although Commonwealth Act No. 541 provides for equality of treatment as between Philippine and American bidders, your attention is invited to Republic Act No. 76, an act approved October 21, 1946, which provides that the laws of the Philippines granting privileges, rights or exemptions to citizens of the United States or to corporations or associations organized under the laws of the United States which are not enjoyed by citizens or nationals of any other foreign State or by corporations or associations organized under the laws of such State are repealed unless they affect the right already vested under provisions of the Philippine Constitution or unless extended by any treaty, agreement or convention between the Philippines and the United States. Since government procurement of goods or services lies outside the scope of Article VII of the Philippine Trade Agreement, the saver clause of Republic Act No. 76 would appear to be of no avail. Accordingly, an American bidder is on the basis of the Philippine laws subject to the 15 percent differential in the same manner as any other foreign contractor bidding on Philippine contracts."

Earlier, in 1956, the then Secretary of Justice of the Philippines rendered an opinion (Opinion No. 294, Series 1956), in which he took the much narrower position that the commitment of nondiscrimination in Article VII of the Revised Trade Agreement did not require goods manufactured in the United States to be treated as if they were produced in the Philippines for the purposes of Commonwealth Act No. 138. The Secretary declined to state definitively whether the treaty provision had the effect of placing bidders who were United States citizens or enterprises owned or controlled by such citizens in the same preferred position as "domestic entities."

In an opinion which is in many respects in conflict with the opinion of the Secretary of Justice, and which does not refer to such opinion, the Government Corporation Coun-

sel in the Department of Justice of the Philippines, in Opinion No. 179 dated October 23, 1962, to the National Power Corporation, interpreted Article VII of the Revised Trade Agreement as restoring Commonwealth Act No. 541 in its entirety (and presumably also Public Act No. 4239). Nevertheless, the Counsel interpreted Act No. 541 as requiring that United States enterprises owned or controlled by enterprises of the United States had to organize and register under the laws of the Philippines and that at least 75 percent of their capital must be owned by Filipino and/or United States citizens in order to enjoy the 15 percent preference.

The opinion of the Government Corporation Counsel appears to be the latest decision on the point. According to the United States Embassy in Manila, United States corporations must register either with the Bureau of Commerce or the Securities and Exchange Commission of the Philippines in order to participate in bidding for public works contracts, regardless of whether or not they are interested in the 15 percent preference. Registration is not necessary if (1) the materials or services sought are not available locally or (2) if the project in question is to be financed by "tied" arrangements, such as arrangements with the United States Export-Import Bank or the Agency for International Development.

Administrative Order No. 3 dated June 27, 1953, of the Department of Public Works and Communications, a copy of which is attached hereto as Schedule F, seems to be somewhat at variance with the foregoing and to require that at least 75 percent of the capital stock of foreign corporations registered in the Philippines must be owned by Filipinos, in order to be allowed to submit bids for the construction of buildings and other public works and structures under the jurisdiction of that Department.

Under the provisions of Supply Rule No. 15 only a bona fide supplier or a manufacturer, producer, regular dealer or service establishment licensed as such and who holds a valid and subsisting supplier's identification certificate may participate in bidding for supply contracts. Those who wish to obtain such a certificate must submit a certificate of registration with the Bureau of Commerce of the Philippines and/or incorporation or partnership papers duly registered with the Securities and Exchange Commission of the Philippines.

Among the other preferential provisions are the following:

(1) Under the provisions of Executive Order No. 51 dated May 18, 1964 (60 O.G. 3197), all departments, bureaus, offices, agencies, instrumentalities and political subdivisions of the Government, including Government-owned and controlled corporations, the Armed Forces, Government hospitals and public educational institutions, must purchase through public bidding from domestic textile mills, whenever available, all their requirements for clothing materials.

(2) Under the provisions of Executive Order No. 290 of 1958, in all construction which may be undertaken by the national, provincial, city and municipal governments in which it is necessary to use cement, the use of cement manufactured by Government-financed companies is obligatory whenever such cement is available. When it is absolutely impossible to use cement manufactured by Government-financed companies, express authority in each case must be secured in writing from the Secretary of the Department of General Services.

(3) Memorandum Circular No. 56 of the Government Enterprises Council, series of December 31, 1949, requires all government offices and institutions using laundry soap to make their purchases of soap from the National Coconut Corporation.

### Provinces, cities and municipalities

Section 3 of the Local Autonomy Act (Republic Act No. 2264 effective June 19, 1959, 17 PAL § 135.22 (1963 Cum. Supp.)) provides that purchases of supplies not exceeding 5,000 pesos (about \$1,300) in the case of provinces and chartered cities and 1,000 pesos (about \$260) in the case of municipalities and municipal districts may be effected without public bidding, but only after a canvass of prices in the particular province, municipality or city. Otherwise, contracts must be awarded through public bidding.

The letting of contracts for provincial public works is governed by the provisions of Section 1919 of the Revised Administrative Code, a copy of which is attached hereto as Schedule G.

Section 3 of the Local Autonomy Act, supra, provides that awards of contracts for provincial, city and municipal public works should follow the "usual bidding procedure of the government". The "usual bidding procedure" for local public works is that provided for in Section 1919, supra.

The charters of each of the upwards of 40 chartered cities are contained in Acts of the Philippine Congress. Each of them contains provisions with regard to public works contracts. The following provisions of Section 32 of the Revised Charter of the City of Manila (Republic Act No. 409 of June 18, 1949, 17 PAL § 166) are typical:

"Sec. 32. Execution of public works and improvements.—All repair or construction of any work or public improvement except parks, boulevards, streets or alleys involving an estimated cost of three thousand pesos or more shall be awarded to the lowest responsible bidder after public advertisement in the Official Gazette for not less than ten days, by the Mayor upon the recommendation of the city engineer: *Provided, however,* That the city engineer may, with the approval of the President of the Philippines upon the recommendation of the Secretary of Public Works and Communications, execute by administration any such public work costing three thousand pesos or more.

"In case of public works involving an expenditure of less than three thousand pesos, it shall be discretionary with the city engineer either to proceed with the work himself or to let the contract to the lowest bidder after such publication and notice as shall be deemed appropriate or as may be, by regulation, prescribed."

### Principal sources

(1) Cobacho and Lucenano, Law on Public Bidding and Government Contracts (Manila, 1960).

(2) Foreign Service Despatch No. 369 dated November 17, 1961, from the United States Embassy in Manila, entitled "Philippine Government Bids".

(3) Airgram No. A-376 dated October 31, 1962, from the United States Embassy in Manila, entitled "Angat Dam Construction Contract", with which is enclosed a copy of the opinion dated November 23, 1962, of the Government Corporation Counsel referred to above.

(4) Airgram No. A-737 dated February 15, 1963, from the United States Embassy in Manila, entitled "Bidding Requirements in the Philippines-Marikina Dam Project".

(5) Letters dated February 2 and February 17, 1965, from Enrique Belo, Esq., of Ponce Enrile, Siguion Reyna, Montecillo & Belo, attorneys of Manila, to Cravath, Swaine, & Moore, New York.

(6) United States Department of Commerce, "Summary and Text of Revised United States-Philippines Trade Agreement," World Trade Information Service, Part 1, No. 55-95 (September 1955).

(7) United States Department of Commerce, "Establishing a Business in the Philippines," Overseas Business Reports, OBR No. 64-11 (February 1964).

### SCHEDULE A. THE PHILIPPINES

(Executive Order No. 298 of August 12, 1940 (38 O.G. 2455) as last amended by Executive Order No. 40 of June 1, 1963 (59 O.G. 3579))

(By the President of the Philippines, Malacañan Palace, Manila)

Executive Order prohibiting the automatic renewal of contracts, requiring public bidding before entering into new contracts, and providing exceptions therefor

Whereas, as a matter of general policy, it is in the interest of the public service that Government contracts for public services or for furnishing supplies, materials, and equipment to the Government be submitted to public bidding;

Whereas, when a Government contract has expired, to continue it automatically without again calling for bids is contrary to such policy;

Now, therefore, I, Diosdado Macapagal, President of the Philippines, by virtue of the powers in me vested by law, do hereby direct that no contract for public service or for furnishing supplies, materials and equipment to the Government or any of its branches, agencies or instrumentalities shall be renewed or entered into without public bidding except for very extraordinary reasons to be determined by a Committee composed of the Executive Secretary, as Chairman, and the Auditor General and the Secretary of Justice, as Members: *Provided*, That when there is a tie in the voting of the Committee, the case shall be submitted to the President for decision: *Provided, further*, That when the Head of the Department concerned certifies on the requisition that the supplies, materials or equipment are urgently needed to meet an emergency which may involve the loss of, or damage to, life and/or property or are to be used in connection with a project or activity which cannot be delayed without causing detriment to the public service, the Director of Supply may purchase the supplies, materials or equipment so requisitioned without public bidding, but only after thorough canvass of the market. The Director of Supply may likewise purchase without public bidding supplies, materials or equipment which are sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and for which no suitable substitutes can be obtained elsewhere at more advantageous terms to the Government.

However, highway district engineers, city engineers, or project engineers and headquarters engineers in division offices and in Manila can make direct legitimate emergency purchases with any known company in their province, or in nearby provinces, or in Manila, of spare parts for machinery and equipment used in public works which are of the make of the company and/or locally manufactured spare parts of any make which have been tested and found satisfactory by the Secretary of Public Works and Communications and at their prices, less the usual discount extended to government offices and another discount for cash purchases, provided that if a spare part being purchased in Manila will cost ₱50.00 or more, the representative of the Department of Public Works and Communications shall be accompanied by a representative of the Bureau of Supply Coordination; provided further that if such purchases exceed ₱3,000 per month, prior authority shall be secured from the Secretary of Public Works and Communications; and, provided finally, that except

<sup>1</sup> Previously amended by Executive Order No. 146 of December 27, 1955 (52 Official Gazette [O.G.] 2), Executive Order No. 212 of November 6, 1956 (52 O.G. 6455), Executive Order No. 318 of September 17, 1958 (54 O.G. 6399) and Executive Order No. 358 of September 23, 1959 (55 O.G. 8259).

in cases of urgently needed spare parts for immediate use and not for the purpose of carrying them in stock, the approval of the Auditor General or his authorized representative shall be secured before such direct purchases are made.

This Order shall not in any way affect the regulations contained in Department Orders Numbered Seventy-three and Seventy-four of the former Department of Commerce and Communications, which will continue in full force and effect; and it contemplates that the provisions of Department Order Numbered Two, dated January fourteenth, nineteen hundred and thirty-six, of the Department of Finance, are hereby followed by all concerned.

Executive Order Numbered Sixteen, dated February third, nineteen hundred and thirty-six, as amended by Executive Order Numbered Ninety-eight, dated April twenty-fourth, nineteen hundred and thirty-seven, is hereby revoked.

### SCHEDULE B. THE PHILIPPINES

(Revised Administrative Code, Section 1917)

§ 1917. Letting of contracts for National Public Works.—When any national public works of construction or repair involves an estimated cost of ten thousand pesos or more, the contract therefor, shall, except as hereinbelow provided, be awarded by the Director of Public Works to the lowest responsible bidder after publication in the Official Gazette, in accordance with Commonwealth Act Numbered Six hundred and thirty-eight, for at least three times extending over a period of at least ten days: *Provided, however*, That in case of urgent necessity, the Director of Public Works may, with the approval of the President of the Philippines, upon the recommendation of the Secretary of Public Works and Communications, execute by administration and without advertising for bids any public work costing ten thousand pesos or more.

In the case of national public works involving an expenditure of less than ten thousand pesos, it shall be discretionary with the Director of Public Works either to proceed with the work himself or to let the contract to the lowest bidder after such publication and notice as shall be deemed appropriate or as may be, by regulation, prescribed.

### SCHEDULE C. THE PHILIPPINES

(Commonwealth Act No. 138 of November 7, 1936 (36 PAL §§ 12-15))

Commonwealth Act No. 138.—An Act to give native products and domestic entities the preference in the purchase of articles for the Government.

*Be it enacted by the National Assembly of the Philippines:*

SECTION 1. The Purchase and Equipment Division of the Government of the Philippines and other officers and employees of the municipal and provincial governments and the Government of the Philippines and of chartered cities, boards, commissions, bureaus, departments, offices, agencies, branches, and bodies of any description, including government-owned companies, authorized to requisition, purchase, or contract or make disbursements for articles, materials, and supplies for public use, public buildings, or public works, shall give preference to materials and supplies produced, made, and manufactured in the Philippines or in the United States, and to domestic entities, subject to the conditions hereinbelow specified.

Sec. 2. For the purposes of this Act, the terms hereunder are hereby defined as follows:

(a) The term "United States" includes the United States of America, the District of Columbia, and any State or territory of the North American Union;

(b) The term "domestic entity" means any citizen of the Philippines or of the



United States habitually established in business and engaged in the manufacture or sale of the merchandise covered by his bid, or any corporate body or commercial company duly organized and registered under the laws of the Philippines of whose capital 75 per centum is owned by citizens of the Philippines or of the United States, or both;

(c) The term "domestic bidder" means any person or entity offering unmanufactured articles, materials, or supplies of the growth or production of the Philippines or of the United States, or manufactured articles, materials or supplies manufactured or to be manufactured in the Philippines or in the United States, substantially from articles, materials or supplies of the growth, production or manufacture, as the case may be, of the Philippines or of the United States;

(d) The term "foreign bid" means any offer of articles, materials, or supplies not of the growth or production of the Philippines or of the United States, or of manufactured articles, materials, or supplies not manufactured or to be manufactured in the Philippines or in the United States, substantially from articles, materials, or supplies of the growth, production, or manufacture, as the case may be, of the Philippines or of the United States.

Sec. 3. Only unmanufactured articles, materials, or supplies of the growth or production of the Philippines or of the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the Philippines or in the United States, substantially from articles, materials, or supplies of the growth, production, or manufacture, as the case may be, of the Philippines or of the United States, shall be purchased for public use and, in case of bidding, subject to the following conditions:

(a) When the lowest foreign bid, including customs duties, does not exceed two pesos, the award shall be made to the lowest domestic bidder, provided his bid is not more than one hundred per centum in excess of the foreign bid;

(b) When the lowest foreign bid, including customs duties, exceeds two pesos but does not exceed twenty pesos, the award shall be made to the lowest domestic bidder, provided his bid is not more than fifty per centum in excess of the lowest foreign bid;

(c) When the lowest foreign bid, including customs duties, exceeds twenty pesos but does not exceed two hundred pesos, the award shall be made to the lowest domestic bidder, provided his bid is not more than twenty-five per centum in excess of the lowest foreign bid;

(d) When the lowest foreign bid, including customs duties, exceeds two hundred pesos but does not exceed two thousand pesos, the award shall be made to the lowest domestic bidder, provided his bid is not more than twenty per centum in excess of the lowest foreign bid;

(e) When the lowest foreign bid, including customs duties, exceeds two thousand pesos, the award shall be made to the lowest domestic bidder, provided his bid is not more than fifteen per centum in excess of the lowest foreign bid.

Sec. 4. Whenever several bidders shall participate in the bidding for supplying articles, materials, and equipment for any of the dependencies mentioned in section one of this Act for public use, public buildings, or public works, the award shall be made to the domestic entity making the lowest bid, provided it is not more than fifteen per centum in excess of the lowest bid made by a bidder other than a domestic entity, as the term "domestic entity" is defined in section two of this Act.

Sec. 5. This Act shall take effect on its approval.

Approved, November 7, 1936.

#### SCHEDULE D. THE PHILIPPINES

(Commonwealth Act No. 541 of May 26, 1940  
(36 PAL §§ 325-326))

(Commonwealth Act No. 541)

An Act to regulate the awarding of contracts for the construction or repair of public works

*Be it enacted by the National Assembly of the Philippines,*

SECTION 1. All branches, offices, and subdivisions of the Government and all government-owned or controlled companies, authorized to contract and make disbursements for the construction or repair of public works, shall give preference in awarding contracts for such works to Filipino or American contractors and domestic entities when the lowest bid of a domestic bidder is not more than fifteen per centum in excess of the lowest foreign bid: *Provided, however,* That for the construction of land, air, and seacoast defenses, arsenals, barracks, depots, hangars, landing fields, quarters, hospitals, and all other buildings and structures required for the national defense of the Philippines, no foreign bids shall be allowed.

Sec. 2. For the purposes of this Act, the following terms shall be taken in the sense hereinbelow indicated:

(a) The term "Filipino or American contractor" means any citizen of the Philippines or of the United States habitually established in business and engaged in general construction work.

(b) The term "domestic entity" means any corporate body or commercial company duly organized and registered under the laws of the Philippines seventy-five per centum of the capital of which is owned by citizens of the Philippines or of the United States, or by citizens of both countries.

(c) The term "domestic bidder" means any Filipino or American contractor or domestic entity which bids for any public work or work of construction or repair for the Government of the Philippines and/or any of its instrumentalities as enumerated in section one of this Act.

(d) The term "foreign bid" means the bid of any other contractor or entity, not included in subsection (a) of this section.

Sec. 3. This Act shall take effect upon its approval.

Approved, May 26, 1940.

#### SCHEDULE E. THE PHILIPPINES

(Republic Act No. 912 of June 20, 1953  
(36 PAL §§ 16-20))

(Republic Act No. 912)

An Act to require the use, under certain conditions, of Philippine made materials or products in government projects or public works construction, whether done directly by the government or awarded thru contracts

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled,*

SECTION 1. In construction or repair work undertaken by the Government, whether done directly or thru contract awards, Philippine made materials and products, whenever available, practicable and usable, and will serve the purpose as equally well as foreign made products or materials, shall be used in said construction or repair work, upon the proper certification of the availability, practicability, usability and durability of said materials or products by the Director of the Bureau of Public Works and/or his assistants.

Sec. 2. For the purpose of carrying into effect the purposes of this Act, the Director of Public Works shall prepare or cause to be prepared, from time to time, a list of building and construction materials and products made in the Philippines that are available, durable, usable and practicable for construction and building purposes.

Sec. 3. No contract may be awarded under the provisions of this Act unless the contractor agrees to comply with the requirements of this Act, and a contract already awarded may be rescinded for unjustified failure to so comply.

Sec. 4. It shall be the duty of the Director of Public Works and/or his assistants, including the district engineers, to see to it that the requirements of this Act are faithfully complied with by the persons concerned, and failure on their part to do so shall subject them to dismissal from the government service or other disciplinary action.

Sec. 5. The Director of Public Works, subject to the approval of the Secretary of Public Works and Communications, is hereby empowered to promulgate such rules and regulations as may be necessary to carry into effect the purposes of this Act.

Sec. 6. This Act shall take effect upon its approval.

Approved, June 20, 1953.

SCHEDULE F. REPUBLIC OF THE PHILIPPINES, DEPARTMENT OF PUBLIC WORKS AND COMMUNICATION, BUREAU OF PUBLIC WORKS, MANILA  
(Administrative Order No. 3)

Rules governing the filing of contractor's confidential qualification statements, issuance of plans, specifications, and/or proposal book, submission of bids, opening and consideration of same and recommendations.

1. General information for bidders:

Pursuant to requirements of law, bidders for the construction of public buildings and other public works and structures should meet one of the following requirements:

(a) Be a citizen of the Philippines; or if not such a citizen.

(b) Be a citizen of a country the laws of which grant similar right or privilege to citizens of the Philippines. To prove the latter, he is required to produce his citizenship papers and other proper evidence showing that the laws of his country grant similar right or privilege to citizens of the Philippines. (Act 4239 & Adm. Ord. No. 96, s. 1935.)

(c) Be an association or corporation duly registered or incorporated under the laws of the Philippines and of which at least 75 percent of the capital stock belongs wholly to citizens of the Philippines. Act 4239 & Com. Act No. 541. The Manager or head or other duly authorized representative of said association or corporation should be required to file evidence of registration or incorporation and that at least 75 percent of the capital stock belongs wholly to citizens of the Philippines.

*What foreign entities or individuals are allowed to bid in the Philippines?*

(1) Citizens of foreign countries who have proved that the laws of their country grant similar right or privilege to citizens of the Philippines.

(2) Associations or corporations duly registered or incorporated under the laws of the Philippines, of which not less than 75 percent of its capital stock, or of any interest in said capital stock, belongs wholly to citizens of the Philippines.

*Flag law applicable to foreign bidders*

Pursuant to Act 4239, as modified by Com. Act No. 541 and Republic Act No. 76, foreign bidders of the above classifications (1) and (2), otherwise qualified, may bid for public works (except defense works) but preference shall be given in awarding contracts for such works to Filipino citizens or domestic entities when the lowest bid of such domestic bid is not more than 15 percent in excess of the lowest foreign bid.

*What foreign entities or individuals are disqualified from bidding?*

(1) Citizens of foreign countries who have not proved by proper evidence that the laws

of their country grant similar right or privilege to citizens of the Philippines.

(2) Foreign corporations or associations not duly organized, registered, or incorporated under the laws of the Philippines.

#### *Purchase of materials*

For the application of the Flag Law to purchase of materials and supplies, please see Com. Act No. 138.

#### **2. Technical qualifications of personnel:**

In addition to either of the foregoing requirements, a bidder must also qualify in any one of the following:

(a) An individual contractor should be a registered and currently licensed civil engineer. In case of buildings, a registered and currently licensed architect may take the place of a civil engineer. In the case of the installation or construction of machinery, or electrical apparatus or plant, the services of a duly registered and licensed professional mechanical engineer or electrical engineer shall be necessary.

(b) Subject to the above conditions, an association of duly registered civil engineers and/or of architects duly registered and licensed professional mechanical engineers or electrical engineers, may also submit bids for projects for which they are qualified individually.

(c) Individuals, associations and/or corporations, duly qualified to enter into these kinds of contracts, although lacking by themselves the above qualifications, may also submit bids provided that they engage the services of persons qualified to assume responsibility for the proper prosecution of the project for which a bid is being submitted.

In this case, the contract of employment, or a valid contract to employ, duly signed by the prospective bidders and the civil engineer, architect, mechanical or electrical engineer, as the case may require, whom he has already employed or has contracted to employ for the project under consideration, should be presented.

#### **3. Financial resources:**

A prospective bidder must convince the committee that he has financial resources in the form of cash on hand, or usable materials, fixed or current deposit in a reputable bank, or a credit line granted by such a bank, in the amount specified in the Advertisement, exclusively available for use on the project for which his bid is being submitted.

A certificate of the bank where the deposit is kept, or with which the credit line has been arranged, shall be acceptable evidence of the bidder's financial resources.

#### **4. Necessary machinery and equipment:**

The prospective bidder must also prove through his answers to the Equipment Questionnaire in his Confidential Statements (Pre-C-1 & 2) that adequate working machinery and other equipment or tools, both in number and in kind, are owned by him, or available to him through actual lease contract or contract to lease, copy of which shall be presented, for the efficient and speedy accomplishment of the project on which he proposes to bid.

For the guidance and information of prospective bidders, the minimum requirements in this connection for the specific project should be enumerated, if necessary, in the Notice or Advertisement calling for bids on the Project.

#### **5. Proposal bond:**

The bidder shall also present a duly accomplished cash or surety proposal or bid bond, in an amount equivalent to at least 5 percent of his total bid price. Any bid supported by a bid bond in an amount less than 5 percent of the total bid price shall be disqualified and will not be considered in the award.

The bond shall be made out specifically and exclusively for the definite project for which the bid is submitted, by a duly licensed bonding company or firm, in favor of

the Director of Public Works, and conditioned to the effect that it shall be forfeited totally to the Bureau of Public Works, if the bidder should refuse or fail to enter into contract with the said Bureau, if his bid is accepted and the Contract is ordered awarded to him.

6. Confidential qualifications statements to be submitted by prospective bidders to the Committee on Prequalification and Awards:

(1) The contractors' confidential qualification statement (Form No. Pre-C-1) shall be submitted to the executive officer and secretary of the Committee on Prequalification and Awards once every calendar year, not later than the 15th day immediately preceding the opening of bids in which the Contractor proposes to participate for the first time, provided that, for bids scheduled to be opened during the first twenty (20) days of any calendar year, the contractor's confidential qualification statement (Form No. Pre-C-1) of the previous year, if any had been previously filed, will be sufficient.

(2) To obtain a copy of the plans, specifications and/or proposal book from the Division concerned, a prospective bidder should present to the chairman of the Committee on Prequalification and Awards an additional statement entitled contractors' confidential statement for the issuance of plans, specifications and/or proposal book (Form Pre-C-2), not later than the deadline set by the corresponding committee, after which date no other statements will be received by the said committee.

#### **7. Prequalification:**

The committee, together with the Representatives of the other entities concerned in the project, shall examine the qualifications statements (Form Pre-C-1 & 2) and all the other papers filed by the prospective bidders, with a view to determining who of the prospective bidders are to be deemed prequalified or pre-disqualified by the committee for this particular project, in the light of the requirements stated in the advertisement and of these Rules.

#### **8. Reservations:**

The Bureau of Public Works reserves the right to waive any stated requirements or impose additional ones for certain projects, or disqualify a bidder on account of poor performance in previous contracts, or for such other causes as it may deem adequate, as the best interests of the government may require.

#### **9. Issuance of plans, specifications and/or proposal book:**

The Plans, specifications and/or proposal book for the Project scheduled for bidding shall be issued only by the Office of Division concerned to prospective bidders who have been prequalified by the committee as evidenced by the presentation of the prospective bidder's confidential statement for the issuance of plans, specifications and/or proposal book (Pre-C-2) duly stamped or marked "Prequalified by the committee" and signed by the chairman of the Committee on Prequalification and Awards of the Division concerned. The official receipt evidencing deposit of the necessary amount to guarantee return of such plans, specifications and/or proposal book, when necessary, shall also be presented.

#### **10. Opening of bids and preparation of abstract and tabulation:**

The sealed bids will be received by the Chief of the Administrative Division or his representative as heretofore done, and opened as scheduled in the presence of a representative of the General Auditing Office and the Division concerned. The abstract of bids shall be prepared and signed immediately after the opening of bids. Then the tabulation of bids shall be prepared by the corresponding Division of the bureau of public works as heretofore done. The abstract, together with the tabulation shall be submitted

without unnecessary delay to the executive officer and secretary of the Committee on Prequalification and Awards of the Division concerned.

#### **11. Deliberation and recommendations: Reservation.**

Said committee, together with the representative of the other entities concerned, shall meet to examine and consider in all its particulars all the bids received.

The comments, suggestions, observations and other manifestations, if any, of the representatives of the other entities concerned, should be accorded due consideration, and, if necessary, noted in the minutes of the proceedings of the committee.

The committee by a vote of at least two (2) of its three (3) members, shall recommend award of the Contract to the Bidder whose proposal appears to be the most advantageous to the Government, but the right is reserved to reject any or all bids, to waive any defect or informality in the bids received, and to accept or reject any bid, as the best interests of the Government may warrant. The committee may also disregard any bid which is obviously unbalanced or below what the work can be done for. Reasonable grounds for supposing that any bidder is interested in more than one bid for the proposed work under this bidding will be a sufficient cause for the rejection of all bids in which he is interested; likewise, where there is reason to suspect that there is evident collusion on the part of the bidders, then the right to reject may be freely exercised.

12. The recommendations of the committee shall be indicated on the tabulation; which shall be signed by the committee, and then submitted to the Chief of the Administrative Division for preparation of the corresponding Contract and transmittal papers. The whole set of papers will then be presented to the Director of Public Works to serve as basis for his recommendation to the Secretary of Public Works and Communications.

At its option, when necessary, the committee may require the winning bidder to fill out and submit a supplementary Contractor's Confidential Qualification Statement (Pre-C-3), before forwarding its recommendation.

#### **13. Scope of application of these rules:**

These rules shall govern all construction, reconstruction and major repair works prosecuted under contract, financed, wholly or partly, by national funds.

For national public works projects, bids for which are called for solely in the provinces and cities, the Committee on Prequalification and Awards shall be composed of the District/City Engineer, as Chairman, the Senior Civil Engineer, as Member, and Chief Clerk, as Member and Secretary.

This committee shall have the powers and duties specified in these rules, and such others as may be necessary and proper for the accomplishment of the stated duties.

#### **14. Effectivity:**

These regulations shall be uniformly followed by all divisions effective upon being furnished a copy hereof, for all projects then still under consideration.

#### **15. Repealing clause:**

All previous orders, rules or regulations of this Office inconsistent herewith, are hereby revoked. Those not in conflict herewith are to be deemed still in effect.

(SGD.) ISAIAS FERNANDO,  
Director of Public Works.

#### **SCHEDULE G. THE PHILIPPINES**

(Revised Administrative Code, Section 1919)

§ 1919. Letting of contracts for provincial work.—Except in the case of work upon roads or trails, every provincial work of construction or repair involving an estimated expenditure of ten thousand pesos or more shall be let to the lowest responsible bidder, after



advertisement for not less than ten days in the Official Gazette, and by notice posted for not less than ten days at the main entrance of the provincial building, but nothing herein shall be construed to prevent the giving of such further notice or making such further publication as will secure ample publicity for all invitations for bids: *Provided, however*, That in case of urgent necessity, the provincial board may, with the approval of the President of the Philippines upon the recommendation of the Secretary of Public Works and Communications, execute by administration and without advertising for bids any public work costing ten thousand pesos or more.

Provincial work not within the purview of the preceding paragraph may be prosecuted upon provincial account or may be let without advertisement, subject to the regulation of the Bureau of Public Works.

The district engineer shall perform the duties incident to advertising for bids for provincial public work, and the letting of contracts therefor; and with the approval of the provincial board, he may reject any or all bids received, in which case he may advertise anew or, with the approval of the board, may proceed with the execution of the work upon provincial account.

## NEW YORK CITY IN CRISIS—PART LXII

Mr. VIGORITO. 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 Pennsylvania?

There was no objection.

Mr. MULTER. Mr. Speaker, the following articles concern two of the main problems faced by the city of New York: housing and the flight of business.

They appeared in the New York Herald Tribune on March 19, 1965, and are part of the series on "New York City in Crisis."

The articles follow:

### OPEN-ARMED RAIDERS: THE CITY'S DEFENSE

(By Barrett McGurn)

"Don't bother to dictate a letter of reply. Instead, please complete the form below:

"You may phone to arrange a conference. My phone number is: area code 216 596-1861.

□ "Please mail me your folder. □

"Sorry, but we contemplate no expansion in the foreseeable future. □"

That's how the letter from Mayor Stanley Robertson of the city of Conneaut, Ohio, reads. That's the offer Manuel Hochberg, president of the Regal Metal Products Corp., of 848 Stanley Avenue, Brooklyn, has received. It's easy enough. All Mr. Hochberg would have to do would be to check one of the appropriate spaces and the city of Conneaut, population 10,557, would proceed with its job raid on New York, which is still America's main manufacturing center.

Mr. Hochberg has decided not to accept Mayor Robertson's offer. Conneaut, for one thing, is too far away from the 16 million consumers in New York City and its suburbs.

But if some one else can suggest something not that many hundreds of miles away, Mr. Hochberg will listen.

That's one reason why a group of subcommittees representing the main banking, insurance, department store and utilities investments of New York are at work trying to see what can be done to guarantee that neither Conneaut nor any other city or

town continues to siphon off the blue-collar manufacturing which provides work for those New Yorkers who are least able to compete for the white-collar jobs, and are most likely to swell the rolls of the welfare clients and of disturbers of the city peace.

The business community subcommittees were set up Wednesday at a meeting of the Committee of Fourteen, acting in the names of 70 presidents and board chairmen of New York's and America's largest corporations.

The Committee of Fourteen includes the presidents or board chairmen of the Chase Manhattan, Irving Trust and Seamen's Bank for Savings, the Consolidated Edison Co. of New York and the New York Telephone Co., the Ford Foundation, R. H. Macy's and Abraham & Straus, the Brooklyn Union Gas Co., the New York Chamber of Commerce, the Commerce and Industry Association of New York, and the Downtown Lower Manhattan Association.

The businessmen's committee said yesterday that they used their Wednesday organizing meeting to compare views on how to "improve the business and job climate" of New York. They agreed in principle to form a private industrial development corporation that conceivably could be an expanded and reorganized version of the year-old corporation now serving as the bulk of the work of the city's Department of Commerce and Industrial Development. The job of launching a citizens' drive to help beleaguered New York was broken down into sections, and subcommittee chairmen were assigned to each area of work.

Two spokesmen were chosen, the presidents of the Commerce and Industry Association of New York (Henry Chandlee Turner, Jr.) and of the two-century-old New York Chamber of Commerce (Walter F. Pease), America's largest and oldest local chambers of commerce respectively.

The two spokesmen said that there would be no comments until the working committees return with reports. Quick action, in a week or two, is expected.

The letter from Mayor Robertson of Conneaut illustrated what the businessmen and the city's Department of Commerce and Industrial Development face. The promotion director of a soap or of a breakfast food could not have told his story more alluringly. Mayor Robertson wrote to Mr. Hochberg:

"I've waited 3 years to write you this letter. You see it was back in 1961 that public officials and private citizens here joined forces in launching a program to provide land, buildings and financial assistance for firms. \* \* \*

"And now \* \* \* on behalf of \* \* \* Conneaut, I invite you to establish a business operation here. Our citizens agree with economists who say:

"Business goes where it's invited.

"And stays where it's appreciated."

"We appreciate the importance of business to our community and we would welcome your organization with open arms.

"May we help you in your expansion plans by scheduling a conference to talk about such things as financial assistance, favorable tax rates, utilities, police and fire protection etc.? Or if you prefer \* \* \* may we mail you a copy of our 'Conneaut Commands Consideration' folder (facts and figures about Seaway Industrial Park and Conneaut, Ohio)?"

Mr. Hochberg said he is fed up with New York's rising taxes and with job-hopping labor but he agreed to listen to counter-arguments from New York's spokesmen.

With the businessmen still in the organizing stage, the city's own industrial development corporation made it clear that they would be in to see Mr. Hochberg within hours. They will argue that markets and good labor are here, and that New York at

least is willing to consider zoning variances and other adaptations making it easier for a businessman to survive inside this city of congestion, of traffic, of taxes and of other difficulties.

### OUR HOUSING LAW ENFORCEMENT MUDDLE (By Alfonso Narvaez)

Two Manhattan Republican legislators announced yesterday that they will make a determined effort to obtain passage of a law establishing a unified agency to enforce housing laws in New York City.

Assemblymen Paul J. Curran and S. William Green said they will introduce a bill on Monday, and will "press to see that the Democratic majority report the bill out of committee and pass this important legislation."

On Wednesday, a bill to create just such an agency—a department of building inspection and maintenance—was defeated by the Democrat controlled assembly and was recommended to the committee on general laws, thus killing the measure for this session.

The bill, Assembly Introduction 1214, was recommended at the request of the sponsor—Assemblyman Alfred A. Lama, Democrat, Liberal, Brooklyn—and at the behest of the city administration.

The bill would have created a single agency with authority to deal with all the housing laws in the city. At present there are six agencies, with overlapping jurisdictions, that enforce housing laws.

"I recommended the bill at the request of the city," Mr. Lama said yesterday. "They told me they were waiting for a report from Columbia University, which is making a study of the whole question of inspections, and it would take a month or two for the report to be completed.

"They told me to wait for the results of the study and to then draw up a bill along those lines."

However, a preliminary draft of the study by the Columbia University Legislative Drafting Research Fund, headed by Prof. Frank Grad, has been in the hands of the city administration for more than 2 months.

Professor Grad said last week, that he had filed a preliminary report on consolidation of housing enforcement agencies several months ago but the city has not yet released his recommendations.

In Albany, Assemblymen Curran and Green were incensed at the defeat of the bill and the continued delay.

"New York City desperately needs unified housing enforcement," they said. "Both of us have seen in our own districts the blighting effect of divided responsibility in this field and the resulting breakdown in housing enforcement."

Mr. Green said that both the city and the Legislature had studied the problem over the years, and that further delay was unjustified.

"Mayor Wagner has studied this question to death," he said. "The time for action is now. We call upon the assembly Democrats to throw off the shackles of Mayor Wagner and pass legislation at this session to give the people of New York the unified housing enforcement so desperately needed."

Mr. Curran added that unless pressure was put on the assembly, the measure "would never come out of committee."

## NEW YORK CITY IN CRISIS—PART LXIII

Mr. VIGORITO. 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 Pennsylvania?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article on bias in the construction-trades unions in New York City. It is part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on March 20, 1965.

The article follows:

MAYOR HIT FOR INACTION ON BUILDING BIAS

(By Barry Gottehrer)

A fight between Mayor Wagner and the New York Young Republican Club exploded publicly yesterday over the mayor's 2-year delay in taking action to end bias in the construction trades unions.

In an exchange of letters between the club and the mayor released yesterday, Charles G. Moerdler, club president, criticized the city administration for failing to give any assurance that Negroes and Puerto Ricans will be granted equal job opportunity in the construction of "Co-op City." "Co-op City" is a Bronx middle-income housing project to be financed by a \$263 million mortgage loan provided by the State under the Mitchell-Lama housing program.

Calling on the mayor "to withhold public funds and tax abatements from any new construction to be erected by segregated labor," Mr. Moerdler charged that an effective city administration "would urge organized labor to oust from its midst those unions that persist in discriminatory practices and would make it most unprofitable for those businesses which persist in doing so."

"None of these things," charged Mr. Moerdler, "has been done by Mayor Wagner."

#### STILL STUDYING

Though the mayor's failure to act on several "urgent" proposals on bias in the construction unions dates back to 1963, when he received a series of recommendations from the Commission on Human Rights and his own action panel (the mayor's office said yesterday he was planning a "progress" report), yesterday's controversy is only 1 month old.

On February 9, at a press conference announcing plans for "Co-op City," the mayor was asked what employment opportunities would be made available for minority group workers.

"We have been working on that problem," the mayor said. "Peter Brennan (president of the Building Trades Council) is working on that."

At this point, Mr. Brennan called out from the rear of the room, "Tell them it's all taken care of, Bob, that's all you have to answer."

That was all the mayor did answer and Mr. Brennan later was unavailable to outline exactly how it was all taken care of.

To get an answer to this question, the New York Young Republican Club wrote the mayor on March 10, citing the article from the Herald Tribune's "New York City in Crisis" series about the press conference.

In the letter, Mr. Moerdler demanded to know what Mr. Brennan had meant and "what guarantees have been given to assure that equal job opportunities will finally become a reality with respect to all construction in this city."

On March 13, Julius C. C. Edelstein, executive assistant to the mayor and his answer man, answered Mr. Moerdler.

According to Mr. Edelstein, the mayor "had no recollection of the exchange" between himself and Mr. Brennan although "he knows that an account along the lines you cite did appear in one of the newspapers."

"Indeed many reports are given currency these days whose accuracy the mayor would not care to underwrite."

Expressing the mayor's appreciation for the Young Republicans' concern as a "sign of the times and the year (an election year)," Mr. Edelstein said the alleged exchange does not reflect the mayor's attitude.

"The mayor," continued Mr. Edelstein, "has not ceased to exert both pressure and persuasion upon those few unions which have resisted steps toward the equalization of opportunity for admission into these unions. Contrary to the implications \* \* \* substantial progress has been made by many of the unions in changing longstanding practices and rules. Of course, the progress made could not be considered sufficient in the light of the magnitude of the problem."

#### THE COUNTERATTACK

Failing to cite a single statistic or specific to document his claim of "substantial progress," Mr. Edelstein concluded by saying, "The question is, however, what efforts could have been exerted, and by whom, to have achieved a greater result? What power does the city government possess which, if applied, could produce this more gratifying result? Would shutting down city construction—a coercive measure which is suggested in your letter—contribute to the desired outcome? And by what steps?"

"If such coercion is proposed as a proper measure by the city government, should it not also be urged upon the State government and upon the private construction industry, too?"

"This is not to say that your letter indulges in such over-simplification. But the mayor thought I ought to call the possibility of it to your attention."

It was this letter—and another by Mr. Moerdler dated March 18—that led to the open controversy yesterday.

Though Mr. Edelstein, the mayor, and Peter Brennan could not be reached for comment yesterday afternoon, two reporters from the World-Telegram and Sun and a spokesman for the Human Rights Commission were.

The two newsmen, who also covered the press conference at which the exchange between the mayor and Mr. Brennan was reported in the Herald Tribune and denied by the mayor, corroborated the Herald Tribune's version.

#### AND STILL WAITING

A spokesman for the Human Rights Commission, which asked the mayor in 1963 to cancel contracts with construction firms shown to have engaged in discriminatory practices, said the commission is still waiting for an answer—and some action—from city hall.

Asked what Mr. Brennan meant by his statement that the matter was being taken care of, a spokesman for Mr. Brennan said yesterday that the building trades unions have been asked to send reports in to the central office detailing exactly how many Negroes and Puerto Ricans have entered each union.

When would some information be available?

"I just can't say," the spokesman said. "It will take us a while compiling the information."

In his letter of March 18, Mr. Moerdler told Mr. Edelstein, "If these various reports do not, as you suggest, 'reflect the mayor's attitude on this matter,' it behooves him to speak for himself."

"It is difficult to believe that there is, as you suggest, a conspiracy afoot on the part of the press to publish reports \* \* \* whose accuracy the mayor would not care to underwrite."

"Your question as to what an effective and conscientious mayor might do finally to end discrimination in this city is a most shocking admission of the moral decline of this city's government."

Mr. Moerdler concluded by saying he was delighted that the mayor appreciates the

club's interest in the achievement of equal opportunity.

"Through such distinguished former club officers and members as Congressman LINDSAY, Senator JAVITS, Governors Rockefeller and Dewey, Jackie Robinson and the late Stanley M. Isaacs, to name a few, we have tried over the years to make our contribution."

"I hope that we can finally persuade the mayor to make his."

#### THE CHOICE IN VIETNAM

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. KREBS] 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 Pennsylvania?

There was no objection.

Mr. KREBS. Mr. Speaker, during recent weeks much has been written on the crucial matter of Vietnam. In my mind few newspapers have carried as clear an editorial as that of the Newark Evening News of April 28, 1965, which follows. I commend it to my colleagues and interested Americans as a lucid exposition of the grave situation facing our Government:

#### THE CHOICE

President Johnson's restatement of policy on Vietnam was incisive, directed as much to his critics at home as to the governments of Hanoi, Peking, and Moscow.

Nowhere was there an intimation of retreat from the position enunciated at Baltimore. The offer to hold unconditional discussions with any government, anywhere and at any time remains open.

Nor is there any slackening of the determination to resist Communist aggression with the most effective weapons at our command.

More cogently than any of his Cabinet officers, the President buttressed the case for bombing military targets in North Vietnam. In so doing, he relied upon this single, telling contrast:

On one side, bombs surreptitiously planted in movie houses, children's play fields and the U.S. Embassy in Saigon. On the other, bomb runs carried out against North Vietnam's bridges, radar installations and ammunition dumps where few, if any, civilians reside.

In light of this contrast, Mr. Johnson found it hard to understand, as others also must, how some persons can criticize the bombing of military targets in North Vietnam and "never open their mouth about a bomb being placed in our Embassy in South Vietnam."

Though he resisted the temptation, the President might as pointedly have asked his homefront critics what alternative they propose. Do they suggest we absorb all that is thrown at us without striking back? Or do they recommend withdrawal, leaving South Vietnam and the rest of southeast Asia to go under?

If either is their preference, they've been singularly silent about it.

Painful as may be this country's position in southeast Asia, it is difficult to see what course, beyond the one he is following, is open to the President. He has stated without equivocation his readiness to negotiate. He has made just as clear this Nation's determination to meet force with superior force.

The choice rests with the enemy. And the answer must come from Hanoi, Peking, and Moscow.



# PROPOSED TAX CREDIT FOR HIGHER EDUCATION EXPENSES

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCARTHY] 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 Pennsylvania?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I wish to introduce a bill to amend the Internal Revenue Code of 1954 to allow a tax credit to individuals for the expenses of providing higher education.

Under its provisions, persons paying for higher education would receive income tax credit on the first \$1,500 expended for tuition, fees, books, and supplies.

The costs of higher education are heavy, both for colleges and for students. In 1961-62, for example, while tuitions were soaring and parents were groaning, student fees provided only 42 percent of the income of the average private institution in New York State. Congress has long recognized the burden institutions of higher education bear and the debts that we owe them for assuming the responsibility of educating our youth. These institutions, for example are tax exempt; there are numerous and generous Government programs for construction of buildings, for training of teachers, for research. Needy students, too, get assistance. The National Defense Education Act has served over 500,000 students with loans. And under the Economic Opportunity Act the very needy student is offered a work-study program to enable him to meet the costs of his education.

These programs are good; they are extensive; and they are indisputably valuable. But just as many poor people are too poor to benefit from existing Federal aid programs—such as farm loans, or small business loans, or housing loans—many concerned parents are too rich for their children to qualify for scholarships yet not rich enough to pay school costs without considerable sacrifice and stress. The bill I have introduced today would help relieve a hard pinch on these family purses.

The average family income in the United States in 1963 was \$6,249. College costs average \$1,500 for public and \$2,370 for private institutions. My point is clearly made: This represents a substantial chunk of the family's income. And a taxed chunk at that.

In addition, many, many families are trying to educate more than one child at the same time. Take my case as an example. I have five children—ages 7, 5, 4, 2, and 1. I hope to see them all in college some day. If this is possible, I could be paying four tuitions simultaneously for at least 2 years. Frankly, the prospect staggers me. Granted, this is an extreme case. But it does illustrate the problems that many families face in offering their children a college education.

Briefly, the bill provides a credit against taxes owed for the first \$1,500 expended for tuition, fees, books, and

supplies for a student in an institution of higher education. Room and board expenses are not covered by this credit. We propose that the credit be computed as follows: 85 percent of the first \$200 expended, 30 percent of the next \$300 and 10 percent of the next \$1,000. A recent New York State regents study showed that the median tuition in private, 4-year, nondenominational collegiate institutions was \$1,500 for 1964-65—just the amount that would be exempted under this bill. The family paying this amount in tuition would receive a credit of \$360.

The sliding scale serves as a device to equalize the benefits afforded to students at private and public colleges. It provides most relief for the first few hundred dollars of tuition expenditure—and this is welcome relief for those attending public colleges where tuition and fees are low compared to private colleges.

A comparison can be made for New York State. I just noted that a family with a student in a private college in New York State, paying minimum costs of \$1,500 for tuition and fees would receive \$360 in credit.

The public State University of New York averages fees and tuition of \$515 to \$865. The credit afforded to people paying these fees would be \$272 on the low end and \$297 on the high end of the scale. The individual in the private college would be relieved of the burden of 24 percent of his expenditure up to \$1,500, while the individual in the public school would be relieved of from 34 to 53 percent of his costs—indicating that those in public colleges benefit on a proportionately higher scale.

The credit is available to anyone who pays the costs for higher education—parent, student, or other benefactor. And a further control on its outflow is the limitation on benefits to higher income individuals. If the income of an individual paying education expenses exceeds \$25,000, his credit is reduced by 1 percent of anything over that amount. Taxpayers in high income brackets get no credit at all, and the taxpayer with income of \$30,000 per year receives substantially less credit than a man supporting his family on \$15,000.

The middle- and upper-income earner, it becomes increasingly evident, is heavily hit by taxes, as is to be expected under our progressive tax system. Just this year, as we saw, this group of income earners found themselves owing the Government upwards of half a billion dollars over and above what was withheld from their salaries. An example is a \$20,000-a-year man with a wife and two children. He found himself owing \$707.21—beyond the \$2,975.79 that had already been withheld for taxes from his earnings. Sending one of his two children to college would make an appreciable dent in his income this year.

The New York regents study estimates that by 1970 almost 35,000 students from the Buffalo area will be seeking higher education—a 35-percent increase over those who are now enrolled from that area. Many of the families I serve are middle-income families who would benefit from this legislation. During my

campaign, I was repeatedly assured of their support for this measure.

The education of our youth is of essential importance to the future of this Nation. We have recognized this fact in our heavy support of institutions of higher education. But now is the time for us to help out the other participants in this complex area of higher education—the students and the families who make it possible for them to be students. Scholarships and loans cannot serve everyone in need—but legislation such as this tax-credit bill can ease the strain for some of those who bear the full burden of paying for a college education. I endorse immediate action on this legislation.

## ISRAEL'S 17TH ANNIVERSARY EVENT

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, today we celebrate the 17th anniversary of the rebirth of a free Israel. For nineteen hundred years mankind was without the benefit of the nation which gave to man a new concept of God, the essence of three great religions, and the world's greatest Book.

There is no older section of the world of the Near East. It is a rugged land ravaged by time and filled with paradoxes which give rise to both hope and despair. Yet in this land can be found one of the most inspiring stories of this or any other century: the story of the birth of Israel, her struggle to maintain independence amidst hostile neighbors, and her efforts to extend freedom to people of all nations.

Israel is a small country but in less than 2 decades her people have built in their ancient homeland a strong and dynamic modern state. Once again Israel is enriching the lives of men through efforts of worldwide significance. Her unique and fertile culture is free once again to blossom into ideas whose beauty will stir the soul of the world as in the days of the Prophets. The Palestinian deserts bloom today through the miracle of modern agriculture and the perseverance of the Israel people. The sounds of industry echo through the Negev where once there was only the sound of the wind. Camels pass by modern buildings where scientists are unlocking the secret of the atom and working to make fresh water from the sea.

In these 17 short years Israel has been born, held off her enemies, who have unfortunately been many, and won a firm place among the free and progressive nations of the world. It is certain that the future of the new Israel will be as long and as rich as her ancient past.

An editorial from one of Florida's finest weekly newspapers, the Jewish Floridian, carried an excellent editorial commemorating Israel's anniversary.

The editorial follows:

#### ISRAEL'S 17TH ANNIVERSARY EVENT

The 17th anniversary of the State of Israel falls next Thursday, on May 6. The fifth day of the Hebrew month of Iyar marks the establishment of the modern Jewish republic, which was forged out of the ashes of the decimated Jewish community of Europe back in 1948.

Since then, we have seen a miraculous achievement in nation building that is almost unprecedented in our time. Section C of this week's edition of the Jewish Floridian is dedicated to this achievement.

Founded upon the tentative development of the earlier Yishuv in Palestine, the State of Israel has evolved as a model of democratic society in the Middle East, as a teacher for the newly emerging African nations, as a sign of the human will to succeed for indigent peoples everywhere, and as a harbinger of faith fulfilled for the 2,000-year-old Zionist dream.

Politically sound, economically vigorous and militarily watchful, Israel today holds upward of 40 million hostile Arab peoples at bay, even as she moves forward on a variety of fronts at home.

It is in the nature of the reality of our time that we would be indulging in purposeless fancy to imagine just how much more Israel might achieve were there no governments elsewhere quite frankly dedicated to her destruction. Despite this unhappy dedication, the Jewish state year by year scores solid advances in the major task of ingathering of Jewish immigrants from lands of want and persecution and in integrating them into the life of a young nation grateful for every resource, particularly human, that helps add to the manifold goals of progress and prosperity.

On the occasion of the 17th anniversary of the State, we hopefully anticipate further evidence of growth and, above all, peace in the name of Israel's just right to existence in the world family.

#### COUNCIL FOR INTERNATIONAL VISITORS OF GREATER MIAMI, INC.

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, the Council for International Visitors of Greater Miami, Inc., is an outstanding example of how individual private citizens can help their country and their community to establish better relations with citizens of other lands. This fine private, nonprofit organization seeks to promote understanding and friendship between American and foreign visitors to the United States through citizen diplomacy. The council's hospitality program embraces a wide range of activities from greetings at the port of entry in Miami to dinners in the homes of Miamians. The program is bold and imaginative in conception and impressive in action. In the year ending March 1, 1965, nearly 1,200 international visitors were welcomed to Metropolitan Miami by the council. Included in this number were statesmen, scientists, teachers, businessmen, labor leaders, artists, and students from 67 countries.

The visitors were referred to the council through various Government agencies, the University of Miami, various privately sponsored international programs as well as many other organizations. The council also enjoys a close working relationship with the State department reception center in Miami which is very ably led by John T. Barfield.

I commend the council's president, Mr. Joe Campbell Morris, the executive coordinator, Mrs. Frederick J. McCartney, and its directors and members for their imaginative program which shows what an enlightened community can do to bring to the world a true understanding of the American people and their way of life.

The 1964-65 progress report of this fine organization follows:

#### PROGRESS REPORT OF THE COUNCIL FOR INTERNATIONAL VISITORS OF GREATER MIAMI, INC., 1964-65

The Council for International Visitors of Greater Miami, Inc. (CIV) recently completed a recordbreaking year in the number of international visitors programed and assisted in the greater Miami area through its hospitality program.

Although the CIV has been in existence since 1959 and large numbers of international visitors have enjoyed the services provided by its volunteers in the past, during the year April 1, 1964, to March 31, 1965, there has been a resurgence of community awareness and a greater, and ever-increasing number of individuals, families, and community organizations (500 estimated) are now participating and donating their generous and warm support to meet the needs of the international visitors for serious purposes in our community. The council proudly states that in this period no request for hospitality has been turned down, and each and every one received has been successfully completed to the satisfaction of all participants.

From a low of 2 visitors assisted in the month of April 1964 to the end of March 1965 nearly 1,200 international visitors from 67 countries have been welcomed by the council in greater Miami. Out of 71 national hospitality centers affiliated with the National Council for Community Services to International Visitors (Coserv) in 33 States and the District of Columbia, Miami now becomes one of only 14 centers which according to 1963 statistics program more than 1,000 international visitors annually.

The following statistics show the development of the program in this period:

Year and month	Hospitality requests	Number of visitors programed	Arrangements completed	Countries
1964-April.....	5	2	13	2
May.....	3	6	7	2
June.....	18	34	57	13
July.....	12	69	85	8
August.....	31	50	63	14
September.....	41	67	75	7
October.....	21	80	110	7
November.....	30	133	146	4
December.....	32	165	185	7
1965-January.....	33	219	225	1
February.....	25	133	139	1
March.....	25	58	60	1
Total.....	276	1,016	1,165	67

<sup>1</sup> This is the number of visitors for whom arrangements were actually completed; cancellations were made by visitors or sending agencies.

The CIV's hospitality program which includes home-cooked meals, community sightseeing, home lodging, port-of-entry meets,

group parties, holiday dinners, professional appointments, transportation, introductions to friends on civic, church, and government levels provides one of the most significant experiences of an international visitor's stay in our community. It is this citizen diplomacy that creates the impact on the international visitors which enables them to obtain a truer concept of America and Americans. We, in Greater Miami, are indeed privileged to participate in this self-rewarding experience in which entire families can share, and find the most effective way in which as individuals, we can fight the cold war on the home front. For in the words of President Kennedy, "This is what we can do for our country."

Our international visitors are diplomats, scientists, teachers, labor leaders, painters, students; the whole range of the professions and the arts. They come through the U.S. Department of State and other Government agencies, the University of Miami, other U.S. universities and colleges, and privately sponsored international programs such as: The Eisenhower Exchange Fellowships, International Student Service, the Ford Foundation, Friends of India Committee, the English Speaking Union, and others.

Proof that the council's work is effective was given by Mrs. Catherine Norrell, U.S. Deputy Assistant Secretary of State who, at a workshop at the University of Miami in October 1964, praised the Miami council's hospitality program and its importance in helping to implement America's foreign policy.

The Council for International Visitors of Greater Miami, Inc., is a nonprofit, nonpartisan organization of volunteer men and women who represent all areas of our community life. Its basic aim is to promote understanding, create lasting friendships with the present and future leaders of other lands, and in so doing help to improve the image of America and Americans in the eyes of the world. Its board of directors is ably headed by dynamic President Joe Campbell Morris, whose personal dedication has resulted in new life for the council; vice presidents: Rev. Mark A. C. Karras, Mrs. Albert Pick and Mrs. Mitchell Wolfson; treasurer, Mr. Talbot D'Alemberte; secretary, Mrs. Ralph V. Kirk; directors: Mrs. Seymour L. Alterman, Mrs. Charles Finkelstein, Metro Mayor Chuck Hall, Dr. Samuel F. Harby, Dr. Mose L. Harvey, Mr. Elliot Roosevelt, Mrs. Worth C. Sherrill, Mrs. S. Kenneth Stanleigh, Dr. Charles Doren Tharp; hospitality chairman, Mrs. L. N. Feltz, and executive coordinator, Mrs. Frederick J. McCarney. Ex officio member of the board is Mr. John D. Barfield, director, State department reception center in Miami whose cooperation and support have also been highly instrumental in increasing the council's activities and scope.

The council is proud of its progress to date, but looks forward to further expansion and growth as Miami increases its international activities through Interama and other international programs and proves that it is an enlightened community ready and eager to bring to the world the true understanding of the American people and our way of life.

#### AID PROGRAM HELPS TO BRING ABOUT BETTER AGRICULTURAL YIELDS

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] 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 Pennsylvania?

There was no objection.



Mr. MATSUNAGA. Mr. Speaker, our most misunderstood program is undoubtedly our foreign aid program. For this reason I will, in the next few days, join several of my colleagues to attempt to point out the merits of our AID program.

Mr. Speaker, that great Indian leader, Mahatma Gandhi, once said:

To the millions who have to go without two meals a day, the only acceptable form in which God dare appear is food.

Although Gandhi died some years ago, the hunger that he wrote about so feelingly is still a grim fact of life, not only in India, but also in many other parts of the world.

Our own land is blessed above all others.

Here, there has been developed the most efficient agricultural production plant in all history. Our great agricultural capabilities have enabled us not only to meet our own needs, but to provide the needs of many others throughout the world.

Our food-for-peace program is today providing surplus foods to millions of people in the developing countries of Asia, Africa, and Latin America. In some cases, it is practically the only source of food.

Obviously, we cannot begin to feed all the hungry people in the developing countries—even with our abundant resources.

But, there is another thing that we can do, and are doing through our foreign aid program, and that is to use our agricultural know-how to help the developing countries produce more of their own food.

Our rapidly advancing agricultural technology affords a primary opportunity to help the developing nations help themselves.

Here are some of the things our foreign aid program is doing to help the developing nations feed themselves:

In Bolivia, agriculture has been one of the bright spots of the nation's economy. With a 25-percent increase in productivity since 1961, agriculture's current rate of growth leads all other sectors of an economy which grew at a 6 percent rate in 1963-64. Bolivia is now self-sufficient in rice and sugar, with more than 75 percent of the sugar and half of the rice grown from varieties introduced through AID programs. Potentially rich agricultural lands have been opened up in the valleys east of the overpopulated altiplano, and an estimated 100,000 persons already settled on them. Another 100,000 are expected to follow suit in the next decade. The agricultural bank has been reorganized, and 800 subloans have already been made from AID-supplied credit of \$2 million. Demonstration centers are providing farmers with new seed varieties, 1,000 rams to improve local flocks, and new cooperatives making possible official exports of llama and alpaca wool and bananas.

In the Dominican Republic, an agricultural expansion program recently got underway which seeks to increase the production of food through the use of agricultural advisers, research, training, and the use of agricultural extension advisers. The program also includes forest

conservation, the opening up of new areas to cultivation, and the creation and expansion of credit institutions to make small loans accessible to farmers. Surplus U.S. farm products are being used under the food-for-peace program to construct agricultural training facilities and build farm-to-market roads.

Under the new agrarian reform legislation, new lands for settlement are being measured, subdivided, cleared, and prepared for housing and farming. AID is assisting with technical services, services and equipment for road maintenance, drainage improvements, and consultative services on soil conservation and agricultural credit.

In India, AID loans have financed the expansion of fertilizer plants. The American equipment needed for the 130,000-ton Trombay fertilizer plant was financed by a \$30 million AID loan. In the largest "Cooley loan" ever extended, AID is lending up to the equivalent of \$22,597,000 in rupees—proceeds from title I food-for-peace sales—to help finance a 365,000-ton fertilizer plant being established by United States and Indian private interests.

In Pakistan, waterlogging, salinity, insufficient water for irrigation, and inefficient cultivation and management have made the Indus Plain area of West Pakistan one of the least productive agricultural areas of the world. Through an integrated program of reclamation, desalinization, and the introduction of improved farming methods, effected by support to the Provincial agriculture department as well as by a major extension program, we expect to double production in a pilot area by 1975. The Indus Basin development program will help to provide water for these activities.

The groundwork for this program was laid by a project begun in fiscal 1954 to help the Government of West Pakistan train personnel to survey soil and ground-water resources. Since that time, the United States has provided equipment, technicians, a drilling contract, and training for Pakistani technicians. Plans for 25 proposed reclamation and desalinization projects will be based on the results of the surveys conducted through this effort.

In Vietnam, programs to supply fertilizer, improved seed, pesticides, together with the technical assistance on how best to use these items, have resulted in higher agricultural yields. A new counterinsurgency fertilizer distribution under liberal credit terms has supplemented the normal flow of fertilizer through commercial channels. In 1964, over 50,000 tons were eagerly received in the central lowlands where little, if any, fertilizer would otherwise have been used. The average rice yield has increased 40 percent where this fertilizer is used. New agricultural experiment stations have been established throughout the country and staff trained. A national seed board has been organized to plan and expedite seed multiplication of superior seed varieties tested and produced by the experimental stations. Improved rice seed has been distributed to 50,000 families. These programs also help strengthen the farm cooperatives

which are helping to distribute fertilizer, feed, and pesticides on a cash sale or loan basis.

One of the simplest, but most popular rural projects carried out has been the so-called pig-corn program which is largely self-supporting and has given villages a new source of cash income. An improved breed of pig and some surplus U.S. corn is made available on loan to poor farm families. Some 35,000 farm families had benefited from this program by the end of 1964. This program is strengthened by the fact that hog cholera—a serious killer disease—has been eliminated under an AID-sponsored veterinary program.

In Turkey, AID has helped the Turks launch a major expansion of irrigation, including the establishment of national agencies to administer irrigation and soil conservation, the development of centers to train irrigation service employees and training programs to show Turkish farmers how to use irrigation facilities. AID provided the equivalent of \$2.1 million in United States-owned Turkish lira to establish an irrigation loan fund that finances the individual farmer's initial investments for terracing, soil testing, and cement for water-regulating turnout gates.

And, in Nigeria, United States assistance has helped the development of agriculture. By the end of 1964, AID agricultural technicians had helped train nearly 1,500 workers for the extension service started by the Nigerian Ministry of Agriculture in 1961. In the western and northern regions alone, these new extension agents work with 900 village committees covering 125,000 individual farmers. An AID poultry adviser played a key role in the creation of a modern poultry industry which has cut egg prices 50 percent in Nigeria's eastern region.

Mr. Speaker, these are just a few of the ways in which our foreign aid program is helping the developing countries to help themselves. But I believe they are enough to show the good work we are doing throughout the world in the field of agriculture.

I urge that we continue these programs.

#### SUPPLEMENTAL APPROPRIATION FOR MILITARY FUNCTIONS OF DEPARTMENT OF DEFENSE FISCAL YEAR 1965

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] 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 Pennsylvania?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, during debate yesterday on the President's request for an emergency fund to cope with the Communist threat in southeast Asia, the gentleman from California [Mr. Brown] said he had "grave doubts" about the matter. He also deplored what he referred to as "the slaughter of peasants" in Vietnam. I later attempted to respond to the gentlemen's comments,

but the 2 minutes I was allowed was insufficient for a detailed reply. Today I would like to go into the matter at further length.

I think we should get the facts straight as to just what the United States is doing to assist the Government and the people of South Vietnam to defend themselves against the Communist "war of liberation" which is being ruthlessly waged against them by the Communists who are led and supported by North Vietnam. I believe, when we talk about the "slaughter of peasants" in South Vietnam we should make it clear who is doing the slaughtering. Vietcong atrocities and terrorism against civilians in South Vietnam never really ended after the Geneva Agreements of 1954, although they were carried out at a rather low level until about 1957 when they increased discernibly. They have continued since. During the first 3 months of 1965 the Vietcong killed 89, wounded 29, and kidnaped 197 civilian officials. They killed 301, wounded 449, and kidnaped 1,490 who had no connection with the Government. These totals include men, and children, and do not include the 19 Vietnamese killed and the 131 Vietnamese wounded or the 2 Americans killed and 52 wounded as a result of the terrorist bombing of the American Embassy in Saigon on March 30, 1965.

To illustrate these statistics one might take a day in late March 1965 and list the incidents reported for that day. On March 21:

The Vietcong entered a hamlet in Quang Tin Province and kidnaped 10 civilians.

A Vietcong squad infiltrated a hamlet in Gia Dinh Province and kidnaped 10 youths.

The Vietcong fired on a minibus killing one civilian and wounding four others.

The Vietcong entered a hamlet in Quang Tri Province and kidnaped two civilians.

The Vietcong fired mortars into the office of the Hiep Hoa Village Council, wounding 22 civilians.

The Vietcong entered Phouc Thuan hamlet in Ba Xuyen Province, kidnaping the hamlet chief and wounding one civilian.

The Vietcong attacked a land development center in Darlac Province kidnaping seven and killing two civilians.

One Vietcong platoon entered a hamlet in Tuyen Duc Province and kidnaped three hamlet personnel and four civilians.

A large number of well-armed Vietcong entered a hamlet in Binh Dinh Province and forced 100 laborers to leave with them, bringing 10 days' rations. Twenty-five other laborers who refused to go with the Vietcong or obey their orders were executed before the Vietcong left the hamlet.

It has been said that South Vietnam unilaterally violated the Geneva agreements of 1954 by refusing to hold elections in 1956 to reunite Vietnam and that this is at the root of the Vietnam problem today.

The fact is that Ngo Dinh Diem in an interview given to New York Post Col-

unist Max Lerner on January 24, 1955, made it clear that South Vietnam held that although the clauses providing for the 1956 elections were extremely vague they were clear on one point. They stipulated that the elections were to be free. Everything would depend on how free elections were defined. Diem said he would wait to see whether the conditions of freedom would exist in North Vietnam at the time scheduled for the elections. He asked "What would be the good of an impartial counting of votes if the voting had been preceded in North Vietnam by a campaign of ruthless propaganda and terrorism on the part of a police state." In the period from 1954 to 1956 it became obvious that conditions of freedom did not exist in North Vietnam and that it was impossible to envisage really free elections there. No less an authority than Gen. Vo Nguyen Giap, of North Vietnam, admitted this in October 1956 when as the Communist Party spokesman he read a long list of errors to the 10th Congress of the Party Central Committee. He freely admitted that in carrying out their land reform the authorities had gone too far and had executed and tortured many innocent people. He also confessed that there had been religious persecution and repression of minority groups.

It is also a matter of record that national elections were held on five different occasions in South Vietnam from 1955 to 1963.

It has been alleged that we are under the illusion that communism can be defeated by the power of military force alone regardless of the conditions and circumstances under which that force operates. What are the facts? The facts are that while the United States has made very substantial military contributions in South Vietnam we have been equally concerned with economic aid and social assistance. We have contributed more than \$2 billion in such nonmilitary aid, contrasted with approximately \$1.5 billion in military assistance.

Thanks in part to this massive technical and capital assistance provided by the United States and to substantial assistance provided by other nations, the Vietnamese people in the south, working under a free economic system, realized striking economic achievements in the period from 1954 to 1959. The root cause of the present problem in Vietnam was the refusal of the North Vietnamese Communists to accept this coexistence of a free economic system in the south with their own totalitarian system in the north. Economic and social progress in the south contrasted with the fiasco of doctrinaire Communist "land reform" in the north. As a result the Communists began to strike at the economic infrastructure which was being developed in the south, in an effort to bring about the victory which they had hoped time alone would bring them.

It has been implied that we are not in truth strengthening democracy in the world or weakening the spread of communism by our action in Vietnam. What are the facts? The facts are that the South Vietnamese are fighting to

preserve their freedom against the type of indirect aggression which the Communists call a war of national liberation. By this device the Communists try to give the impression that a war is being fought by a local population to throw off foreign domination. The fact is that the Communists have realized that the days of direct aggression are over. The U.S. efforts in Europe after World War II and in Korea after 1950 proved this. However, this new Communist strategy of indirect aggression is just as deadly a threat to a small nation's survival as was the older form of direct aggression. The fact that it is cleverly disguised as an indigenous insurrection can make it an even greater threat.

In order to cope with this disguised aggression free nations must determine the real source of the aggression and take steps to defend themselves against the attack from that source. In Vietnam this has meant ending the privileged sanctuary formerly afforded North Vietnam, the true source of the Viet Cong movement. Other weakly defended nations in Africa, Latin America, and Asia have been and will be faced with this new threat of aggression by proxy and the free world must find ways of defending them. This is what we are doing by our action in Vietnam. Small nations throughout the world which are potential victims of indirect aggression must understand as must the aggressors that we have the will and the means to defeat this new form of aggression. We have learned since the 1930's that yielding to aggression only leads to greater danger of war. We have learned in the post-World War II period that the way to defeat and to deter aggression is to meet it firmly in the beginning.

#### TRIBUTE TO A MOTHER: VERONICA GALLAGHER HUGHES

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] 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 Pennsylvania?

There was no objection.

Mr. PATTEN. Mr. Speaker, the appeal of Mother's Day is universal, so I think it appropriate to submit an article written by Mrs. Fannie Steinberg, of Highland Park, N.J., as a tribute to the mother of Gov. Richard J. Hughes, of New Jersey:

TRIBUTE TO A MOTHER: VERONICA GALLAGHER HUGHES

(By Fannie Steinberg)

RICHARD J. HUGHES: A PROLOG

It was August 10, 1909, and the long eventful night had just passed. In the wide-porch dwelling on Front Street in Florence, N.J., near the banks of the Delaware River a son was born to Veronica Gallagher Hughes. The mystery of childbearing over, Veronica Hughes shut her eyes, relaxed, and allowed herself a short period of rejoicing and dreaming. In our society her son would be free to develop his abilities and skills. He would be free to develop his individual worth and to strive toward limitless goals. He would be free to develop his talents and



help to create blessings for generations to come. Her son was privileged to have been born in the United States. Veronica Gallagher Hughes was mindful of that privilege and she began to enumerate the sacrifices she was ready to make so that her son would be able to benefit to the maximum of his capacities from the privilege of having been born in America. She reverently prayed that America would be born in her son and that he would be distinguished for his courage, moral integrity, and love of God.

Perhaps as Veronica Hughes dreamed she relived the past and saw in her mind's eye what the future had in store. The future stimulated her. It seemed fascinating and interesting. This son would be a superior child—of excellent quality. He would inherit from his father a love for and knowledge of politics and a great desire to serve his fellowmen and his native State of New Jersey. The past comforted her. Her blessings were great. She was grateful for the patient understanding of her husband, Richard P. Hughes, for his devotion to his family, his high ideals, the respect he commanded in the community and for his distinguished career as a public servant. During his lifetime Richard P. Hughes was the recipient of many honors. He served with distinction as mayor of Burlington, as a State civil service commissioner, as warden of the State prison in Trenton, as postmaster in Burlington, and was Democratic State committeeman from Burlington County for 37 years.

Veronica Hughes had high moral standards and great faith in our democracy. She knew that nothing was impossible in this country, regardless of class, wealth, or social position. Perhaps with a mother's insight she was able to detect in her child the talents and qualities that lay dormant and to anticipate the character that was to develop later. Whatever Veronica Hughes did dream of for her son, Richard J. Hughes at an early age became a popular, important and beloved public figure. He won great honors. In 1931 Veronica Hughes saw her son graduate from Rutgers University School of Law and heard him described by his classmates as the "best speaker and most dignified." In 1932 her son was admitted to the New Jersey bar and established his law practice in Trenton.

Perhaps she hoped that she would see him live a life dedicated to helping his fellow men and serving his native State. Perhaps she hoped that some day he would lead his State as the Governor. That event, however, was more than 52 years in the future—it was destined to take place in January 1962. By that time Veronica Hughes had already passed away, and all the latent qualities which she had sensed in her son, had blossomed. His drive and ability were recognized everywhere. His prestige rose, and he became one of the Nation's most distinguished leaders in the fight to secure equal rights for all citizens. He had developed personal magnetism and statesmanlike qualities; tasks to which he was assigned he fulfilled with success; he was prepared for the highest type of leadership.

In 1938 he was the Democratic candidate for Congress from the Fourth District. In 1939 he was named assistant U.S. attorney for New Jersey. In 1945 he served as Democratic chairman of Mercer County, and then in 1948 he was named Mercer County judge, the youngest man in the State's history ever to hold such public office. In 1952 he was named chairman of the Supreme Court's Committee on Juvenile and Domestic Relations Courts. In 1957 he was named to the appellate division. In 1958 he was chairman of the Delaware Valley United Fund. In 1960 he was chairman of the fundraising campaign for St. Francis Hospital in Trenton. And in 1961 he was proposed as the Democratic Party's best qualified candidate for Governor on the basis of his record and experience.

Veronica Hughes did not live to see all her dreams come true, but one can realize what pride and gratitude she would have felt if she could have seen her son, as he, ready to devote his life to the service of his fellow men and his native State, delivered his inaugural address and became the first Roman Catholic Governor of New Jersey.

#### ISRAEL'S 17TH ANNIVERSARY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GILBERT] is recognized for 10 minutes.

Mr. GILBERT. Mr. Speaker, in the midst of tensions still existing in the Middle East, the democratic State of Israel has reached another milestone—another anniversary of its existence.

As a renewed gesture of encouragement, friendship, and faith that Israel will endure and continue to grow economically and socially, I am glad to again join other Members of the U.S. Congress and other fellow Americans in saluting Israel on its 17th anniversary.

This is an anniversary of which Israel and Jewish people all over the world may well be proud. In these 17 years, against tremendous odds, a dedicated and resourceful people have built a land out of a desert and have provided refuge and freedom to many thousands of homeless. Israel's open doors have welcomed the survivors of concentration camps, the displaced of Europe, immigrants from North Africa, Asia, Jewish refugees from Arab countries and refugees from Iron Curtain countries. During this difficult period of development they have been forced to contend with hostile neighbors. Her economic problems have been complicated by the arms buildup of her hostile Arab neighbors and their refusal to establish peaceful relations.

In spite of persistent hardships, Israel's progress has been remarkable—in agriculture, science, marketing, housing, and education. Let us consider for a moment a few of the miracles which have taken place in Israel during these 17 years—methods of agricultural settlements had to be improved and their number expanded; rapidly growing cities and towns had to be supplied with food; soil erosion and desert areas had to be conquered; natural resources had to be developed, especially water supplies and the mineral wealth of the Negev. Industries had to be constructed to provide increased working opportunities; vast numbers of immigrants had to be absorbed into the population, housed, trained in skills; educational opportunities had to be expanded.

I congratulate Israel on her progress—on the cities she has built, her thriving industries, the schools, hospitals, scientific institutions, the cultural centers with which she has sustained and enriched the lives of her people. Israel has made great strides and has accomplished so much because her people have put skill, industry, and foresight into the management of their own meager resources and the aid she has received. Israel is living proof that devotion to principles of justice, equality, independence, and freedom can carry a determined people through challenges and tests which others without

faith and the pioneering spirit could not surmount.

The United States was the first country to recognize Israel as an independent nation and we were Israel's principal sponsor for admission to the United Nations. The stability of the Israel Government, unlike any other in the Middle East, is a source of great satisfaction to the United States. We give new and forceful expression to our common ideals and hope that, just as they have made our Nation great, they will serve as examples for Israel's continued success and well-being.

On this occasion, I wish the people of Israel peace, prosperity, and happiness. Their courageous efforts so far have been rewarded with a strong and stable state, and I extend best wishes for continued success and growth.

Mr. KREBS. Mr. Speaker, on this fifth of Iyar I want to take a few moments to salute the state of Israel on its Independence Day. Seventeen years have lapsed since the proclamation of independence at Tel Aviv and these years have brought a bloom to a previously barren region. The bloom I speak of is not only the readily visible one that has come about by the application of modern irrigation technology, but the bloom of parliamentary government responsive to the will of the people. In a region where democratic principles are not always readily discernible, the state of Israel has set itself apart by its devotion to those democratic institutions that have long been nurtured by the Jewish people.

As a nation that from the first day of Israel's independence recognized its autonomy, the United States continues to this day as a true friend of Israel. Our country extended diplomatic recognition on May 14 and immediately made known its intentions of helping that small nation secure its future not only from the immediate danger of hostile neighbors but from those later enemies who continue to criticize the establishment of a state of Israel.

The peoples of our two countries cherish the bond of friendship that has existed since that proclamation of independence in 1948, and, Mr. Speaker, it is my fond wish that we will for many more years proclaim renewed faith in the brotherhood of man that has brought our two nations together.

Mr. BURKE. Mr. Speaker, this week is the anniversary of the independence of Israel. Since that May of 1948 Israel has made great strides in developing her economy and advancing the cause of democracy and freedom. In the Middle East this country is an outpost of democracy in an area where despotism is the usual form of government.

This nation has served as a beacon of hope for many of the people of Europe for whom the future seemed to be empty. Hundreds of thousands of refugees have been absorbed into an area about the size of New Jersey with a rapidly growing population of more than 2 million people.

The problems that this young nation has had to solve are formidable, to say the least. The Bible described Israel as a land "whose stones are iron and out of whose hills thou mayest dig copper"—Deuteronomy 8: 9. Nonetheless, she had

to develop her resources and expand her industry and agriculture if she was to compete with the other more developed nations in the world. Since 1948 she has done just that. Agricultural production has increased sevenfold and the amount of land under cultivation has doubled. Increased irrigation and improved manufacturing techniques are presently being developed to increase Israel's output in both these areas.

One of the more outstanding accomplishments of this nation is the fact that only a decade after her formation she launched a foreign aid program. It is obvious that Israel's efforts in the field of economic assistance have a significance far beyond that implied by the numbers of people or the amounts of money involved. The experience that Israel has had with her limited resources is an experience that the new nations with similar problems find highly useful. Israel in turn can use these contacts to help overcome the barrier which her Arab neighbors have sought to erect. She can increase her imports and receive in exchange for her products goods which she cannot grow or produce. Israel has extended aid to more than a dozen countries of Africa and Asia. They have been brought into contact with a country that, through democratic means and under a representative government that guarantees freedom for all its inhabitants, has achieved wonders in just a few years.

In its brief 17 years of existence Israel has fought two wars for survival, has admitted and absorbed about a million immigrants, has stabilized its economy, raised its standard of living, become industrialized, made its deserts bloom and helped other less advanced states. This is a list of accomplishments of which free people all over the world can be proud.

Mr. Speaker, I am happy and pleased to pay special tribute to this great nation on the anniversary of its independence. If its people demonstrate in the future the vision, the daring, and the fortitude shown in the past, I have no doubt that in the years ahead Israel will continue to increase its stature as one of the leaders of the free world.

Mr. McGRATH. Mr. Speaker, in May 1948, very few people around the world thought we would see this day—the 17th anniversary of Israel's emergence as an independent nation. For 17 years, and through two wars, that brave bastion of democracy has withstood attempts of the 40 million Arabs in surrounding nations to make good President Nasser's threat to "push Israel into the sea."

Today, Israel is more unpushable than ever. Its population is now some 2.5 million; its industry is growing; its exports swelled to about \$400 million last year; its average annual income is approaching \$1,000; its tourist industry is booming; it is proving a force for good among other emerging nations of Africa and Asia; and it is embarked on a new 5-year plan designed to improve further on all those improvements.

It is interesting to note that the nation which threatens Israel the loudest and most consistently—the United Arab Republic—is reported to be in deepening economic trouble as its President

continues to spend millions of dollars on military adventures and in preparation for a threatened push against Israel.

It is also interesting to note that this same Arab leader is even now venting his wrath on a fellow Arab leader who had the temerity to suggest that the Arab nations sit down with Israeli leaders to discuss peaceful settlement of their differences.

From the history of the past 17 years, it is easy to see which Middle East nation deserves the support of the free world and which are the troublemakers.

When the United Nations partitioned Palestine in May, 1948, Israel began its life as a nation with some 1 million people. About half of its 8,000 square mile area was rugged desert. Almost every one of its needs had to be imported. Its military force was a hodge-podge collection of guerrilla units which had been fighting against the British and Palestinian Arabs since World War II ended.

Yet, this makeshift force, armed principally with the will to exist as a nation, smashed a coalition of six Arab armies during the next 2 years. It then solidified and gained sufficient strength to rout Egyptian forces in the Sinai campaign of 1956, and stands today as a deterrent to future Arab military adventures.

Its industry has been nurtured to the point where it is successfully withstanding the Arab boycott against itself and countries which deal with Israel, and it has developed a maritime fleet able to ignore the ban against Israeli shipping in the Suez Canal.

Some 12 years ago, Israelis were limited to one egg each every 8 days; butter and cocoa were available only for children, and meat was a delicacy eaten only on holidays. Today, European nations are complaining that Israel eggs and chickens are flooding the Common Market, and in Israel itself, supermarkets bulge with just about every item of food its people crave.

It has developed a technology which has steadily forced the borders of the Negev Desert southward, making that sandy waste bloom with new farms and cities.

While Israel has been securing its own future, it has been working to make easier the lot of those new nations which lack the technology and funds to gain similar footholds. Assistance is offered to all nations of Africa and Asia which have problems the Israelis feel they can help solve; and in many cases, this assistance has been accepted and is showing results.

Contrast this with the attitudes of Israel's Arab neighbors whose average per capita income of from \$50 to \$150 compares with Israel's \$1,000 a year. Despite constant offers by Israel to discuss peace terms anywhere, at any time with her hostile neighbors, the Arab nations waste their hard-to-come-by funds on armaments and rocket research. They stand in the unproductive sands near their borders with Israel, glaring—and frequently shooting—at the Israelis tilling fertile fields created from those same sands. Their leaders constantly

hold meetings at which they threaten again and again to push Israel into the sea.

But Israel continues to stand as the only true democracy in the Middle East. It continues to improve the lot of its people. It continues to offer aid to other nations. It continues to plan for its future. All this while it continues to prepare to protect itself against the threatened onslaught of its neighbors.

Today, the rejoicing in Israel should occasion similar rejoicing throughout the free world, because that tiny nation is proving that democracy is viable; that free men striving for an ideal can prevail against hate and threats; that there is still hope that the entire Middle East can become peaceable and productive.

Mr. Speaker, on this auspicious occasion, I see in the continued existence and growth of this brave little nation, a new proof of the truths on which the United States was founded, and I wish Israel well as it continues to set an example for the Middle East and the world.

Mr. MULTER. Mr. Speaker, 17 years ago the State of Israel was founded. With its proclamation of independence came the fulfillment of a dream that originated many centuries ago in the days when the Book of Books was being written. The words of that proclamation were inspiring in 1948; they are inspiring today. For in the proclamation we find set out, with the world as a witness, the goals and dreams of the Israeli people. During 17 long and danger-filled years these people have never lost sight of their goals. During 17 years, they have toiled toward the realization of their dreams.

If we turn to the proclamation today, we find it alive with the past, the present, and the future of Israel. The dreams are untarnished; the goals are within grasp. Indeed, in one paragraph of the proclamation, we can trace much of the history of the independent Nation of Israel. Permit me to quote that paragraph, for it provides the theme of the remarks I intend to make today:

The State of Israel will be open to Jewish immigration and the ingathering of exiles. It will devote itself to developing the land for the good of all its inhabitants. It will rest upon foundations of liberty, justice, and peace as envisioned by the prophets of Israel. It will maintain complete equality of social and political rights for its citizens, without discrimination of creed, race, or sex. It will guarantee freedom of religion and conscience, of language, education, and culture. It will safeguard the holy places of all religions. It will be loyal to the principles of the United Nations Charter.

In an age that has become used to high declarations of principle that are flouted in practice, these words might all too readily be dismissed as irrelevant. What is remarkable about Israel, however, is that these words became and remain part of the daily life of the people. Surely, this is why Israel has been able to mold a united people while at the same time welcoming hundreds of thousands of immigrants from diverse backgrounds. Surely also, this is why Israel has been able to develop and maintain a democratic society during times of bitter battle and times of armed and uneasy



peace. This is why it has been possible to make the desert flower and the cities hum in a country so poor in natural resources and so destitute of fertile soil. I do not hesitate to say that in no other nation in our time have we witnessed such a successful combination of spirit, idealism, and practicality. The results are there for all to see. They should serve as an inspiration to those in the many new countries of Africa and Asia who are seeking a way to unity, stability, and rapid development.

Let us look for a moment at some of the accomplishments of the young nation of Israel. Perhaps most remarkable has been the nation's absorption of well over a million immigrants since 1948. Within a few short years following independence, the population of Israel more than doubled. The immigrants represented over eighty different nationalities; each brought his own language and customs. Fortunately, each also brought skills—some, of the most elementary kind, others, more technical. All brought the will to put these skills to work.

Something more, however, than the will to build a life in a new land was required. A people of such diverse origins is not readily molded into a nation. To a large extent, the requirement of something more has been filled by compulsory military training for both men and women, and the establishment of education centers throughout the land for those too young or too old to undertake military service. Instruction in Hebrew—the official language of the Government—is given both during military training and in the education centers. Language instruction is accompanied by courses in government and civics. The Government has well understood that sharing formative experiences is vital to the molding of a united people. It is impossible not to conclude that their programs have been successful.

Another formidable problem faced by the leaders of the young nation was that of economic development. Ways and means to feed a rapidly growing population had to be found. Techniques had to be developed to exploit the few natural resources possessed by the country. Above all, Israel had to be made less dependent on generous aid from abroad. These tasks would be difficult enough to confront under the best of circumstances. The men and women of Israel rolled up their sleeves and set to work under the sniping fire of the guns of hostile neighbors. Too frequently, they have had to lay down their ploughs and tools and take up arms to defend themselves.

The accomplishments of 17 years, therefore, seem all the more remarkable. Cultivable land has almost doubled since 1948. More than 500 agricultural communities have been established to develop hitherto unexploited land. Lake Huleh and its marshlands have been drained, and extensive irrigation projects have been undertaken. Soon, with the aid of water from the Jordan and converted sea water, the Negev Desert will become a major agricultural area, producing enough crops to eliminate the need for importing many agricultural commodities.

Achievements are no less impressive in industry and mining. Today, in communities scattered around the Dead Sea, there are new factories producing potash, common salt, bromines, and calcium chloride for export. Ancient copper mines have been reopened and are now again producing copper for the modern industries of Israel. On the Gulf of Eilat, the port of Eilat is being developed as a trading center and as a resort to attract tourists. New ports and industrial centers have also sprung up along the Mediterranean.

Mr. Speaker, it would be possible to cite many more examples of the material accomplishments and the industry of the people of Israel. But what I would like to stress in closing is the continuing vitality of this people, their courage, and their unflagging devotion to the ideas formulated in their proclamation of independence. They have known how to do more than eke an existence out of the desert. They have known how to build and maintain a society of freemen. They have known how not to become so preoccupied with means that they lose sight of ends. They have known how to be proud without being overweening. If they face a new time of peril—as seems likely—I can think of no people more deserving of our support. It is indeed a privilege to pay tribute to them on the 17th anniversary of their declaration of independence.

Mr. ROONEY of New York. Mr. Speaker, no nation in the world is more deserving of our congratulation on its observance of its independence day than is Israel. For no nation in modern times has accomplished more economically, politically, socially, and culturally than has this 17-year-old democracy.

Israel is only a teenager in terms of its chronological age, but its people and its leaders have so grown in wisdom and in stature before the world that one forgets the newness of its Government and the bloody atmosphere into which it was born.

The marked successes which Israel has enjoyed are indeed numerous and the pride of its people today on this anniversary of their precious independence is well justified. Today Israel is a nation of educated productive workers for education is universal; production of farm products and factory goods is far in excess of earlier plans and predictions; and the people of this vibrant country are real workers.

Out of desert wastes which have defied even forage for goats; out of rock fields where for generations even the tares could not take root; out of this grim desolation the people of a new nation have wrought a miracle of modern times. They have brought green to the drab hillsides and have harvested crops in abundance where once even locusts starved. I have been an eyewitness to these facts on three visits to Israel.

These liberty loving people have transformed mud-hut villages into bright and gleaming modern cities. Block after block of attractive apartments and housing structures line clean, well-paved and tree-bordered streets. Factories hum

where the idle pallor of poverty-ridden slums so lately prevailed. Highways bristle with movement of modern trucks, buses, and passenger cars. Modern trains vie with jet airliners for attention.

All this has come to pass in less than a single generation—in less than two decades. Coupled with the will of a determined people with a oneness of purpose, the generous aid of Americans and others of the free world has given to this new nation an assurance of prosperity and longevity.

Today in spite of continued heavy expenditures for military readiness to defend themselves against the hostile neighbors who surround the little country, the economy of the country is sufficiently sound to entice an increase of more and more foreign investments. With this growing economy has come greater political stability which in turn has resulted in greater self-assurance for the whole nation.

Mr. Speaker, we in the United States of America are proud in having played a major role in the delivery and child care of this young nation. We are proud to have witnessed a noble experiment become an accomplished reality. We are proud indeed to join with the people of Israel and give thanks to God for the wonders which He today hath wrought through these, His people.

Mr. BOLAND. Mr. Speaker, in A.D. 70 the Roman General Titus captured Jerusalem, destroyed the temple, and scattered the Jews into exile. Thus began the Diaspora, the dispersion, under which Jews have lived abroad for over 2,000 years.

On May 14, 1948, Sir Alan Gordan Cunningham, the last British High Commissioner, left Palestine. On the very same day the Jewish National Council and the General Zionist Council at Tel Aviv proclaimed the establishment of a Jewish state, to be called Israel. The exile, in a sense, was over. Henceforth there would be a home for oppressed Jewry. Henceforth there would be a political entity of authentic Jewish stamp, whose very existence would enhearten and encourage those Jews who had been victimized by the holocaust of World War II, or who dwelt in lands where they lived by the sufferance of the majority, never fully accepted, and saddled with legal disabilities. Jews in America, or Britain or France, while remaining no less loyal to their own countries, could take legitimate pride in this realization of an age-old dream.

From the very beginning, Israel has had to cope with enormous problems. Three days after her independence was proclaimed she was attacked by five Arab neighbors, misled by the traditional stereotype of the Jew as pacific and non-combative, into hopes of an easy victory. But in the Israeli forces the Arabs met a foe who belied the stereotype, a tough, aggressive, disciplined fighter, who soon put the Arab forces to rout. Armistice agreements were obtained through the efforts of the United Nations, which lasted uneasily until 1956, when increasing Egyptian pressure, coupled with Egypt's seizure of the Suez Canal, led Israel to invade the Sinai peninsula,

where they quickly crushed the Egyptian forces. Since that time there has been a great deal of boasting by Colonel Nasser, but no military action.

Indeed, it is time that this ridiculous vendetta of the Arab States against Israel came to an end, not only for Israel's sake, but for that of the Arab peoples themselves. Israel has much to offer that the Arab nations can use. She has the technical skills with which to launch assistance programs, modest but highly effective, as Israeli programs in Africa have already demonstrated. The burden of maintaining armed forces and armaments out of all proportion to the true needs of the country could be lifted from the back of Arab and Jew alike, and the savings put into long range development.

All that is required is that the Arabs accept the fact that Israel is here to stay. This may go down hard, after years of incessant propaganda, but the benefits for all concerned would be immense. In this connection all men of good will can commend Habib Bourguiba, of Tunisia, who is the first Arab leader of any stature to suggest that an accommodation be found with Israel.

Seventeen years after it proclaimed its independence, Israel can take pride in solid achievement. It has taken in and made a home for most of the survivors of Nazi savagery. It has taken in and brought abreast of the modern world Jews from other lands of North Africa and the Middle East many of whom previously dwelt in privation and primitive squalor. It has established a stable democracy, whose enlightenment and self-discipline might well be copied by some of the larger nations of the world. It is a Western outpost surrounded by weak and unstable societies, which are readily susceptible to Communist propaganda and subversion. On this 17th birthday of Israeli independence the American people salute the people of Israel, and hope that the substantial accomplishments already recorded will be but a prelude to greater things to come.

**Mr. BROOMFIELD.** Mr. Speaker, today marks the 17th anniversary of the independence of one of the world's newest—yet oldest—nations.

I speak of Israel, a nation born in the darkness of persecution and prejudice but which has emerged in a few short years into the light of freedom and opportunity.

Its citizens, many of them victims of atrocities, many of them the sole survivors of once-prosperous families, carved from harsh desert a land of prosperity, built on freedom, nurtured with love and understanding and protected by iron will and firm resolution from warlike and unfriendly neighbors.

Yet, while many of its neighbors destroy, Israel creates, fighting its twin wars against landscape and hostile neighbors with equal fervor and ferocity.

Israel attained greatness in the first decade of its independence, denied for so many centuries. Its greatness will grow in peaceful pursuits, in labors of the mind and body, in compassion and understanding for human suffering, and in the means to end suffering.

Its citizens have demonstrated to fight and to die for their homeland. But they have shown an even greater zeal for freedom, for justice, and for a peaceful world.

**Mr. MINISH.** Mr. Speaker, it is a great pleasure to join in saluting our brave young ally, Israel, upon the happy occasion of its 17th birthday.

Americans of all races and creeds feel spiritual ties with Israel which is committed to the same democratic principles upon which our own country was founded. The heroic qualities that have enabled Israel to make such remarkable progress in its brief history have evoked the admiration and esteem of Americans who take pride in our national spirit of self-reliance and independence. Americans have been happy to support Israel's tireless efforts to carve a modern industrial nation out of the arid desert. The tremendous accomplishments in every field are eloquent testimony to the character, ability, courage, and perseverance of the Israelis.

It is tragic that this brave new nation is unable to enjoy the fruit of its labors in peace and tranquility and that it must divert precious human and material resources to military defense against its aggressive neighbors. Like the United States, Israel earnestly seeks peace in freedom. Like the United States, Israel genuinely desires to achieve a better life for its people and for all mankind in an international society based on law and order. However, like the United States, Israel will not now bow before the forces of aggression and will defend its rights at whatever cost. After 2,000 years of dispersal the people of Israel and their leaders are determined to keep Israel free. As Justice Goldberg stated in his notable address at the American-Israel Public Affairs Committee dinner on May 3:

Neither America nor Israel welcomes an arms race in the Middle East. Both seek peace but the cause of peace, as Congress has recognized, will not be served by encouraging those preparing for aggression or by permitting those whose security is imperiled to be the victim of an imbalance of arms. All objective observers agree that Israel seeks in the words of Isaiah to dwell "in a peaceful habitation" and "in secure dwellings." Israel deplores, as we do, the wastefulness of armaments in a country and in an area which loudly calls for social and economic development.

Despite its problems, Israel observes its 17th anniversary with the vitality and courage of youth and faces the future with pride in the past and confidence in the future. America will continue to support this great enterprise and to exert every effort to achieve peace and stability in the troubled Middle East.

**Mr. FRIEDEL.** Mr. Speaker it is proper that we pause in our deliberations today to mark a most important event—the 17th anniversary of the State of Israel. Many nations have gained their independence in recent years but Israel remains as an outstanding example of what freemen can do to help themselves if given assistance and encouragement by friendly nations.

The history of Israel reaches back 5,000 years, yet Israel and the United

States have much in common. We both believe in the supremacy of moral law and we both believe in personal as well as national liberty. In the short 17 years since the State of Israel was established her people have developed a modern democratic society of which she can be justly proud.

As an American, there is no question in my mind that the entire free world needs the small State of Israel to keep the spark of democracy and independence alive in a particularly sensitive area—the strategic Middle East. It stands as an ally of the United States as well as a bulwark against the dangerous forces of communism.

The strong friendship which has existed between Israel and the United States since the days of her rebirth has served as a source of support to us in our efforts to protect the interest of free people everywhere.

Before the World War, Palestine, as it was then called, was a barren land from which its former glory had departed. In the words of Israel Zangwill, "the land without a people waited for the people without a land."

Today ancient Israel is a modern democracy, not only restored, but a respected member of the family of nations from which new light shines to bring to the world great discoveries in the fields of science, medicine, and technology.

I am proud to join my colleagues in the Congress of the United States today in this salute to Israel on the anniversary of her independence. We acknowledge her great progress, her determination of spirit, and her devotion to the cause of world peace. Certainly the people of Israel have proven to us, and to the world, that our confidence in them was not misplaced. They have earned our admiration and respect through their sacrifices in building a new nation and I wish them continued success in the years ahead.

**Mr. HOWARD.** Mr. Speaker, I am pleased and proud to join the commemoration of the independence of Israel. For the past 17 years Israel has been an example to all the nations of the world of what a determined people can do under a free, democratic government. Not only has Israel progressed notably at home, but she has also supported the United States and the United Nations and has undertaken a successful technical assistance program to emerging nations of Africa and Asia.

Israel was called "a land flowing with milk and honey" in the Bible—Deuteronomy 6: 3. Yet in 1948 much of Israel was an arid desert. Furthermore, the tiny nation was surrounded with enemies and was faced with a flood of refugees which, proportionately, was many times greater than the number of refugees that the United States admitted in the first two decades of this century. Industrial development lagged, and manufacturing techniques were not widely known.

Yet in 17 years Israel has gone a long way toward fulfilling the Biblical pronouncement. The new state has struggled against an unfavorable balance of trade and has scored notable achievements in this area. The gross national



product has grown considerably and new industry is flourishing.

In the Israel Proclamation of Independence may be found the ideals of the Jewish people. I would like to quote two paragraphs which seem to me to be particularly important in the year 1965:

Despite every hardship, hindrance and peril, the remnant that survived the grim Nazi slaughter in Europe, together with Jews from other countries, pressed on with their exodus to the land of Israel and continued to assert their right to a life of dignity, freedom and honest toil in the homeland of their people.

We extend the hand of peace and good-neighborliness to all the states around us and to their peoples, and we call upon them to cooperate in mutual helpfulness with the independent Jewish nation in its land. The State of Israel is prepared to make its contribution in a concerted effort for the advancement of the entire Middle East.

These words need to be remembered today for they contain the foundation for the program that can be the salvation of the Middle East. Israel has lived up to the ideals that it put in writing back in 1948. May these ideals become realities in the very near future, and may Israel be free to develop in peace. Her past accomplishments give every reason to hope that the Israeli future will be a proud one.

Mr. RODINO. Mr. Speaker, on May 14, 1948, according to the Julian calendar, and May 6, according to the Hebrew calendar, the British mandate over Palestine came to an end, and present day Israel was born. For the idea of a return to their original homeland had never been absent from Jewish hearts, nor indeed from Jewish thoughts or culture, from the very beginning of the dispersion.

That the Arabs immediately attacked Israel and were beaten back is known to all of us. That the United Nations had to be called in to establish and maintain a precarious peace is equally well known. From May 15, 1948, until today, Arab leadership has never recognized the permanence of Israel, and has never renounced its intention to drive the Israelis into the sea. When recently the enlightened leader of Tunis, Habib Bourguiba, suggested that it might be time to recognize Israel and get on with the business of development, he was denounced as a traitor by the Arab leaders.

However precarious her security, Israel has used the intervening years well. She has brought in the exiles, the survivors of Nazi persecution and Jews of North Africa and the Middle East who were often second-class citizens in lands in which they had lived for a thousand years. Rapid and continuing expansion of her economy has been a top priority Israel objective, an objective which gives every sign of being successfully met. The Israel gross national product has continued to rise, and by enormous national effort Israel exports have also risen. So much land has been brought under cultivation through irrigation schemes that it is already proverbial throughout the world that Israel has made the desert bloom.

Politically Israel is a stable democracy, not only friendly with the West, but actually tied to the West by vital nation-

al interests. Her defense forces have already proved superior to those of the enemies that surround her. But Israel takes equal pride in her technical assistance programs, which while modest in scope, are pursued with vigor and enormous skill. Many an African country has already benefited substantially from such an Israel program.

Most of all, Israel can take pride in the spirit of her people, a people rescued from the jaws of extinction, with a fierce will to live, and a never-say-die outlook. Israelis are accustomed to living dangerously. Their bearing under stress contains a lesson for all of us, as we extend the hand of friendship, on this, their independence day.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I have noted with great satisfaction the deepening warmth of the friendship of African nations for the State of Israel, which on May 6 celebrated her 17th birthday. From her limited resources, Israel has contributed much to the developing nations of Africa, and everywhere among Africans I have heard words of appreciation.

I do not hesitate to predict that the time is not far distant when the attitude of the Arab world toward Israel will change from hostility to acceptance of the facts of the present century and the truth that by working cooperatively together both the Arab States and Israel will benefit.

I have expressed this thought on at least two occasions when the newspapermen of Cairo graciously met with me at press conferences. While none of the Egyptian journalists spoke in agreement of my thought, there was no apparent resentment because I was championing the cause of Israel on Arab soil. This would not have been the case, certainly not 10 years ago.

Nations working cooperatively together in development of natural and social resources for mutual benefit is the order of the new day into which we have been ushered by the epochmaking changes that have followed World War II.

Israel offers no menace to the Arab States and she can be of tremendous benefit to them, as many of the new African nations have found.

It was on this keynote of optimism, with the vision of approaching understanding and friendship on the part of Israel's former foes, that I joined with my colleagues in birthday greetings to the brave and noble State of Israel.

What the State of Israel has accomplished in 17 years is one of the miracles of history. And the blessings she has brought to herself and her own people she has shared with all her neighbors and the new nations that would accept.

Mr. ADDABBO. Mr. Speaker, May 14 marks the 17th anniversary of the founding of the State of Israel, and it gives me pleasure to congratulate her and her people on this momentous occasion.

The State of Israel was born with great struggle as was our own United States. The founders of Israel and its people have much of the pioneering spirit that our forefathers had—we built a nation from

the wilderness, Israel has built a nation from the desert. It is this spirit and determination which is responsible for the almost unbelievable strides she has made in the short period of 17 years.

We were the first country to recognize Israel as a nation and we want to be in the forefront of those congratulating her on her success and reassure her of our continued support and best wishes for continued growth and prosperity.

Mr. PELLY. Mr. Speaker, it was 17 years ago that the Union Jack was lowered over Palestine, marking the end of British rule over that area.

May 14, 1948, saw the emergence of a new nation, the State of Israel. This is a nation which has created an example of what a people can do when given the right of self-determination; she is a model of democracy in action.

Yes, Mr. Speaker, 17 years ago this dream of almost 1,900 years became a reality as the blue and white flag with the Star of David took its rightful place among the banners of the free world.

It has not been easy for the people of Israel these last 17 years, as it has not been for the last 1,900 years, because hostile neighbors have attempted to drive the Jewish people out of Israel. But this gallant nation has stood steadfast and grown strong and self-reliant.

I join with my colleagues and say mazeltov to the people of Israel.

Mr. IRWIN. Mr. Speaker, it is a genuine pleasure to join my colleagues in extending best wishes to Israel on the 17th anniversary of her independence.

It is a friendship that springs naturally from the many ties that link Israel and the United States.

It is a friendship filled with genuine admiration for what has been accomplished in so short a time. She is the most democratic and stable nation in the Middle East, an area noted for shaky governments and sporadic upheavals. She has made great strides in economic development. In a land that was once characterized by barren fields and deserts have risen modern cities and cultivated fields. It has become a center of learning and culture. Thousands of students from other lands pour in to attend its great colleges and universities. And only this week Israel opened its first national museum in Jerusalem.

Israel's achievements are more remarkable when we consider the handicaps she labored under. Israel had to absorb large numbers of immigrants from Europe as well as other parts of the globe. Israel was born in battle and had to fight hard to preserve her freedom.

Her achievements can also serve as an inspiration to many of us. Many newer nations in Africa and Asia, with whom Israel has maintained friendly relations, can find a practical example of what great economic strides can be taken in so short a time. And we in the United States can learn from Israel—as young as she is. The way her courageous people have repeatedly demonstrated their willingness to give their lives, if necessary, in defense of freedom and democracy, can serve as a powerful reminder of the value of what we are inclined to take for granted. It is therefore a warm

pleasure to salute Israel, our democratic partner in the Middle East.

Mr. COLLIER. Mr. Speaker, since the end of the war many new nations have come into existence, and many new states have been formed. Among these new nations the Israeli nation is in a class by itself, and the State of Israel testifies to that fact. The birth, growth, and gradual strengthening of Israel as a free and independent state may be regarded as the miracle of the century, and as the realization of a 2,000-year-old dream, as something almost unique in human history.

Unhappy Jews were deprived of their homeland centuries before the discovery of America, and were scattered to all parts of the world. But these sons of ancient Israel were never reconciled with forced dispersion, and they dreamed of the day when they would return and recreate their old kingdom in their own image. This is what they eventually did, and their superhuman efforts culminated in the birth and rise of today's Israel on May 14, 1948.

Since that memorable day Israel citizens have done wonders in making their new state the model democracy in the entire Middle East. They have also made it a prosperous and progressive haven for its 2 million hard working, inventive, and confident inhabitants. On its 17th birthday the State of Israel is a powerful factor for peace and stability in the Middle East, and I wish its sturdy citizens more power in their struggle for peace and prosperity.

#### HAPPY BIRTHDAY, PRESIDENT TRUMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. RANDALL], is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, once again I rise—as I have done each year since 1959—to pay tribute to one of our Nation's greatest citizens. President Harry S. Truman will be 81 years old on May 8. It is my happy privilege, as Mr. Truman's Representative in Congress, to mark the occasion with a few remarks and to wish him a very happy birthday.

Each year at about this time I reflect upon this outstanding man's life and each year I am awed and almost overwhelmed by the number and variety of ways he has served the citizens of the free world. His rise to the highest office in the land under sudden and tragic circumstances, his strength in picking up the reins of Government in the midst of the world's most devastating war and in guiding the United States and its allies to a final victory, his foresight in serving as chief architect of the United Nations, the Truman Doctrine, the Marshall plan and point 4 aid, and his resoluteness in reaching difficult decisions such as the use of the atomic bomb to save thousands of American lives, the miracle of the Berlin airlift, and the decision to resist aggression in Korea all testify to his great stature as a President of the United States.

But my purpose is not to repeat what every American—from the most ad-

vanced student of the presidency to the youngest reader of a third grade history book—knows so well. I am concerned not with dates or historical facts, but with the man himself. I do not wish to repeat what this outstanding leader did, or how or even why he did it, but rather to look beyond the deed at the doer. And I might say, Mr. Speaker, that President Truman is a doer par excellence.

Eighty-one years old? Any man of 21 would do well to have the energetic zest for life and the love for people that the man from Independence still characteristically displays.

Today—20 years after he became President, 17 years after he won the cloak of leadership in his own right to the surprise of almost everyone except himself, and 13 years after leaving the White House—President Truman is not sitting around reading history. He is still making it.

Turn on your television set some evening. You are liable to see Mr. Truman starring in a 26-program series covering the years of his Presidency.

Walk by your corner bookstore. On the shelves you will see the two-volume set of memoirs he wrote in order that present-day students and future historians may study the record of his Presidency.

Pick up the morning newspaper. You may read about President Truman traveling to New York, accompanied by his wife, to accept the Freedom Award, as he did last month. Or, with the refreshing straightforward honesty that occasionally shocks the fearful and timid, responding to the questions of reporters.

In short, Harry S. Truman is not resting on his presidential laurels. He is continuing to earn his reputation as a man to be reckoned with.

A brief review of some of the President's recent activities illustrates more precisely why this is so.

Take, for example, his two books that chronicle the history of his administration, "Year of Decision" and "Years of Trial and Hope." These books were written not to glorify their author, yet in the words of Clement Attlee, the former Prime Minister of England, President Truman in his books "not only adds a page to history, but reveals himself a simple, straightforward, honest man, doing his duty with no thought of himself. I am impressed by the courage he displayed in facing this great task."

The President's courage is equally evident in the televised series called "Decision: The Conflicts of Harry S. Truman." Because of his intense interest in the lessons of history, Mr. Truman was the first President to participate actively in a television series in which he makes public his innermost thoughts and fears at the time of his most critical decisions. His statement to a representative of Screen Gems, the producer of the show, is characteristic of his sense of responsibility toward the current generation:

I want the people to know me as I am and the Presidency as I have known it.

I might add that because of his willingness to allow the American people and the world to gain such insight into the

history of his Presidency, the American Cinema Editors last March 14 presented the former President an award as the "Outstanding Television Personality of the Year."

Last month, on the 20th anniversary of his assumption to the Presidency, Mr. Truman received another honor—the coveted Freedom Award, presented annually since 1943 for outstanding contributions to the cause of freedom. In explaining the selection of President Truman to receive this year's award, the judges said:

President Truman's leadership—particularly in initiating the Marshall plan, the Truman Doctrine and the defense of South Korea—set the pattern for America's worldwide activities in behalf of freedom.

The plaque presented to President Truman summed up this courageous man's place in history more succinctly, but no less meaningfully:

Wise in policy,  
Valiant in action,  
Decisive in leadership;  
You gave a battered world new hope.

But perhaps the most eloquent and meaningful tribute to our former President was delivered by one who served with him as he took upon his shoulders the problems of our country and the world, and who therefore knew him best. Dean Acheson, in the major address at the Freedom Award ceremony reminded us that the policies of the Truman administration in foreign affairs showed a sweep, a breadth of conception and boldness of action which were new in this country's history.

The former Secretary of State said:

Many of President Truman's decisions constituted expanding action in a truly heroic mold. All of them were dangerous. All of them required rare capacity to decide and act. All of them were decided rightly, and vigorously followed through.

This summary aptly indicates the continuing influence upon history which Harry S. Truman has exerted. How fortunate we are that he is still with us to continue making history.

In giving us the benefit of his insight, President Truman is as unencumbered now by self-aggrandizement or ego as he was when he led us and the world. He still displays the courage to give us new understanding of problems and issues—understanding which leads to clearer thinking and a better perspective, even among those who, for political or other reasons, may disagree with him. And, time after time, history proves Mr. Truman right.

Yes, Mr. Speaker, Harry S. Truman is still a principal actor on the stage of history. History is made when the President permits the American people and the world to read about the inner workings of his administration as it labored with some of the most momentous decisions of all time. History is also made when millions of men, women, and children, with the turn of a television dial, may watch and listen as events of two decades ago are described by those who participated. And history is made when our 33d President continues to express his views so forthrightly and honestly on the issues of today.



H.J. Res. 447. An act making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

## ADJOURNMENT

Mr. VIGORITO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Monday, May 10, 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:

1059. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1965, submitting a report, together with accompanying papers and an illustration, on a cooperative beach erosion control study of the city of Evanston, Ill., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 159); to the Committee on Public Works and ordered to be printed with one illustration.

1060. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 5, 1964, submitting a report, together with accompanying papers and an illustration, on an interim report on Little Nemaha River and tributaries, Nebraska, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted June 21, 1944 (H. Doc. No. 160); to the Committee on Public Works and ordered to be printed with two illustrations.

1061. A communication from the President of the United States, transmitting a supplement to his message of January 14, 1965, relative to foreign aid, to develop a program which is designed to strengthen the personnel capabilities of all the foreign affairs agencies of the Government (H. Doc. No. 161); to the Committee on Foreign Affairs and ordered to be printed.

1062. A letter from the Administrator, Veterans' Administration, transmitting a report of a violation of subsection (h) of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(1)(2)), and pursuant thereto; to the Committee on Appropriations.

1063. A letter from the Comptroller General of the United States, transmitting a report of the lack of compliance with statutory requirement for local financial participation in area redevelopment projects, Area Redevelopment Administration, Department of Commerce; to the Committee on Government Operations.

1064. A letter from the Assistant Secretary of the Interior, transmitting a report of the investigation of the need for continuing assistance to Boulder City, Nev., for the cost of supplying water to the municipality, and announcing an allocation for fiscal year 1966 for such purpose, pursuant to section 9(e) of 72 Stat. 1729; to the Committee on Interior and Insular 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. BONNER: Committee on Merchant Marine and Fisheries. H.R. 7855. A bill to authorize appropriations for procurement of small patrol cutters for the Coast Guard; without amendment (Rept. No. 293). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 1771. A bill to establish

a 5-day week for postmasters; with amendment (Rept. No. 294). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 485. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; with amendment (Rept. No. 295). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1665. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes; with amendment (Rept. No. 306). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 7031. A bill to provide for the establishment and operation of a National Technical Institute for the Deaf; with amendment (Rept. No. 307). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 7743. A bill to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools; without amendment (Rept. No. 308). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H.R. 6755. A bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes; without amendment (Rept. No. 309). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H.R. 7303. A bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; with amendment (Rept. No. 310). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 347. Resolution expressing the disapproval of the House of Representatives of Reorganization Plan No. 1 of 1965; without amendment (Rept. No. 311). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Appropriations. H.R. 7997. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 320). Referred to the Committee of the Whole House on the State of the Union.

## REPORTS OF COMMITTEES ON PRIVATE 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. FEIGHAN: Committee on the Judiciary. H.R. 1231. A bill for the relief of Maria Mangano; with amendment (Rept. No. 296). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 1236. A bill for the relief of Salvador Munoz-Tostado; with amendment (Rept. No. 297). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 1306. A bill for the relief of Loretta Negrin; without amendment (Rept. No. 298). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 1314. A bill for the relief of Foster Masahiko Gushard; without amendment (Rept. No. 299). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1322. A bill for the relief of Mrs. Anna Cristina Rainforth; with amendment (Rept. No. 300). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 1443. A bill for the relief of Mrs. Olga Bernice Bramson Gilfillan; without amendment (Rept. No. 301). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1853. A bill for the relief of Giuseppe Delina; with amendment (Rept. No. 302). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 1889. A bill for the relief of Albert Marks; without amendment (Rept. No. 303). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1908. A bill for the relief of Chester (Abramczyk) Hill; with amendment (Rept. No. 304). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 1987. A bill for the relief of Nabhan M. Nickley (Nabhan M. Karam); without amendment (Rept. No. 305). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 1989. A bill for the relief of Krystyna Glowacka; with amendment (Rept. No. 312). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 2012. A bill for the relief of Dr. Ignace D. Liu; without amendment (Rept. No. 313). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 2305. A bill for the relief of Zenaída Z. Lazaro; with amendment (Rept. No. 314). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2351. A bill for the relief of Teresa Centeno Valdez; with amendment (Rept. No. 315). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2360. A bill for the relief of Dr. Antonio R. Perez; without amendment (Rept. No. 316). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2499. A bill for the relief of Remedios Ocampo; without amendment (Rept. No. 317). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3625. A bill for the relief of Alfred Estrada; without amendment (Rept. No. 318). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 4131. A bill for the relief of Mrs. Phoebe Thompson Neesham; without amendment (Rept. No. 319). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BATTIN:  
H.R. 7949. A bill to amend the Internal Revenue Code of 1954 to remove the maximum limitations on the amount of the de-



duction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 7950. A bill to amend the Internal Revenue Code of 1954 to provide for the deduction of certain education expenses of teachers; to the Committee on Ways and Means.

By Mr. FARBERSTEIN:

H.R. 7951. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 7952. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAGEN of California:

H.R. 7953. A bill to amend section 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, to authorize provision for marketing promotion and paid advertising under marketing orders for plums; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 7954. A bill to amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960); to the Committee on Interstate and Foreign Commerce.

By Mr. IRVIN:

H.R. 7955. A bill to amend the Tariff Act of 1930 to provide a uniform rate of duty for tape recorders and dictation recording and transcribing machines; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 7956. A bill to promote the orderly replacement and expansion of the nonsubsidized merchant fleet and the commercial fishing fleet of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. LINDSAY:

H.R. 7957. A bill to amend title I of the Tariff Act of 1930 to limit button blanks to crude forms suitable for manufacture into buttons; to the Committee on Ways and Means.

By Mr. MARTIN of Alabama:

H.R. 7958. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 7959. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MINK:

H.R. 7960. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a) (3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. MINSHALL:

H.R. 7961. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of muscovite mica splittings proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 7962. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarships in the humanities and the arts in the United States, and for other purposes;

to the Committee on Education and Labor.

By Mr. PRICE:

H.R. 7963. A bill to amend the Internal Revenue Code of 1954 to exempt schoolbuses from the manufacturers' excise tax; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 7964. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 7965. A bill to provide for the administration of the Coast Guard Band; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR:

H.R. 7966. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government, and for other purposes; to the Committee on Government Operations.

By Mr. SISK:

H.R. 7967. A bill to amend section 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, to authorize provision for marketing promotion and paid advertising under marketing orders for plums; to the Committee on Agriculture.

By Mr. STAFFORD:

H.R. 7968. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 7969. A bill to correct certain errors in the Tariff Schedules of the United States; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 7970. 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. KEOGH:

H.R. 7971. A bill to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons; to the Committee on Ways and Means.

By Mr. MCCARTHY:

H.R. 7972. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 7973. A bill to amend section 4339 of title 10, United States Code; to the Committee on Armed Services.

By Mr. QUIE:

H.R. 7974. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 7975. A bill providing for the issuance of a campaign medal to each member of the Armed Forces who serves in Vietnam; to the Committee on Armed Services.

By Mr. STALBAUM:

H.R. 7976. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the

Committee on Merchant Marine and Fisheries.

By Mr. ASHBROOK:

H.R. 7977. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guaranty 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. ROGERS of Florida:

H.R. 7978. 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.

H.R. 7979. A bill to provide that an individual who has attained age 62 and is entitled to monthly insurance benefits under title II of the Social Security Act shall be entitled to the same tax treatment under the Internal Revenue Code of 1954 as an individual who has attained age 65; to the Committee on Ways and Means.

By Mr. SCHMIDHAUSER:

H.R. 7980. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. TENZER:

H.R. 7981. A bill to amend section 203(a) of the National Aeronautics and Space Act of 1958 to provide for a program of research and development by the National Aeronautics and Space Administration to reduce or eliminate aircraft noise, and for other purposes; to the Committee on Science and Astronautics.

H.R. 7982. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the elimination of aircraft noise, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H.R. 7983. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 7984. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 7985. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; to the Committee on Banking and Currency.

By Mr. WIDNALL:

H.R. 7986. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; to the Committee on Banking and Currency.

By Mr. THOMAS:

H.R. 7997. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. FLOOD:

H.J. Res. 450. 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. FARBSTAIN:

H. Con. Res. 408. Concurrent resolution expressing the sense of the Congress with respect to religious persecution by the Soviet Union; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Res. 369. 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.

By Mr. MURPHY of New York:

H. Res. 370. 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.

By Mr. SAYLOR:

H. Res. 371. Resolution expressing the continued opposition of the House of Representatives to the admission of the Communist China regime to the United Nations; to the Committee on Foreign Affairs.

By Mr. SHRIVER:

H. Res. 372. Resolution condemning persecution of national and religious minorities in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Res. 373. Resolution extending greetings and felicitations of the House of Representatives to the trustees, faculty, students and friends of Cushing Academy of Ashburnham, Mass., on the occasion of the 100th anniversary of the granting of its charter; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 7987. A bill for the relief of Mohamed Ramez Salem; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 7988. A bill to confer jurisdiction on the U.S. Court of Claims District Court for the Northern District of Ohio to hear, determine, and render judgment of the claim of Jean Davison against the United States; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 7989. A bill for the relief of Isidore and Margaret Zellermayer; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 7990. A bill for the relief of the estate of Bradford Smith; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 7991. A bill for the relief of Benjamin Soued and Elle Soued; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7992. A bill for the relief of Salvatore Gambino; to the Committee on the Judiciary.

H.R. 7993. A bill for the relief of Vincenzo Prestigiacomo; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 7994. A bill for the relief of Georgios Kapsopoulos; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 7995. A bill for the relief of Jirayer Gharapetian Vartanian; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 7996. A bill for the relief of Clarita D. Garcia; 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:

197. By Mr. SHRIVER: Resolution adopted by Rice County Farmers Union, Rice Coun-

ty, Kans., urging that certain amendments be included in H.R. 7097 and that full parity for farm families is the goal we must reach; to the Committee on Agriculture.

198. By the SPEAKER: Petition of Henry Stoner, Columbus, Ohio, with reference to the removal of the U.S. Marine Corps from the Dominican Republic; to the Committee on Foreign Affairs.

## SENATE

THURSDAY, MAY 6, 1965

(Legislative day of Wednesday, May 5, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

Dr. Joachim Prinz, rabbi, Temple B'Nai Abraham, Newark, N.J., offered the following prayer:

In the gray days of human history, Abraham, the father of all religions, enunciated for the first time the concept of one God, Creator of the world, and the Sustainer of life. Thus the history of the people of Israel remains forever bound up with the divine plan for His world and the people who inhabit it. Yet, Israel's history is one of bondage and persecution. For 2,000 years, after the Holy Land had passed into foreign hands, the Jewish people suffered in countries all over the globe. Herded into ghettos, they were subjected to discrimination and degradation, to injury and death. In our own days, 6 million of them lie buried in the mass graves of the concentration camps of Europe. Yet in all these centuries of hatred and bloodshed, they did not abandon their faith in God, nor did they forsake their belief in man's innate goodness and the principles of justice and peace. They prayed and hoped that the day would come when many of them would be able to return to their homeland, the land of Israel, and to build a nation and to reestablish themselves in freedom and human dignity. The bloodletting of so many millions in the land of persecution and the perseverance of the Jewish people made the dream and prayers of Israel come true.

Seventeen years ago, with the concurrence and approval of the United Nations, the land of Israel was established. Today, more than 2 million people from many lands, men and women of many races and faiths, inhabit the land.

On this day of the anniversary of the founding of the State of Israel, we pray: May there be peace between Israel and her neighbors. May all of them realize that in their hands and hearts rests the key to the preservation of peace in the whole world. May there be wisdom in the minds of all leaders in that part of the world, the cradle of religion and civilization, so that they will pursue the cause of cooperation and mutual respect, which alone will guarantee stability and peace for all. May the water from the ancient and sacred river benefit the fields of all nations, yielding bread and sustenance for all, and not be a source of conflict and armed threat. May all the peoples acknowledge Israel's

right to be, to work, and to create, knowing that there is room enough for Arabs and Jews to live together in harmony. May the great nations of the world—may, indeed, our own country and its leaders, recognize their responsibility to protect the integrity of all borders, and the rightful and just claims of all peoples, to the end that the ancient prophecy may be realized:

"And it shall come to pass in the end of the days,  
That the mountain of the Lord's house shall be established,  
And all nations shall flow unto it.  
For out of Zion shall go forth the law,  
And the word of the Lord from Jerusalem.  
And they shall beat their swords into plowshares,  
And their spears into pruning hooks;  
Nation shall not lift up sword against nation,  
Neither shall they learn war any more."

#### SUPPLEMENTAL APPROPRIATION, FISCAL YEAR 1965, FOR MILITARY FUNCTIONS OF DEPARTMENT OF DEFENSE

The VICE PRESIDENT. Pursuant to the unanimous-consent agreement, the Chair lays before the Senate the pending business, which will be stated.

The LEGISLATIVE CLERK. A resolution (H.J. Res. 447), making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

The Senate resumed the consideration of the joint resolution (H.J. Res. 447) making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, will the Senator yield to me one-half minute?

Mr. STENNIS. I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Permanent Investigations of the Committee on Government Operations, the Committee on Commerce, and the Committee on the District of Columbia be authorized to meet during the session of the Senate today.

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

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.