IN THE ARMY

The nominations beginning George E. Palmer to be major, and ending Jackson M. Yielding, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 5, 1965.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 16, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Exodus 33: 15: *If Thy presence go not with us, carry us not up hence.*

Eternal God, our Father, whose mercy and love we have as our hope, may we not be careless of the inheritance of inspiration, which those who have gone before have left us.

We give Thee thanks for our comrades and fellow workers who share with us Thy blessings, and we adore Thy name with all who seek to serve Thy holy will in faithfulness and joy.

As Thou dost look into the chambers and corners of our hearts mayest Thou find there a profound and deep hunger urging us on and strengthening and sustaining us in a way of life that is heroic and dedicated.

Grant that as we daily struggle and aspire for truth, love, and righteousness may the division and the broken ties of humanity be woven into an eternal communion and the hurt and heartaches of mankind shall be healed.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of Thursday, August 12, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 3037. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 3044. An act to authorize payment of incentive pay for the performance of hazardous duty on the flight deck of an aircraft carrier;

H.R. 5034. An act to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions;

H.R. 7181. An act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes;

H.R. 7595. An act to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available;

H.R. 7843. An act to amend titles 10 and 37, United States Code, to authorize the survivors of a member of the Armed Forces who dies while on active duty to be paid for his unused accrued leave;

H.R. 10139. An act to amend the act of June 23, 1949, relating to the telephone and telegraph service furnished Members of the House of Representatives;

H.R. 10306. An act to amend the Universal Military Training and Service Act of 1951, as amended;

H.J. Res. 95. Joint resolution to designate the lake to be formed by the waters impounded by Sanford Dam, Canadian River project, Texas, as "Lake Meredith"; and

H.J. Res. 431. Joint resolution extending the duration of copyright protection in certain cases.

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

H.R. 89. An act to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes;

H.R. 205. An act to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes;

H.R. 3329. An act to incorporate the Youth Councils on Civic Affairs, and for other purposes;

H.R. 5280. An act to provide for exemptions from the antitrust laws to assist in safeguarding the balance of payments position of the United States;

H.R. 5519. An act to amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances; and

H.R. 9947. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7969. An act to correct certain errors in the Tariff Schedules of the United States.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. BENNETT to be the conferees on the part of the Senate.

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

H.R. 8639. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. ELLENDER, Mr. MAGNUSON, Mr. HOLLAND, Mr. PASTORE, Mr. FULBRIGHT, Mrs. SMITH, Mr. SALTONSTALL, and Mr. MUNDT to be the conferees on the part of the Senate.

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

S. 322. An act for the relief of Choy-Sim Mah;

S. 343. An act for the relief of Paride Marchesan;

S. 505. An act for the relief of Darlyne Marie Cecile Fisher Every;

S. 782. An act for the relief of Anna Ungvari;

S. 1397. An act for the relief of Vasileos Koutsougeanopoulos;

S. 1647. An act for the relief of Kim Sung Jin;

S. 1651. An act for the relief of Dr. Augustine Y. M. Yao;

S. 1678. An act for the relief of Guillermo Macalintal Madrigal;

S. 1736. An act for the relief of Jennifer Ellen Johnson Mojdara;

S. 1748. An act for the relief of Virgilio Acosta-Martinez;

S. 1775. An act for the relief of Erich Gansmuller;

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon;

S. 2150. An act to discontinue or modify certain reporting requirements of law;

S. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 198 entitled "The Commission on Intergovernmental Relations";

S. Con. Res. 45. Concurrent resolution authorizing the printing of additional copies of the "Catalog of Federal Aids to State and Local Governments" and the 1965 supplement thereto; and

S. Con. Res. 49. Concurrent resolution favoring the suspension of deportation of certain aliens.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S.J. Res. 81) entitled "Joint resolution to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways."

The message further announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," had appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 66-2.

THE LATE HONORABLE GRACIE PFOST

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. TRIMBLE. Mr. Speaker, Gracie Pfost was born in Boone County, Ark., not many miles from my own birthplace. I did not know her until she came to the Congress on January 3, 1953. She came right to see me because I was the Congressman from the district in which she was born.

During her years in the Congress, there was none more dedicated to the causes which she espoused and none more tenacious in her efforts to sustain those views. Twice I remember in difficult pieces of legislation affecting our own congressional district, she worked day and night on the two projects because they were in her native State.

You never had to worry about Gracie's loyalty to her country, her family, and her friends.

A gallant lady has left us in body, but her spirit will always be with us.

Mrs. Trimble and I are everlastingly indebted to her not only for her kindness but for her friendship.

LEGISLATIVE BRANCH APPROPRIATION ACT, 1959, REIMBURSEMENT OF TRANSPORTATION EXPENSES FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9947) to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, after line 5, insert:

"SEC. 4. The second paragraph of section 105(c) of the Legislative Branch Appropriation Act, 1961 (Public Law 86-628; 2 U.S.C. 43c), is hereby repealed."

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] 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 South Carolina?

There was no objection.

Mr. FRIEDEL. The amendment would repeal the United States Code, title 2, section 43c, entitled "Restriction on payment of travel expenses."

This is an item which was included in the Legislative Branch Appropriations Act of 1961 and provides that:

No funds made available in this or any other Act shall be used to pay the expenses of travel or subsistence for any trip made by any Senator or Representative between the District of Columbia and his home State in the case of a Senator, or his district in the case of a Representative, other than (1) trips which are specifically authorized by law for mileage or transportation expense of Senators and Representatives, (2) official participation in the funeral services of deceased Senators or Representatives, or (3) official trips originating in the Senator's State or Representative's district during periods when Congress is not in session. (Public Law 86-628, July 12, 1960.)

The unfairness of this law is that it prevents payment of travel expenses, with three exceptions, to Members who travel on official business to any place in their districts. The studies and investigations of committees require trips to various areas of the United States. For example, a five-member subcommittee may have hearings in a certain city which is situated within the congressional district of one of the five Members of the subcommittee. Under this law the travel expenses of four subcommittee members may be paid while the expenses of the fifth member, who represented the district, could not be paid.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

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

TERCENTENARY COMMISSION TO COMMEMORATE THE ADVENT AND HISTORY OF FATHER JACQUES MARQUETTE IN NORTH AMERICA

The Clerk called the first bill (S.J. Res. 53) to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

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

Mr. HALL. Mr. Speaker, reserving the right to object, we have received in the last fortnight the departmental report which meets the stipulation of the House for bills on the Consent Calendar. Generally, I see no objection to establishing this tercentenary commission. In reference to this bill on the Consent Calendar I would still like to ask a question of the gentleman sponsoring the bill, as to whether or not there are amendments proposed as recommended by one of the departmental reports before final passage of this bill today?

Mr. ROGERS of Colorado. Mr. Speaker, in compliance with the request of the Bureau of the Budget we have prepared, and there is now on the Clerk's desk, an amendment which we would like to have adopted at this time.

For the further information of the gentleman, as will be recalled from the report, there is a question of whether there is any appropriation in connection with this matter, and I assure the gentleman there is not.

Mr. HALL. Is this the selfsame amendment, copy of which I have received, that is pertinent only to the transmittal of the commission through the President's office, and thence forwarded to the Congress?

Mr. ROGERS of Colorado. That is right.

Mr. HALL. Do I have the assurance of the gentleman that there are no further amendments intended, which would authorize an appropriation for this commission now or in the future?

Mr. ROGERS of Colorado. That is correct.

Mr. HALL. Do I have the assurance of the chairman of the subcommittee, the distinguished gentleman from Colorado, that all of these authorizations, including the penalty provisions, or franking privilege for the commission and other benefits therein as set forth in the bill are customary for such commissions?

Mr. ROGERS of Colorado. That is correct.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, let me ask the gentleman the meaning, since he has said there will be no appropriations called for in connection with this joint resolution, of the word "assistance" on page 3. To be more specific, does this mean there are agencies and departments of government that will supply personnel for the use of the commission and funds may be provided by the various departments and agencies?

Mr. ROGERS of Colorado. On page 3?

Mr. GROSS. Page 3, line 20, which reads that the commission is empowered to call on other Federal departments and agencies for their advice and assistance.

Mr. ROGERS of Colorado. It is my understanding that the commission may request of the Federal departments, and it is not intended they should call upon any of their employees to do any work. The commission itself is authorized to accept donations of property, money and personal services. But this language is not intended to permit use of the Federal departments' and agencies' employed personnel other than for advice and assistance.

Mr. GROSS. Will the gentleman also say it is not intended that the commission use the funds of other departments or agencies?

Mr. ROGERS of Colorado. The answer is No.

Mr. GROSS. They will not?

Mr. ROGERS of Colorado. That is right.

Mr. GROSS. I only want to add that this is, I think, the first commission I have heard of being established by the Congress that calls for no money out of the Federal Treasury in any way, shape, or manner to support it. This marks a red letter day in the history of Congress when it establishes a brandnew commission at no cost to the Federal tax payers.

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

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 53

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Father Marquette Tercentenary Commission, which shall be composed of twelve members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the Houes of Representatives; and

(3) Four members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the three hundredth anniversary of the advent and subsequent history of Father Jacques Marquette, who came to New France in 1666. In conjunction with the development of such plans, the Commission shall investigate, in cooperation with the Secretary of the Interior, the desirability and suitability of establishing a permanent national monument or memorial to commemorate the historical events associated with the life of Father Jacques Marquette in the New World, and the Secretary of the Interior shall submit to the Congress the Commission's report thereon.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

SEC. 4 (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local government; with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of the joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report of the Congress, unless the investigation authorized in section 2 of this joint resolution is incomplete and the report thereon has not been submitted to the Congress.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

SEC. 5. There is authorized to be appropriated an amount not to exceed the sum of $10,000 to carry out the purposes of this joint resolution.

With the following committee amendment:

On page 5, strike lines 1, 2, and 3.

The committee amendment was agreed to.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. ZABLOCKI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I rise in support of Senate Joint Resolution 53, to establish a tercentenary commission to commemorate the arrival of Father Jacques Marquette to North America in 1666.

The United States is a relatively young country. We have few anniversaries in our history that are more than 200 years old. Next year, however, our Nation will observe the 300th anniversary of an event that profoundly marked the course of events on this continent. It was the landing on these shores of the famous French Jesuit priest and explorer, Père Jacques Marquette.

The importance of the coming of Père Marquette to my own State of Wisconsin, to the Midwest, and, indeed, to the entire Nation, scarcely can be overemphasized. This courageous man has left his mark upon our land and upon our lives.

As a part of a nationwide effort to honor Père Marquette on this important occasion, it is proposed to establish a Father Marquette Tercentenary Commission which would develop and carry out plans for the 1966 celebration, and would investigate the possibility of establishing a permanent national monument to commemorate the events of the Jesuit's life and explorations in North America.

That is the substance of Senate Joint Resolution 53, which is before us today, and of similar bills which were introduced in the House by the gentleman from Illinois [Mr. GRAY] and by me.

The Commission would be composed of 12 members, 4 from the Senate to be appointed by the President of the Senate, 4 from the House to be appointed by the Speaker, and 4 to be appointed by the President. From among his four appointees, the President would designate one to be Chairman and executive officer.

The Commissioners will receive no compensation for their service, other than reimbursement for reasonable and necessary expenses incurred in carrying out the work of the Commission.

As reported by the House Judiciary Committee, Senate Joint Resolution 53 does not authorize the expenditure of any Federal funds, nor does it commit the Federal Government to any future appropriation. It simply allows the Commission to accept donations of money, property, or personal service, and to call upon Federal departments and agencies for their advice and assistance in carrying out the purposes of this resolution.

Earlier an objection was raised to this proposal on the grounds that departmental reports had not yet been received on it. Those reports have now been obtained and they are favorable.

The Secretary of the Interior has asserted that his department has no objections to the resolution if one minor, nonsubstantive change is made. The report emphasizes the important contribution of Père Marquette in pushing back the frontiers of our country and aiding the eventual settlement of the American heartland. The Bureau of the Budget has concurred in the Interior Department report.

Mr. Speaker, barely 5 months remain in 1965 for the Commission to develop and execute plans for the 1966 tercentenary celebration. Time is short and much remains to be done if this important event in our history is to be celebrated appropriately.

I urge, therefore, that the House by unanimous consent concur in this resolution without further delay.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 2, line 22, after "World", strike the comma and insert a period and delete all that follows through line 24 and substitute in lieu thereof the following:

"The Secretary of the Interior shall submit a report of such investigation to the President for transmittal to the Congress, together with any recommendations which the President may deem appropriate."

The amendment was agreed to.

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

OBSERVING THE 250TH ANNIVERSARY OF HOPKINTON, MASS.

The Clerk called the resolution (H. Res. 439) relative to the 250th anniversary of the establishment of Hopkinton, Mass.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I will simply make the statement that the previously pointed out questions of lack of departmental reports; and questions concerning such things as whether or not this establishes a precedent; and who are some of this community's sons and daughters; and what are the "important services rendered to the Nation" by the community; what is the current population; and why were all the whereas clauses stricken, have not been answered in the interim since this was put over without prejudice 2 weeks ago.

Therefore, Mr. Speaker, I ask unanimous consent that this resolution again be passed over without prejudice.

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

There was no objection.

AMENDING SECTION 5899 OF TITLE 10, UNITED STATES CODE, TO PROVIDE PERMANENT AUTHORITY UNDER WHICH NAVAL RESERVE OFFICERS IN THE GRADE OF CAPTAIN SHALL BE ELIGIBLE FOR CONSIDERATION FOR PROMOTION WHEN THEIR RUNNING MATES ARE ELIGIBLE FOR CONSIDERATION FOR PROMOTION

The Clerk called the bill (H.R. 1805) to amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion.

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

H.R. 1805

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subsection (a) of section 5899 of title 10, United States Code, is amended by striking out "until July 1, 1969,".

With the following committee amendment:

Strike all after the enacting clause and substitute the following:

"That section 5899 of title 10, United States Code is amended as follows:

"'(1) Subsection (a) is amended by striking out "until July 1, 1961,", and

"'(2) Subsection (b) is amended by adding the following: "However, an officer in the grade of colonel is eligible for consideration for promotion when his running mate is eligible for consideration for promotion."'"

The committee amendment was agreed to.

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

SALARY OF ACADEMIC DEAN, NAVAL POSTGRADUATE SCHOOL, MONTEREY, CALIF.

The Clerk called the bill (H.R. 7327) to repeal section 7043 of title 10, United States Code.

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

H.R. 7327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 605 of title 10, United States Code, is amended—

(1) by repealing section 7043; and

(2) by striking out the following item from the analysis:

"7043. Academic Dean."

With the following committee amendment:

Strike all after the enacting clause and substitute the following: "That section 7043 (b) of title 10, United States Code, is amended by deleting the following: ', but not more than $13,500 a year.' and substituting a period therefor."

The committee amendment was agreed to.

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

EXEMPTING CERTAIN CONTRACTS FROM AN EXAMINATION-OF-RECORDS CLAUSE

The Clerk called the bill (H.R. 3041) to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-record clause.

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

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to ask for some information from the distinguished chairman of the Committee on Armed Services.

As the gentleman knows, the British have had a delegation in our country trying to negotiate for $50 million of contracts to build naval vessels while we in our country have shipyards, both private and public, badly in need of work. I would like to ask the distinguished chairman of the Committee on Armed Services whether this bill will open the door to allow a contract to be signed with the British which would make it unnecessary for us to check their books?

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am happy to yield to the distinguished gentleman.

Mr. RIVERS of South Carolina. The answer to that is "No." But to further amplify the subject matter, I will ask the gentleman if he will yield to the distinguished chairman of the subcommittee who handled this bill, the gentleman from Illinois [Mr. PRICE] and I will ask him to respond to your inquiry.

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

Mr. PELLY. I am glad to yield to the gentleman if he can enlighten me with regard to this proposed $50 million contract to build naval vessels in England.

Mr. PRICE. The members of the subcommittee and I am sure the members of the full committee felt that this legislation is needed. We have a program of reciprocity where we are greatly favored in the exchange of contracts and we do not think it would have the effect that the gentleman mentions.

Mr. PELLY. I would hate to think we would let contracts of such vast size without an audit and wanting to examine the books of the contractor to be sure we are not overpaying. Of course, I would add to that that I would not want to see these contracts entered into under any circumstances. I am opposed to allowing the British to build our naval vessels, and would like to see this bill go by if it might open the door to such contracts.

Mr. PRICE. The subcommittee and the full committee also looked very thoroughly into the particular matter and the question that the gentleman raises was raised in the full committee and also in the subcommittee. The reply was such that it satisfied every member of the committee that what the gentleman fears would not happen under this particular bill.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. There are two subject matters here. One is a contract with a sovereign power, to wit, the British Government. The committee would have no jurisdiction over a contract with a government. But on the construction of ships, this would be a contract with a private contractor in Great Britain, and we would have control over that and plan to have control over that.

We have no notion of seeing our shipyards starve. Any sort of an agreement between the Department of Defense and private ship contractors in any other country will have our close scrutiny. There will be no construction of any capital ships anywhere that I know anything about.

There are some small categories of vessels involved in a deal whereby the advantage to this country is in a ratio of about 40 or 50 to 1, in gold and currency benefits to us. I do not believe those categories of small vessels are such that the committee would interpose objection. I doubt we would construe an agreement of this kind as creating a precedent.

Mr. PRICE. Mr. Speaker, if the gentleman will yield further, I would say that this pertains to other procurement. It does not pertain to construction of ships. It is for the express purpose of taking care of a situation which exists today and which the Department of Defense has been handling by a certain arrangement. All the testimony before the committee indicated it would result in savings to the Department of Defense in the procurement contracts.

Mr. PELLY. Mr. Speaker, I have great confidence in the distinguished chairman of the Committee on Armed Services and the subcommittee chairman. I am counting on them to protect the American workmen and shipyards that need work.

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

Mr. PELLY. I yield to the gentleman from Missouri.

Mr. HALL. I should like to say to my colleague, as one of the official objectors and as a Representative from one of the greatest shipbuilding areas in the United States, which he represents so well; that actually this legislation has been before the subcommittee of the Armed Services Committee, as the gentlemen have said previously, and before the full Committee on Armed Services for more than 4 years, to my knowledge. Originally it did not come out of the committee and was objected to therein by the gentleman from Missouri. We suggested that the General Accounting Office be brought into this situation.

The gentleman will note that there is an amendment and an inclusion, on recommendation of the General Accounting Office, which takes care of the examination and records before the fact rather than after the fact, where it is necessary for us to procure such things as prototypes of Swedish recoilless rifles, as desired in 1961 when this question first occurred. Since, there have been numerous additional instances.

Secondly, hearings are going on in the subcommittee and the full Committee on Armed Services re the overseas building of ships of any type, particularly those of the capital class.

I should like to add my reassurance to those of the distinguished gentlemen from Illinois and from South Carolina concerning the question of my colleague from Washington.

Mr. PELLY. I thank the gentleman from Missouri for his contribution.

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

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

Mr. GROSS. I cannot tell, from reading the report, whether the Comptroller General is written in or out of this as to authority to review contracts.

Mr. PRICE. The Comptroller General is very definitely in. The gentleman from Missouri explained how the Comptroller General came into the picture. It was at the insistence of the committee and the acceptance of the recommendation of the committee by the Department of Defense. He is very definitely in the picture.

Mr. GROSS. I am glad to hear that. I thank the gentleman.

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

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

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 137 of title 10, United States Code, is amended as follows:

(1) Section 2310(b) is amended—

(A) by striking out the words "or section 2307(c)" and inserting the words "section 2307(c), or section 2313(c)" in place thereof; and

(B) by striking out the words "or (4)" and inserting the words "(4) clearly indicate why the application of section 2313(b) to a contract or subcontract with a foreign contractor or foreign subcontractor would not be in the public interest, or (5)".

(2) Section 2313 is amended—

(A) by striking out the word "Each" in subsection (b) and inserting the words "Except as provided in subsection (c), each" in place thereof; and

(B) by adding the following new subsection at the end thereof:

"(c) Subsection (b) does not apply to a contract or subcontract with a foreign contractor or foreign subcontractor if the head of the agency determines, with the concurrence of the Comptroller General or his designee, that the application of that subsection to the contractor or subcontractor would not be in the public interest. However, the concurrence of the Comptroller General or his designee is not required where the contractor or subcontractor (1) is a foreign government or agency thereof; or (2) is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination."

SEC. 2. Section 304(c) of the Federal Property and Administrative Services Act of 1949, as added by the Act of October 31, 1951, chapter 652 (41 U.S.C. 254(c)), is amended by adding the following new sentences at the end thereof: "Under regulations to be prescribed by the Administrator, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause where the contractor or subcontractor (1) is a foreign government or agency thereof; or (2) is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination. The power of the agency head to make the determination specified in the preceding sentences shall not be delegable."

SEC. 3. Section 3(b) of the Act of August 28, 1958 (50 U.S.C. 1433(b)), is amended by adding the following new sentences at the end thereof: "Under regulations to be prescribed by the President, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause where the contractor or subcontractor (1) is a foreign government or agency thereof; or (2) is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination."

With the following committee amendment:

On page 4, line 4, following the period insert quotation marks.

The committee amendment was agreed to.

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

AMENDING SECTIONS 2275 AND 2276 OF THE REVISED STATUTES

The Clerk called the bill (H.R. 5984) to amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States.

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

H.R. 5984

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2275 of the Revised Statutes, as amended (43 U.S.C. 851), is further amended by—

(a) Deleting the words "or Territory" wherever they appear in that section;

(b) Deleting the words "prior to survey" wherever they appear in that section and substituting therefor the words "before title could pass to the State".

SEC. 2. Section 2276 of the Revised Statutes, as amended (43 U.S.C. 852), is further amended by—

(a) Deleting the words "or Territory" and "or Territories" wherever they appear in that section;

(b) Deleting the words "prior to survey" wherever they appear in that section and substituting therefor the words "before title could pass to the State".

(c) Add the words "or unsurveyed" after the word "survey" in subparagraph (a).

With the following committee amendment:

Page 2, strike out all of lines 8 and 9 and insert in lieu thereof the following:

"(c) Adding the words 'or unsurveyed' after the word 'surveyed' in subparagraph (a).

"SEC. 3. The Secretary of the Interior may issue regulations governing applications for unsurveyed lands. If he establishes any minimum acreage requirements, they shall provide for selection of tracts of reasonable size, taking into consideration location, terrain, and adjacent land ownership and uses.

"SEC. 4. Prior to issuance of an instrument of transfer, lands must be surveyed. The Secretary of the Interior shall within five years, subject to the availability of funds, survey the exterior boundaries of lands approved as suitable for transfer to the State."

The committee amendment was agreed to.

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

LEASING OF PUBLIC LANDS TO STATES

The Clerk called the bill (H.R. 6646) to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions.

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

H.R. 6646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(b) of the Act of June 14, 1926, as amended (44 Stat. 741, 68 Stat. 173, 174, 43 U.S.C. 869 1(b)), is further amended to read as follows:

"(b) lease such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which lands are situated or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, at a reasonable annual rental, for a period up to twenty-five years, and, at the discretion of the Sec-

retary, with a privilege of renewals for a like period,".

With the following committee amendment:

Strike out all after the enacting clause and insert the following langauge: "That section 2(b) of the Act of June 14, 1926 (44 Stat. 741), as amended (43 U.S.C. 869-1(b)), is further amended by substituting 'twenty-five' for 'twenty'.

"SEC. 2. Upon application by a lessee holding a lease under the Recreation and Public Purposes Act the Secretary of the Interior may enter into a new lease for a term not to exceed twenty-five years from the date of the new lease."

The committee amendment was agreed to.

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

CONTINUED PROMOTION OF AIR FORCE RESERVE OFFICERS

The Clerk called the bill (H.R. 6007) to amend title 10, United States Code, to authorize the promotion of qualified reserve officers of the Air Force to the reserve grades of brigadier general and major general.

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

H.R. 6007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended by inserting the following new section after section 8372:

"§ 8373. Commissioned officers: Air Force Reserve; promotion to brigadier general and major general

"(a) Officers of the Air Force Reserve may be promoted to the reserve grades of brigadier general and major general to fill vacancies in those grades.

"(b) The Secretary of the Air Force may furnish the names of any officers of the Air Force Reserve who are assigned to the duties of a general officer of the next higher reserve grade, and who meet standards to be prescribed by the Secretary, to a selection board for consideration for promotion to that grade.

"(c) Of those officers considered under subsection (b), the selection board shall recommend the best qualified of those whom it determines to meet the standards prescribed by the Secretary and to be fully qualified for promotion."

With the following committee amendment:

On page 2, line 10, delete the quotation marks at the end of the line and add the following after line 10:

"(d) The names of all officers on a recommended list on June 30, 1964 for promotion to the reserve grade of brigadier general or major general under authority of the provisions of section 8373 of this title, which terminated July 1, 1964, shall be placed on the appropriate recommended list maintained under subsection (c) effective July 1, 1964. The promotion of any such officer shall be effective for all purposes July 1, 1964.

"SEC. 2. This act is effective July 1, 1964."

The committee amendment was agreed to.

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

GORGAS MEMORIAL LABORATORY

The Clerk called the bill (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate someone on this bill.

I note when we first started this program and first began to give appropriations to this laboratory they started off with $50,000. This bill would increase it to $500,000. I think the record should show just what this laboratory is and what is being done with the money. Therefore I want to ask a few questions, if the gentleman can answer them.

First of all, where is this laboratory located?

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman.

Mr. SELDEN. The Gorgas Memorial Laboratory is located in Panama City, in the Republic of Panama. It is the operating research establishment of the Gorgas Memorial Institute, which is a private domestic, nonstock corporation. As you pointed out, the U.S. contribution to the laboratory started in 1929 when this institute was established under an agreement between the Governments of Panama and the United States with an annual authorization of $50,000. This sum was increased to $150,000 in 1949 and to $250,000 in 1959. In 1960 Congress authorized $500,000 for the construction of new laboratory facilities, making it one of the best equipped of its kind in that area. Also a new insectary has been built for the laboratory from private funds. This increased authorization will make it possible to more fully utilize and maintain all of these units.

Mr. JOHNSON of Pennsylvania. Do you have any idea what the total budget per year is of this laboratory, including our appropriation, contributions, money from investments, and private donations?

Mr. SELDEN. I am informed that the 1964 budget was approximately $565,000.

Mr. JOHNSON of Pennsylvania. Then, a substantial portion of the operating funds comes from the United States. Is that not correct?

Mr. SELDEN. That is correct. And there are some funds from private contributions.

Mr. JOHNSON of Pennsylvania. My next question is, Who directs the laboratory and who decides what they are going to study and do research on?

Mr. SELDEN. There is a board, the Gorgas Memorial Institute Board of Directors, made up of private individuals. They have some very distinguished members on that Board. If you would like, I will be glad to read you a list. Maj. Gen. Paul Streit is President of the Board. Vice President and General Counsel of the Board is Hon. Maurice Thatcher, a former Member of Congress and one of the first civil Governors of the Panama Canal Zone. There is also a distinguished group of doctors on the Board. All of the Board members serve without compensation. This Institute has done a great deal of distinguished work. As a matter of fact, in the beginning of World War II, when the United States lost its source of quinine and troops in the southeast Pacific area were riddled with malaria, there was work done by the first director of the Gorgas laboratory, Dr. Herbert Clark, which permitted the United States to prescribe atabrine safely and in sufficient doses to control the situation in southeast Asia.

It might also be of interest to the House to know that at the present time research work is being done in connection with migratory birds that perhaps have been bringing encephalitis from tropical areas to the United States.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, inasmuch as we will be contributing $500,000 toward this laboratory, if they do discover anything through research, will that be readily available to the United States, in view of our great contribution to this laboratory?

Mr. SELDEN. Of course, the Board of Directors will control the type research that will be done, but it is my understanding that this information will be readily available to the Government of the United States.

Mr. FASCELL. Mr. Speaker, will the gentleman from Pennsylvania yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman.

Mr. FASCELL. Mr. Speaker, I rise in support of this bill.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, this is an important bill. It is listed on the Suspension Calendar. In view of that fact, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

CLAIMS AGAINST CUBA

The Clerk called the bill (H.R. 9336) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

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

Mr. HALL. Mr. Speaker, in view of the lack of departmental reports on this bill, and also the fact that it is scheduled under suspension, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

OFFENSES COMMITTED IN INDIAN COUNTRY

The Clerk called the bill (H.R. 872) to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country.

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

H.R. 872

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1153, offenses committed within Indian country, of title 18 of the United States Code is amended to read as follows:

"§ 1153. Offenses committed within Indian country

"Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, rape, carnal knowledge, assault with intent to commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny within the Indian country, shall be subject to the same laws and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

"As used in this section, the offenses of rape and assault with intent to commit rape shall be defined in accordance with the laws of the State in which the offense was committed, and any Indian who commits the offenses of rape or assault with intent to commit rape upon any female Indian within the Indian country shall be imprisoned at the discretion of the court.

"As used in this section, the offenses of burglary, assault with a dangerous weapon, and incest shall be defined and punished in accordance with the laws of the State in which such offense was committed."

SEC. 2. Section 3242, Indians committing certain offenses; acts on reservations, of title 18 of the United States Code is amended to read as follows:

"§ 3242. Indians committing certain offenses; acts on reservations

"All Indians committing any of the following offenses; namely, murder, manslaughter, rape, carnal knowledge, assault with intent to commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within the Indian country shall be tried in the same courts, and in the same manner, as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States."

With the following committee amendments:

Page 1, line 10, strike "knowledge," and insert "knowledge of any female, not his wife, who has not attained the age of sixteen years,".

Page 2, line 22, strike "knowledge," and insert "knowledge of any female, not his wife, who has not attained the age of sixteen years,".

The committee amendments were agreed to.

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

DISPOSAL OF RUBBER FROM THE NATIONAL STOCKPILE

The Clerk called the bill (H.R. 9544) to authorize the disposal, without regard to the prescribed 6-month waiting period, or approximately 620,000 long tons of natural rubber from the national stockpile.

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

Mr. PELLY. Mr. Speaker, in view of the fact that this bill is scheduled under suspension, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

DISPOSAL OF NICKEL FROM THE NATIONAL STOCKPILE

The Clerk called the bill (H.R. 10305) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile.

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

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

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

There was no objection.

DISPOSAL OF MAGNESIUM FROM THE NATIONAL STOCKPILE

The Clerk called the concurrent resolution (H. Con. Res. 453) to express the sense of the Congress for the disposal of magnesium from the national stockpile.

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

Mr. PELLY. Mr. Speaker, in view of the fact that this resolution is scheduled under suspension, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

DISPOSAL OF DIAMOND DIES AND BISMUTH ALLOYS

The Clerk called the concurrent resolution (H. Con. Res. 454) expressing the approval of Congress for the disposal of diamond dies from the national stockpile, and nonstockpile bismuth alloys.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, inasmuch as this is listed on the suspension calendar, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

DISPOSAL OF HYOSCINE FROM THE NATIONAL STOCKPILE

The Clerk called the concurrent resolution (H. Con. Res. 455) expressing the approval of Congress for the disposal of hyoscine from the national stockpile.

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

Mr. PELLY. Mr. Speaker, in view of the fact that this is listed under suspensions, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

REPEAL OF LAW RELATING TO APPOINTMENTS OF WOMEN

The Clerk called the bill (H.R. 6165) to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments.

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

H.R. 6165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 165 of the United States Revised Statutes (5 U.S.C. 33) is hereby repealed.

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.

Mr. BECKWORTH. 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 Texas?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, section 165 relates to the appointment of women to clerkships in the executive departments. It vested in department heads the discretionary authority to appoint women to positions, upon the same conditions and with the same compensations, as prescribed for men.

Eventually the statute was interpreted as restricting to agency heads, to the exclusion of the President, the authority to limit the appointment and promotion in Federal positions to one sex or the other. Subsequently, such interpretation was invalidated, thus opening the way for Presidential action to assure that appointments and promotions are made without regard to sex.

The purpose of this legislation is to eradicate from the statutes an ancient discriminatory provision which has become obsolete in the light of present circumstances.

The Civil Service Commission recognizes that section 165 is an anachromism, and strongly endorses its repeal.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, H.R. 6165 provides for repeal of section

165 of the U.S. Revised Statutes which reads as follows:

Women may, in the discretion of the head of any department, be appointed to any of the clerkships therein authorized by law, upon the same requisites and conditions, and with the same compensation as are prescribed for men.

This apparently salutary law, the original intention of which was to encourage employment of women in the Federal service, actually provided a base for discrimination against women. A 1934 Attorney General's ruling interpreted this section to mean that heads of departments had complete discretionary power in requesting "male only" or "female only" appointees to Federal positions, with the unfortunate result that women, although fully qualified, were frequently barred from specific positions by the "male only" proviso. Such discrimination is completely at variance with this Nation's historic promise to each of its citizens that he or she shall be judged on the basis of individual merit. It is particularly inappropriate and objectionable when practiced by the same Federal Government which is legally and morally committed to the principles of equal opportunity, equal rights, and equal justice for all. Admirable strides have been made in recent years and months—on many fronts—in implementing these principles and I am very happy to report that in 1962 a reinterpretation of section 165 by then Attorney General ROBERT KENNEDY led to a reversal of his predecessor's ruling which had for so many years permitted discrimination against women in Federal employment.

The immediate circumstance which led to this reinterpretation was a study conducted by the Committee on Federal Employment of the President's Commission on the Status of Women—a commission established by the late President Kennedy and which was chaired, until her death, by Eleanor Roosevelt. The Committee members learned in their study that there was considerable discrimination in Federal employment, as in private employment, in relation to promotion and advancement of women. A chief cause, they discovered, was this discretionary power given to department heads to request male only or female only appointees for specific positions. As a result of the Committee's work, Mrs. Roosevelt requested a review of the legal basis for this discretionary power with the happy result, as I have mentioned, that the 1934 opinion was reversed by our former Attorney General, ROBERT KENNEDY. This means, of course, that this section of the law has been rendered innocuous for the moment, but it does not in any way preclude the possibility of some future Attorney General reinterpreting the statute to again permit discriminatory employment practices. My bill, H.R. 6165, would foreclose this possibility by repealing this section of the law. Repeal of section 165 would not in any way affect any current practice and, as such, is somewhat in the nature of a housekeeping measure: clearing the law books of a currently superfluous but potentially harmful statute.

Mr. Speaker, during subcommittee hearings on H.R. 6165 no adverse testimony was offered. So far as I know, no strong objections have been raised against it but, on the contrary, the legislation has had the enthusiastic support of many able and knowledgeable people. These include the Chairman of the Civil Service Commission, the Honorable John W. Macy, my colleagues, Congresswoman FLORENCE DWYER and Congresswoman CATHERINE MAY, representatives of the American Association of University Women and of the National Federation of Business and Professional Women's Clubs and, in addition, the favorable testimony of Miss Marguerite Rawalt, a distinguished attorney and member of the President's Commission on the Status of Women. I am confident that their good sense and careful labor will find its reward in passage of this legislation.

SHIPMENT OF VEHICLES OF DECEASED PERSONNEL

The Clerk called the bill (H.R. 9975) to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes.

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

H.R. 9975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 12 of the Missing Persons Act, as amended (50 U.S.C. App. 1012), is amended by striking the words "in those cases where the vehicle is located outside the continental limits of the United States or in Alaska".

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

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

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 237]

Andrews, N. Dak.	Evins, Tenn.	Nix
Ashbrook	Fino	O'Hara, Mich.
Ashley	Fulton, Tenn.	Pepper
Ashmore	Gibbons	Powell
Bingham	Gilligan	Quillen
Blatnik	Goodell	Reinecke
Bolling	Green, Oreg.	Resnick
Bonner	Hawkins	Rivers, Alaska
Bow	Helstoski	Roudebush
Brock	Holifield	Roybal
Brown, Ohio	Holland	Ryan
Burton, Utah	Karth	Scheuer
Cabell	Keogh	Scott
Cahill	King, N.Y.	Shipley
Cameron	Kluczynski	Skubitz
Carter	Kornegay	Slack
Conte	Landrum	Teague, Tex.
Conyers	Lindsay	Thomas
Corbett	Long, La.	Toll
Craley	McDade	Tupper
Cramer	McDowell	Utt
Cunningham	McEwen	Van Deerlin
Curtin	MacGregor	Vivian
Curtis	Martin, Mass.	White, Idaho
Derwinski	Mathias	Willis
Diggs	May	Wilson, Charles H.
Dowdy	Miller	Young
Dwyer	Monagan	
Edwards, Calif.	Moorhead	
	Morton	

The SPEAKER. On this rollcall, 348 Members have answered to their names, a quorum.

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

SUSPENSION OF DUTY ON CERTAIN FORMS OF NICKEL

Mr. MILLS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6431) to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty, with an amendment as printed in the reported bill.

The Clerk read as follows:

H.R. 6431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202) is amended by inserting immediately preceding item 911.70 the following new items:

"	911.21	Ferronickel (provided for in item 607.25, part 2B, schedule 6)	Free	3¢ per lb.	On or before 6/30/67
	911.22	Unwrought nickel (provided for in item 620.02, part 2E, schedule 6)	Free	3¢ per lb.	On or before 6/30/67
	911.23	Nickel powders (provided for in item 620.32, part 2E, schedule 6)	Free	3¢ per lb.	On or before 6/30/67 ".

SEC. 2. (a) The amendment made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption after the date of enactment of this Act.

(b) Duty-free treatment with respect to any article provided for in item 607.25, 620.02, or 620.32 of title I of the Tariff Act of 1930 shall not apply after June 30, 1967, except pursuant to a trade agreement which is entered into under the Trade Expansion Act of 1962 before July 1, 1967. For purposes of section 201(a)(2) of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1821(a)(2)), in the case of such a trade agreement the duty-free treatment provided by item 911.21, 911.22, or 911.23 of title I of the Tariff Act of 1930 shall be considered as existing duty-free treatment.

The SPEAKER. Is a second demanded?

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

Mr. GROSS. Mr. Speaker, I am opposed to the bill and I demand a second.

The SPEAKER. The gentleman from Iowa [Mr. GROSS] demands a second. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, H.R. 6431 was introduced by the gentleman from Pennsylvania [Mr. SCHNEEBELI]. A companion bill was introduced by the gentleman from Massachusetts [Mr.

BURKE]. Mr. SCHNEEBELI's bill was reported, and Mr. BURKE filed the report of the Committee on Ways and Means accompanying Mr. SCHNEEBELI's bill.

Mr. Speaker, the bill would limit the import duties on certain forms of nickel in order to help the U.S. producers of steel products, particularly stainless steel, to lower their costs and thus place them in a better position to compete with imports in the domestic market and in the export market with foreign producers who obtain their nickel duty free.

Mr. Speaker, the bill was reported by the Committee on Ways and Means unanimously.

Mr. Speaker, our nickel requirements cannot be met by domestic production, which supplies about one-fifth of our total consumption. Therefore, we depend in most part upon imports.

Mr. Speaker, in such a situation it is good sense to make these imports available to our manufacturers without the impediment of a duty. Because the Kennedy round trade negotiations are underway in Geneva, however, the committee on Ways and Means has preserved the bargaining power for the U.S. negotiators with respect to the items covered by the bill—ferronickel, unwrought nickel and nickel powders—by merely suspending the duty, which is 1¼ cents per pound, until July 1, 1967, and authorizing the President to grant an extension of duty-free treatment beyond that date in a trade agreement in which the United States will obtain reciprocal concessions.

Mr. Speaker, the interested executive agencies have all reported favorably on this legislation.

I hope the House will be kindly disposed toward this legislation which will assist U.S. industry in obtaining its nickel requirements.

Mr. Speaker, all of the departments of Government were favorable to the legislation. There is only one producer of nickel about which I know in the United States, and that is the Hanna Mining Co., with headquarters in Cleveland, Ohio, producing nickel, as I understand, in some form in the State of the gentleman from Oregon [Mr. DUNCAN].

Mr. Speaker, the President of the Hanna Mining Co., in a letter to me dated April 27, 1965, expressed their views on the legislation.

Mr. Speaker, in this letter they pointed out that while—and I will read this one sentence out of the entire letter:

> While this is not an inconsiderable sum—

Talking about the amount by which the company's income might be reduced if the price of nickel went down this 1¼ cents—

> we do not feel that we should oppose the bills for that reason if your committee and the Congress considers the proposed legislation to be clearly in the national interest.

Mr. Speaker, I am sure that I can say for myself—and I would hope for the Committee on Ways and Means—that I do consider the legislation to be in the national interest. We think it should be passed. The committee was unanimous in this thought.

There is another bill to be considered today under a suspension of the rules which I note was on the Consent Calendar having to do with the use of nickel already in our stockpile for domestic purposes here in the United States other than military in nature.

Certainly, Mr. Speaker, this bill, H.R. 6431, is in the national interest and certainly this bill should be overwhelmingly passed by the House of Representatives.

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

Mr. MILLS. I would be glad to yield to the gentleman from Pennsylvania.

Mr. DENT. I want to say that I join the gentleman in his effort to reduce the tariff in this instance, although I have probably made a reputation for being the person who is most interested in protective tariffs. This comes at a time in the juggling of our production in this country due to emergencies and otherwise, where legislation of this type is essential.

Mr. Speaker, at this point I want to make it clear in discussing the matter, as the gentleman from Arkansas, the chairman of the Committee on Ways and Means, has done that I have introduced a 3-pronged type of legislation dealing with the very important metal, molybdenum. This metal is of greater importance even to the stainless steel and to the tool steel industries than the nickel itself.

Mr. Speaker, I note from the calendar day that we have legislation pending dealing with all 3 points on which I have introduced legislation.

I would like for the chairman to know I respectfully urge that the legislation I introduced calling for a suspension of the duties on molybdenum be considered at an early date. I doubt very much that the gentleman will have the authority, but we are asking that the stockpile be reduced in the amount that the emergency is calling upon to stockpile from the molybdenum supply, that for the last 3 years the only way we have been able to maintain specialty steel production is by taking from the stockpile. Although we are not the largest producers of molybdenum in the world, we do produce 85 percent of the molybdenum, and we export 40 percent. We have reduced the amount that has been available for American industry, there has been no expansion in that particular industry, however, and I have asked that there be no exports for a period of 6 months until the American needs may be supplied, and the tariff suspended so that imports from Canada can come in and relieve the serious situation that exists.

I thank the gentleman for any consideration he can give me.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN of Oregon. Mr. Speaker, I thank the gentleman for yielding this time to me. I do not agree with the conclusions of the Committee on Ways and Means, much as I respect the committee and its chairman insofar as it recommends to the House that the rules be suspended and this bill passed.

The chairman with his usual skill has explained this bill. It appears to be a very simple bill. It eliminates the tariff on three classes of nickel—ferronickel, unwrought nickel, and nickel powders. It is interesting to note that there are no tariffs on any other forms of nickel. They come in duty free at the present time.

There is no U.S. production of unwrought nickel or nickel powders. The only production of nickel in this country is from a ferronickel mine in the district I happen to represent. This industry employs some 450 or 500 people, and it is a matter of some significance to us that these people continue to be employed. They have some 15 years of known reserves at their present rate of production. The total production of this mine in Oregon was only about 10 percent of the consumption of nickel in all forms in the country in the year 1964.

The chairman has read to you a letter from the proprietors of this mill in which they indicate if it is in the best judgment of this Congress that the bill be passed, they will not object to it even though it may mean a reduction of several hundred thousand dollars income to the plant. I have investigated and I do not believe the passage of this bill will result in the loss of any jobs in this particular mine and mill. They will continue to sell all they produce and I am assured they will continue to produce.

But it is not only the present employment that concerns me, I am concerned about the future. Additional explorations are being conducted by this company at the present time elsewhere in southwest Oregon. Known ores in this area are of a low grade. Any reduction in income reduces the possibility of additional production and additional mills that may furnish additional jobs in the days to come. At one time, mining was responsible for much of the income of my district. Today, its significance, aside from the production of nonmetallic materials such as sand, gravel, and pumice, is limited almost to nickel. And yet great wealth remains locked up in the mountains of southwest Oregon awaiting only our ingenuity to again be profitable.

Thus, from the standpoint of self-interest, let me make it clear that this bill is not apt to cause us a present loss, though it does cast a potential cloud on the future.

But there is far more to my opposition to this bill than defending the self-interest of an industry and the people employed in it in one's district. We have to have a consistent tariff policy regardless of the commodity involved. I have been one who has always expressed himself as being in favor of freer trade and, had I been here when the Trade Expansion Act passed, I would have supported it enthusiastically. I associate myself now with the remarks of the gentleman from Missouri [Mr. CURTIS] as he recently reported on his activities as a congressional representative engaged in negotiations at Geneva. I believe our greater prosperity lies in freer trade,

and my record thus far in the Congress so indicates. I was one of the few western Congressmen who voted "no" on the bill to limit beef imports last year because I was convinced that it was inconsistent with the principles of the Trade Expansion Act, and would materially damage our negotiations at Geneva without striking at the root of the beef producers' problem one iota. Subsequent developments have proved that I was substantially correct, but I can assure the Members of this House that I garnered few votes by virtue of having taken this position last year.

While I favor freer trade, I also firmly believe that freer trade is a two-way street. This bill is one more step along the one-way street toward the constant erosion of protection for our own industry without securing reciprocal concessions in other countries for our products.

This is a bill for unilateral elimination of tariffs with absolutely no reciprocal benefits back to the United States insofar as the reduction or elimination of tariff or nontariff trade barriers from other countries are concerned.

It has been suggested there are no tariffs on nickel in other countries. I have tried to research this and as nearly as I can tell, the European Economic Community today has a 4.2 percent tariff on an ad valorem basis on the importation of nickels into those countries. Italy alone has a 7 percent tariff and over a period of years we can expect this to average out as a tariff against the importation of nickel at about 7 percent.

At the present time some 30 percent of the domestic production from Oregon is going into the export market. Why, I would ask you, should we reduce unilaterally the tariffs on nickel without getting something back for it at least a reciprocal reduction in nickel tariffs from the EEC. I have pears produced in my district. For years we have been struggling with France and the countries of Western Europe to get some concessions on these tariff and nontariff trade barriers that absolutely restrict the importation of pears and apples and other fresh fruits into those countries. Finally, we got an agreement under which we are operating today which is reasonably satisfactory but which still creates problems for our U.S. exports and which is only temporary, coming to an end next year. We have absolutely no assurance that even the restricted concessions under which we are presently operating will be continued beyond next season. Why, I would ask you, can we not take this offer of ours to eliminate nickel tariffs to the bargaining table at Geneva and say to these countries, "Here we will offer you freer trade and we will make this concession—what will you give us back for it?"

It is said that the steel companies want this because they are the consumers of nickel in this country and it will help them. This is true. Today, of course, they are the free traders who want to eliminate the tariffs. Tomorrow the question, of course, will be tariffs on barbed wire, tariffs on nails, and tariffs on some product that they do not consume, but which they sell. Then the freer traders will change hats and become protectionists.

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

Mr. GROSS. Mr. Speaker, I yield the gentleman 3 minutes.

Mr. DUNCAN of Oregon. This is natural and I do not blame them. It is a process we all engage in from time to time. I am saying that the Congress of the United States has a greater responsibility than that. I am saying that the Congress of the United States has an obligation to lay out a positive and a consistent tariff policy in the best interests of the United States and then stick to it regardless of the self-interest of some particular group, at any one particular time. I do not consider that we do this when we unilaterally cut tariffs in the Congress while our negotiators bargain at Geneva with less and less to bargain with.

It is said that this will improve our balance of payments. Of course, it will. The estimates are that if this tariff is reduced, it will make a difference of some $15 to $20 per ton in the selling price of stainless steel. This ought to improve the position of the steel companies of this country in their domestic sales and also in their efforts to hold an export market. But let us look beyond that apparent fact.

This will only be so if this tariff reduction is passed on to the consumers. The greatest supplier of nickel—from Canada—has said it will pass this on to the consumer. But history casts doubt on the validity of that statement. In 1948 when tariffs were reduced on nickles, it is true that prices came down by the amount of the reduction, but within months the price of nickel went up 6 cents to 8 cents and all of the savings from the elimination of the tariff were gone and the consumer did not get anything and the balance-of-payments problem was not helped but aggravated. There can be no assurance that it will not be so again.

There are three classes of nickel on which the tariff is to be reduced by this bill—nickel powder, unwrought nickel, and ferronickel. Our only domestic production is ferronickel. Ninety percent of our consumption is imported and about 96 percent of that originates from Canada in forms other than ferronickel. The only foreign company that is in a position to produce ferronickel—which is a combination of nickel and iron and which is highly valued for use in the production of stainless steel—the only company that is prepared to produce ferronickel and import it into this country is Le Societé Nickel—a French company with its principal production in New Caledonia.

Let us take a look at the balance-of-payment problem. Certainly we want to be in a position to end up each year with a favorable balance of trade. But the most important facet of that trade balance problem is the demand that foreign countries place on our gold with dollar credits which they acquire.

So here, now and today, we eliminate tariffs on ferronickel and give an unrestricted share of our nickel market to a French corporation to the disadvantage of our domestic production and to the detriment of our friends in Canada, the country which is our biggest single customer, with whom we enjoy a substantial and favorable balance of trade, and whose dollar position is such that we need not apprehend from her a demand for gold. And the country of France, the one that has been the most trouble at Geneva, the one that has been the biggest stumbling block in achieving this grand design of massive tariff reductions that will enable the whole world to move forward into an era of prosperity will profit. What are we doing? We are putting dollar credits back in the hands of De Gaulle to come over here and demand gold, as he has done on a number of occasions just this last year.

I am for improving our balance of trade, but certainly not by an inconsistent unilateral trade reduction, which at the same time gives De Gaulle another demand on our dwindling gold stocks.

We are sticking our heads in the sand when we add to the ability of Charles de Gaulle to come over here and demand our gold.

There is plenty of nickel in this world. Canada has vast reserves. The United States has a tremendous stockpile. Some 308 million pounds has been declared excess—almost half of the world consumption in 1964. As the chairman indicated, there will be a bill up this afternoon to authorize sales of some 124 million pounds from that stockpile. We will lose money from the sale of nickel in that stockpile if this bill passes. We will lose about $1.5 million from the sale from the stockpile alone. The estimated loss in revenue from the reduction of the tariff is about $2.5 million.

These are factors we should consider, but I do not believe they are critical. If, on balance, it is desirable to reduce the tariff to promote foreign trade, I would not let that loss of revenue interfere with it.

I do not believe it is desirable, however. It is undesirable because of its adverse effect on the further exploration and production of domestic nickel. It is undesirable to unilaterally reduce tariffs by congressional action rather than submitting the issue to negotiation at Geneva where we can bargain for reciprocal benefits. And it is undesirable because it will place dollar claims readily redeemable in gold in the hands of France. I urge you to vote against the bill.

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

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I have a few questions to ask concerning this proposal, but first I should like to observe that it is more than interesting to find the chairman of the House Committee on Ways and Means [Mr. MILLS], here today expressing the solicitude he does for the manufacturers of this country. I can recall a day and an hour last week when the same gentleman stood before the House of Representatives and opposed a buy-American amendment to another bill, which amendment would have provided

some protection for American manufacturers and American labor. Today he takes an entirely different position. And it was a year or so ago that he brought to the floor of the House a bill to reduce taxes. He said at that time, in effect: You cannot take two roads if you vote for this bill. If you vote for tax reduction you must then vote for economy, because you cannot have a tax reduction without reducing expenditures.

Yet, if memory serves me correctly, last week he voted to increase a bill—what was it?—$100 or $150 million a year for 5 years above what was even requested by this spendthrift administration.

So I stand here today asking what is being done to us in this bill? I do not know. I should like to find out. I should like to know what is being done to us again by the Ways and Means Committee.

I should like to ask this question: What will be the price of nickel to be sold from the Government's stockpile if this bill goes through? What effect will this have upon the sale of ferrous nickel from the stockpile? That bill will be up this afternoon. How much is this going to affect the sale of nickel from that stockpile?

Does anybody happen to know the answer?

Mr. MILLS. Mr. Speaker, if the gentleman will yield, perhaps the gentleman from Massachusetts [Mr. PHILBIN], who is handling the stockpile bill, could give an answer. I do not know what the precise effect would be.

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

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

Mr. PHILBIN. I did not hear the question, I say to my distinguished friend from Iowa.

Mr. GROSS. I believe I stated it twice. I will do it once more. What effect will the passage of this bill have upon the sale of nickel from the Government stockpile? I refer to the bill you propose to bring to the House floor this afternoon.

Mr. PHILBIN. I would not be in a position to tell precisely what effect that would have upon the stockpile or what effect it would have upon the dollar gap. The chairman was discussing that question. Of course, when we take something out of the stockpile and put it into regular industrial uses that means we do not have to import that particular material from some other country. To that extent it reduces the dollar gap by the amount of purchases made.

Mr. GROSS. Let us say your report is not very clear, but it indicates the passage of this bill will have the effect of lowering the price of nickel from the Government stockpile.

Mr. PHILBIN. First of all I want to say this is not the report of my committee but a report of the Committee on Ways and Means.

Mr. GROSS. I propounded the question to you and apparently you cannot give me an answer as to what effect it will have.

Mr. PHILBIN. I gave you the best answer I could give you.

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

Mr. GROSS. Yes, of course.

Mr. MILLS. The gentleman referred to our committee report accompanying the bill. It is true that we did point out the departments thought it might have some effect on the price of the nickel in stockpile, but those same departments of Government assure us that even if this bill should pass, any nickel which is in stockpile would be sold at a profit to the Federal Government. Our committee thought the effect would, in any event, be of a minor nature.

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

Mr. GROSS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, this simply means that you will not make the money out of the stockpile that you would make otherwise. Is that correct?

Mr. MILLS. Not necessarily so.

Mr. GROSS. In the absence of this legislation, that is.

Mr. MILLS. Not necessarily so, because there is no certainly as to the amount of the effect.

Mr. GROSS. Now let me ask you this question: What price is to be paid for this duty-free nickel? Nowhere in your report do I find what you are going to pay for this nickel that comes into being.

Mr. MILLS. It is my understanding the present price of imported nickel from Canada is about 79 cents a pound. So if the reduction in the duty were reflected in a reduction in price, it would be about 77¾ cents per pound.

Mr. GROSS. And what is the annual consumption of nickel in this country?

Mr. MILLS. During 1960–64 annual consumption ranged between 108,000 short tons and 130,000 tons, as I recall it.

Mr. GROSS. Mr. Speaker, this is a bill that ought not to pass, this bill to free nickel from any import duty. It is not in the interests of American industry and it is not in the interests of American labor. This bill ought not to pass.

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

Mr. MILLS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania, the author of the bill [Mr. SCHNEEBELI].

Mr. SCHNEEBELI. Mr. Speaker, I would like to remind the House of some points that were presented by the chairman of our committee. He said this bill was approved by our committee by unanimous consent on both sides of the aisle. He also pointed out that this bill was of a temporary nature and would expire as of July 1, 1967, to be subject to review at that time when we get into conference. Also I want to point out that this bill will save our stainless steel industry about $3 million a year. As the gentleman from Pennsylvania [Mr. DENT] reminded the House, this would put us in a much more competitive position to maintain and strengthen our stainless steel industry, which has been losing business to our foreign competitors. This bill was approved by all executive departments as being a very meritorious bill. The minority members of the Committee on Ways and Means support the majority members in their unanimous support of this legislation, and I urge the House to vote in favor of this excellent bill.

Mr. DUNCAN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. SCHNEEBELI. I yield.

Mr. DUNCAN of Oregon. Mr. Speaker, is it not true that the Tariff Commission recommended to the President that all three of these be included on the list for negotiations at Geneva for reductions in two items; 100 percent on one item and on the other item, either 100 percent or 50 percent, depending on the nickel content of the ferronickel?

Mr. MILLS. Mr. Speaker, will the gentleman yield to me to respond to the question?

Mr. SCHNEEBELI. I yield.

Mr. MILLS. Mr. Speaker, this bill does preserve the very thing that the gentleman seeks, I think; namely, that the matter may be considered by our negotiators and something received in return, for without this authority, the President of the United States cannot reduce this duty.

Mr. SCHNEEBELI. Mr. Speaker, this bill—H.R. 6431—will suspend until June 30, 1967, the duty on the importation of certain forms of nickel, with authority for the President to extend the duty-free treatment beyond that date in a trade agreement. The authority to extend is designed to permit our negotiators to obtain reciprocal concessions in the so-called Kennedy round of negotiations in Geneva.

I am joined by my colleague on the committee from Massachusetts in sponsoring this legislation. I believe that we can take pride in the fact that the committee has received favorable reports on the bill from the Departments of State, Treasury, Interior, Commerce, and Labor. There is complete unanimity both on the committee and in the Government departments with respect to this legislation.

Nickel is principally used as an alloy in the production of stainless and other steels. The existing duty of 1¼ cents per pound has increased the cost of domestic production and thereby encouraged imports of stainless steel. Such imports increased from approximately 3,700 tons in 1958 to 80,000 tons in 1964. With the removal of the duty on nickel, our domestic steel producers will be better able to meet this competition.

The elimination of this duty will unquestionably result in expanded consumption of ferronickel. It is anticipated that the total savings which will result from this bill will approximate $110 per ton of nickel content. Imports of ferronickel amounted to 135,000 tons in 1964. Less than 15,000 tons were produced domestically. In terms of production costs, the duty which we are suspending is a very significant item.

The profits of our steel industry have lagged behind the profits of their major customers. In order to have enduring

prosperity, our basic industries, such as steel, must prosper and grow. While the cost of ferronickel used in making stainless and other specialty steels may not loom large in the overall economics of the industry, the removal of this duty is a step in the right direction. The duty serves no useful purpose. We should encourage the steel industry to meet foreign competition, both at home and abroad, in all products, insofar as possible. The removal of this duty is amply justified in order to achieve that end.

As savings in production costs are achieved, it is expected that domestic steel producers will be able to compete more favorably for sales of stainless steel products both domestically and abroad, thereby improving our balance of payments. Thus, the bill will benefit one of our basic industries, the users of stainless steel, and our international balance of payments.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania [Mr. SCHNEEBELI] has expired.

Mr. GROSS. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, we are faced with a rather unusual situation today. The chairman of the great Committee on Ways and Means is here asking that a unilateral agreement be made, that this bill be passed and nickel be admitted duty free into this country. He is the chairman of the powerful Committee on Ways and Means that reflects the position of the administration, particularly that by the late President Kennedy, where he agreed that when you sit down at the conference table, it should be a give-and-take proposition. Today we are asked to give and to get absolutely nothing in return.

As the distinguished gentleman from Oregon [Mr. DUNCAN] pointed out, if this bill passes, the first group that will be here importing nickel into this country is the French company over in the Far East, and De Gaulle in exchange will be down at the Treasury Department of the United States demanding payment in gold. And do not forget it. Improve the balance-of-payments position?

How naive can you be?

The same gentleman [Mr. MILLS] last week got up, when I offered an amendment to the bill known as the buy-American amendment, and opposed it because he said that it should not be adopted—"not only for the reasons that have been pointed out by the gentleman from Minnesota, but if this change in tariff laws and rates of duty is to be made applicable, it should be made applicable across the board."

One of the great elements that goes into stainless steel is molybdenum. You heard the distinguished gentleman from Pennsylvania [Mr. DENT] say that he has not even been able to get a hearing on a bill that really affects stainless steel. So we are asked again to take a little bite at a tremendous project and hope that we can solve this problem a little bit at a time. An entirely different position than the gentleman from Arkansas took only last Thursday.

I say to the Members of the House, sit down and put your thinking caps on and remember how many times in the past we have had individual bills affecting individual commodities, brought out of the Committee on Ways and Means to change the tariff. Even if you are free traders, you have got to get something for it. And what is American industry going to get if this bill passes? Absolutely nothing.

I think it is about time that we asked the Committee on Ways and Means, despite the fact that they may have a unanimous report from all the agencies downtown, to come up with a consistent policy, because we have on the suspension calendar today two bills that are completely inconsistent; one, we are going to sell nickel in the stockpile and lose money on it, and the other, turn around and allow nickel to come into this country duty free. Just how foolish can you get?

I hope this bill is defeated.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN of Oregon. Mr. Speaker, I thank the gentleman. I would like to comment on the suggestion made by the chairman of the Committee on Ways and Means that this bill preserves the bargaining power of our Government at Geneva.

It is true that this bill only suspends the duty on three forms of nickel through June 30, 1967, unless the President enters into a trade agreement further extending duty-free treatment beyond that time. The committee's theory is that our negotiators at Geneva can still say, "We will make this suspension of duty permanent if you will give us reciprocal concessions."

But this is a mirage. By eliminating this tariff today, whether we call it temporary or not, we are serving notice on the world that this tariff has no value to us and they need give us nothing in return for the concession. We can never back up. If management enters labor negotiations offering a 3-cent raise in the face of a 10-cent demand by labor and begins talking a 5-cent raise, the limits of further negotiations are immediately reduced to the area between 5 and 10 cents.

And our neighbors can easily deduce that the use of the word temporary is a sham. We have only recently extended for an additional 2 years a temporary tariff examination on nickel scrap and nickel waste which was initiated in 1950 and renewed periodically ever since. Now you tell me how much value there is left, how much bargaining power we have left in Geneva, when we eliminate this tariff unilaterally for a set period and say, "We are going to put it back on if you do not reciprocate." That is just not going to happen and we ought not delude ourselves.

All three of these nickel items were included in the list submitted by the President to the Tariff Commission for possible reduction in rates at the Geneva negotiation under the general agreement on tariff and trade. Unwrought nickel and nickel powders were on the list of articles on which the duty could be removed entirely as it is proposed to do by this bill. This is because the present tariff of 1¼ cents per pound is less than 5 percent ad valorem ferronickel was on the list for a possible reduction of 50 percent. The Commission has made its report to the President and while I do not know, I would guess, that none of these items are on the list of exemptions claimed by this country.

Much of the ferronickel would also have an ad valorem equivalent of less than 5 percent. However, whether it is less than 5 percent or more than 5 per cent depends upon the percentage of nickel contained in the product. In the manufacturing process a ferronickel with a 25-percent nickel content, for example, can be enriched with additional nickel so that, at 1¼-cents-a-pound duty the ad valorem equivalent is more than 5 percent and thus, under the Trade Expansion Act such ferronickel would be subject to a reduction of only 50 percent over a 4-year staging period. I am advised that the ferronickel imported into this country by Le Societe Nickel is so enriched for that very purpose.

There is no reason why if all we seek to do is include ferronickel among those commodities eligible for the elimination of duty we cannot draft and pass a bill doing just that. Our exports of nickel to the European economic community have recently been further impaired by the reclassification of ferronickel containing over 50-percent nickel from a duty-free alloy to a classification of ferronickel subject to the ad valorem decision to which I have previously referred. This was done at the instigation of an unknown country but I suggest that we do not have to look much further than Paris to find the instigator.

Mr. MILLS. Mr. Speaker, I yield myself 1 minute.

There is no authority under the Trade Expansion Act that we passed in 1962 for the President to put ferronickel on the free list. This bill specifically says that the rate of duty will revert to 1¼ cents per pound on July 1, 1967, unless, pursuant to the authority given the President under the Trade Expansion Act of 1962, it becomes a part of a trade agreement at duty-free entry.

Mr. Speaker, we preserve specifically the authority for them to negotiate. But without this bill there is no sufficient authority to negotiate down to the zero rate of duty.

Mr. DUNCAN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I would be glad to yield to the gentleman from Oregon.

Mr. DUNCAN of Oregon. It is true that as far as nickel powders and unwrought nickel are concerned, they are on the list, which completely represents an elimination of the tariff; is that not correct?

Mr. MILLS. That is true, but not ferronickel.

Mr. Speaker, I now yield 3 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I had not intended to get into this debate. In fact I was under the

impression that there would not be very much debate on this particular bill because I do not think it really is as controversial as some people are attempting to make it.

Mr. Speaker, let us review a few basic facts. First, we must have imports of nickel into this country. We could not fill our requirements without imports. To what degree do we depend upon imports? For about 80 percent of our domestic consumption.

Mr. Speaker, as has been pointed out there is one producer of nickel in this country. This producer cannot supply our needs. Everyone recognizes, as the gentleman from Oregon [Mr. DUNCAN] stated very frankly, that this bill is not going to affect jobs in this country as far as the mining or the smelting of nickel is concerned one iota. A simple job will not be affected as a result of the passage of this bill. You will have just as much nickel imported after this bill is passed as you have today. If you do not pass this bill you are going to have just as much imported next year. This bill is not going to affect the amount of nickel that comes into this country. It is dependent upon the demand. That is all there is to it.

Certainly, this bill may make a difference in the price at which the domestic users of nickel will be able to buy this nickel, the nickel that is imported and the nickel that is produced domestically, and the one domestic producer points that out in his letter. He agrees that he will lose some money as a result. The price which he can get for nickel will go down about 1¼ cents per pound.

You will have 1.25 cents less to be included in the foreign producers' price. I think the answer is clear as to what effect this will have on the price of the nickel that we sell out of our stockpile. It will be 1.25 cents a pound less that the Government will receive for the nickel sold from the stockpile.

The big thing to remember, Mr. Speaker, is that the consumers of nickel in this country are also competing in the world markets. Stainless steel requires nickel. If our steel industry is put on an equal basis in the manufacture of stainless steel, and in the purchase of nickel that goes into his production, he will be better able to compete in the world market. We are trying to put the domestic industry on a competitive basis worldwide by reducing the cost of production by the amount of the duty, because the duty is not serving any useful purpose except to hold up the price of nickel by 1.25 cents a pound. We have to have nickel. It is going to be imported, and what we do with this bill is not going to affect the importation of it, and it will not affect any jobs in this country. So why not pass it if there is going to be an advantage to American industry?

The argument is made, and I agree, that too often I am afraid that what we do is reduce duties on something when we might be able to use the duty as negotiating weapons in getting concessions for ourselves.

Let me say I do not think there is much advantage to the Canadians in bargaining to get rid of this 1¼ cent duty. They know that they are going to supply 80 percent of our nickel requirements, whether we have a duty of 1¼ cents, or no duty at all. So why should they care, in any negotiations they engage in. So you do not have very much left as a bargaining tool by retaining the 1¼ cent duty.

I think we are making a mountain out of a molehill as far as this legislation is concerned. It is not going to affect the amount of imports of nickel and it is not going to affect the jobs in the nickel mining industry in this country. It can have the effect of providing our consumers of nickel with more comparable position in the use of nickel with their foreign competitors. That is why the committee recommended suspension of the duty. In order to give some little advantage, if there is any, to the use of this duty for bargaining purposes, we will not completely repeal it. We will leave it up to the administration, and encourage them to use it. That is the only thing that we should worry about.

Mr. GROSS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, it has been quite interesting to hear the gentleman from Wisconsin. After listening to him I do not understand why this legislation is on the House floor today, for he indicates it will not change anything, that it is meaningless.

I happen to think this is in the nature of a subsidy to the manufacturers of this country. I also think it will redound to the benefit of one, President de Gaulle of France, who is rounding up all the gold he can and who up to this time has not seen fit to pay up the French World War I debts to this country. I am not going to be a party here today to the passage of legislation that one of its sponsors says has no meaning but which eliminates tariffs and opens the door to completely free trade with the United States on the short end of the deal.

The SPEAKER pro tempore. The question is, Shall the House suspend the rules and pass the bill, H.R. 6431, as amended.

The question was taken; and on a division (demanded by Mr. DUNCAN of Oregon), there were—ayes 47, noes 24.

Mr. MILLS. 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 298, nays 48, not voting 88, as follows:

[Roll No. 238]

YEAS—298

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Annunzio
Arends
Aspinall
Ayres
Baldwin
Bandstra
Bates
Battin
Beckworth
Bell
Betts
Boggs
Bolton
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Callan
Callaway
Carey
Casey
Chamberlain
Chelf
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Conable
Cooley
Corbett
Corman
Culver
Dague
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dent
Denton
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Downing
Duncan, Tenn.
Edmondson
Edwards, Ala.
Ellsworth
Evans, Colo.
Everett
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Gurney
Hagan, Ga.
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hébert
Hechler
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Jarman
Joelson
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, Utah
Kirwan
Krebs
Kunkel
Laird
Latta
Long, Md.
Love
McCarthy
McClory
McCulloch
McFall
McGrath
McMillan
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Mize
Moeller
Moore
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rumsfeld
St Germain
St. Onge
Schisler
Schmidhauser
Schneebeli
Schweiker
Selden
Shriver
Sickles
Sikes
Sisk
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tunney
Tuten
Udall
Vanik
Vigorito
Waggonner
Watkins
Watts
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—48

Abbitt
Baring
Belcher
Bennett
Berry
Bray
Clancy
Clawson, Del
Colmer
de la Garza
Devine
Dulski
Duncan, Oreg.
Erlenborn
Gross
Gubser
Haley
Hall
Hansen, Idaho
Hutchinson
Ichord
Johnson, Calif.
Langen
Lennon
Lipscomb
Long, La.
Martin, Ala.
Minshall
O'Konski
Olsen, Mont.
Pool
Reifel
Satterfield
Saylor
Secrest
Senner
Skubitz
Smith, Calif.
Steed

Talcott	Walker, Miss.	Wilson, Bob
Teague, Calif.	Walker, N. Mex.	Wyatt
Tuck	Watson	Younger

NOT VOTING—88

Andrews, N. Dak.	Derwinski	Mathias
Ashbrook	Diggs	May
Ashley	Dowdy	Miller
Ashmore	Dwyer	Monagan
Barrett	Dyal	Moorhead
Bingham	Edwards, Calif.	Nix
Blatnik	Evins, Tenn.	Pepper
Boland	Farnsley	Quillen
Bolling	Fino	Reinecke
Bonner	Fraser	Resnick
Bow	Green, Oreg.	Roudebush
Brock	Hanna	Roybal
Brown, Ohio	Hansen, Wash.	Ryan
Burton, Utah	Hawkins	Scheuer
Cabell	Helstoski	Scott
Cahill	Herlong	Shipley
Cameron	Jennings	Slack
Carter	Karth	Teague, Tex.
Cederberg	Keogh	Thomas
Celler	King, N.Y.	Toll
Conte	Kluczynski	Tupper
Conyers	Kornegay	Ullman
Craley	Landrum	Utt
Cramer	Leggett	Van Deerlin
Cunningham	Lindsay	Vivian
Curtin	McDade	White, Idaho
Curtis	McDowell	Willis
Daddario	McEwen	Wilson, Charles H.
Daniels	MacGregor	
	Martin, Mass.	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Martin of Massachusetts and Mrs. Dwyer for, with Mrs. May against.

Mr. Cramer and Mr. Keogh for, with Mr. Roudebush against.

Mr. Miller and Mr. Cameron for, with Mr. Reinecke against.

Until further notice:

Mr. White of Idaho with Mr. Andrews of North Dakota.

Mr. Toll with Mr. McDade.

Mr. Thomas with Mr. Utt.

Mr. Ashley with Mr. Ashmore.

Mr. Charles H. Wilson with Mr. Tupper.

Mr. Van Deerlin with Mr. Quillen.

Mr. Bingham with Mr. Fino.

Mr. Helstoski with Mr. MacGregor.

Mr. Jennings with Mr. Derwinski.

Mr. Daniels with Mr. Lindsay.

Mr. Daddario with Mr. Conte.

Mr. Leggett with Mr. Cunningham.

Mr. Evins of Tennessee with Mr. Brock.

Mr. Nix with Mr. Curtin.

Mr. Pepper with Mr. Mathias.

Mr. Kornegay with Mr. Burton of Utah.

Mr. Kluczynski with Mr. Cederberg.

Mr. Hawkins with Mr. Blatnik.

Mr. Herlong with Mr. Edwards of California.

Mr. Roybal with Mr. Diggs.

Mr. Shipley with Mr. Conyers.

Mr. Monagan with Mr. Scheuer.

Mr. Moorhead with Mr. Ryan.

Mr. Teague of Texas with Mr. Resnick.

Mr. Ullman with Mr. Fraser.

Mr. Willis with Mrs. Green of Oregon.

Mr. Landrum with Mr. Hanna.

Mr. Slack with Mr. Vivian.

Mr. Barrett with Mr. Bow.

Mr. Scott with Mr. Brown of Ohio.

Mr. Bonner with Mr. King of New York.

Mr. Celler with Mr. McEwen.

Mr. Dyal with Mr. Carter.

Mr. Cabell with Mr. McDowell.

Mr. Boland with Mr. Hansen of Washington.

Mr. Karth with Mr. Craley.

Mr. Dowdy with Mr. Farnsley.

Mr. FARNUM changed his vote from "nay" to "yea."

Mr. PHILBIN changed his vote from "nay" to "yea."

Mr. COLLIER changed his vote from "nay" to "yea."

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 REVISE AND EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those who spoke on the bill just passed may have permission to revise and extend their remarks and to include pertinent material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE ON FISHERIES AND WILDLIFE OF COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may sit during general debate tomorrow on the farm bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE NO. 6 OF SMALL BUSINESS COMMITTEE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that subcommittee No. 6 of the Small Business Committee may sit to take testimony from the Department of Agriculture and from the Federal Trade Commission on antitrust enforcement insofar as it affects small business on Wednesday.

The SPEAKER. Without objection, it is so ordered.

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

Mr. FOGARTY. Mr. Speaker, I call up the conference report on bill (H.R. 7765) making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

The was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT—(H. REPT. No. 791)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7765) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 11, 12, 31, 36, 40, 43, 44, 45, 46, 48, and 51.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 17, 18, 21, 25, 28, 29, 32, 33, 34, 37, 38, and 42, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,350,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$19,575,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"To carry out the provisions of section 318 and title VI of the Act, as amended, and parts B and C of the Mental Retardation Facilities Construction Act (42 U.S.C. 2661–2677), and, except as otherwise provided, the Community Mental Health Centers Act (42 U.S.C. 2681–2687), $303,304,000, of which $160,000,000 shall be for grants or loans for hospitals and related facilities pursuant to section 601(b) of the Public Health Service Act, $100,000,000 shall be for grants or loans for facilities pursuant to section 601(a) of the Public Health Service Act, and of which $1,500,000 shall be available until expended, without regard to any other requirements, for payment of not to exceed 66⅔ per centum of the cost of construction of a multiservice facility for the physically and mentally handicapped, $5,000,000 shall be for special project grants pursuant to section 318 of the Public Health Service Act, $12,568,000 (including not to exceed $6,900,000 for experimental hospital construction) shall be for the purposes authorized in section 624 of the Public Health Service Act, $10,000,000, to remain available until expended, shall be for grants for facilities pursuant to part B of the Mental Retardation Facilities Construction Act, and $12,500,000 shall be for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act: *Provided*, That there may be transferred to this appropriation from 'Construction of community mental health centers' an amount not to exceed the sum of the allotment adjustments made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act: *Provided further*, That funds made available for the purposes authorized in section 624 of the Act shall not be used to pay in excess of two-thirds of the cost of any experimental or demonstration construction or equipment project to which section 3(b)(4) of the Hospital and Medical Facilities Amendments of 1964 applies."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,857,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$58,210,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$122,638,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,806,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$212,469,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$95,653,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken and inserted by said amendment insert the following:

"For grants and contracts for demonstration, evaluation, and training projects, and for technical assistance, relating to control of juvenile delinquency and youth offenses, and for salaries and expenses in connection therewith, $6,750,000, of which $1,750,000 shall be for the demonstration and evaluation project in the Washington metropolitan area pursuant to section 9 of the Juvenile Delinquency and Youth Offenses Control Act of 1961."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 23, 41, 47, 49, and 50.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
DANIEL J. FLOOD,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
FRANK T. BOW,
Managers on the Part of the House.

LISTER HILL,
JOHN STENNIS,
JOHN O. PASTORE,
ALAN BIBLE,
ROBERT C. BYRD,
NORRIS COTTON,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7765) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Manpower Administration

Amendment No. 1.—Appropriates $10,000,000 for Advances for Employment Services instead of $20,000,000 as proposed by the Senate. Since the preparation of the budget, the estimate of insured unemployment has been reduced. The resulting savings in administrative expenses under the Grants to States appropriation is approximately $10,000,000. The conferees are agreed that this additional sum be used for the same purposes specified by the Senate in connection with amendment no. 1.

Wage and labor standards

Amendment No. 2.—Provides $387,000 for the President's Committee on Employment of the Handicapped as proposed by the Senate instead of $364,500 as proposed by the House.

Amendment No. 3.—Appropriates $3,242,500 for the Bureau of Labor Standards, salaries and expenses, as proposed by the Senate instead of $3,220,000 as proposed by the House.

Bureau of Labor Statistics

Amendment No. 4: Appropriates $19,726,000 for salaries and expenses as proposed by the Senate instead of $19,601,000 as proposed by the House.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 5: Appropriates $5,720,000 for buildings and facilities as proposed by the House instead of $6,324,000 as proposed by the Senate.

Office of Education

Amendment No. 6: Appropriates $252,491,000 for expansion and improvement of vocational education as proposed by the Senate instead of $262,491,000 as proposed by the House.

Amendment No. 7: Deletes $10,000,000 for two residential vocational education schools as proposed by the House.

Amendment No. 8: Appropriates $632,700,000 for higher education facilities construction as proposed by the Senate instead of $641,750,000 as proposed by the House.

Amendment No. 9: Provides $2,000,000 for the purpose authorized in section 105 of the Higher Education Facilities Act of 1963 as proposed by the Senate.

Amendment No. 10: Provides $110,000,000 for loans for construction of academic facilities under title III as proposed by the Senate instead of $119,050,000 as proposed by the House.

Vocational Rehabilitation Administration

Amendment No. 11: Appropriates $46,045,000 for research and training as proposed by the House instead of $46,095,000 as proposed by the Senate.

Public Health Service

Amendment No. 12: Deletes language proposed by the Senate to increase certain salaries above the amount now authorized by law.

Amendment No. 13: Appropriates $8,977,000 for buildings and facilities as proposed by the Senate instead of $9,431,000 as proposed by the House. The conferees are agreed that unobligated balances of funds previously appropriated for planning and site acquisition for regional water pollution control laboratories shall be utilized to plan facilities in the area of Columbia, Missouri, Vicksburg-Jackson, Mississippi, and the Wisconsin State University at Stevens Point, Wisconsin.

Amendment No. 14: Appropriates $4,350,000 for injury control instead of $4,500,000 as proposed by the House and $4,199,000 as proposed by the Senate.

Amendment No. 15: Appropriates $67,453,000 for chronic diseases and health of the aged as proposed by the Senate instead of $66,453,000 as proposed by the House.

Amendment No. 16: Appropriates $31,497,000 for communicable disease activities as proposed by the Senate instead of $31,347,000 as proposed by the House.

Amendment No. 17: Appropriates $55,482,000 for community health practice and research as proposed by the Senate instead of $60,482,000 as proposed by the House.

Amendment No. 18: Appropriates $8,383,000 for dental services and resources as proposed by the Senate instead of $7,903,000 as proposed by the House.

Amendment No. 19: Appropriates $19,575,000 for nursing services and resources instead of $21,075,000 as proposed by the House and $18,075,000 as proposed by the Senate.

Amendment No. 20: Appropriates $303,304,000 for hospital construction activities as proposed by the Senate instead of $259,089,000 as proposed by the House and restores $1,500,000 for a multiservice facility for the physically and mentally handicapped as proposed by the House and deleted by the Senate.

Amendment No. 21: Appropriates $15,983,000 for environmental health sciences as proposed by the Senate instead of $15,933,000 as proposed by the House.

Amendment No. 22: Appropriates $5,857,000 for occupational health instead of $5,724,000 as proposed by the House and $5,990,000 as proposed by the Senate.

Amendment No. 23: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $91,000,000 for grants for waste treatment works construction instead of $100,000,000 as proposed by the House.

Amendment No. 24: Appropriates $58,210,000 for hospitals and medical care instead of $57,710,000 as proposed by the House and $58,710,000 as proposed by the Senate.

Amendment No. 25: Appropriates $60,469,000 for general research and services, National Institutes of Health as proposed by the Senate instead of $59,969,000 as proposed by the House.

Amendment No. 26: Appropriates $122,638,000 for National Institute of General Medical Sciences instead of $122,338,000 as proposed by the House and $124,838,000 as proposed by the Senate.

Amendment No. 27: Appropriates $6,806,000 for biologics standards instead of $6,406,000 as proposed by the House and $7,206,000 as proposed by the Senate.

Amendment No. 28: Appropriates $55,024,000 for National Institute of Child Health and Human Development as proposed by the Senate instead of $53,524,000 as proposed by the House.

Amendment No. 29: Appropriates $158,618,000 for National Cancer Institute as proposed by the Senate instead of $153,618,000 as proposed by the House and deletes language proposed by the House.

Amendment No. 30: Appropriates $212,469,000 for National Institute of Mental Health instead of $208,969,000 as proposed by the House and $215,969,000 as proposed by the Senate.

Amendment No. 31: Appropriates $136,412,000 for National Heart Institute as proposed by the House instead of $138,412,000 as proposed by the Senate.

Amendment No. 32: Appropriates $23,677,000 for National Institute of Dental Research as proposed by the Senate instead of $22,177,000 as proposed by the House.

Amendment No. 33: Appropriates $123,203,000 for National Institute of Arthritis and Metabolic Diseases as proposed by the Senate instead of $121,203,000 as proposed by the House.

Amendment No. 34: Appropriates $77,987,000 for National Institute of Allergy and Infectious Diseases as proposed by the Senate instead of $74,987,000 as proposed by the House. The conferees are agreed that the Senate increase of $3,000,000 shall be utilized as follows: (a) $1,000,000 for additional work on the development of a rubella (German measles) vaccine; (b) $750,000 for additional work on the development of respiratory virus vaccines; (c) $1,000,000 for additional research on emphysema; and (d) $250,000 for additional research on organ transplantation and transplantation immunology.

In connection with the first item above, the conferees are aware that drug companies are doing work in this area and that at least one company has already expended a substantial amount of its own funds on such activities. This appropriation is not intended to result, in any way, an encroachment on private industry, in fact the conferees are unanimous in their feeling that such activities on the part of private industry should be applauded and encouraged. Federal funds are earmarked to complement the work being done by private industry in the development of a German measles vaccine because of the very strong public interest. It is estimated that just the one epidemic in the spring of 1964 resulted in the birth of 20,000 defective babies. In view of such a national disaster the conferees feel that no avenue that gives promise of progress in the development of a vaccine should be overlooked.

Amendment No. 35: Appropriates $95,653,000 for National Institute of Neurological Diseases and Blindness instead of $95,153,000 as proposed by the House and $96,653,000 as proposed by the Senate.

Amendment No. 36: Earmarks $45,200,000 for general research support grants as proposed by the House instead of $50,000,000 as proposed by the Senate. The conferees are agreed that the two Committees on Appropriations should receive monthly reports on the use of these funds with particular attention and comment made with respect to the progress on making grants to the nonhealth graduate facilities.

Amendment No. 37: Appropriates $5,000,000 for scientific activities overseas (special foreign currency program) as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 38: Appropriates $5,510,000 for National Library of Medicine as proposed by the Senate instead of $5,010,000 as proposed by the House.

Welfare administration

Amendment No. 39: Appropriates $6,750,000 for juvenile delinquency and youth offenses instead of $1,750,000 as proposed by the House and $8,250,000 as proposed by the Senate.

Amendment No. 40: Appropriates $1,175,000 for the Office of the Commissioner of Welfare as proposed by the House instead of $1,235,000 as proposed by the Senate.

Amendment No. 41: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts language prohibiting an increase in tuition at Gallaudet College.

Amendment No. 42: Appropriates $384,000 for Gallaudet College, construction as proposed by the Senate instead of $308,000 as proposed by the House.

Amendment No. 43: Appropriates $8,826,000 for educational television facilities as proposed by the House instead of $300,000 as proposed by the Senate.

Amendment No. 44: Inserts language proposed by the House and deleted by the Senate which requires cost sharing by recipients of research grants.

Amendments Nos. 45 and 46: Adjust section numbers.

Amendment No. 47: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language proposed by the Senate to prohibit any requirement that the American Printing House for the Blind pay to the United States any interest earned on payments made to it before July 1, 1964.

Amendment No. 48: Deletes language proposed by the Senate.

Amendment No. 49: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language authorizing the Secretary of Health, Education, and Welfare to audit expenditures, by certain institutions, of funds appropriated in the bill.

Amendment No. 50: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language limiting the number of permanent Federal positions in the Department of Health, Education, and Welfare in the Washington area.

Amendment No. 51: Deletes language proposed by the Senate.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
DANIEL J. FLOOD,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
FRANK T. BOW,
Managers on the Part of the House.

The SPEAKER. The gentleman from Rhode Island [Mr. FOGARTY] is recognized for 1 hour.

Mr. FOGARTY. Mr. Speaker, this is a unanimous conference report. All of the conferees, both of the House and the Senate, signed it.

Considering the number of items in the bill and the amount of money involved, the Senate made rather small changes. The net effect of their dollar changes was to increase the bill $59,067,500, or less than 1 percent.

The conference agreement looks a little lopsided when one looks just at the totals. It is $47,297,500 over the House bill and only $11,770,000 under the Senate bill. However, $44,215,000 of the increase over the House was for grants under the appropriation "Hospital construction activities." So for all of the rest of the bill the conference agreement is only $3 million over the House. Especially in view of the new demands that will be made on hospital facilities because of the medicare program, the House conferees felt justified in receding to the Senate on the hospital construction item.

Following is a table which shows, for the three major divisions of the bill, the appropriation for 1965, and the 1966 amounts at various stages of consideration with appropriate comparisons:

Departments of Labor, and Health, Education, and Welfare, and related agencies appropriation bill, 1966

	1965 appropriation	1966 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriation	Budget estimate	House	Senate
Department of Labor	$668,316,500	$588,144,000	$537,460,000	$557,607,500	$547,607,500	−$120,709,000	−$40,536,500	+$10,147,500	−$10,000,000
Department of Health, Education, and Welfare	6,985,726,000	7,652,074,000	7,373,020,000	7,411,940,000	7,410,170,000	+424,444,000	−241,904,000	+37,150,000	−1,770,000
Related agencies	48,352,500	53,596,000	53,554,000	53,554,000	53,554,000	+5,201,500	−42,000		
Total	7,702,395,000	8,293,814,000	7,964,034,000	8,023,101,500	8,011,331,500	+308,936,500	−282,482,500	+47,297,500	−11,770,000

This is one Senate amendment, that does not change appropriations in the bill, that I would like to comment on. This is section 203 of the general provisions in title II which requires that there be some degree of cost sharing on the part of the recipients of research grants. This was stricken by the Senate but their conferees receded in conference so under the conference report we are considering it is in the bill.

There has been a great deal of apprehension on the part of some people and a certain amount of misunderstanding. The most serious misunderstanding is that some have gained the idea that this provision was meant to require the grant recipients to bear a greater portion of the cost than under the requirement of former years that no recipient receive more than 20 percent of the direct cost of a research project as the allowance for indirect costs.

Since a few grantees are now receiving grants equal to a full 100 percent of all costs, it is obvious that, even if the grantee is required to contribute one-tenth of 1 percent, he is contributing more than before. However, these instances are the exception and involve a very, very small percentage of all grantees. In making the change from the flat limitation on payments for indirect costs, the committee had in mind not only providing a more equitable method of cost sharing, but also liberalizing the cost sharing for the vast majority of grantees. The National Institutes of Health is involved in this matter to a much greater extent than any other unit in the Department. While there are considerable indirect benefits to the large majority of the NIH grantees, the primary and direct benefits are to the Nation as a whole. I have discussed this matter with the coauthor of the language in section 203, the gentleman from Wisconsin [Mr. LAIRD], and we agree that for grants of this type cost sharing by the grantee should not be more than 5 percent.

Mr. Speaker, I ask unanimous consent that all Members may be allowed to revise and extend their remarks on this conference report.

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

There was no objection.

Mr. FOGARTY. I yield to the distinguished minority Member, the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I thank the gentleman from Rhode Island for yielding to me. The gentleman from Rhode Island has explained section 203 of the general provisions in title II concerning cost sharing on research grants correctly. As coauthor of this section I concur completely with the statement he has made.

The conference report, as set forth by the gentleman from Rhode Island, has increases of $47 million over the House appropriation which were agreed to in conference committees; $45 million of this increase is in the hospital construction area under the Hill-Burton hospital construction program. With the new medicare program, additional money will be needed even above that to be provided by this bill.

In addition to the $8 billion appropriated from the general funds of the Treasury in this conference report, some $24 billion is authorized for expenditure from various trust funds, including the unemployment compensation trust fund and the social security trust fund.

We will have two additional supplemental appropriation bills in this session dealing with other new areas of concern of the Department of Health, Education, and Welfare. Next week we will have the first of these supplemental bills. This will be followed by one in the last week of this first session of the 89th Congress.

This conference report is the best agreement we could work out between the figures of the Senate and the House passed bills.

Mr. FOGARTY. Mr. Speaker, I yield to the gentleman from Iowa, Mr. GROSS.

Mr. GROSS. I thank the gentleman for yielding.

I seem to gain from the statement just made by the gentleman from Wisconsin that this $8.1 billion is only the first chapter in the book on appropriations for Health, Education, and Welfare; that we will have two more chapters coming real soon by way of supplemental appropriation bills.

Mr. FOGARTY. I believe we will have a supplemental up next week. The requests in connection with it total about a billion and a half dollars. And before we adjourn we may have another for a billion and a half or two billion dollars.

Mr. GROSS. I am sorry the gentleman from Arkansas, Mr. MILLS, is not present to hear this sad news, because he told the House it would have to reduce expenditures if it approved the tax reduction bill about a year ago.

Now we are going from $8,011 million in this bill to an unknown supplemental next week and to an unknown figure in another supplemental before this session adjourns, if it ever adjourns. What will be the end of this kind of business? Does the gentleman have any idea?

Mr. FOGARTY. I do not know where the end will come. I am going to keep going and going until we take adequate care of as many people as we possibly can who so badly need better educational opportunities, better health services and the other things provided for by this bill. That is what the President wants to do, and that is what we have been passing this legislation in this session of Congress to try to accomplish.

Mr. GROSS. I want to be sure to take care of the President. If he is on a spending spree, I want to be sure he is taken care of.

Mr. FOGARTY. We are doing the best we can in this bill.

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

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

Mr. EDMONDSON. I thank the gentleman for yielding.

I am concerned by the impact of amendment No. 7, which was agreed to in the conference, deleting $10 million which had been contained in the House bill for two pilot residential vocational training schools, which are urgently needed. I hope this sum can still be provided in this session.

Can the very able chairman tell me if there is any chance of regaining that sum in one of these two supplementals which are coming, down the road?

Mr. FOGARTY. From the way the other body reacted a year ago to this particular proposition, and the way they did this year, I am rather doubtful. It was just impossible to get the Senate conferees to agree to these two schools. We have tried on two or three occasions. They were adamant about it, so we gave in to the Senate finally on these two schools.

I do not believe the chances this year are very good, to be honest with the gentleman.

Mr. EDMONDSON. The gentleman is always honest. I know he is one who has supported this program, which has been authorized now for several years by the Congress, for five of these pilot residential vocational training schools to be constructed across the country.

Can the chairman suggest what approach might be taken to get a change in the attitude on the other side of the Capitol on this particular subject?

Mr. FOGARTY. The gentleman from Oklahoma has been here for a long time. He knows his way around the Capitol as well as I do, or perhaps better. I really do not know what to say to you. We did our best.

Mr. MICHEL. Mr. Speaker, as one of the conferees, I am happy to support the conference report on the Labor-HEW appropriation bill for the fiscal year 1966. I want to subscribe to everything the ranking member of our subcommittee, the gentleman from Wisconsin [Mr. LAIRD] has said previously and in addition that I am very happy the House position prevailed with respect to section 601(a) of the Public Health Service Act, and more specifically, to the item of $1,500,000 which "shall be available until expended, without regard to any other requirements, for payment of not to exceed 66⅔ percent of the cost of construction of a multiservice facility for the physically and mentally handicapped."

This, of course, has reference to the project out in my home community of Peoria, Ill. Widespread public interest in Peoria and elsewhere around the country in mental health has resulted in a national commitment to the establishment of community mental health programs. I realize the success of community mental health programs depends in large measure on the development of State and local financial and other support, and I am pleased to report that the Peoria, Ill., County Board of Supervisors has already appropriated $300,000 to the project, and I am confident an additional $450,000 will be raised locally.

Mr. Speaker, new or prospective Federal programs will have a profound effect on the roles of State and local governments in the support of community mental health programs. There is a continuing need for evaluation of the scope of services performed by mental health centers established under all such programs, to the end that there be a strong commitment to identify and resolve problems of human development and social adjustment which are of public concern, including critical needs for diagnostic and evaluative services for the mentally and physically retarded.

I am proud to state that Peoria, in cooperation with the Federal Government, will lead the way in this area. To elaborate on this point, I wish to include excerpts from my testimony before our subcommittee during the hearings on this bill. The testimony follows:

MENTAL RETARDATION FACILITIES CONSTRUCTION

Mr. Secretary, on page 9 of your prepared statement, I was very interested and pleased to note your comments on mental retardation and particularly those concerning the Mental Retardation Facilities Construction Act. You indicate your program supports projects aimed at demonstrating modern and improved methods of patient care. I heartily endorse these goals and am proud to advise you that my hometown of Peoria, Ill., stands ready and prepared to assist, and, yes, even lead the way.

PEORIA, ILL., PROJECT

The Peoria allied agency project is truly a model for the Nation. The Peoria officials have used as guidelines President Kennedy's Panel on Mental Retardation and the Illinois Commission on Mental Retardation. At this point I think it is important to quote from President Kennedy's special message to the Congress on "Mental Illness and Mental Retardation," February 5, 1963:

"Central to a new mental health program is comprehensive community care. Merely pouring Federal funds into a continuation of the outmoded type of institutional care which now prevails would make little difference. We need a new type of health facility, one which will return mental health care to the mainstream of American medicine, and at the same time upgrade mental health services. * * * While the essential concept of the comprehensive community mental health center is new, the separate elements which would be combined in it are presently found in many communities: diagnostic and evaluation services, emergency psychiatric units, outpatient services, inpatient services, day and night care, foster home care, rehabilitation, consultative services to other community agencies, and mental health information and education. * * * As his needs change, the patient could move without delay or difficulty to different services—from diagnosis, to cure, to rehabilitation—without need to transfer to different institutions located in different communities. * * * Private physicians, including general practitioners, psychiatrists, and other medical specialists, would all be able to participate directly and cooperatively in the work of the

center. For the first time, a large proportion of our private practitioners will have the opportunity to treat their patients in a mental health facility served by an auxiliary professional staff that is directly and quickly available for outpatient and inpatient care."

Also, I think we should call attention to the fact that we in Illinois are most fortunate to have Dr. Samuel Kirk as director of the Institute of Research on Exceptional Children at the University of Illinois. Dr. Kirk has worked closely with the Peoria planners on this project. As you know, Mr. Secretary, President Kennedy appointed Dr. Kirk to head the Division of Handicapped Children and Youth in the U.S. Office of Education.

Three facilities in Peoria presently carry a caseload of 600 children and adults, over 90 percent of whom are mentally retarded. The facilities are widely separated in the metropolitan area. The retarded school, one of the three facilities, will be closed on June 30, 1965, because it does not meet the newly enacted "Life Safety Code for Schools." The school was built in 1890 and abandoned by the board of education 8 years ago. If construction begins by June 30 of this year, emergency measures will be taken to meet safety standards until the new building is completed. If construction does not begin, we have no way to take care of these people who need our help so much.

Mr. Secretary, the allied agency project is designed for a campus complex of four buildings plus a residential sheltered care facility located apart from but near the campus complex. This complex will house eight community agencies providing diagnostic, counseling, training, and educational services under medical supervision with opportunities for research projects for the mentally and physically handicapped. The total project will be under the supervision of a medical staff of 12 representing the fields of pediatrics, neurology, orthopedics, physiatry, psychiatry, obstetrics, internal medicine, and dentistry. The land for the project has already been acquired with the site being located adjacent to the well-known Institute of Physical Medicine and Rehabilitation and between two of the largest general hospitals in the Midwest.

The Peoria planners have worked closely with the University of Illinois, Illinois State University, and Bradley University. These institutions have prepared curriculums for cooperative use of the allied agency complex. The opinion obtained at the Public Health Service on February 19 stated that there is no question but what the university affiliation is valid. Dr. Robert Henderson, working with Dr. Samuel Kirk at the University of Illinois, stated:

"Your facility marks a unique development of the multidisciplinary concept of diagnosis, care, and treatment of handicapped individuals. I would anticipate a strong liaison being established between the Institute for Research on Exceptional Children and your new facility. In summary the university is anticipating considerable observation, practicum, and research utilization of your proposed facility. As you know, I feel very strongly that this facility will provide a prototype for others throughout the United States, and wish to offer my continuing support and assistance to your group in the fulfillment of this most worthwhile project."

Mr. Secretary, in checking with the Public Health Service on February 19, we found the Peoria allied agency project was still unique in the Nation and came nearer to meeting the total recommendations of President Kennedy's Panel on Mental Retardation than any other plan yet submitted. It was also interesting to note that the Peoria request for Federal funds was among the smallest. It was convinced that the Public Health Service definitely feels this is a program of excellence. Mr. Secretary, the allied agency project can be a model throughout the Nation.

Mr. Speaker, at the 57th National Governors' Conference in July, a resolution was adopted requesting the Council of State Governments and the National Institute of Mental Health to cosponsor a national conference on this subject and I would urge the parties concerned to schedule such a conference at the earliest possible time.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 3, line 10:

"ADVANCES FOR EMPLOYMENT SERVICES

"For advances to the account 'Grants to States for Unemployment Compensation and Employment Service Administration' for employment services, $20,000,000, to be in addition to amounts otherwise available in that account and to be repaid as may be hereafter provided by law."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 1: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$10,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 31, line 21:

"For payments under section 6 of the Water Pollution Control Act, as amended (33 U.S.C. 466h), $100,000,000.

"For payments under section 6 of the Water Pollution Control Act, as amended (33 U.S.C. 466e), $91,000,000: *Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $100,000,000: *Provided further*, That none of the sums allotted to a State shall remain available for obligation after December 31, 1966."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 23: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 47, line 16: ": *Provided further*, That the tuition rate for the current school year shall not exceed the rate for the preceding school year."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 41: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 47: Page 51, line 22: "; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 47: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 52, line 7:

"SEC. 206. Expenditures from funds appropriated under this title to the American Printing House for the Blind, Howard University and Gallaudet College shall be subject to audit by the Secretary of Health, Education, and Welfare."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 49: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 49 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: Page 52, line 11:

"SEC. 207. None of the funds contained in this title shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1965."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment No. 50: Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

MAKING ACCOUNTING ADJUSTMENTS BETWEEN APPROPRIATIONS

Mr. ROSENTHAL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6438) to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to

limitations applicable with respect to each appropriation concerned, each appropriation available to any executive department or independent establishment of the Government, or any bureau or office thereof, may be charged, at any time during a fiscal year, for the benefit of any other appropriation available to such executive department or independent establishment, or any bureau or office thereof, for the purpose of financing the procurement of materials and services, or financing other costs, for which funds are available both in the financing appropriation to be charged and in the appropriation so benefited. Such expenses so financed shall be charged on a final basis during, or as of the close of, such fiscal year to the appropriation so benefited, with appropriate credit to the financing appropriation.

SEC. 2. (a) Section 14 of title 13, United States Code, is hereby repealed.

(b) The table of contents of subchapter I of chapter 1 of such title 13 is amended by striking out

"14. Reimbursement between appropriations.".

SEC. 3. Nothing contained in this Act shall be construed as affecting in any manner the provisions of section 632(g) of the Foreign Assistance Act of 1961, approved September 4, 1961 (75 Stat. 454).

Amend the title so as to read: "A bill to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, H.R. 6438 was introduced at the suggestion of the General Accounting Office. It would permit departments and agencies to make reimbursements between annual appropriations available to them to finance the procurement of materials and services or for other costs. The measure is an outgrowth of the work of the joint accounting improvement program in which the Bureau of the Budget, the Department of the Treasury, and the General Accounting Office participated. The authority would give a certain flexibility in reimbursements between separate appropriations that are being administered by a single department or bureau. The bill is necessary because present law—31 U.S.C. 628—and decisions of the Comptroller General do not permit reimbursements and transfer of funds between appropriations in the absence of expressed statutory authority.

It will permit any appropriation made available to an agency to be used for initially financing the procurement of materials and services or financing activities or other costs for which funds are available in other appropriations of an agency, subject to final adjustment not later than the close of each fiscal year of the charges to the benefiting appropriations with credit to the financing appropriations. The authority provided by the bill would facilitate the accounting and payrolling for common service types of activities such as supplying inventories, technical services, and joint use of automatic data processing equipment. We were advised that it would promote economies through permitting the establishment of joint service activities rather than having duplicate activities maintained by several offices in a bureau or agency.

The Bureau of the Census was granted this authority in 1962, and it has worked satisfactorily since then. A few other agencies have experimented also. This bill has been approved by the Bureau of the Budget and all reporting agencies, and was recommended unanimously by the Committee on Government Operations.

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

Mr. Speaker, the bill H.R. 6438, is endorsed by the General Accounting Office, the Bureau of the Budget, and the Department of the Treasury. This bill would allow a facility within a bureau to use the separate appropriations available to that bureau as they see fit during the year and, by the end of the fiscal year, to make the necessary adjustments. It would provide, for instance, the ability within the bureau to make bulk purchases of paper and other supplies they might need for various purposes, coming out of separate appropriations, and then make the adjustments within the appropriations rather than to draw separate checks. It would allow, for instance, a bureau to use a common facility, such as a computer, without predetermining what percentage of the use of this common facility would be chargeable to one particular appropriation or another. For the reason that this will give the bureau the facility that it should have, it will promote economy and therefore is endorsed by the Bureau of the Budget and the General Accounting Office. It is a good bill and I believe it should be passed.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 6438, with amendments?

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

The title was amended so as to read: "A bill to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof."

A motion to reconsider was laid on the table.

CHECKS DRAWN IN FAVOR OF BANKING ORGANIZATIONS

Mr. ROSENTHAL. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 4653, to authorize checks to be drawn in favor of banking organizations for the credit of a person's account, under certain conditions, with a committee amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), is amended—

(1) by inserting the designation "(a)" before the word "It" at the beginning thereof; and

(2) by adding the following new subsections at the end thereof:

"(b) Notwithstanding subsection (a) or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency may, upon the written request of a person to whom a payment is to be made, authorize a disbursing officer to make the payment—

"(1) by sending to the bank, savings institution, or Federal or State chartered credit union designated by that person a check that is drawn in favor of that organization and for credit to the account of that person; or

"(2) if more than one person to whom a payment is to be made designates the same banking organization, by sending to the organization a check that is drawn in favor of the organization for the total amount due those persons and by specifying the amount to be credited to the account of each of those persons.

In this subsection, 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative, or judicial branch, of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia.

"(c) Payment by the United States of a check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the person requesting payment."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, H.R. 4653 was introduced at the request of the Department of the Air Force but would apply to all Government departments and agencies. The legislation would permit Government agencies, under regulations to be issued by the Treasury Department, to send checks to banks and mutual savings banks, savings and loan associations, credit unions, and other banking organizations to be deposited to the accounts of employees or other persons who regularly receive Government checks. Where more than one person designates the same bank or institution as his depository, a single check may be drawn by the Federal department or agency in favor of that bank or institution, accompanied by a list of the names of the payees and the amounts to be credited to their individual accounts.

The customary procedure now is for checks to be drawn in favor of the individual payee himself even though many such checks may be sent to a designated bank for deposit.

This bill is necessary because of a Comptroller General's ruling of December 2, 1963, which held that a single check of this nature was contrary to

law. It is believed that savings may be obtained where this new procedure is followed, especially when a large number of employees have designated a particular institution.

The Bureau of the Budget, the Comptroller General, and all reporting agencies approve the legislation, believing that simplified procedures leading to economies will result. The Committee on Government Operations approved the bill unanimously.

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

Mr. ROSENTHAL. I would be happy to yield to the gentleman from Illinois.

Mr. COLLIER. Can the gentleman tell me offhand the number of the Senate companion bill?

Mr. ROSENTHAL. The Senate passed this bill on August 3, 1965. The companion bill is S. 1309.

Mr. COLLIER. I thank the gentleman.

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

Mr. Speaker, I feel that the gentleman from New York [Mr. ROSENTHAL] has pretty thoroughly explained this bill.

Mr. Speaker, the reasons that the bill is necessary is because of a ruling of the Office of the Comptroller General. The Comptroller General having been advised of the introduction of this bill has advised that he is not opposed to the passage of the bill and feels that it may be of some benefit.

Mr. Speaker, just so that we might understand the nature of this bill, I believe most of us use the facilities of the Sergeant at Arms here, of the House of Representatives, for the deposit of our own checks. In my own instance and in my own case since being here since the 1st of January, I have never seen a paycheck. It is automatically deposited, according to my understanding, with the account that is kept for me by the Sergeant at Arms.

Mr. Speaker, one of the members of the committee mentioned the fact that he had been a Member of Congress for more than 20 years and had never seen a paycheck because the procedure used of sending the check of a Member directly to the Sergeant at Arms for deposit. This bill would allow this same procedure to be used for the Air Force and Army and other agencies and departments of Government. It will also allow—and this is important, I believe—such an agency, when it has a large payroll, to send one check for deposit to the bank for many employees and therefore would reduce the number of checks that would have to be drawn and processed.

Mr. Speaker, there was no opposition to this bill in the committee. It is a good bill and I think it should be passed.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I would be glad to yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. May I ask the gentleman if this bill applies to all Federal agencies, wherever located?

Mr. ERLENBORN. Yes, this would apply to all Federal agencies, wherever located, subject to rules and regulations promulgated by the Department of the Treasury.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. ERLENBORN. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 4653, as amended.

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

A motion to reconsider was laid on the table.

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1309) to authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions, a similar bill to the one just passed.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), is amended—

(1) by inserting the designation "(a)" before the word "It" at the beginning thereof; and

(2) by adding the following new subsections at the end thereof:

"(b) Notwithstanding subsection (a) or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency may, upon the written request of a person to whom a payment is to be made, authorize a disbursing officer to make the payment—

"(1) by sending to the financial organization designated by that person a check that is drawn in favor of that organization and for credit to the account of that person; or

"(2) if more than one person to whom a payment is to be made designates the same financial organization, by sending to the organization a check that is drawn in favor of the organization for the total amount due those persons and by specifying the amount to be credited to the account of each of those persons.

In this subsection, 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative, or judicial branch, of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; 'financial organization' means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"(c) Payment by the United States of a check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the person requesting payment."

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

A similar House bill (H.R. 4653) was laid on the table.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an annual sum of $75,000 as a contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

The SPEAKER. Is a second demanded?

Mrs. BOLTON. Mr. Speaker, I demand a second.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

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

Mr. Speaker, the bill before us would authorize an annual contribution of not to exceed $75,000 to the International Committee of the Red Cross.

The International Committee of the Red Cross is an all-Swiss body which carries out the international principles of the Red Cross in situations where no individual government and no national Red Cross society is able to perform. Founded in Geneva in 1863, the International Committee is the mother organization of the Red Cross movement. It is formally recognized in the text of the Geneva conventions, to which the United States is a party, to supervise the application of the provisions of these international agreements relating to—

First. The amelioriation of the conditions of the wounded and sick in armed forces in the field.

Second. The amelioration of wounded, sick, and shipwrecked members of the armed forces at sea.

Third. The treatment of prisoners of war.

Fourth. The protection of civilian persons in time of war.

The International Committee of the Red Cross acts as a neutral organization and serves continuously in the troubled spots of the world to protect both military and civilian sufferers from military actions, including those resulting from internal and civil conflicts. The committee distributes relief and medical supplies, provides medical services, acts as an intermediary between parties to various international and civil conflicts, maintains facilities which attempt to trace and locate prisoners of war and other missing persons, and performs many other activities which carry out the fundamental principles of the Red Cross in situations in which these tasks cannot be carried out by the various national Red

Cross societies such as the American Red Cross.

The annual budget of the International Committee of the Red Cross is approximately $1 million. This budget is funded with voluntary contributions from various governments and from various national Red Cross societies. In 1964, 59 governments and 56 national Red Cross societies, including the American Red Cross, made voluntary contributions to the International Committee to meet its operating costs. The largest single contribution is generally made by the Government of Switzerland. In 1964 that contribution amounted to $231,000. Other large contributors included the United Kingdom, which country made a voluntary contribution of $28,000; the Government of the Federal Republic of Germany, with a contribution of $25,000; Australia, with $17,000; and others.

For several years—and in spite of the fact that most of the personnel services are contributed without compensation—the International Committee has encountered difficulties in meeting its operating expenses. This has been due to the large number of conflicts and crises in the world which result in repeated calls on the services of the International Committee. As a consequence, the International Committee has issued appeals to all governments and all national Red Cross societies for increased financial support.

Thus far, the U.S. Government has not made any voluntary contributions to the International Committee of the Red Cross, even though that committee has rendered many services which benefit the American people and our Government. For example, we can mention the role of the International Committee in alleviating suffering and restraining the rebels in the Congo from taking more severe action against many hostages, including a number of American citizens; also, the International Committee's activities in Cyprus, in Laos, in North and South Vietnam, and in the Dominican Republic.

The Committee on Foreign Affairs, having carefully considered this legislation, recommends its adoption for the following reasons:

First. The International Committee of the Red Cross is in need of increased financial support and has appealed for same.

Second. The activities of the International Committee have been of great interest to the United States and have benefited the American people abroad.

Third. The principle of voluntary support of the International Committee by governments is well established. During the past 10 years, some 68 governments have made voluntary contributions to the International Committee. The U.S. contribution would not, therefore, set a precedent.

Fourth. The proposed level of U.S. contribution—not to exceed $75,000 annually—is reasonable and related to the support which other governments have provided to the International Committee. Based on current levels of contributions it will amount—at a maximum—to approximately 15 percent of total governmental contributions.

Mr. Speaker, for the reasons I have enumerated, I urge House approval of H.R. 8715.

Mrs. BOLTON. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, it may be wondered why some of us are critical of the bill, H.R. 8715, which is before us at this time. Generally speaking, we all appreciate and acknowledge the tremendous amount of good which is done by the Red Cross, and more especially the American Red Cross.

Briefly, a basic reason that we find this bill objectionable is that the American Red Cross did not request $75,000 nor any other sum for this purpose. This action was taken entirely on State Department initiative, and it was that Department which fixed the amount of the contribution at $75,000.

A second item is the fact that this is the first time the International Committee of the Red Cross has ever received direct governmental assistance from the U.S. Government. If this is to set a pattern, it might well detract from the neutrality of this organization which was established in 1863. Or, on the other hand, it may lead to more and greater requests for contributions from our Government.

Basically, the International Committee of the Red Cross is a Swiss operation, although it does serve as a rallying point for many humanitarian activities. There is no real evidence that fundraising had been a problem with the organization. Last year's expenditures were met by contributions, we were told, from 59 governments and 56 national Red Cross societies. Our own American Red Cross contributed $44,851.89.

The International Committee is supported also by public contributions in Switzerland where, I am informed, it also serves as a sort of a national organization in addition to its international aspects. Switzerland is the only country which now contributes more than the American Red Cross.

Mr. Speaker, for these and other reasons, several of us on the Committee on Foreign Affairs are opposed to this bill. In order that our thinking upon the subject may be more fully understood, I include herewith our supplemental views from report No. 548 which accompanied H.R. 8715:

SUPPLEMENTAL VIEWS

We, the undersigned, firmly believe that H.R. 8715, which would authorize an annual sum of $75,000 as a U.S. Government contribution to the International Committee of the Red Cross, is inappropriate and ill advised.

The following exchange appears in the hearings of the subcommittee on this bill:

Question: "Did the American Red Cross approach the State Department and ask for $75,000 or did the State Department suggest to the Red Cross that they help provide $75,000 for this project?"

Witness: "No. I want to correct one impression. The figure of $75,000 is not a figure that is agreed upon with the International Committee of the Red Cross. It is a State Department figure."

Question: "At whose suggestion was the idea of $75,000 authorization and appropriation developed? Was that State Department initiative or American Red Cross initiative?"

Witness: "It was State Department initiative entirely."

However, the amount of the requested authorization is not the point at issue. In relation to our unwarranted generosity with contributions in numerous multilateral agencies and institutions, $75,000 would not be the largest amount authorized.

Our concern and the point we wish to emphasize is that any direct U.S. Government contribution could have discreditable repercussions for the ICRC. The State Department witness testified that the great asset of the ICRC is its reputation for impartiality and neutrality. Not having required any U.S. Government funds since founded in 1863, over a century ago, should they now accept a substantial sum far above normal, it might innocently open them to the charge of being under U.S. influence. It would detract immeasurably from their universal appeal if the U.S. Government were recognized as a substantial or even lopsided contributor. We acknowledge that the ICRC is welcome where the United States acting alone might be resented or met with hostility.

Misery and disasters caused by force majeur and acts of God are nonpolitical and should be alleviated via strictly humanitarian and spontaneous assistance—and this is the creed and primary job of the Red Cross. This concept might easily be dislocated by direct and specific action on the part of a government department positively identified with the conduct of foreign policy and the official pursuit of diplomatic relations. If the U.S. Government should contribute, is the State Department the proper channel? What would be the effect if such a contribution were channeled through the Central Intelligence Agency? Or the Department of Defense? It seems obvious that the American Red Cross is the proper source and channel.

Why extend the cold war into the International Committee of the Red Cross? Rightly or wrongly we would be vulnerable to this kind of comment and accusation if it becomes known abroad that the U.S. State Department fiddles with Red Cross contributions. In this connection, the modus operandi of the U.S.S.R. appears to provide a convincing point of considerable interest. The U.S.S.R. Government contribution is zero and that of the Russian Red Cross Society is a mere $3,766.17. The Government of the United Kingdom is included on the list of contributors. It would be surprising if their contribution were channeled through their Foreign Office.

We are not alone in our forebodings of possible disservice to the ICRC should U.S. Government funds tarnish its image. A recent report on overseas programs of private nonprofit American organizations based on a survey undertaken by one of our subcommittees details numerous emergency relief activities for victims of disasters. One of the conclusions brought out in the course of the survey is this:

A large majority of organizations responding to the questionnaire indicated a strong desire to avoid having programs tagged with ideological objectives having political connotations. They wish to maintain the very nonpolitical image which they have established abroad, and which is generally considered essential to the success of their overseas activities.

This is a position which we feel should be maintained by the ICRC. The ICRC is a Swiss operation as to personnel and direction. It serves as a rallying point for overall humanitarian activities and is a neutral center of initiative. Hearings have not pro-

duced any hard evidence that there existed any major fundraising problem. The 1964 actual expenditures of $1,045,728 were met by contributions from 59 governments and 56 National Red Cross Societies, including $44,851.89 from the American Red Cross. The balance was covered by donations from the general public in Switzerland and other countries, income from invested funds, and reimbursements and contributions toward relief operations in prior years. The budget has not increased extensively during recent years and is considerably less than during the earlier war years.

We are interested, as always, in saving money for the taxpayers of the United States. Therefore, we are positively opposed to this totally unnecessary authorization. As it stands now, the voluntary contribution of the American Red Cross exceeds every one of the other countries' dual amounts except the Swiss which is recognized as a very special case.

We are even more interested in preserving the universal acceptance, impartiality, and neutrality of the ICRC which would unavoidably be jeopardized by U.S. Government direct participation, because our noble intentions are so frequently misinterpreted. We are positively opposed to this ill-advised bill which has no justification and is so likely to compromise the worldwide effectiveness of the ICRC.

E. ROSS ADAIR.
ED DERWINSKI.
H. R. GROSS.
VERNON W. THOMSON.
E. Y. BERRY.

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

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

There was no objection.

Mrs. BOLTON. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I agree wholeheartedly with what the gentleman from Indiana [Mr. ADAIR] has said. It appears we have finally discovered the last international organization to which we have not been contributing Federal funds. I do not know of any other. Perhaps there are Members of the House who know of some international organization to which awe are not making a contribution. As the gentleman from Indiana has stated, the American Red Cross is already making an annual contribution and that ought to be sufficient. The International Red Cross has been in existence for I do not know how many years and the Federal Government of this country has not made a contribution to it. But lo and behold, with a national debt of $325 billion or approximately that, the State Department finds another international into which Congress can dump some money.

I say again, this is probably the last one in existence to which we have not contributed to, so the record now ought to be 100 percent, and we will clip another $75,000 out of the pockets of the taxpayers of this country.

Mr. Speaker, I am opposed to this bill.

Mrs. BOLTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Speaker, there are several questions which occur to me with respect to this legislation and its validity. I should like to ask if either the gentlewoman from Ohio or the gentleman from Indiana are able to supply answers.

As I observe from the transcript of the hearings, the United States has, by voluntary contributions, contributed in 1964 a sum in excess of $44,000. I should like to inquire whether there is any indication that we cannot increase the amount or that we cannot secure an adequate contribution to the International Red Cross through voluntary contributions. Was it shown in the committee hearings that it was impossible to get this rather modest sum of $75,000 through voluntary contributions?

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

Mr. MCCLORY. I yield to the gentleman from Indiana.

Mr. ADAIR. I would say to the gentleman that there is no indication that there will be any cessation of or substantial reduction in the contribution from the American Red Cross, which of course is based upon voluntary contributions from our people. I believe it reasonable to expect that this will continue.

Thus, the answer to the other portion of the gentleman's question is that $75,000, or up to that amount, which may be given directly from our Government, will be in addition to the voluntary contributions.

Furthermore, there was no evidence that it was impossible adequately to finance the International Committee of the Red Cross. That committee has been in existence, as I pointed out earlier, more than 100 years. So far as the evidence before us is concerned, it has always been adequately financed.

Mr. MCCLORY. I thank the gentleman.

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

I find myself unable to accept this bill. I had hoped to be able to, but when I understood that it meant that the Government would contribute directly I could not help but be opposed.

Much as I regret it, I believe fully it would be far wiser for us not to intrude our Government into the International Red Cross, when already the people of the United States are expressing themselves generously to the National Red Cross.

Mr. FASCELL. Mr. Speaker, I yield myself 1 minute.

As I stated earlier, we are not setting a precedent by a governmental contribution to the International Committee of the Red Cross, because some 59 governments do now contribute. Admittedly, this is the first time the United States would make a voluntary contribution as a government to that society.

The National Red Cross societies themselves do make individual contributions from their own societies. So far as I know, that would likewise continue.

With respect to the necessity, this is, of course, a matter of opinion. I respect those who have different opinions.

As pointed out in the hearings on pages 8 and 9 and as pointed out in the report, the request for funds to help with budgetary problems did come from the international committee in 1963 and was followed up by specific requests to all governments to increase contributions, including the U.S. Government. This is the reason why this was initiated by our own Department of State.

The SPEAKER pro tempore (Mr. YATES). The question is on the motion of the gentleman from Florida that the House suspend the rules and pass the bill H.R. 8715.

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

A motion to reconsider was laid on the table.

AMENDING TITLE V—RELATING TO CLAIMS AGAINST CUBA

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9336) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The Clerk read as follows:

H.R. 9336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 4. Section 507(a) of such Act (22 U.S.C. 1643f) is amended by striking out ", together with a statement of the evidence relied upon and the reasoning employed in reaching its decision".

SEC. 5. Section 511 of such Act (22 U.S.C 1643j) is amended to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums, not to exceed $750,000, as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

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

Mrs. BOLTON. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 9336 which is to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

In the last session of Congress a similar bill was passed by this same body authorizing the adjudication of claims by U.S. citizens against the Castro government. In the closing days of last year's session, the other body voted out a bill which differed from the House version. On the last day of the session and for no other purpose in mind other than to have Cuban claims on our statute books, we reluctantly accepted the Senate version.

H.R. 9336 is similar to the bill passed last year. An authorization for an appropriation for adjudication expenses is limited to $750,000, and is the same as provided by the House version last year. When a settlement with a free and independent Government of Cuba is agreed upon and paid, the United States will be reimbursed for the administrative expenses in the adjudication of these claims.

The enactment of this legislation is not to be construed as any intention to authorize an appropriation now or in the future of Federal funds for the purpose of paying the claims of U.S. nationals against the Government of Cuba. This bill provides only for the receipt and determination by the Foreign Claims Settlement Commission of the amount and validity of claims of U.S. nationals against the Government of Cuba.

The other amendments referred to in this bill are substantive and relate to the principles of international law and domestic laws; such as, statute of limitations, and laches.

More than 5 years have passed since the Castro government began confiscating the property of U.S. nationals and prompt adjudication of claims would be in the best interests of all concerned.

H.R. 9336 provides the necessary authority to set the machinery in motion for an orderly determination of the amount and validity of claims of U.S. nationals against the Government of Cuba while the means of documenting and supporting such claims are still available. Adjudication of such claims have been delayed because of a lack of an appropriation. If this matter is further delayed, witnesses and claimants may die and records may be lost, thus making it increasingly difficult to substantiate claims. Moreover, the prompt receipt and determination of amounts and validity of the claims will provide the Department of State with an accurate record for use in any future negotiations.

For these reasons, I urgently recommend that H.R. 9336 be passed by the House.

Mrs. BOLTON. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I desire to commend the gentleman from Florida [Mr. FASCELL] for this bill. I served on the subcommittee which considered this legislation. I think it is good legislation and ought to be passed.

The SPEAKER pro tempore. There being no further requests for time, the question is on the motion of the gentleman from Florida that the House suspend the rules and pass the bill H.R. 9336.

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

A motion to reconsider was laid on the table.

GORGAS MEMORIAL LABORATORY

Mr. SELDEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 511), with amendment to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

The Clerk read as follows:

S. 511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective for fiscal years ending after June 30, 1963, the first section of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory", approved May 7, 1928, as amended (45 Stat. 491; 22 U.S.C. 278), is amended by striking out "$250,000" and inserting in lieu thereof "not to exceed $500,000".

The SPEAKER pro tempore. Is a second demanded?

Mrs. BOLTON. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. SELDEN. Mr. Speaker, S. 511 would increase the annual authorization for appropriations for the Gorgas Memorial Laboratory from $250,000 to $500,000.

The laboratory was established in 1929 through legislative agreement between the Governments of the United States and the Republic of Panama. Since that time the Gorgas Laboratory has been performing a valuable, needed service in research in tropical diseases. Its research activities also have implications which extend beyond the tropics. Many of the human and animal diseases that flourish in tropical regions are also found in, or may spread to, the temperate zones.

The laboratory collaborates with many other research and public health organizations, including the Middle America Research Unit, a laboratory in the Canal Zone operated by the National Institute of Allergy and Infectious Diseases in collaboration with the Water Reed Army Institute of Research.

The Gorgas Memorial Laboratory, located in Panama City, Republic of Panama, is the operating research establishment of the Gorgas Memorial Institute, a private, domestic, nonstock corporation. U.S. contributions to the laboratory started in 1929 with an annual permanent authorization of $50,000. The authorization for the laboratory was increased to $150,000 in 1949, and $250,000 in 1959. In 1960, the Congress authorized $500,000 for the construction of new facilities at the laboratory, making it one of the best equipped of its kind in Latin America. The additional authorization provided for in this bill will make it possible to fully utilize these new facilities.

The Gorgas Memorial Laboratory has an international reputation and a long standing record of service in the Western Hemisphere. The Republic of Panama has cooperated closely with the laboratory in the achievement of its objectives. The management of the institute has administered the funds made available with prudence and care. The Board of Directors meets annually without compensation and determines policies of the institute. An advisory group of noted scientists assists in developing the research program. There are 26 members of this group, primarily doctors, and 23 of them represent U.S. institutions.

Accordingly, Mr. Speaker, I urge that the House act favorably on this measure to permit the Gorgas Memorial Laboratory to carry on its important work.

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

Mr. Speaker, it is a great pleasure for me to have the honor of presenting this bill. The Gorgas Laboratory has been doing for many years an outstanding job. It has been a remarkable demonstration of what willing, dedicated people can do to blot out diseases, particularly tropical diseases, such as are found there.

General Gorgas himself was a most amazing man; kindly to a degree and his heart as big as the world. It seemed very fitting when the laboratory was established that it should take the form that it did. It is a very great pleasure to me to approve the bill.

Mr. HALL. Mr. Speaker, will the gentlewoman yield?

Mrs. BOLTON. I am glad to yield to the gentleman.

Mr. HALL. Mr. Speaker, I should like to commend the committee, and in particular the subcommittee, for bringing out this bill upgrading the Gorgas Memorial Laboratory. As has been well said here by the gentleman from Alabama [Mr. SELDEN] and the gentlewoman from Ohio [Mrs. BOLTON] this memorial laboratory is an outgrowth of the successful attempt of this country to build the Panama Canal. It is from such sources, and the discovery of "yellow-jack" and the vector for controlling malaria, that the memorial laboratory was organized on a gradually evolving and cooperative basis between Panama and this Government, our Army Surgeons General and the great men of preventive medicine such as Gorgas himself, Cummings, Reed, Rickets, Leonard Wood, who was memorialized yesterday at Fort Leonard Wood, having an Army hospital named after him, in which I was privileged to participate, and others.

Furthermore, Mr. Speaker, it is noteworthy that all of the memorabilia that were in Cuba which was liberated as a result primarily of some of these early preventive medicines discoveries in the so-called Spanish-American War, had been destroyed by burning in the streets of Cuba, after the Castro takeover.

Mr. Speaker, I know personally of the research that has evolved from the laboratory and of the great men of science who have functioned and studied and researched and developed good for humanity therein.

Mr. Speaker, I strongly support this bill for one other reason, if the gentlewoman from Ohio will yield further, and that is as stated, it cooperates with the Pan American Health Organization which is a subdivision of the World Health Organization in needed matters that do cross international boundaries. But this is a uniquely American and Western Hemispheric organization and laboratory.

Mr. Speaker, lest we become too deeply involved in one organization of a strictly "international character" taking over all research and functions, especially under its aegis, in situations particularly unique to the Western Hemisphere, Latin America, and our Central American friends in particular, I strongly urge the support of this bill.

Mrs. BOLTON. I thank the gentleman from Missouri very much for his contribution.

Mr. SELDEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, in support of the request for the additional authorization for the Gorgas Memorial Laboratory, I wish to point out that the great work performed by the laboratory directly contributes to the health of U.S. citizens.

As an example, one project currently being worked on deals with migratory birds since there is evidence that viruses such as St. Louis encephalitis and Venezuelan equine encephalitis are transmitted to the United States by these migratory birds. When World War II broke out, and the United States lost its source of quinine and troops in southeast Asia were riddled with malaria, it was the work done by the first director of the laboratory, Dr. Herbert Clark, that permitted the U.S. Army to prescribe atabrine safely and in sufficient dosage to control the situation in southeast Asia. I pray to God that no similar problems will arise in South Vietnam, but we must be prepared.

There is no duplication between the work of the laboratory and other agencies. It works closely with the Pan American Health Organization and the National Institute of Allergy and Infectious Diseases. The Gorgas Memorial Institute which runs the laboratory also works closely with private institutions; one such program is a graduate research program with Louisiana State University where teachers and graduate students are sent to the laboratory in Panama for short-term periods to pursue work in tropical medicine. Similarly, the institute has close relationships with other American universities—Stanford, Harvard, and Kansas, to name a few. This aspect of the program will be expanded.

The General Accounting Office annually reviews the expenditures of the institute and the laboratory, and the Comptroller General's report has been a part of the laboratory's annual report for many years. The GAO has never criticized any expenditure made by this worthy enterprise.

Mr. Speaker, I recommend favorable consideration of this bill to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

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

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House suspend the rules and pass the bill S. 511, with an amendment.

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

A motion to reconsider was laid on the table.

FEDERAL BOXING COMMISSION

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8635) to establish and prescribe the duties of a Federal Boxing Commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests.

The Clerk read as follows:

H.R. 8635

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Boxing Control Act".

FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that—

(1) interstate and foreign communications facilities are being utilized to cover professional boxing matches by broadcasting such matches by television or radio or by disseminating such matches by wire to be received on home receivers or in theaters, arenas, or other places of assembly; and

(2) at present, neither State nor Federal governmental authorities have adequate power to assure the proper utilization of such communication facilities in connection with the coverage of professional boxing matches and to protect the integrity of professional boxing matches thus covered.

(b) It is, therefore, the purpose of this Act to establish a Federal Boxing Commission with adeqaute authority to exercise continuing surveillance over professional boxing matches which are broadcast by television or radio (otherwise than as part of bona fide news broadcasts) or which are disseminated by wire in interstate or foreign commerce either to be received on home receivers or in theaters, arenas, or other places of assembly, whether such broadcast or dissemination involves on-the-spot coverage or delayed coverage by means of film, tape, or some other means of recording.

DEFINITIONS AND RULES OF CONSTRUCTION

SEC. 3. (a) The term "United States" includes the several States, the Commonwealth of Puerto Rico, the District of Columbia, and the territories and possessions of the United States.

(b) The term "interstate or foreign commerce" means commerce—

(1) between any State, the Commonwealth of Puerto Rico, any territory or possession, or the District of Columbia and any place outside thereof;

(2) between points within the Commonwealth of Puerto Rico or within the same State, but through any place outside thereof; or

(3) within or between points within the District of Columbia or any territory or possession.

(c) The term "boxing match" means a professional boxing match or any part thereof.

(d) The term "coverage" means—

(1) the broadcast of a boxing match or a film, tape, or any other recording thereof by television or radio, or

(2) the dissemination by wire in interstate or foreign commerce of a boxing match or a film, tape, or any other recording thereof for reception on home receivers or in any theater, arena, or other place of assembly, otherwise than as a part of a bona fide news broadcast.

(e) The term "covered boxing match" means any boxing match held within the United States for which coverage is provided in the United States.

FEDERAL BOXING COMMISSION

SEC. 4. (a) There is hereby established a Federal Boxing Commission (hereinafter referred to as the "Commission") consisting of three members, each of whom shall be appointed by the President by and with the advice and consent of the Senate for a term of six years, except that of the members first appointed, one shall be appointed for a term of two years and one for a term of four years, and any member appointed to fill a vacancy occuring otherwise than upon the expiration of the term of his predecessor shall be appointed for the unexpired portion of such term. Any member of the Commission may continue to serve as such after the scheduled date of expiration of his term until his successor has been appointed and has qualified. The President shall designate one member of the Commission to serve as Chairman.

(b) Each member of the Commission shall be a citizen of the United States and shall not, during his service as a member of the Commission, be engaged as a professional boxer, boxing promoter, agent, fight manager, matchmaker, referee, judge, or in any other capacity in the conduct of the business of professional boxing, or have any pecuniary interest in the earnings of any boxer or the proceeds or outcome of any boxing match.

(c) Not more than one member of the Commission shall have been engaged at any time prior to his appointment to membership on the Commission as a professional boxer, boxing promoter, agent, fight manager, matchmaker, referee, judge, or in any other capacity in the conduct of the business of professional boxing. Each other member of the Commission shall be a person who, by reason of his business, professional, or other background, training, experience, or activities outside the business of professional boxing and its related activities, has a broad understanding of the relationship between professional boxing, both as a sport and as a business, and the public interest.

(d) Section 303(e) of the Federal Executive Salary Act of 1964 (78 Stat. 419; 5 U.S.C. 2211(e)), providing an annual rate of basic compensation of $26,000 for offices and positions in level V of the Federal Executive Salary Schedule, is amended by adding at the end thereof the following:

"(100) Chairman, Federal Boxing Commission.

"(101) Members, Federal Boxing Commission.".

(e) The Commission is authorized, without regard to the civil service laws but subject to the Classification Act of 1949, to appoint and fix the compensation of an executive officer who shall perform such duties as the chairman may prescribe, consistent with the rules, regulations, decisions, and policies of the Commission.

(f) The Commission is authorized, in accordance with the civil service laws and the Classification Act of 1949, to appoint and fix the compensation of such personnel as may be necessary to carry out the purposes of this Act.

(g) The principal office of the Commission shall be in the District of Columbia but

the Commission may hold sessions and conduct proceedings anywhere in the United States.

(h) Two members of the Commission shall constitute a quorum.

(i) The Commission shall have a seal which shall be judicially noticed.

LICENSES

SEC. 5. (a) The Commission is authorized to issue licenses authorizing participation in covered boxing matches or the coverage thereof in such capacities as are required to be licensed under this Act or regulations issued pursuant to this Act. In issuing any such license, the Commission shall give due regard to character, conduct, background, reputation, experience, and such other factors as the Commission deems relevant in determining the fitness of any person to act in the capacity for which the license is to be issued. Any such license shall be effective for such period not exceeding one year as the Commission may determine by regulation or otherwise at the time of issuance, unless sooner revoked or suspended in accordance with this section.

(b) The Commission shall fix and collect a fee for the issuance of any license under this Act. All such fees shall, when collected, be covered into the Treasury as miscellaneous receipts. The Commission shall fix such fees in such amounts as will, in the judgment of the Commission, equal in the aggregate as nearly as practicable the aggregate expenditures of appropriations, which are hereby authorized, to carry out the purposes of this Act.

(c) No person may participate in any covered boxing match or the coverage thereof in any of the following capacities unless such person holds a currently effective license therefor:

(1) as a boxer.

(2) as a boxing promoter.

(3) as an agent of a boxer.

(4) as a fight manager.

(5) as a matchmaker.

(6) as a referee.

(7) as a judge.

(8) as a person providing coverage in any capacity which is specified in the regulations of the Commission, except that a license shall not be required under this paragraph for any person licensed under the Communications Act of 1934.

(9) in any other capacity which the Commission by regulation prescribes.

(d) The Commission may, after appropriate notice and opportunity for hearing, by order suspend for a period or revoke any license issued pursuant to this section if it finds that such suspension or revocation is in the public interest and that the licensee—

(1) has violated any provision of this Act.

(2) has failed to obey any order or regulation of the Commission.

(3) has obtained or attempted to obtain, or has assisted another person to obtain or attempt to obtain, a license by fraud.

(e) At or after the time that notice of any proceeding pursuant to subsection (d) of this section is sent or ordered by the Commission to be published, regardless of whether or not the licensee has received such notice, the Commission may, if in its judgment such action is in the public interest and necessary to carry out the purposes of this Act, by order without notice or hearing summarily suspend the license in question pending final disposition of the proceeding by the Commission, or for such shorter period as the Commission deems appropriate. No criminal or civil liability shall attach to any person by virtue of an order of summary suspension under this subsection unless such person has actual notice thereof.

CONTRACTS AND AGREEMENTS

SEC. 6. (a) Any contract, agreement, arrangement, or understanding pertaining to the conduct, promotion, or coverage of any covered boxing match or any matter related thereto between or among any persons one or more of whom is acting or expected to act in connection with such match or the coverage thereof in any capacity—

(1) for which a license is required pursuant to section 5, or

(2) specified for the purposes of this subsection in the regulations of the Commission, shall be in writing and shall be open to inspection by the Commission, and a copy thereof shall be furnished to the Commission upon its request to any party thereto or any person having possession or control thereof.

(b) The Commission may provide by regulations that any such contract, agreement, arrangement, or understanding—

(1) shall not contain provisions described in such regulations of a nature which the Commission has determined to be contrary to the best interests of professional boxing and the best interests of the public; and

(2) shall contain provisions described in such regulations of a nature which the Commission has determined to be in the best interests of professional boxing and the best interests of the public.

PROHIBITORY ORDERS

SEC. 7. (a) The Commission may, after appropriate notice and opportunity for hearing, by order prohibit the holding or coverage or both of any proposed covered boxing match if it finds that such prohibition is in the public interest and that—

(1) any contract, arrangement, or agreement with respect to such match does not conform to the regulations of the Commission.

(2) any person who is to participate in such match or the coverage thereof in any capacity required under seetion 5 to be licensed does not hold an appropriate license.

(3) there exist reasonable grounds for belief that such match will be in any way affected by bribery, collusion, intentional losing, racketeering, extortion, or the use of unlawful threats, coercion, intimidation, or violence.

(b) The Commission may, after appropriate notice and opportunity for hearing, by order prohibit the coverage in the United States of any boxing match proposed to be held outside the United States if it finds that such match would, if held within the United States, be a covered boxing match, and that there exist reasonable grounds to believe that such match is to be held outside the United States in order to avoid compliance with the provisions of this Act intended to protect the best interests of professional boxing and the best interests of the public.

(c) At or after the time that notice of any proceeding pursuant to subsection (a) or (b) of this section is sent or ordered by the Commission to be published, regardless of whether or not any person to be affected by such proceeding has received such notice, the Commission may, if in its judgment such action is in the public interest and necessary to carry out the purposes of this Act, by order without notice or hearing summarily prohibit the holding or coverage of the boxing match in question pending final disposition of the proceeding by the Commission, or for such shorter period as the Commission deems appropriate. No criminal or civil liability shall attach to any person by virtue of a summary order issued under this subsection unless such person has actual notice thereof.

(d) No order of the Commission with respect to the coverage of any proposed covered boxing match shall apply to any person licensed under the Communications Act of 1934, as amended. In lieu of issuing an order prohibiting the coverage of any boxing match under this section it shall notify a person licensed under the Communications Act whom the Commission has reason to believe intends to cover such boxing match. The Congress hereby declares that the coverage by any such person of a boxing match with respect to which any such notice has been given is not in the public interest.

REGULATIONS OF THE COMMISSION

SEC. 8. The Commission is authorized to issue—

(1) regulations defining terms used in this Act,

(2) regulations pertaining to the issuance, suspension, and revocation of licenses required under this Act,

(3) regulations pertaining to the making of contracts, agreements, arrangements, and understandings subject to this Act, and provisions required or prohibited therein,

(4) regulations pertaining to the promotion, conduct, and coverage of covered boxing matches, and

(5) such other regulations as the Commission may deem necessary to carry out the purposes of this Act.

INVESTIGATIONS; INJUNCTIONS AND PROSECUTION OF OFFENSES

SEC. 9. (a) The Commission may, in its discretion, make such investigations as it deems necessary to determine whether any person has violated or is about to violate any provision of this Act or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Commission is authorized, in its discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which it may deem necessary or proper to aid in the enforcement of the provisions of this Act, in the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this Act relates.

(b) For the purpose of any such investigation, or any other proceeding under this Act, any member of the Commission or any officer designated by it is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memorandums, and other records. And such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memorandums, and other records, if in his power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more

than $1,000 or to imprisonment for a term of not more than one year, or both.

(d) No person shall be excused from attending and testifying or from producing books. papers, contracts, agreements, and other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that said individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(e) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this Act, or of any rule or regulation thereunder, it may in its discretion bring an action in the proper district court of the United States, the United States District Court for the District of Columbia, or the United States courts of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who may, in his discretion, institute the necessary criminal proceedings under this Act.

(f) Upon application of the Commission the district courts of the United States, the United States District Court for the District of Columbia, and the United States courts of any territory or other place subject to the jurisdiction of the United States, shall also have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this Act or any order of the Commission made in pursuance thereof.

HEARINGS BY COMMISSION

SEC. 10. Hearings may be public and may be held before the Commission, any member or members thereof, or any officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

COURT REVIEW OF ORDERS

SEC. 11. (a) Any person aggrieved by an order issued by the Commission in a proceeding under this Act to which such person is a party may obtain a review of such order in the Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Commission, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have jurisdiction, which upon the filing of the record shall be exclusive, to affirm, modify, and enforce, or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the Court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

ASSISTANCE FROM OTHER AGENCIES

SEC. 12. (a) The Commission is authorized to secure directly from any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality any information, suggestions, estimates, and statistics which will assist the Commission in carrying out the purposes of this Act. Each such department, agency, bureau, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or any member designated by the Chairman.

(b) Any employee of any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality may be detailed to the Commission, upon the request of the Chairman or any member designated by the Chairman, on a reimbursable or nonreimbursable basis, with the consent of the appropriate authority having jurisdiction over such employee. While so detailed, such employee shall continue to receive the compensation provided pursuant to law for his regular employment and shall retain, without interruption, the rights and privileges of such employment.

CRIMINAL PENALTIES

SEC. 13. (a) Whoever knowingly and willfully participates in a covered boxing match or the coverage thereof in any capacity for which he holds a license required pursuant to section 5 after such license has been revoked or suspended shall be fined not more than $5,000 or imprisoned not more than one year or both.

(b) Whoever knowingly and willfully participates in any covered boxing match in any capacity for which a license is required pursuant to section 5 while not possessing a currently effective license therefor shall be fined not more than $1,000 or imprisoned not more than one year or both.

(c) Whoever knowingly and willfully fails or refuses to furnish to the Commission copies of any contract, agreement, arrangement, or understanding requested to be furnished the Commission under this Act or knowingly and willfully furnishes incomplete or false copies thereof when so requested, shall be fined not more than $50,000 or imprisoned not more than five years or both.

(d) Whoever knowingly and willfully furnishes coverage for any covered boxing match coverage for which the Commission has prohibited by order pursuant to section 7 shall be fined not more than $50,000 or imprisoned not more than one year or both.

ANNUAL REPORTS OF COMMISSION

SEC. 14. The Commission shall submit annually to the Congress a report on its activities under this Act, together with such recommendations as it deems advisable.

NONINTERFERENCE WITH STATE BOXING AUTHORITIES

SEC. 15. Nothing in this Act shall prohibit any board, commission, or other agency, created by or pursuant to the law of any State or political subdivision thereof, Commonwealth, or possession of the United States from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or professional boxing matches or any aspect of the coverage thereof.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. HARRIS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this bill, H.R. 8635, would provide for a Federal Boxing Commission to have general broad powers of supervision over professional boxing within the United States, or without the United States, if any individuals go outside of our country to avoid the supervision that would be provided if such event occurred within the limits of the United States.

I do not have to explain to you, Mr. Speaker, why this legislation is before the Congress and the country today. That is abundantly clear. It is legislation which the Committee on Interstate and Foreign Commerce brings to the floor of the House today because of great interest to many Members of this body and, in my judgment, to a large segment of the American people.

The proposed legislation was introduced following the Clay-Liston fight at Lewiston, Maine, on May 25. I dare say it was introduced primarily because of the great interest manifested by Members of this House and other people throughout the country who contacted me about it.

Massachusetts law enforcement authorities brought this suit in the courts contending that the provision of the Massachusetts law with regard to citizenship in Massachusetts of promoters of boxing matches had not been complied with. Then, of course, you know the story about moving the match to Lewiston, Maine. These circumstances highlight the importance emphasized by a great many witnesses who came before our committee of radio, closed-circuit television, and even satellite communications which supply the economic lifeblood for professional boxing activities. So this program is conceived around the utilization of broadcasting facilities, plus CATV, closed circuits, and so forth, in interstate commerce.

Mr. Speaker, we had some of the most outstanding people in this field in the United States before us. We heard the Chairman of the Federal Communications Commission who, as you know, is

responsible for the communication media of this country; we had representatives of the State boxing commissions of various States, including the larger States where these fights are usually held. We had former heavyweight champions such as Jack Dempsey, Rocky Marciano, and others who engaged in this field of professional boxing. We had promoters, and we developed through the hearings a full and complete story. Almost without exception we were urged to establish a Federal Boxing Commission with specific powers and authority to deal with this subject.

So this legislation comes before you built around two special tools that are made available to us. No. 1, the media to be used; and No. 2, those professional boxing matches that would propose to use these media.

Now we do not give this Commission power to go down to every State or to every locality or every little event where you might have a contest like the Golden Gloves and matters of that kind. It has to be, first, professional boxing; and second, it has to be a professional boxing event that would be disseminated over the interstate media of this country. Consequently, in this kind of situation we would establish a Federal Boxing Commission with authority to license the contestants and the promoters and those having anything to do with the event including the officials and those who would disseminate the event such as on closed circuits and CATV and wire TV and so on. In licensing these participants and those who would have something to do with it, this Commission could determine whether or not there was fraud and collusion and such matters as that involved in connection with the event. That is the real basis on which this legislation is devised, the prevention of fraud, and so forth. Only where there is a failure to abide by the provisions of this act or where there is fraud or collusion, and such goings on as that would be against the public interest, would the Commission act. The Commission could examine the contracts and check on whether the participants had been licensed and what went on in connection with the promotion of the match—and if they found any kind of violation of law or of fraud or collusion, and so forth existed, then they have the authority to stop the match.

At present neither State nor Federal Governmental authorities have adequate power to assure the proper utilization of television, radio, and other communication facilities in interstate or foreign commerce in connection with the coverage of professional boxing events.

In the case of professional team sports such as football, baseball, and basketball, the existence of continuing organizations makes possible effective self-policing. In the case of professional boxing, however, the absence of such potent continuing organizations renders self-policing impractical.

In view of all of these circumstances, the committee decided that the Federal Government should assume a role of responsibility in this area. It also decided that the cost of exercising such responsibility should be borne by those persons and organizations who are connected with, or interested in, professional boxing matches which are subject to the provisions of this legislation.

It was emphasized by witnesses appearing in our hearings that professional boxing is of great interest to persons not only in the United States but to many persons abroad. Therefore, the integrity of professional boxing is also a question of maintaining the prestige abroad of the United States for fair dealings in professional sports.

Witnesses who appeared before the committee were emphatic that persons connected with professional boxing matches coming within the purview of this legislation should be licensed by the Federal Government in order to assure the observance of appropriate standards in the conduct of these matches and to prevent, insofar as possible, collusion, and other criminal activities which adversely affect the integrity of professional boxing.

The committee conducted hearings on H.R. 8635 which I introduced, and a number of similar bills introduced by Representative RIVERS, of South Carolina; Representative TUNNEY, of California; Representative MICHEL, of Illinois; Representative MURPHY of New York; and Representative SPRINGER, of Illinois.

The legislation specifically safeguards the continued exercise by any State or local boxing or athletic commissions, of any of its powers, duties or functions with respect to the regulation or supervision of professional boxing or professional boxing matches, or any aspect of the coverage thereof, in their respective jurisdictions.

In other words, Federal surveillance extends to, and only to—first, the use of television, radio and other interstate and foreign communications facilities, and, second, to those professional boxing matches held within the United States which are covered by means of such facilities.

The Federal Boxing Commission would consist of three members appointed by the President, by and with the advice and consent of the Senate. The terms of office of the Commissioners would be 6 years, except that two of the Commissioners first appointed would serve for terms of 2 and 4 years, respectively.

The Commission would have authority to license in the first place, persons participating in various capacities in covered boxing matches such as boxers, promoters, agents, fight managers, matchmakers, referees, judges, and so forth. In the second place, the Commission would license corporations or persons participating in or connected with the coverage of any covered boxing match except persons providing coverage who are licensed under the Communications Act of 1934, as amended.

All contracts, agreements, arrangements, and understandings pertaining to the conduct, promotion, or coverage of covered boxing matches are required to be in writing and open to inspection by the Commission. A copy thereof shall be furnished to the Commission upon its request.

The Commission is authorized to provide by regulation that such contracts, agreements, arrangements, and understandings, shall contain provisions which the Commission has determined to be in the best interests of professional boxing and the best interests of the public. On the other hand, the Commission also has authority to require that such contracts shall not contain provisions of a nature which the Commission has determined to be contrary to the best interests of professional boxing and the best interests of the public.

Finally, the Commission is authorized to prescribe regulations with regard to the promotion, conduct, and coverage of covered boxing matches.

The legislation provides criminal penalties for violations of provisions of the act and orders of the Commission. It further authorizes the Commission to issue orders prohibiting the holding or coverage, or both, of boxing matches in connection with which the Commission had determined provisions of this legislation or the Commission's orders have been violated, or where there exist reasonable grounds to believe that a proposed covered boxing match will be in any way affected by bribery, collusion, intentional losing, extortion, racketeering, or the use of unlawful threats, coercion, intimidation, or violence.

Finally, in the case of boxing matches held outside of the United States, the Commission may prohibit by order the coverage in the United States of any such boxing match if it finds that such match would, if held within the United States, be a covered boxing match, and if it further finds that there exist reasonable grounds to believe that such match is to be held outside the United States in order to avoid compliance with the provisions of this act intended to protect the best interests of professional boxing and the best interests of the public.

The committee believes that the provisions for licensing, the publication of contracts, and the other safeguards contained in this legislation will accomplish the objectives of this legislation.

We feel this legislation is carefully designed to prevent such an occasion. A lot of people in this country had strong feelings about this match back in May in Lewiston, Maine, and now we would have a Federal agency to assure the integrity of professional boxing.

Mr. Speaker, I believe this is a good proposal. I believe it is a good approach to this problem. I believe it is like it was when we had the payola days and things went on in the broadcasting industry itself. This is not legislation to get at the broadcasting industry and I want to stress that. It is to get at those who would permit an offense against public policy and the public interest in this country.

The broadcasting industry has interposed an objection. Many of you have received wires today. I do not believe the objection of the broadcasters has much merit. But let me explain. The objection is based on a principle that no Government agency or board or commission should have authority to say to the broadcasting industry, an industry

licensed by the Government, that they shall or shall not broadcast something over their media. In other words, it is the principle of not having a prior restraint, as I understand it. They are fearful of censorship. They, of course, make it clear that they would in no event broadcast anything where there is fraud or collusion. They know better than to do that. It is not this particular problem of boxing but it is the precedent that would be set if this provision relating to Commission orders should be adopted.

To overcome that fear, we have devised an amendment which is included on page 13 of the bill which provides first, no order by the Commission prohibiting such an event under these conditions would be applicable to a person licensed under the Communications Act of 1934.

No. 2, the Boxing Commission would notify a broadcaster if he expected to broadcast such an event.

No. 3, if he then went ahead, in spite of this notice, and broadcast some event anyway, then such broadcast would not be in the public interest and the amendment so provides. In that case that broadcaster would have to answer to the Federal Communications Commission if and when he had to have a license renewal. So this would avoid what they are fearful of—that is, a prior restraint applicable to them which they consider to be censorship.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from South Carolina, one of the sponsors of this legislation, who testified before the committee.

Mr. RIVERS of South Carolina. Mr. Speaker, I want to congratulate the distinguished chairman of the Committee on Interstate and Foreign Commerce for his vision and for his alertness and that of his committee in their efforts to salvage what is left of the professional boxing sport of this country and of the world.

Mr. Speaker, the only place the championship of the world is recognized is in the United States. It has sunk to such a low state that the gentleman's committee is now trying to hit these racketeers where it hurts, in their pocketbooks. This is the reason why his distinguished committee is trying to control what interests them most, getting money out of these frauds they are putting over the media of this country and calling athletic professional contests.

I believe the Nation owes the gentleman and his committee a deep debt of gratitude for their efforts to bring back decency and respectability.

Mr. HARRIS. And integrity.

Mr. RIVERS of South Carolina. And integrity and honesty to a sport which has sunk to such a low state that it has become a disgrace to the word "boxing" in all respectable circles in America and elsewhere.

Mr. HARRIS. I thank the gentleman for his fine comments.

Mr. RIVERS of South Carolina. I express my appreciation and thanks for the gentleman's efforts.

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

Mr. HARRIS. I yield to the gentleman from Massachusetts, who is very active on the committee. I thank the gentleman for his contribution to this program.

Mr. MACDONALD. I thank the chairman of our committee.

My real question relates to the amendment. I believe that the gentleman and other people who drafted the bill did a wonderful job.

Is it not a fact that the amendment which has been adopted, on page 13, line 10, has never been heard by the members of the committee? As a matter of fact, I saw it for the first time today.

Mr. HARRIS. The gentleman is correct. This question had not been raised by the broadcasters until this weekend. It has created much turmoil. They are licensed, as we all recognize.

In carrying out the concept and minimizing the difficulty the gentleman from California, Mr. Moss, had with it, I have tried to get in touch with as many Members as I could to explain it today, to meet this objection.

Mr. MACDONALD. I am not sure how much time the gentleman has, but I am willing to ask unanimous consent that he be granted more time. If that is not necessary, I should like to have a fuller explanation for the RECORD as to why the amendment has been added without any hearings, and put on the bill. Actually, from reading the amendment it seems to me that it gives a license to steal to those people who have already been licensed. The license has no time limitation that I can read in the bill. Therefore, once licensed under this amendment, they can do practically anything they want to do.

Mr. HARRIS. I respectfully submit that the gentleman is in error. That is not true. The licensee of a broadcast facility has 3 years. He comes back before the Commission under the Communication Act for renewal for his license. All this would do is put the responsibility back with the Federal Communications Commission.

Mr. MACDONALD. Right. I sat in the hearings and questioned the very able Chairman of the FCC. He said since he had been given no criteria as to when in his opinion a fight would be fixed or any of the other bad things that the gentleman in the well discussed would happen, he said he had no way of knowing when these things happened.

The SPEAKER. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Speaker, I yield myself 4 additional minutes.

I will be glad to explain further to the gentleman from Massachusetts, but if the gentleman will permit, at this time I would like to yield to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I appreciate the discussion of the amendment here. I think I understand the amendment as it has been outlined, and I wonder if it meets the objections of the broadcasters. Would the adoption of this amendment meet the very real objections they have?

Mr. HARRIS. I cannot see why it would not. What they say is they do not want any Government agency to make the decision for them as to whether something should or should not be broadcast. They want to have that responsibility and they assume the responsibility by accounting for it afterwards.

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

Mr. HARRIS. Yes. I yield to the gentleman from Illinois.

Mr. YATES. To what language is the gentleman from Massachusetts [Mr. MACDONALD] referring? Where does it appear in the bill?

Mr. MACDONALD. It is not in the bill.

Mr. HARRIS. It is an amendment which is a part of the bill which we offered here, which has been designed, since the bill was reported by the committee, to overcome the objections of broadcasters with reference to their responsibility.

Mr. YATES. Will the gentleman yield for another question?

Mr. HARRIS. Yes. I yield to the gentleman.

Mr. YATES. Would it be in order to ask unanimous consent for the Clerk to read the amendment at this point?

The SPEAKER. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

(d) No order of the Commission with respect to the coverage of any proposed covered boxing match shall apply to any person licensed under the Communications Act of 1934, as amended. In lieu of issuing an order prohibiting the coverage of any boxing match under this section it shall notify a person licensed under the Communications Act whom the Commission has reason to believe intends to cover such boxing match. The Congress hereby declares that the coverage by any such person of a boxing match with respect to which any such notice has been given is not in the public interest.

Mr. HARRIS. Mr. Speaker, I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, to some extent it seems to me it is nullifying the whole intent of this legislation if the Congress adopts this amendment in this legislation. I do not want to try to control the broadcasting industry. I spent a little time there. But let me say to you that I do not like this amendment a bit. I know of no reason why some fake boxing exhibition ought not to be stopped before it goes on the air.

Mr. HARRIS. I will say to the gentleman that under the bill the boxing commission can issue an order, when it finds these things true, prohibiting the event. So the prohibition is directed against the contestants and the promoters and those who put it in. It never gets to broadcaster. Therefore, we are arguing about something here which will never come about. That is the reason why we should not get bogged down here on a technicality which will never be a problem.

Mr. SPRINGER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the sorry state of the sport of boxing is no secret to anyone

in this country, whether or not he may have had any connection with it or great interest in it. The present status of boxing could be classified as a minor national scandal. How it gets that way involves a long story, many of the details of which will never really be known. If the story could be told it very likely would read like a Mickey Spillane novel, replete with gang rule and all its attendant ugliness. But this is not necessary. There was a time when the boxing greats of this country could well be emulated. Generally speaking, no one expects a boxing champion to be a Rhodes scholar, but I think that we have the right to expect that they will be decent, patriotic, law-abiding citizens and for a long period this was the situation. The deterioration in the sport has actually been very recent, but once on the skids its decline has been rapid.

One might well ask why the Congress of the United States should concern itself with this situation. No vital national purpose is served by saving the boxing profession for posterity. On the other hand, if boxing matches are to occur we must see whether or not there is a requirement to protect the American public in any way. When considered from this viewpoint there is plenty of reason for the Congress to concern itself. Today boxing deals in big money. A championship match may bring in as much as $6 million. Obviously no such sums are derived from spectators coming through the turnstiles. The money is from national dissemination through broadcast facilities and closed circuit television. Such matches are made available to nearly every prospective viewer in the country.

Obviously national coverage, using broadcast and other interstate facilities can only be regulated or controlled through Federal agencies. If such fights were taking place behind a barn somewhere, a township board could adequately control them. Not so with any major boxing contest today.

It would be possible, of course, to deny the use of broadcast and wire facilities for the dissemination of all boxing matches. This would hardly be the answer, since it would be unfair to the sport and to the public. If, then, we intend to protect the public through proper use of the means of communications we must look to the whole matter of cleaning up the sport itself. Just trying to ferret out and prohibit bad matches is no real answer. We must make provisions for policing what will be shown. In other words, if boxing is to be a national sport we must make sure that it is cleaned up and kept clean. The communication of a boxing match to the public is really the end product and concerning ourselves only with this would be too little and too late. Whatever is done to insure against disgraceful exhibitions and tc keep racketeers and fast money people from control must be done long before any communication media will be involved and it must be done on a continuing basis.

Why am I so sure that restrictions of this kind are needed? The committee was told by many people in the boxing profession that this was necessary. The bill before you today could be said to have been written by the best representatives of the boxing profession. We were told that only the Federal Government could do the job, that the people and the activities within the profession require constant surveillance, and that some way must be found to keep out the creeps and the crooks.

This bill should accomplish the purpose through a Federal Boxing Commission, empowered to license the people concerned with professional boxing, with power to promulgate rules concerning contracts and through power to control the accessibility of broadcast and wire communications means. There is no doubt in my mind that the scheme set forth in this bill, if well administered, will clean up and revive the sport so that it may grow and prosper.

When this bill was introduced, some of you may remember that I made a plea for a broad investigation of many aspects of national sports and their relationships with broadcasting. I brought up the subject again as we started to consider Chairman HARRIS' and my own bill for a Boxing Commission. In supporting H.R. 8635 I do not intend to convey the impression that any of these other matters have been settled. First of all, it is my conviction that boxing is unique. The whole structure of the sport and the way in which its exhibitions are organized make it different from any other sport you are apt to see on television. I do not want to leave the impression that I have ever proposed or that I now propose special commissions to work out the problems which I have outlined from time to time. There are still problems concerning the showing of professional football. I understand that this fall there will be doubleheaders back to back on two networks. Since I spoke here before, one of the outstanding professional basketball teams has been purchased by a beer company. Arrangements are being made for three new professional hockey franchises. All of these things need attention. As of this time I am not certain what the proper answers may be because we have not looked into them as far as we should.

I am certain in the case of boxing that we need a Federal commission, with the powers and the duties outlined in this bill and I therefore recommend that this House favorably consider H.R. 8635.

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

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

Mr. MACDONALD. As all of us who serve on the committee know, the review for a station for a broadcasting license—either a TV or a radio operation—only comes up for review every 3 years.

Mr. SPRINGER. That is correct.

Mr. MACDONALD. If the gentleman will yield further, does not the gentleman think that the mechanics that are applied in this amendment are very slow? By the time the Congress—and I say this in all due deference to the Members of Congress—has had time to act, I would not think there are probably four people in the Congress who know a good fight from a bad fight. Who are we to pass upon this matter? That is first.

Second. In my judgment the so-called safeguard built into the amendment is that whatever network or station that uses their utilities to rebroadcast or broadcast is involved, it has 3 years before the FCC reviews their operations.

Mr. SPRINGER. I cannot let the gentleman take all of my time.

Mr. MACDONALD. I did not mean to do that.

Mr. SPRINGER. If I had more time I would be delighted to try to answer further questions.

Mr. HARRIS. Mr. Speaker, I might save some argument on this.

Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that that part of the amendment referred to be withdrawn.

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

Mr. MACDONALD. Mr. Speaker, reserving the right to object, I am not sure exactly what my very distinguished chairman refers to.

Mr. GROSS. All of the entire amendment?

Mr. MACDONALD. The whole amendment, starting on page 13, line 10, is that what the chairman has in mind?

Mr. HARRIS. I have in mind that part of the amendment that was referred to and read by the Clerk a moment ago which appeared on page 13 at line 10.

Mr. MACDONALD. In other words, the entire amendment will be stricken?

Mr. HARRIS. No, I do not withdraw the entire amendment. The entire bill is an amendment. This is an amendment to the amendment.

Mr. GROSS. Then the gentleman withdraws the entire amendment to the amendment?

Mr. HARRIS. Yes.

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

There was no objection.

Mr. SPRINGER. We have not tried in this bill to take over States rights; we have not tried to take over State boxing commissions and their duties. But we were pleased to have boxing commissions that came before our committee and said, "Only you by the formation of a National Boxing Commission, can we provide leadership and bring together the 29 or 30 State boxing commissions into such a position so that there can be cooperation where we can get uniformity in boxing which will prevent the bad things that have taken place in the last 25 years.

I believe a Federal Boxing Commission can provide good leadership in boxing.

I think there was a great deal of warm support from those associated with boxing who have the highest ideals. I am talking about the big States like New York, Illinois, and California, who probably have upward of 75 to 80 percent of these boxing matches. They were asking for assistance and help by a Federal Boxing Commission. That is what we have tried to provide, and that is why we are on the floor here today.

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

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

Mr. HALPERN. Mr. Speaker, I rise in support of H.R. 8635, a bill to establish a Federal Boxing Commission that will have the authority to regulate professional boxing matches that are viewed through television, wire, film, and other means of communication.

I would like to commend the Interstate and Foreign Commerce Committee for a fine job in reporting to the House a bill that is worthy of the support of every Member. This bill is most commendable; it is most meritorious and long overdue. The original bill was very limited in that it was merely designed to prevent the broadcasting or transmission of a fraudulent professional boxing match while the event was occurring. I testified before the committee and urged much stronger action, along the lines of my bill, H.R. 6479, and that of the gentleman from California [Mr. TUNNEY] whose parental relationship to the sport easily makes him one of the foremost authorities on this subject in Congress. I am happy to see the bill strenghtened, in keeping with the objectives I have long advocated.

In 1963, I was privileged to cosponsor with the late Senator Kefauver a bill to prevent the control of the boxing world by racketeers and gangsters. The 88th Congress did not act on this proposal, but I am pleased to see many of the provisions of this measure in H.R. 8635.

It is not necessary for me to construct a detailed argument showing the tremendous need for legislation such as we now have before us. Boxing is not only an interstate sport, but an international one. It represents some of the foremost qualities of manliness, including strength, skill, and courage. Yet, this heroic sport which has been practiced for thousands of years is now in ill repute. This international game has become an international spectacle, because criminal elements have been able to gain significant control of boxing, without being countered by adequate governmental surveillance and regulation. Commendably, many of the States have done a good job of regulating boxing within their boundaries, but the problem is an interstate one—one which the States, despite their efforts, cannot effectively control.

A good example of this was the Clay-Liston fight of last May. While the bout was being planned for Boston, the State of Massachusetts contended that the laws regarding promoters had not been complied with. The promoters of the fight were afraid that they could not resolve the suit in time for the scheduled fight date, and simply moved northward into Maine. In this way, managers and promoters are always able to play off one State against another in order to avoid the close regulation that the public demands.

If H.R. 8635 becomes law, fights like the Clay-Liston bout will be closely scrutinized, and if they are found to be subject to bribery, collusion, and other forms of underworld influence, they will not be permitted to take place.

Because interstate and foreign communications facilities are being used to cover professional boxing matches, it is necessary to initiate within the Federal Government adequate power, heretofore nonexistent, to insure that these facilities are properly utilized, and to protect the integrity of the professional boxing matches that are covered in this manner. All Americans are subject to this vast network of communications, which brings the fight game to every community.

H.R. 8635 established a Federal Boxing Commission, consisting of three members, appointed by the President. By requiring licenses for anyone involved in a covered boxing match, the Commission will keep out of the sport those who would use it to fatten their own purses at the expense of the public. The Commission is also authorized to issue prohibitory orders to stop a covered match when it is in the public interest to do so, according to standards set up by the Commission. This will effectively prevent the fraudulent boxing match from becoming a cheap spectacle that hoaxes the public into exorbitant spending for what it mistakes for a legitimate athletic contest.

Under this proposal, all contracts and agreements concerning covered boxing matches must be in writing and will be available for examination by the Commission. The Commission also has strong regulatory powers which will establish and maintain high standards of conduct in the coverage and holding of covered boxing matches. With the authority to investigate, hold hearings, and subpena witnesses, the Commission will be able to clean up that part of the boxing industry that thrives on the televised or commercially viewed bout.

I would like to add, Mr. Speaker, that while I am in favor of this bill, I do not think that it goes far enough in dealing with the problems of the boxing world. My bill, H.R. 6479, would require a financial statement to be submitted to the Commission by anyone who receives some kind of payment as a result of a professional boxing match. Also, my bill would require the mandatory filing with the Commission of any contract or agreement dealing with a professional bout. By complete and open knowledge of all contracts, financial proceedings, and profits from matches, the Commission would be able to protect the young athlete from the unscrupulous bosses of the boxing underworld.

Nevertheless, I wish to make it very clear that this bill is meritorious, although I do not think it goes far enough. I heartily recommend to my colleagues that they give it their fullest support. Then, if the bill becomes law, we can stand proud and feel that we have taken a major and necessary first step in cleaning up what has too long been a detriment to the American sporting world.

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

Mr. SPRINGER. I yield to the gentleman from Kansas.

Mr. MIZE. The amendment to the amendment has now been stricken. I have here a letter from WIBW-TV-AM-FM which reads in part as follows:

> While all broadcasters are basically in sympathy with the objective to clean up the fights—this bill would also impose what we consider to be unconstitutional prior restraint on the freedom of speech by radio and television. Provisions which would empower a Federal commission to prohibit broadcast coverage should be deleted from this legislation.

May I ask the gentleman, is his interpretation right or wrong?

Mr. SPRINGER. I think the letter is wrong where it stated that this body is not in the public interest. If there is something crooked about a fight they should prevent the fight, and they would be prevented from broadcasting the fight. I am as much interested in that as the gentleman is, and I believe they are completely wrong. I am satisfied all of our bill is constitutional—at least we were so advised by competent legal counsel.

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

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

Mr. GROSS. This bill provides for a Commission. It also provides for a $26,000 a year executive director, and a certain number of staff members.

Do I understand correctly the Commission is going to require licenses, and they will pick up the bill of expense that otherwise would be charged to the Federal Treasury?

Mr. SPRINGER. It is expected there will be sufficient charges made, like on the licenses and fees to pay the costs of the Commission. Some kind of assessments will be made on the fights and we will get enough to carry the Commission. We are not asking for any public moneys to finance the Commission. We believe it will be self-supporting.

Mr. GROSS. What is the compensation of these Commissioners?

Mr. SPRINGER. It is $26,000.

Mr. GROSS. What about the Commissioners?

Mr. HARRIS. The Commissioners would receive the usual salary.

Mr. GROSS. It is your intention that fees will be charged for licenses to fund the cost of this?

Mr. SPRINGER. Yes, together with other charges.

Mr. GROSS. I hope that is correct.

Mr. SPRINGER. That is correct.

Mr. GROSS. The Baseball Commissioner is paid by the baseball people.

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

Mr. PICKLE. Mr. Speaker, I rise in support of this measure. Throughout the hearings I was impressed by the unanimity of the appeal by all those who participated in this sport in asking the Federal Government to come in and help them to clean up a sport that needs this assistance. Not often will you find all segments of a sport coming in and saying to our Government, We have reached the point where we need help. We want you to give us this hand.

Mr. Speaker, I think this was a long hearing and we listened carefully and

sympathetically to all the people who participated.

I am a former broadcaster and I can understand their concern in wanting to be rid of any restriction as to prior clearance of speech. But I do not believe this would come about except in those instances where clearly there is reason to believe it ought to be prohibited. In that case I believe the broadcasters can live with it and it would be acceptable to them.

Interstate and foreign communication facilities for some time now have been used to cover boxing matches, but there have been no authorities with adequate power to assure proper utilization of such facilities in this coverage. The result has been abuse of the communication privilege, deception of the American public, and the deterioration of boxing as a legitimate sport once loved by the sports fans of the world. These conditions have made necessary legislation of this type establishing a Federal Boxing Commission with adequate authority over the broadcasting of professional boxing matches. This commission shall be made up of men of high integrity appointed by the President with the advice and consent of the Senate. To implement the effectiveness of this Commission and to cover its operating expenses, it will be authorized to issue licenses allowing participation in covered boxing matches. In an effort to remove crime from the ring, the agreements and contracts pertaining to boxing matches would have to be in writing and open to inspection by the Commission which is authorized to require that they be in the best interest of the public. The Commission would also be given general authority to prescribe and issue regulations covering the conduct of professional boxing matches, and to prohibit broadcast when there has been a violation of its orders or it is believed by the Commission that a proposed covered boxing match may be affected by some illegitimate means. It is my sincere hope, in supporting this legislation, that the crime and racketeering can be taken from the ring and that boxing can be restored to the arena of good, clean, legitimate sportsmanship which our other national sports now enjoy.

It is regrettable that local sports officials have not been able to regulate the sport of boxing. Certainly none of us in Congress want to see an undue hardship placed on the promotion of a legitimate amateur bout, nor do we want in any way to interfere with professional sports. But boxing is worth saving. We must have this legislation or we will lose the sport. I realize that it may work some hardship for boxers and promoters to get a license, but these drastic steps must now be taken or we can say goodby to boxing as a worthwhile, legitimate, professional sport.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Speaker, I thoroughly favor the purposes of this bill. Probably it is a very good bill, but I do not know whether this amendment which was proposed should be added. I am also a little bit confused about just what the bill in essence would do. It seems to me the best way to handle this would be to defeat this under suspension and then take it up later under a rule at which time there would be opportunity to explain it in detail.

Mr. SPRINGER. May I say in reply to the distinguished gentleman from Pennsylvania that this matter was given about as thorough consideration as I have ever seen of any bill that has been before our committee. I believe the bill received adequate consideration and we went into every feature of the bill. I believe it is a good bill and it ought to be passed today.

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

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

Mr. MACDONALD. I do not actually have a question but I just would like to say I support the bill wholeheartedly now that this amendment is not in it.

Mr. Speaker, I think the committee and all the people who worked on it have done a fantastically good job. It is a step in the right direction. It is not going to solve all of the problems but this legislation is certainly something that should be adopted by the House, in my judgment.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. GROSS. I simply want to say I, too, want to commend the chairman and the members of the committee for this bill now that the amendment to the amendment has been withdrawn. I think it is good legislation and it is legislation that is needed.

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

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

Mr. GUBSER. Insofar as the question of possible censorship is concerned, is it not true that the only restraint against broadcasters in the bill as it is now written is that they cannot broadcast a bout in which the participants are not legally licensed and are not legal contestants and they cannot broadcast a bout wherein the Commission believes there is a possibility of bribery, collusion, intentional losing, racketeering, and so forth?

Mr. SPRINGER. Those are the two conditions—they cannot broadcast under either one.

Mr. GUBSER. Is it not also true, may I ask the gentleman from Illinois, that the Federal Communications Act itself which provides the license for TV or radio stations is an imposition of a restraint—and that restraint is that what is broadcast must be in the public interest?

Mr. SPRINGER. That is correct.

Mr. GUBSER. And is it not therefore just in furtherance of the Federal Communications Act—or the spirit of the Federal Communications Act?

Mr. SPRINGER. At least I would say it is in the spirit of it.

Mr. GUBSER. I thank the gentleman.

Mr. O'HARA of Illinois. Mr. Speaker, while I am interested in maintaining the integrity of boxing and all other sports, I find myself in agreement with the Department of Justice of the United States that the bill now before us, is in the words of Deputy Attorney General Ramsey Clark, "both unnecessary and undesirable."

If we are to have a Federal Commission to supervise boxing then surely we should have a Federal Commission to supervise wrestling and, the pattern having been set, it will be only a matter of time until there will be Federal Commissions to run all the sports from baseball and football to tennis and ping pong.

I do not believe it is a healthy thing to place a policeman in every playground. I cannot bring myself to accept with complacency the idea of a Federal guardianship over competitive athletic activities of American youth.

If there is corruption in boxing, baseball, basketball, in any sport there are laws now in the books to punish the culprits, as has been shown time and time again in recent years in prosecutions and convictions in all parts of the country.

Boxing during the years has had its ups and downs, its period of fashionable acceptance and its periods of running from the police.

John Broughton was champion of the world back in 1750. The good Duke William of Cumberland was his sponsor and when the champ was matched with a rustic unknown, John Slack, the Duke bet the equivalent of $50,000 on his man to $5,000 and thought he was guilty of grand larceny. The rustic threw just one punch and the champion went down and out, to the dismay, financial loss and indignation of the good Duke. The outcry then, some 215 years ago, was something of a forerunner of the public reaction to the recent fiasco in Maine. The Duke was certain he had been framed and boxing was outlawed in Merrie England for quite a number of years.

Later on, a hundred years or less, John Gully fought his way from a debtors prison to championship of the world and went on to a seat in Parliament and great wealth, and the ring again was back in favor.

I have known and numbered among my friends Tom Allen, the last of the bare-knuckle battlers, John L. Sullivan, Jim Corbett, Bob Fitzsimmons, Jack Root, George Gardner, Terry McGovern, Tommy Ryan, Battling Nelson, Harry Forbes, and so many, many others, and in my last campaign for reelection to Congress three former world's champions were on my citizen committee.

I am sure there is as much integrity, as much rugged honesty, among the knights of the padded mitts as among other groups. The average certainly is high. It is not in the American tradition to brand the many for the derelictions of the few.

Mr. RYAN. Mr. Speaker, I have long believed that there should be Federal regulation of boxing in the interest of many thousands of boxers in the United States and many millions of American boxing fans.

I introduced legislation to that effect in the 87th and 88th Congresses, in con-

junction with the late Senator Estes Kefauver. I reintroduced my bill (H.R. 8632) in this Congress, and reviewed its provisions with the members of the House Interstate and Foreign Commerce Committee when I testified on July 8 on the bill we are considering today. I am pleased that the committee reported a bill which so closely parallels the measures I have advocated.

Boxing today faces angry critics and half-hearted apologists. For it rests, at the moment, in the shadow of the criminal world. Underground domination of boxing has been the subject of extensive hearings before the Subcommittee on Antitrust and Monopoly of the Senate Judiciary Committee, under the chairmanship of the late Senator Kefauver, and compelling evidence has been adduced on the influence of gamblers and racketeers in the handling of fighters and the promotion of big-time matches.

I have some familiarity with the background of this problem for I served for 7 years as an assistant district attorney in New York County, where, as a member of the rackets bureau, I dealt with many of the problems which result from underworld influence in boxing.

Everyone familiar with the fight game knows the consequences. Deserving challengers who have refused to play ball with racketeers have been denied a chance to fight the champions in their respective weight divisions. Weak-kneed promoters have agreed to help the careers of certain boxers by matching them repeatedly against pushovers. This has led, in many instances, to physical injury, brain damage, and even death.

It is our duty, Mr. Speaker, to put an end to outrages of this kind. What is needed is remedial legislation designed to break the stranglehold on boxing exercised by monopolistic gangsters and racketeers.

This means, Mr. Speaker, a Federal Boxing Commission with nationwide licening authority over boxers, managers, promoters, and matchmakers engaged in interstate bouts, backed up by strong criminal penalties, and the power to subpena individuals and records. It is appropriate, I believe, that the subpena power conferred upon the Commission is similar to that conferred under the terms of the Securities and Exchange Act of 1935. In the matter of securities regulation there were already in existence State agencies designed to do the job granted the SEC. The State agencies themselves had the subpena power at their disposal, but they were not able to do the job.

The situation in boxing is analogous. Boxing contests, because of their interstate character, are presently beyond the power of any State to regulate fully and effectively. According to Ring Record Book, there are 51 State and local commissions in existence throughout the country. The investigative staffs of most State and local commissions, however, are woefully inadequate or nonexistent. As a reminder of the sterility which results, may I point out that the unrelated status of these commissions, provides a means for avoiding proper regulation. The recent fiasco involving Cassius Clay and Sonny Liston is a case in point.

In closing, Mr. Speaker, I want to emphasize that the goal we set for ourselves must be nothing less than the restoration of integrity and honesty to the fight game. We must make it possible for young boxers to train and compete and develop their talents without being forced to stage sham and collusive matches. This bill provides the strong regulation necessary to supervise boxing, and I urge my colleagues to give it their full support.

Mr. TUNNEY. Mr. Speaker, I rise in support of H.R. 8635. I want to compliment Chairman HARRIS for having guided such a comprehensive piece of legislation through his committee. He has acted decisively where others have merely talked about the need for boxing legislation. This is a good bill and it is badly needed. The state of professional boxing has descended to its lowest level in modern history. Gamblers and criminals have invaded the fight business for the purpose of reaping unjustifiable rewards at the expense of public interest. Fighters are forced to throw fights, sign contracts disadvantageous to themselves, subject themselves to the dominating will of racketeers or lose the opportunity to earn their living in the professional prize ring. This is wrong and everyone knows that it is wrong. We have been recently treated to a series of absurd spectacles that have been billed as heavyweight championships.

The early bird satellite has transmitted the most recent of these heavyweight championship fights throughout the world and the result has been international contempt and revile for American sportsmanship. People in foreign lands are saying that athletes in the United States are not interested in playing the game and fairly contesting the prize, but rather only interested in the quick buck.

This bill will provide for a National Boxing Commission to regulate all prize fights which are to be broadcast and disseminated by wire or film to the publice at large. It will license fighters, managers, promoters, seconds, and all persons providing coverage of prize fights. It prohibits the broadcasting or dissemination by any means in interstate or foreign commerce of a boxing match which is not approved by the Commission. It will also enable the Commission to review contracts entered into between fighters, managers, and promoters and prevent unscrupulous persons from taking advantage of naive and uneducated young athletes whose foremost talent is a fast pair of fists.

In my opinion, the question relating to the desirability of this legislation is simple. Are we going to save boxing or are we going to allow it to sink ever lower in public esteem—eventually to be outlawed by the States as an unsavory piece of unconscionable showmanship. I feel that boxing has had a proud history. I feel that it does teach young boys resourcefulness, courage, and the ability to fight back after being physically hurt. In this sense, it is in the proudest tradition of our American heritage. We have been a race not afraid to fight for what we believe in and not so cautious as to avoid physical sacrifice to accomplish our ends.

To think that the noble art of self-defense could have fallen on such bad times is indeed reason enough for public commiseration. By passing this bill today, we strike a blow for sportsmanship in America.

Mr. HECHLER. Mr. Speaker, I believe that this bill to establish a Federal Boxing Commission is long overdue. A great wave of sentiment for this legislation arose following the Clay-Liston fight, but there were many Members who felt prior to that fiasco that boxing had deteriorated. There was evidence and also suspicion that professional boxing had been infiltrated by racketeers, fraudulent and shady practices. The general public had become very critical toward these developments, and it was evident that decisive action had to be taken to correct this unfortunate situation.

It seems to me that the bill before us will go a long way toward curing the ills of boxing. This bill is long overdue. For too long, unsavory elements have played too important a role in professional boxing. Self-policing has been unsatisfactory. The public is not getting the fair break it deserves, and the situation is deteriorating.

Mr. Speaker, the Federal Boxing Commission contemplated in this bill has the licensing and regulatory powers to correct the situation. I share the feeling of many of my colleagues that when such a Commission is appointed it will give professional boxing an opportunity to set its house in order. Given proper guidelines, I am confident that this can be done under the current legislation. I trust that boxing will be restored to its former high place as a fair and attractive sport. I hope that this bill will pass, and that the Federal Boxing Commission will have the chance to start operations at an early date.

Mr. SPEAKER pro tempore (Mr. MILLS). The question is, Will the House suspend the rules and pass the bill, H.R. 8635, with an amendment?

The question was taken.

Mr. MACDONALD. 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 pro tempore. 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 346, nays 4, not voting 84, as follows:

[Roll No. 239]

YEAS—346

Abbitt	Baring	Broyhill, Va.
Abernethy	Bates	Buchanan
Adair	Battin	Burke
Adams	Beckworth	Burleson
Addabbo	Belcher	Burton, Calif.
Albert	Bell	Byrne, Pa.
Anderson, Ill.	Bennett	Byrnes, Wis.
Anderson, Tenn.	Berry	Callan
Andrews, George W.	Betts	Callaway
Andrews, Glenn	Bingham	Carey
Annunzio	Blatnik	Casey
Arends	Boggs	Cederberg
Aspinall	Bolton	Chamberlain
Ayres	Brademas	Chelf
Baldwin	Bray	Clancy
Bandstra	Brooks	Clark
	Broomfield	Clausen, Don H.
	Brown, Calif.	Clawson, Del
	Broyhill, N.C.	

Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Cooley
Corbett
Corman
Culver
Curtin
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Farnum
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hébert
Hechler
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, Utah
Kirwan
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Moore
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Ullman
Vanik
Vigorito
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—4

Grider
Holland
O'Hara, Ill.
Patten

NOT VOTING—84

Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Barrett
Boland
Bolling
Bonner
Bow
Brock
Brown, Ohio
Burton, Utah
Cabell
Cahill
Cameron
Carter
Celler
Conyers
Craley
Cramer
Cunningham
Curtis
Daddario
Daniels
Dawson
Derwinski
Diggs
Dingell
Dowdy
Dwyer
Dyal
Edwards, Calif.
Evins, Tenn.
Farnsley
Fascell
Fino
Fraser
Green, Oreg.
Hanna
Hawkins
Helstoski
Jennings
Karth
Keogh
King, N.Y.
Kluczynski
Kornegay
Landrum
Lindsay
McDade
McDowell
McEwen
McMillan
MacGregor
Martin, Mass.
Mathias
May
Miller
Monagan
Moorhead
Murray
Nix
Pepper
Purcell
Quillen
Reinecke
Resnick
Roudebush
Roybal
Ryan
Scott
Shipley
Slack
Teague, Tex.
Thomas
Toll
Tupper
Utt
Van Deerlin
Vivian
White, Idaho
Willis
Wilson, Charles H.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Kornegay with Mr. Ashbrook.
Mr. Keogh with Mr. King of New York.
Mr. Ryan with Mr. Lindsay.
Mr. Toll with Mr. McDade.
Mr. Thomas with Mr. Brown of Ohio.
Mr. Van Deerlin with Mr. Martin of Massachusetts.
Mr. Cameron with Mr. Andrews of North Dakota.
Mr. Roybal with Mr. Utt.
Mr. Jennings with Mr. Quillen.
Mr. Daddario with Mr. Fino.
Mr. Daniels with Mrs. Dwyer.
Mr. Dingell with Mr. Bow.
Mr. Ashley with Mr. Mathias.
Mr. Shipley with Mr. Derwinski.
Mr. Slack with Mr. Cramer.
Mr. Celler with Mr. Tupper.
Mr. Kluczynski with Mr. Cunningham.
Mr. White of Idaho with Mr. McEwen.
Mr. Moorhead with Mr. Roudebush.
Mr. Evins of Tennessee with Mr. Brock.
Mr. Dyal with Mrs. May.
Mr. Cabell with Mr. Curtis.
Mr. Ashmore with Mr. Burton of Utah.
Mr. Helstoski with Mr. MacGregor.
Mr. Karth with Mr. Carter.
Mr. Charles H. Wilson with Mr. Reinecke.
Mr. Hawkins with Mr. Resnick.
Mr. Miller with Mrs. Green of Oregon.
Mr. Teague of Texas with Mr. McMillan.
Mr. Barrett with Mr. Murray.
Mr. Nix with Mr. Fraser.
Mr. Hanna with Dawson.
Mr. Vivian with Mr. Diggs.
Mr. Scott with Mr. Boland.
Mr. Landrum with McDowell.
Mr. Monagan with Mr. Moss.
Mr. Pepper with Mr. Farnsley.
Mr. Purcell with Mr. Craley.
Mr. Edwards of California with Mr. Conyers.
Mr. Dowdy with Mr. Bonner.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended as as to read: "A bill to establish a Federal Boxing Commission to exercise surveillance over professional boxing matches broadcast or disseminated by wire in interstate commerce, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission, if they so desire, to extend their own remarks in the RECORD at the appropriate place on the bill H.R. 8635, just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, JUSTICE, COMMERCE, JUDICIARY AND RELATED AGENCIES, FISCAL YEAR 1966

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8639) making appropriations for the Departments of State, Justice, Commerce, Judiciary and related agencies for the fiscal year ending June 30, 1966, and for other purposes, with amendments of the Senate thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ROONEY of New York, SIKES, SLACK, SMITH of Iowa, FLYNT, JOELSON, MAHON, BOW, LIPSCOMB and CEDERBERG.

AUTHORIZING DISPOSAL OF RUBBER FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9544) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately six hundred and twenty thousand long tons of natural rubber now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, H.R. 9544 is a bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile.

The present objective for natural rubber is 130,000 long tons, having been reduced from 750,000 long tons on March 5, 1964. At present, in our inventory are 860,551 long tons of rubber but this includes rubber which has been sold but has not been shipped. The total excess in our inventory is 722,463 long tons but this includes approximately 102,463 long tons still unsold as of December 31, 1964, from the previous authorization. This disposal authorization would provide authority for disposal of all surplus rubber.

Natural rubber comes principally from Indonesia, Malaya, Ceylon, Vietnam, Thailand, other Far Eastern countries, Africa, and small quantities in South America.

The acquisition cost of the amount for disposal totals approximately $479,359,200.

Natural rubber is used chiefly for heavy duty tires for trucks, buses and planes. It is blended with synthetic rubber for passenger car tires. In addition, many additional products include rubber as an important constituent such as insulation, hose and belting.

The proposed disposal of the remaining Government-held excesses of crude rubber, which have not been authorized previously for disposal, is designed to reduce such excesses in a manner which will provide the best possible return to the Government, using sound merchandising practices and avoiding disruptive impact on the economy or adverse effect on the national interest of the United States.

Industry specialists have been consulted on an informal basis during the planning period, and those consulted in industry and in Government have advised that the disposition can be carried out over a period of years with minimal adverse effect on the market.

In reducing the Government-held excesses, the Government will realize a fair return based upon the market value for rubber and will reduce its storage, inspection, maintenance, and other property management costs. Disposal of the rubber excesses will also have a beneficial side effect upon the balance-of-payments position of the United States, since any supplies placed upon the domestic market by the Government would replace equivalent quantities of rubber imported from producing areas.

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

Mr. PHILBIN. I am glad to yield to the distinguished gentleman from Iowa.

Mr. GROSS. The gentleman says the acquisition cost of this rubber was about $479 million; that is, the rubber to be disposed of.

Mr. PHILBIN. That is correct.

Mr. GROSS. What is going to be the loss on this rubber?

Mr. PHILBIN. There would be a very substantial loss, probably in the neighborhood of $90 million.

Mr. GROSS. There will be a loss of about $97 million on this transaction?

Mr. PHILBIN. We anticipate that. Of course, much will depend upon what the future developments in the market may be.

Mr. GROSS. In other words, there will be a loss of about 7 cents per pound, based on the acquisition cost.

Mr. PHILBIN. The gentleman is correct.

Mr. GROSS. Does the gentleman believe we can safely dispose of this rubber, now that we are fighting wars on two fronts, in Vietnam and in Los Angeles?

Mr. PHILBIN. Yes.

Mr. GROSS. Does the gentleman really believe we can do that?

Mr. PHILBIN. I appreciate the gentleman's concern. I believe we can do so at this time. We have been given that evaluation and that opinion by the experts.

Mr. GROSS. There is plenty of rubber for both fronts?

Mr. PHILBIN. We have plenty of rubber for any foreseeable needs regarding the present situation.

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

Speaking for the minority, I wish to say that the stockpile objective as determined by the experts will be completely met with this disposal. We all know, of course, that natural rubber is a commodity which deteriorates with age. We believe it is consistent with the national interest to dispose of this amount at this time. So the minority agrees completely with the disposal.

Mr. Speaker, I have no further requests for time. I yield back the remainder of my time.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts that the House suspend the rules and pass the bill H.R. 9544.

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

A motion to reconsider was laid on the table.

DISPOSAL OF NICKEL FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10305) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile.

The Clerk read as follows:

H.R. 10305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately one hundred and twenty-four million two hundred thousand pounds of nickel now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. PHILBIN. H.R. 10305 would authorize the disposal of 124,200,000 pounds of nickel from the national stockpile.

Nickel in various forms, in all inventories, amounts to approximately 439.2 million pounds, of which approximately 105 million pounds are held in the Defense Production Act inventory and the remainder in the national stockpile.

The current stockpile objective, established on July 18, 1963, is 100 million pounds. Thus, about 339.2 million pounds of the present inventories are excess to present stockpile requirements. The average acquisition cost of all forms of nickel in all GSA inventories was $0.6377 per pound, as of December 31, 1964.

Canada is the principal free world producer and the United States is the world's principal consumer of nickel. Although consumption has increased throughout the free world, the United States still consumes one-half of the free world supply. Free world consumption was 506 million pounds in 1963, and is expected to increase to about 637 million pounds in 1968, with U.S. 1963 consumption of 253 million pounds increasing to a level of 340 million pounds by 1968. On the basis of these estimates, growth in free world consumption is projected at the rate of about 25 million pounds annually, and the United States accounting for 66 percent, or 17 million pounds of the annual increase.

By letter dated October 6, 1964, the Director of the Office of Emergency Planning directed GSA to dispose of the excess nickel in the DPA inventory—105 million pounds—in accordance with part I of the GSA plan, and to request the Congress for the necessary approval to dispose of the excess nickel in the national stockpile—234.2 million pounds less approximately 10 million pounds, previously approved by the Congress—covered by part II of the plan. The disposal plan was concurred in by other appropriate agencies of the government.

The plan contemplates that pending congressional approval of the quantity to be released from the national stockpile—part II—initial offerings will be made from the DPA inventory—part I—together with the unsold portion of the 10 million pounds of nickel oxide powder authorized for disposal by the Congress, June 21, 1962—House Concurrent Resolution 473—and 66,834 pounds of nickel in fabricated and miscellaneous forms approved for disposal, September 24, 1964—House Concurrent Resolution 320. It is expected that a period of about 5 or 6 years will be required to dispose of the total quantity of excess nickel.

After the disposal program has started, at a beginning rate of approximately 15 million pounds in the first year, the Government expects to adjust the rate upward, dependent upon the growth in domestic consumption and developments in the world market situation, until a

sales level of 30 or 35 million pounds annually is reached.

The disposal program will be subject to continuous scrutiny throughout the year, and the Administrator of General Services will consult with other agencies at any time he considers such consultation is advisable, or at any time such consultation is requested by other responsible agencies.

A suitable quantity of nickel contained in the various forms will be set aside for the needs of small business concerns.

Nickel is imported principally from Canada, Norway, and France. U.S. production is relatively small.

Nickel is primarily used to make alloys and is also used in chemical salts and catalysts. Large tonnages are also used in alloy steels, plating and magnets.

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

Mr. PHILBIN. I will be glad to yield to the distinguished gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me why there is this difference in acquisition cost as between the national stockpile and the Defense Production Act stockpile, one being 54 cents and the latter 92 cents a pound?

Mr. PHILBIN. It depends on the acquisition date. One was acquired at a time when the price was high and the other at a time when the price was low. They are acquired at different times.

Mr. GROSS. That is the only thing that accounts for this wide difference?

Mr. PHILBIN. That is right. On this transaction, we have been informed that we should make a profit of some $5 million on the overall disposal.

Mr. GROSS. When you are in war, nickel is a strategic material, is it not?

Mr. PHILBIN. Yes.

Mr. GROSS. Does the gentleman think, in light of wars that we are fighting on two fronts, Vietnam and Los Angeles, that we ought to dispose of nickel?

Mr. PHILBIN. The experts who deal with stockpile requirements state that this can be done and that it is perfectly consistent with the national security.

Mr. GROSS. I want to be sure that we have enough nickel to supply all of our fighting forces, wherever they may be, at home and abroad.

Mr. PHILBIN. I think we can be assured of that.

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

Mr. PHILBIN. I yield to the very distinguished gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, as I understand, with this disposal, we still have approximately 100 million pounds of excess to any needs that we know of at the present time?

Mr. PHILBIN. That is correct.

Mr. ASPINALL. Mr. Speaker, may I say that I wish again to commend the gentleman from Massachusetts [Mr. PHILBIN] and his committee, as well as the chairman of the Committee on Armed Services, for the very studious and constructive manner in which they considered these requests for disposal from the stockpile. I think that their decisions have been equitable. I think that they are timely. I think they are in the interest of the consumer as well as the producer, and I am very glad to see that we are keeping this power within the control of Congress, where it rightfully belongs.

Mr. PHILBIN. I thank the gentleman for his remarks.

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

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

Mr. FASCELL. Mr. Speaker, on rollcall No. 239 I was unavoidably detained on some official business. I entered the Chamber just as the vote was announced. Had I been here, I would have voted "yea." I ask unanimous consent that my remarks just made be inserted subsequent to the passage of the pending legislation.

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

There was no objection.

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

Mr. SAYLOR. Mr. Speaker, a little earlier today we had another bill with regard to nickel. I think if we gave that bill a proper title it would be a license to steal from the church because those who would get all the benefit out of it put absolutely nothing into the collection plate as it went by and they will take all of the benefits from it before it gets into the church coffers.

This is the first time I have had cause to comment on the action of the Committee on Armed Services which handles the disposition of surplus materials from our national stockpile. I have agreed with their action in every instance and I commend them for retaining congressional control. When we have these two bills affecting nickel up on the same day it means that we must try and see if they are at all consistent. I would like to know how much of the national stockpile is composed of electrolytic nickel, how much is composed of cathodes, how much is composed of ferronnickel and how much is composed of nickel oxide powder.

Mr. PHILBIN. We have those figures. We can give them to the gentleman, but it would take us a little while to put them together.

Mr. SAYLOR. The reason I asked the question is that a short time ago this House passed a bill under which we took silver out of our coins and we were told, by examples that were shown here on the desk in front of the Speaker's rostrum and out in the Speaker's lobby, that we were going to use nickel in most of our coins to replace silver. If this nickel is surplus to the needs of the Defense Department, where is the Treasury Department going to get the nickel it needs since the United States has to import almost all of the nickel to meet our domestic needs? If we are going to put nickel into our coins that we are going to strike where will the Treasury Department get the nickel to meet its requirements?

Mr. PHILBIN. As the gentleman knows, the purpose of the committee is to dispose of those portions of the critical and strategic materials now in the stockpile that may be disposed of consistent with the requirements of the Stockpile Act and the national defense. When we make these disposals, we have these things in mind: First, we must keep in mind the condition of the stockpile. Secondly, when the disposal is authorized by the House of Representatives and turned over to the General Services Administration for disposition and disposal, this procedure and process will be conducted with great care in order not to disrupt the markets and to not disrupt the price situation, and to make the disposal in a normal and fair way with respect to what we have in the stockpile and what we provide for disposal, and in such a manner that there will be the least or minimum impact upon the economy and upon industry.

Mr. SAYLOR. It seems to me that your own report shows that some of this nickel you acquired and which is going to be disposed of cost 54 cents a pound. The world market, in the latest reports, shows nickel is today selling at from 75 to 77 cents a pound.

Now, Mr. Speaker, if Uncle Sam already has nickel in his stockpile at 54 cents a pound, it seems to me utterly foolish to dispose of it into the commercial market and then turn around and have the Treasury Department go out and buy nickel at 74, 75, and 77 cents a pound.

Is there an explanation for this?

Mr. PHILBIN. Well, when this is disposed of, the Treasury Department will get the covered receipts and it will represent income to the Treasury.

Mr. SAYLOR. I know the Treasury Department is going to get it, but the Treasury Department needs nickel.

Mr. PHILBIN. Under the procedures, as I pointed out previously, this disposal of these materials will not be made available unless the market conditions are favorable. Naturally, the General Services Administration is going to channel this out into the market when the market is favorable so as not to disrupt the economy and so as not to upset the present system.

Mr. SAYLOR. I am not worried about disrupting the market.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GUBSER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. SAYLOR. I am worried about the inconsistent position in which Uncle Sam finds himself. Here disposing of nickel at 54 cents a pound and turning around and buying it at 75 cents a pound.

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

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

Mr. GUBSER. I believe the gentleman from Pennsylvania is confusing an average figure insofar as the acquisition cost is concerned and an average figure insofar as the market price of nickel is concerned, because the 74-cent figure as I understand it—and I am willing to stand corrected—is an average of the various types of nickels. Some could be higher than that and some could be lower, but it averages out at 74 cents.

Mr. SAYLOR. That is correct.

Mr. GUBSER. I do not know what particular type would be required by the mint but I know that the General Services Administration is prepared to dispose of some of this surplus to the mint and I would presume that it would be disposed of at a favorable price.

Mr. SAYLOR. If we have the assurance that the mint and the Treasury Department is going to secure this from the General Services Administration, then this is a good bill.

Mr. GUBSER. I believe it is implied. If the gentleman will turn to page 3 of the report he will note there is reference to the disposal plans. In the last sentence it says:

In addition, the Bureau of the Mint is expected to acquire substantially increased amounts of nickel.

I believe it can be presumed that the U.S. mint would be a favored customer insofar as the General Services Administration is concerned.

Mr. SAYLOR. I would like to have a little bit more than a presumption.

Mr. GUBSER. I am also informed that the priority of disposal would require the General Services Administration to go to the mint first.

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

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

Mr. GROSS. How is that going to work out? I do not understand how the General Services Administration is going about doing this. Du Pont is going to produce the "funny money," or a lot of it. I do not see how the General Services Administration is going about making Du Pont pay 92 cents a pound. This is the acquisition cost from the defense production stockpile and, yet, we are going to import nickel, knowing that this is going to knock the price down.

The market today is about 74 cents a pound. I do not understand how this is going to be handled.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

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

Mr. Speaker, in answer to the inquiry of the gentleman from Iowa, when the material is disposed of it will be disposed of and sold at the regular market price. It will be put on the market in the same manner as these other commodities are when the Congress authorizes them to be disposed of.

Mr. GROSS. If the gentleman will yield, the gentleman's own report shows that you are going to take 13 cents a pound less for it, when it sells at 79 cents a pound. You will take 13 cents less, based upon the acquisition cost of this product.

Now we are told, and it is readily admitted, with the passage of the nickel import bill this would further drag the price down.

Mr. PHILBIN. I am not informed as to what this will do to the price. It will be the market price, however. We are informed the overall disposal, if carried out at present, will result in a profit to the Government. We will make a profit.

As I said before, we have every reason to believe, based on the past experience of our committee and based on what the gentleman states, we would rely upon the assurances that have been given to us by the General Services Administration.

Mr. GROSS. They cannot make a profit on the nickel that was bought at 92 cents a pound.

Mr. PHILBIN. It would be the average that would determine whether or not we would make a profit.

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

Mr. Speaker, during this investigation about the utilization of nickel by the U.S. Mint, I have learned that the Mint utilizes nickel for coinage in the form of cuprous nickel. This can only be available from a refinery. The U.S. Mint does not have a refinery. So therefore, it is necessary for this to be sold to a refiner, then the U.S. Mint can acquire the cuprous nickel from that person. Insofar as the possibility of loss is concerned, we should remember that the refiner would be buying it at the market price; namely, 74 cents, or whatever it happened to be on that day, and the Mint, if it desired to furnish the metal to a refiner, would go out and buy it at the market price, which would be 74 cents plus the natural expense of refining, whatever that might be.

It is merely a matter of GSA selling at market price cents and buying at the consumer or processor market price. The net result is no loss to the Treasury.

I would like to make one further brief remark similar to that made by the gentleman from Colorado [Mr. ASPINALL], and this would apply to the bill previously passed and those which will follow:

During the hearings of the Armed Services Committee the question was very seriously debated as to a possibility the Congress might surrender its right to control the stockpile to the executive branch. Although we reached no final conclusion on the pending bill, it was obviously the unanimous opinion or near unanimous opinion of the House Armed Services Committee that the Congress has always been responsible and responsive to the needs of the executive department insofar as the stockpile is concerned; that under the leadership of the gentleman from Massachusetts we have never been derelict in our duty and we have not delayed or caused any problem whatsoever. These bills before you are another concrete example that the Congress does act expeditiously and that the Congress should retain control of the strategic stockpile.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

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

EXPRESSING APPROVAL OF CONGRESS FOR DISPOSAL OF MAGNESIUM FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 453) expressing the approval of Congress for the disposal of magnesium from the national stockpile.

The Clerk read as follows:

H. CON. RES. 453

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal from the national stockpile of approximately twenty-one thousand five hundred short tons of magnesium contained in primary pigs and alloys.

The SPEAKER. Is a second demanded?

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

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

The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, House Concurrent Resolution 453 would authorize the disposal of 21,500 short tons of magnesium from the stockpile. Our present objective for magnesium is 145,000 short tons while the quantity in our inventory, adjusted to reflect quantities committed against prior disposal authorization is 166,500 short tons. This action would dispose of all the surplus magnesium.

On February 28, 1964, the stockpile objective was revised from 107,000 short tons to 145,000 short tons.

Magnesium is the lightest of the commercial metals produced in quantity at relatively low cost. It is used in aircraft chiefly in structural forms and sheet. It enters into alloys of zinc and aluminum and serves in castings, forgings, and extrusions. It is also used for recovery processing for titanium, cathodic protection from corrosion for steel, and scavenger and deoxidizing applications in metallurgy.

The United States is the principal producer of primary magnesium in the free world, accounting for about 63 percent of the 1963 free world primary production. Norway is second with about 15 percent. Other producing countries are Canada, Italy, and the United Kingdom.

U.S. consumption of primary magnesium in recent years has maintained levels in the area of 35,000–45,000 short tons annually, but actual consumption in 1963 was approximately 51,000 short tons. Secondary consumption in the United States amounted to 14,500 short tons in 1963.

Growth in demand, both domestically and abroad, is expected as a result of the increased use of magnesium castings, the increased use of aluminum alloys, and the shortage of high quality magnesium scrap.

It is proposed to dispose of any unsold portion remaining from the prior authorization, plus approximately 21,500 short tons of additional excess magnesium for which congressional approval is sought.

Disposal of the total excess would extend over a period of 4 to 5 years. The sales rate for the first year would not exceed 5,000 short tons—magnesium

content. The annual sales rate is subject to modification if market or other conditions warrant.

The magnesium is in the form of primary pigs and alloys and does not meet stockpile specifications. Some of it was acquired by surplus transfers after World War II but the major portion was produced in Government-owned plants under the DPA Act and was subsequently transferred to the stockpile.

I think it is interesting that the acquisition cost of the amount for disposal was approximately $15,608,355.

The SPEAKER. The question is, Will the House suspend the rules and pass the concurrent resolution?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING DISPOSAL OF DIAMOND DIES AND NONSTOCKPILE BISMUTH ALLOYS FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 454) expressing the approval of Congress for the disposal of diamond dies from the national stockpile and nonstockpile bismuth alloy.

The Clerk read as follows:

H. CON. RES. 454

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal from the national stockpile of approximately eight thousand three hundred seventy-four pieces of subgrade small diamond dies and approximately thirty-six thousand five hundred eighty pounds of nonstockpile grade bismuth alloys.

The SPEAKER. Is a second demanded?

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

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

The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, House Concurrent Resolution 454 authorizes the disposal of approximately 8,374 pieces of subgrade small diamond dies and approximately 36,580 pounds of nonstockpile grade bismuth alloys now held in the national stockpile.

At present the objective for diamond dies is 25,000 pieces while the quantities in all inventories is 12,640 pieces. This latter figure includes 3,253 pieces on order. The 8,374 pieces proposed for disposal are of a nonstockpile grade and are not included in the quantity listed in all inventories.

The approximately 8,374 pieces of small diamond dies for disposal consist of used, out of round, or otherwise defective dies transferred to the national stockpile in 1947 from the Reconstruction Finance Corporation. These dies have been classified as below specification grade.

The dies are packed in ammunition cases and stored in a vault at the GSA-DMS Depot, Somerville, N.J. All these dies are of the type used in the cold drawing of wire. Of the total, 3,913 are unmounted; 4,461 are mounted. The hole sizes range from 0.00037 through 0.0015 inches.

Approximately 15 percent of both the mounted and the unmounted dies are fractured or have chipped surfaces and cannot be salvaged for further use in drawing wire. The remainder consists of worn and out of round dies which, for the most part, weigh less per unit than the 0.15 carat minimum required by the National Stockpile Purchase Specification.

It is believed that the orderly disposal of the subgrade diamond dies will have little, if any, impact on the market. Because of their present condition, it is felt that these dies will not be competitive with the types, sizes, and qualities now being imported or produced domestically for commercial use in this country.

We currently have a stockpile objective for 3,600,000 pounds of bismuth alloys and a quantity of 3,835,216 pounds of stockpile grade bismuth alloys in all inventories, or an excess of 235,216 pounds of stockpile grade bismuth alloys. In addition, we have 36,580 pounds of nonstockpile grade of bismuth alloys. The resolution proposes disposition of only the 36,580 pounds of the nonstockpile grade.

The approximately 36,580 pounds of bismuth alloys for disposal consist of secondary ingots in various sizes and weights. These alloys are composed mainly of bismuth, lead, and tin. They are nonstockpile grades and do not precisely meet the standard specifications for primary commercial alloys of this type.

The alloys were transferred to the national stockpile from the Atomic Energy Commission under NSP-9 and NSP-10, at a reported acquisition cost of $72,900. Storage now is at the GSA Federal Depot, Clearfield, Utah.

The proposed sale of this small quantity of alloy should have no significant impact on the markets of producers, processors, or consumers. Total bismuth consumption in the United States in 1963 exceeded 1.9 million pounds.

The bismuth alloys to be disposed of are primarily usable for fusible alloys in patternmaking, bending of thin wall tubing, release links or plugs in sprinkler and alarm systems and other thermal safety devices.

The SPEAKER. The question is on suspending the rules and passing the concurrent resolution (H. Con. Res. 454).

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING APPROVAL OF CONGRESS FOR THE DISPOSAL OF HYOSCINE FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 455) expressing the approval of Congress for the disposal of hyoscine from the national stockpile.

The Clerk read as follows:

H. CON. RES. 455

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal of approximately two thousand one hundred ounces of hyoscine from the national stockpile.

The SPEAKER. Is a second demanded?

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

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

The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, House Concurrent Resolution 455 would authorize the disposal of approximately 2,100 ounces of hyoscine from the national stockpile.

The inventory of hyoscine now remaining in the national stockpile was acquired by direct purchases under the provisions of the Strategic and Critical Materials Stock Piling Act pursuant to directive issued by the Munitions Board, or successor agencies. The average acquisition cost, including accessorial charges was $14.59 per ounce.

Hyoscine was removed from the list of strategic and critical materials for stockpiling on March 19, 1964.

Hyoscine hydrobromide—the term hyoscine and scopolamine are used interchangeably—is a botanical drug. It is a primary central depressant used in motion sickness, as a cerebral sedative, and to alleviate vertigo, intractable hiccup, and certain neurophychiatric states. Acceptable domestically produced synthetic medicinals are available as substitutes.

During the 2-year period, May 1960 to May 1962, four sales of hyoscine were made from the national stockpile. Such disposals, covered by prior authorizations, were made in quantities ranging from 1,012 ounces to 1,835 ounces, and were absorbed by regular marketing channels without market disruption. It is anticipated that the remaining inventory of 2,100 ounces will be disposed of in a period of 1 year, or less, with little or no impact on the markets of producers, processors, or consumers.

I understand that the commercial raw material source is the corkwood—dubasia—tree grown in Australia. The alkaloid also occurs in the roots of certain plants of the nightshade family.

While the acquisition cost of the hyoscine we have for disposal was $14.59 per ounce, I understand the current do-

mestic price is $11.50 per ounce or $11 per ounce in 100-ounce lots.

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

Mr. PHILBIN. I am always glad to yield to the distinguished gentleman from Iowa.

Mr. GROSS. On the basis of the acquisition costs of this hyoscine, are we not taking a loss on this?

Mr. PHILBIN. Yes, we are going to lose some money on this, the reason being that over this long period of time, substitutes have come in and now we probably are going to lose money, but not too much. I do not have firm figures on this.

The gentleman from Iowa may be interested in knowing what this is. This is medicine for motion sickness. Other substitutes have been evolved that are considered to be better but this will have some use and we should dispose of it now before prices go down any lower. I am not in a position to advise the House as to just what that loss will be, but I do not think it will be too much.

The SPEAKER. The question is, Will the House suspend the rules and pass the concurrent resolution?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to extend their remarks on the five pieces of legislation just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GOVERNOR GUERRERO ADDRESSES GUAM ROTARY CLUB

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an address by Gov. Manuel F. L. Guerrero.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, Members of Congress are always pleased to hear of the progress being made in the offshore flag areas of the United States. An address recently presented to the Guam Rotary Club by Gov. Manuel F. L. Guerrero outlines outstanding progress made during the past year and discusses several additional steps to be taken.

Governor Guerrero's address follows:

ADDRESS TO THE GUAM ROTARY CLUB

(By Gov. Manuel F. L. Guerrero, May 20, 1965)

It has been more than a year since I've spoken to the Rotary Club. Many of our plans have matured in that year; many more have begun. I am pleased to have this chance to talk with you about our progress, and about our common goals and problems.

Much of my talk will be devoted to physical improvements on the island. Before I get into this area, I want to touch on a matter which may not be in the area of your professions but which is important to you as citizens of Guam.

Dr. Yamashita, the president of the College of Guam, has advised me that the college has just received accreditation for a 3-year period, by the Western Association of Schools and Colleges. I think Dr. Yamashita and the members of the college faculty and staff can be rightfully proud of this achievement, which ends a period of temporary accreditation for the college. I believe the college is of major importance to our people and to the future of the territory. I hope it will always receive the support of all of you as leaders of the business community of Guam, as well as from those of us in government.

A few weeks ago—by courtesy of the Navy—I was given a helicopter view of Guam. It is a very pleasurable and exciting view—for you see so clearly how much building and repair Guam has accomplished.

To bring you up to date, we have 14 school or college buildings under construction. Their percentage of completion ranges from 2 to 80 percent. (And let me say here that even before these schools are built, we know we need more. Andersen Air Force Base, for example, badly needs an additional school, and somehow we must find the money to build it.)

The penitentiary and juvenile home are better than 75 percent complete; the public works building is more than half completed. We have received final engineering studies for the islandwide sewer system, and bids have been invited on the first major segment—new sewer lines in Agana, Agana Heights, Sinajana, Tamuning and Tumon—which, with pumping stations, will cost in the range of $2½ million.

Our new department of education building is almost finished; the new public utilities agency headquarters is rising rapidly. The various other projects of our reconstruction and rehabilitation programs are, for the most part, well underway.

From the air, the development of homes across the island is also most impressive. Thinking back to the appearance of the island after typhoon Karen, the contrast is almost unbelievable. It is a tribute to the people of Guam and to every public and private agency that has been involved.

I think you're all aware of the programs of our commercial air terminal, but I want to dwell on this facility for a moment. It's a very vital one to you, and to every resident of Guam who must be intimately concerned with the territory's economy. Barring any unusual problems, I understand the terminal should be completed by January 1966. We have some 33,000 square feet of space in the three-building complex. And, once again, it looks as though that space will be inadequate even before we have it. We are now investigating the possibility of expanding the planned buildings, and trying to find the money—at least $200,000—which will be required for that expansion.

We hope to hire or get on loan a professional airport manager to steer us through the early phases of the airport terminal operation. As you may have read, George Ingling, our coordinator of Federal projects, will be meeting with Federal Aviation Agency officials in Washington, D.C., in the next couple of weeks to see what help might be available through that office.

Our own Department of Commerce, which has the airport terminal operation as one of its responsibilities, has sought proposals on terminal concessions and has reported no shortage of applicants. Concessions will eventually be let to bid.

We are determined that the terminal operation will be as effective and efficient as is humanly possible. The terminal is the first point of contact for almost every visitor to Guam—and the only point of contact for commercial passengers passing through Guam.

We want it to be inviting; we want it to offer every service for the comfort and pleasure of our visitors. We want facilities there that will make air passengers want to see all they can of Guam while they are here—and make them want to return to Guam.

It has been brought home to me many times how many people have seen only a few square meters of Guam—an airstrip inside military areas—and have left the island assuming that all of Guam was a fenced-in and not-very-inviting place to be.

We had a San Francisco architect—John Warnecke—with us 2 weeks ago. His first trip to Guam, many years ago, had left him with exactly the impression I've described. This time, he got around. He was simply astonished at the island's beauty and its development. I think he left Guam a good salesman for our territory, and I think there will be many thousands like him in the years to come.

Another current project, urban renewal planning, is now complete for Yona and almost complete for Sinajana. Our urban renewal authority will hold public hearings on plans for the two communities in early June, and will submit the plans to the legislature in its June session. I think this program, which will eventually provide safe homes and community facilities in attractive surroundings for these villages, deserves and will get full public support.

Among our most important planned facilities is a new commercial port.

Some $4,800,000 for construction plans and specifications, wharf structures, dredgings and reclamation is included in our rehabilitation requests for fiscal 1966. This would be the first of two increments in the port construction.

This and other items in our 1966 requests have been approved by the House of Representatives and the Senate Appropriations Committee and are awaiting action by the full Senate.

Among these items is slightly more than $500,000 which we would put to use on one of our oldest and most difficult problems—the fractionalized lots in Agana itself. This money would let us begin the process of purchasing fractionalized lots and combining them into usable properties. This involves some 800 small pieces of property that are now below the minimum lot size, so the problem is a big one.

In Agana, in the development of the new port of Cabras Island, in every situation where we can do so, we are attempting to see to it that land use on Guam is a matter of good planning, and that available land is put to its best use. The island is developing, and it will develop faster. We want to ensure as best we can that this development is orderly.

On Cabras Island, for example, we are planning for the development of an industrial park, where the proximity of the port will make it most feasible and desirable.

A large piece of commercially-zoned property will be vacated when the department of public works moves to its new headquarters, and we are planning for its use for a private commercial venture.

I'm sure you have all heard rumors of a major hotel development here. Several outside chains have expressed an interest in building on Guam; one in particular is very much interested in a development on Tumen Bay.

If you have visited Ipao Beach recently, you have seen the excellent work of our Department of Public Works in developing and

maintaining that area. Plans are to improve and expand the Ipao facilities, and I believe Ipao will one day be a public beach unsurpassed by any in the world.

Wise land use, proper development of our outdoor recreational resources, are goals receiving our constant attention, and involving many different programs both locally and nationally.

Government of Guam planners are well on their way in preparing a master plan for the island in which desirable land use is a prime factor. Through the National Park Service and through the Department of the Interior we hope to get the technicians and the financing to produce a careful and thorough evaluation of the island's possibilities for a national park, and for other recreational area development.

Most of you are aware of the many problems in land ownership and utilization on Guam, and I think you know also that the Government of Guam has only limited powers in this area. The great bulk of our land is held by the Federal Government and private owners.

If the government of Guam wants federally owned property, in most cases it must purchase the land at fair market value. Only in special cases, justified for such public use as schools, does the land transfer take place at no cost to the government of Guam.

Along with land development goes the need for construction and maintenance of public utilities. The development and protection of our water supply is of paramount importance. Community populations are shifting, new homes are being built, so that power and telephone and sewer service needs are changing and expanding.

We are exerting every effort to meet these needs, to develop resources, to replace outmoded facilities, to extend and improve our utility services.

Assuming a constant military population, our department of land management is projecting a total population on Guam of about 85,000 in 1970—92,000 in 1975—and 108,000 in 1985. To prepare for and serve such populations will demand the best from all of us.

This has been a brief review of our major land and capital improvement projects. It may be properly concluded that, although we have come far in reconstruction and rehabilitation, we still have such to accomplish. To me, there is no doubt that it will take the combined resources of local and national government to do the job for Guam that must be done.

Guam is an integral part of the United States of America; it shares the same hopes and aspirations of our sister States and territories. We are American citizens, proud of our heritage and dedicated to the principles of justice and freedom that make our Nation the leader of the free world.

I feel that it is high time that we in Guam make it unmistakably clear that our allegiance is to the United States of America, and any efforts on the part of some to weaken that allegiance will be sharply repudiated by an alert and enlightened and loyal citizenry.

Thank you.

THIRTEENTH ANNIVERSARY OF COMMONWEALTH OF PUERTO RICO

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a speech of Secretary of the Interior, Mr. Udall.

The SPEAKER. Is there objection to the request of the gentleman from Puerto Rico.

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, July 25, 1965, marked the 13th anniversary of the founding of the Commonwealth of Puerto Rico and was the occasion for celebrations and ceremonies appropriately commemorating the event.

President Johnson was represented at the Commonwealth Day observances in San Juan by the Honorable Stewart L. Udall, Secretary of the Interior. In his address, Secretary Udall gave recognition to the rapid and solid gains in the Commonwealth's economic program which were achieved under the uniqueness of Puerto Rico's status within the U.S. political system. He properly called this close and intimate relationship "a brotherhood between the United States and Puerto Rico," which, he predicted, will continue as far as one can see in the future.

Secretary Udall's observations reveal a keen insight into Puerto Rico, both past and present, and his speech was so impressive in this respect that I should like to call attention to it on the part of our colleagues:

ADDRESS BY SECRETARY OF THE INTERIOR STEWART L. UDALL AT COMMONWEALTH DAY OBSERVANCE, SAN JUAN, P.R., JULY 25, 1965

I am delighted to be here in Puerto Rico to join in the observance of Commonwealth Day. This is a great day in the history of the United States and Puerto Rico and the hemisphere, an occasion for true celebration.

I am here to bring to you the warm personal greetings of the President of the United States. As you know, he has been long associated with Puerto Rico and he is glad of his participation in the historical events which led up to the establishment of the Commonwealth. He is proud of the splendid economic and social evolution which has been taking place within Puerto Rico, and he is excited at the prospect of the really magnificent achievements and contributions which the people of Puerto Rico now have the opportunity to make in the world.

It seems to me appropriate in a sort of reverse sense that the President happened to choose me as his Commonwealth Day proxy. The Secretary of the Interior can be called a symbol of the growth and development of the United States-Puerto Rican relationship. Puerto Rican matters are no longer referred to the Interior Department. This is one time I am enthusiastic over seeing my empire shrink.

It was in keeping with history that President Kennedy made this change in 1961, ordering that matters involving Puerto Rican status be referred to the Office of the White House. On that occasion he stressed the "unique position of the Commonwealth." It is this uniqueness which I think most fascinates us all, and sums up our joint delight in the Puerto Rican story.

The uniqueness covers many fronts. To start with, Puerto Rico is, of course, dramatically different in many elementary ways from the United States—site, climate, resources. Add to that the cultural and historical differences in such areas as political experience, language, wealth, population. To the enormous credit of the United States, it has historically responded to those differences by differences in treatment—uniqueness of relationship. Even from the beginning of our political association, it has been characterized by a combination of elements, some resembling integration, some completely different. I do not here have the time or the need to specify the aspects of the long relationship. The heart of it, the cause of our mutual pride, the practical genius of it, is this: the Americans and the Puerto Ricans have been able to work out arrangements between them which are appropriate to the peculiar circumstances of Puerto Rico and which are at the same time a benefit to the United States.

Uniqueness is usually intriguing, just because it is unique. But the charm in the Puerto Rican story goes much deeper, into real meaning for many areas of our troubled lives. I mentioned earlier that the United States reacted gracefully and generously to the differences it confronted in 1898 in Puerto Rico, differences it had had no experience with before in all its wide territories. But just as decisive was the Puerto Rican reaction to the reaction. With a slow start and a tremendous rate of speed in recent years, Puerto Rico has achieved remarkable gains economically, in diversification and industrialization and sound growth in prosperity. This is in the face of devastating natural odds, and with current direct American financial help less per capita than that going to some independent foreign countries.

In other areas the success of the Puerto Rican talent for self-help is less tangible but even more heartening. The development of political responsibility is a dramatic story, both on the part of the Government and of the people. The island's bold attacks on problems of deplorable housing, illiteracy, scanty land area, poverty (Shriver didn't invent the poverty program) have all made tremendously impressive gains, and there are many others of this kind. The Puerto Rican achievements in the last generation or so are a sort of evolving success story in an area where most stories are gloomy and disheartening. The less developed areas are now generally doing worse, economically at least, than a few short years ago. The world, and all of us, need encouragement, and it is good indeed to see the wonderful progress that Puerto Rico is continuing to make in the different areas of life.

The first Commonwealth Day, 13 years ago, is a proud day for us for many reasons. One of the most important is its recognition of a close relationship in equal association, a compactual relationship, tailored to the particular individualisms of the United States and Puerto Rico in relation to each other. Both the Americans, and the Puerto Ricans showed themselves possessed of a political creativity and vision. The Commonwealth established at that point in time was thoroughly unique. It certainly differed sharply from the traditional varieties of American status: statehood, colony, incorporated territory. It didn't resemble very closely any other entity in the world—the nearest relative was probably some stage in British dominion development, but the differences there was still acute.

The Americans, then, and the Puerto Ricans both had the bravery to venture beyond the textbook relationships to work out something more appropriate to their own personalities and abilities. This in itself is to us one of the great significances of Commonwealth Day. For some dire reason, creativity in political affairs of the world has been moving much more slowly than our desperate need occasions, and the Commonwealth is a brilliant exception.

Commonwealth, the free association between the United States and Puerto Rico, has as we all know grown and proved itself in many ways and to many persons since July 25, 1952. This illustrates the underlying nature of Commonwealth: it is a growing, evolving, dynamic creature. The nature of life is change, but Commonwealth has the grace to be able to adapt to it without losing its hold on the stable lasting values.

The most stirring aspect of this festival occasion is to me the possibilities now open to the Puerto Ricans for many important different kinds of achievements. The fact of Puerto Rican success can be in itself a meaningful incentive to other peoples, particularly the underdeveloped, to help themselves to economic improvement and political stability. The world badly needs this kind of ex-

ample, and it can respond to this kind of success story. In this connection, the Commonwealth status can point the way to weaker areas for dignified and beneficial association with other areas. Once the less developed nations lose their fears and oversensitiveness, we can hope that they will evaluate the many kinds of beneficial relationship open to them.

It is also most interesting to see the energy with which Puerto Rico is tackling its problems and extending its lines. Some of these areas are of special importance to the United States. Puerto Rico is aptly suited for certain kinds of activities, including particular assistance programs and regional development activities to help build up Caribbean economic and political health. The possibilities in areas like this are exciting indeed.

It all sounds like quite a love affair, this relationship between the United States and Puerto Rico, and I think that is true. It happily combines tremendous affection with a real feeling for the separateness and differences of two entities.

I have no doubt that this close and intimate relationship—this brotherhood—between the United States and Puerto Rico will continue as far as one can see into the future. It is a sign of the dynamic nature of the Puerto Rican people and of the vision of the United States that the political status of Puerto Rico is now being reexamined by a distinguished joint committee. I do not, of course, know what the specific results will be—but I am confident of one fundamental fact: I am sure that whatever the status commission recommends—whatever the future holds in terms of adaptations and changes in the form of relationship between the United States and Puerto Rico, they will always be close collaborators and intimate partners in the great human adventure—the search for peace and the spiritual and physical well-being of people.

FLORIDA AGRICULTURAL VALUATION PROBLEMS AND THE FEDERAL ESTATE TAX

Mr. MATTHEWS. 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 Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I am enclosing an excellent article by my friend, Mr. James S. Wershow, a practicing attorney in my home city of Gainesville, Fla. Mr. Wershow received his LL.B. and LL.M. degrees from Yale University, and presently is secretary-treasurer of the tax section of the Florida bar and is president of the Alachua County Farm Bureau.

Mr. Wershow is an authority on agricultural land taxation. This problem is of vital importance to the American farmer, and I am happy to present the following article by Mr. Wershow:

FLORIDA AGRICULTURAL VALUATION PROBLEMS AND THEIR RELATIONSHIP TO THE FEDERAL ESTATE TAX

(By James S. Wershow)

Too often it is taken for granted that a way of life or a mode of existence can go on forever. No attempt is made to ascertain the realities of the situation until grave difficulties ensue and render the entire structure perilous.

In no case is this more true than in the field of agricultural land valuation. Each interested party has some compelling aim in his analysis of land valuation. The farmer regards it as an instrumentality for the production of food and fiber and thus bases his valuation on the actual agricultural use for which the land can be employed. Cattlemen and foresters employ similar techniques in attempting to ascertain the value of their land holding.[1]

Land has within itself the capability of uses other than those employed primarily for the production of food and fiber in that it affords the means of satisfying other public wants such as the basis for transportation, communication, dwellings, recreation. It is these alternative uses that make land values subject to speculation. This gives rise to the basic question of what land is worth and how it should be valued.

It is not the purpose here to discourse broadly about this evanescent problem and the myriad of consequences which flow from it. Instead only one avenue of approach will be used in attempting to depict and analyze what is happening in this most vital field.

GROSS ESTATE VALUE

The merry chase begins when one examines the definition of gross estate in the 1954 Internal Revenue Code. "The value of the gross estate of the decedent shall be determined by including to the extent provided for in this part, the value at the time of his death all property, real or personal, tangible or intangible, wherever situated."[2] Then in section 2032 of the Internal Revenue Code comes a further elaboration in the form of an alternate valuation date which allows a choice between date of death and 1 year thereafter.

In these seemingly straightforward and seemingly innocuous sections are the beginnings of complex problems.[3] In both definitions the term "value" is employed. Since ultimately this must be resolved on a present dollars-and-cents basis, the question becomes very important as to how value must be determined.

The Internal Revenue Code and accompanying Treasury regulations provide little guidance in this quest.[4] Regulation 20.2031-1(b) defines "value" as being fair market value. It again states that the fair market value is the price at which the property would change hands between a willing buyer and a willing seller, neither being under any compulsion and both having reasonable knowledge of relevant facts. It further states that property shall not be returned at the value at which it was assessed for local tax purposes unless that value represents the fair market value as of the applicable valuation date.

Consequently the only guidelines which are fairly well enunciated are those which have evolved through litigation and subsequent judicial determination. The determination factor in real estate valuation in the Federal courts is "fair market value" at the time of death or transfer. The Federal courts have defined fair market value as the price at which the realty would change hands between a willing buyer and seller, neither of which is under compulsion to buy or sell.[5]

While this definition suggests an equitable approach to the valuation of land, from a practical approach, much is lacking. Surely the question of land valuation depends on two basic considerations, one in essence theoretical and the other practical.

Here, more than in any other phase of legal reasoning, lip service is rendered to the symbolic factors of land valuation and yet the problem is usually resolved in a more practical manner. In other words, the value of land is examined from the viewpoint of several intrinsic factors which are inherently associated with its valuation. Since these factors are purely local, the Internal Revenue Service has yet not been able to devise a uniform system for evaluation of agricultural land.

This approach was accepted by the Federal courts in *Byer* v. *Broderick*,[6] 59-2 USTC § 11,880. In this case the valuation of some 11 parcels of land owned by a deceased farmer was involved. After using the classical approach in defining fair market value, the court went on to say that the determination itself was dependent on all of the facts relating to market value.

This leads us to the consideration of what factors are operative in the ultimate determination of agricultural land valuations here in Florida.

VALUE OF FLORIDA LAND

It is important to remember that Florida, because of its location, climate, and other natural resources, has had an unprecedented growth economically, as well as populationwise. In its wake has followed a myriad of problems, not the least of these being the basis of land valuation. This is particularly noticeable in the field of agriculture. Here the exploding growth lead to difficulty in applying the traditional concept of "ad valorem" taxation based on land valuation to the particular solution of true land criteria. As agriculture intensified in certain areas so did concentration of population for industrial and recreational purposes. In other words, keen competition developed for the use of land which pitted the agriculturist against the developer, industrialist and resort operator. Each felt that his claim to use of the land was superior and paramount.

LEGISLATION

The agricultural interest soon realized that unless active political action ensued they would be unable to protect their position. Since the cattlemen and farmer required land as a basic instrumentality for their operations, they could not allow concepts of value with reference to land to dominate unless it was in accord with traditional usage. In other words, land must be valued in accordance with land usage as this factor alone was of primary importance to them.[7] Gathering their legislative forces section 193.11(3) of the Florida statutes.[8] The essence of this 1957 enactment is as follows:

"All land being used for agricultural purposes shall be assessed as agricultural lands upon an acreage basis regardless of the fact that any or all of said lands are embraced in a plat of a subdivision or other real estate development." *Provided*, "agricultural purposes shall include only lands being used in a bona fide farming, pasture, or grove operation by the lessee or owner or some person in their employ." Lands which have not been used for agricultural purposes prior to the effective date of this law shall be prima facie subject to assessment on the same basis as assessed for the previous year, and any demand for a reassessment of such lands for agricultural purposes shall be subject to the severest scrutiny of the county tax assessor to the end that the lands shall be classified properly."

This action was strictly an assessment procedure. Moreover, it was further fortified by the 1963 legislative amendment which further admonished: *"Provided*, this subsection shall not be construed, interpreted,

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[1] See Wershow, "Agricultural Zoning in Florida—Its Implications and Problems," 13 U. Fla. L. Rev. 479, 486-87 (1960).

[2] Internal Revenue Code, sec. 2031(a).

[3] Internal Revenue Code, sec. 2032.

[4] Internal Revenue Code, sec. 20.2031-1(b).

[5] *Byer* v. *Broderick*, 59-2 USTC, sec. 11,880.

[6] Ibid.

[7] See Wershow, "Ad Valorem Taxation and Its Relation to Agricultural Land Taxation Problems in Florida 'Green Belt Law Interpretations,'" vol. 16 U. Fla. L. Rev. (1964).

[8] Florida Statutes 193.11(3).

or applied so as to permit lands being used for agricultural purposes to be assessed other than as agricultural lands and upon an acreage basis."[9]

Where is this leading with regard to the ultimate purpose of valuing land for estate tax purposes? As previously stated, the Federal estate tax makes no definite attempt to value land beyond stating that the traditional verbiage about what a willing buyer and seller can negotiate between themselves in a free market. The regulations refer to fair market value at time of death or transfer.

THE QUESTION?

What are we really talking about? The Federal courts are struggling along a route which relies heavily upon local valuation factors and yet, as has been said, "Valuation is ultimately a matter of mere human judgment or opinion regardless of an abundance of often utilized formulas and rules of thumb." Within this conflict, "land use" is pitted against "highest and best use" of the land. Also full cash value is thrown against just value. Each group involved in the ownership or possession of land has equated its own symbolisms for expressing value. Lawyers and judges scrutinize the statutory and constitutional wordings in hope of securing a practical application for the term "just" valuation. How much? Is it fair?

The Federal courts have on numerous occasions rejected the concept of equating the fair market value of land solely with the assessed value of land for ad valorem taxation because of the deep basic discrepancies in the manner and mode of land assessment on a local basis.[10] Nevertheless, there are the future implications of local judicial developments in this important field.

THE CRITERIA

In connection with the assessment of farmland for ad valorem tax purposes, the Florida Legislature deleted "full cash value" as a measure for ad valorem taxes and instead inserted the just value standard already required by section 1, article 9 of the Florida constitution.[11] This new statute[12] enumerates the factors which county tax assessors shall use to determine just value. They include (1) present cash value, (2) highest and best use to which the property can be expected to be put in the immediate future, (3) location of property, (4) quantity or size of the property, (5) cost of the property and present replacement value of any improvements thereon, (6) condition of the property and (7) income from the property.

Are these in themselves not good indicators of agricultural land values? They are to a certain extent, but once again a most potent warning must be given.

The landmark case of *Tyson* v. *Lanier*[13] in Florida graphically illustrates the point. While it concerns itself with ad valorem taxation of agricultural lands it exhibits all of the elements of a coming struggle which will profoundly affect the basis for valuation of agricultural lands in Florida under the Federal estate tax.

THE CONTROVERSY

The controversy originated in Osceola County, Fla. The plaintiff, Tyson, and other farmers sought to enjoin the tax assessor, Lanier, from assessing agricultural lands other than in accordance with 191.11(3) Florida Statutes which in essence provided the assessment on the basis of agricultural use. The chancelor found for the plaintiff stating that the assessor, Lanier, has appraised the plaintiff's agricultural property at full cash value regardless of its use. On appeal by the tax assessor, the Second District Court of Appeals, by a 2-to-1 decision, reversed the chancellor.[14] They stated agricultural land should be assessed at full cash value in the same manner as all other lands, the only difference being they will be assessed on an acreage basis. They held also that a preference with regard to ad valorem taxation was also being given to the agriculturist.

The controversy finally ended up before the Supreme Court of Florida which decided in favor of the plaintiff in a 4-to-3 split decision. The late Mr. Justice Terrell in construing section 193.11 Florida Statutes stated: "Neither do we find anything in the act that runs counter to the requirement of section 1, article 9, Florida constitution which requires the legislature to provide for a uniform and equal rate of taxation * * * and shall prescribe such regulations as shall secure a just valuation of all property.[15] Thus Justice Terrell focused attention upon the problem of a preferential assessment statute passed by the State legislature "to aid farmers caught in an economic bind not of their own making."

The minority opinion written by Justice Drew challenged the concept of preferential valuation of assessment purposes. In his minority opinion,[16] he stated that classification of land in accordance with section 193.11 Florida Statutes is not: "A classification of land on the basis of an inherent characteristic, but instead is a "classification" of taxpayers or owners of taxable realty so as to single out those who choose or are able to subject their land to agricultural use and accord to that group along with the right to have the "just value of their property determined on the basis of actual use rather than on the basis of the same criteria controlling valuation of other property.

In criticizing the majority opinion, Justice Drew states that a basic legal inequality exists when different assessment standards are set out for lands having the same sale or market value merely because some of the land is used as a farm or for other agricultural purposes.

"A strict application of the ancient concept of equality and uniformity—buttressed by a myriad of court decisions and constitutional provisions—is the only way to prevent a complete erosion of these basic concepts in an area which has plagued men from time immemorial. We cannot—and must not—in my humble judgment make fish of one and fowl of the other."

Here in the conflicting opinion of the majority and minority, we have an irreconcilable conflict whose ramifications spill over into the field of Federal estate tax valuation. The pitfalls are numerous and very apparent.

In the changing field of agricultural land valuation will the Federal courts and the Internal Revenue Service heed the klaxon which is being sounded by our State judiciary?

How can the agricultural integrity of land be maintained if at death, valuation concepts are introduced which would destroy the productive factor of land for agricultural purposes?

Local legislative enactment in Florida and other States show the need for protecting land from confiscatory assessment procedures which ultimately forces land into other use categories which depletes our reservoir of necessary food and fiber.[17]

The valuation of agricultural land for Federal estate tax purposes whether it be by the Internal Revenue Service or the courts must heed the growing surge of the demand for preferential valuation of agricultural land yet at the same time develop a valuation basis which is equitable not discriminatory. This is a seemingly impossible task.[18]

A word of warning seems appropriate. That the Federal Government has not enacted any significant legislation in this important field is no sign that it may not some day enact such legislation. The State legislatures should exercise every precaution to see to it that their enactments do not inadvertently give the Federal authorities power to enter the field of agricultural valuation in a fashion that will work a hardship on the agricultural interests, a hardship which may be most acute at the time of death of those who own agricultural land.[19] The bait is here. The warning is clear. The Federal court pronouncements stress local valuation factor in estate tax determination.[20] Let us not lose sight of the facts that our local legislative enactment are like a Sword of Damocles, always hanging over us and ready to be used against us.

RIOTING IN LOS ANGELES

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

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

There was no objection.

Mr. SELDEN. Mr. Speaker, as one who represents an area that for many months has borne much of the brunt of civil rights agitation and disorders, I am well aware of the painful experience that the people of Los Angeles and California are presently undergoing.

To those Members of Congress from California and other areas who rushed to Alabama last February, let me assure them that neither I nor any other Member of Congress from the State of Alabama expects to journey to Los Angeles at this time for the same purpose. We, from Alabama are well aware that unofficial and unwanted groups from the U.S. Congress who thrust themselves into a dangerous racial situation can only make that situation worse.

Events of the past few days in California, as tragic and undesirable as they may have been, perhaps will make an obviously unaware American public recognize:

First, that racial problems in the United States are not confined to the South.

Second, that those who have condoned or even encouraged violations of local and State laws in Alabama are encouraging similar violations throughout the United States.

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[9] Florida Laws 1963, ch. 63-250.

[10] *Cullers* v. *Commissioner Internal Revenue*, 237 Fed. 2d 611 (8th Cir. 1956).

[11] The Florida Constitution, sec. I, art. IX.

[12] Florida Laws 1963, ch. 63-250.

[13] *Tyson* v. *Lanier*, 156 So. 2d 833, 835 (1963).

[14] *Tyson* v. *Lanier*, 147 So. 2d 365,366 (2d D.C.A. Fla. 1962).

[15] *Tyson* v. *Lanier*, 156 So. 2d 837 (1963).

[16] *Tyson* v. *Lanier*, 156 So. 2d 833,839 (1963) (dissenting opinion).

[17] Florida Agricultural Tax Council, "Florida Agriculture and Taxes" (1963).

[18] Spears, "Taxes on Farmland in Metropolitan Areas," 23 Agricultural Finance Rev. 22 (April 1962).

[19] See Wershow, "Ad Valorem Taxation and Its Relation to Agricultural Land Taxation Problems in Florida 'Green Belt Law' Interpretations," vol. 16 U. Fla. L. Rev. 526, 531 (1964).

[20] Estate of Melbert B. Cary, Jr., *Deceased, et al.* v. *Commissioner Internal Revenue*, 7 T.C.M. 731.

Third, that the continued passage of discriminatory force legislation will not eliminate America's racial frictions.

APPOINTMENT OF A NEW MEMBER TO THE ALCOHOLIC BEVERAGE CONTROL BOARD FOR THE DISTRICT OF COLUMBIA

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

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

There was no objection.

Mr. SPRINGER. Mr. Speaker, the Commissioners of the District of Columbia are considering the appointment of a new member of the Alcoholic Beverage Control Board for the District.

I am informed that at least a dozen persons have either been nominated or have offered themselves for this position. Some of them are party functionaries and others ordinary citizens. I have endeavored to obtain information on the background of these people but my efforts have not been rewarded. A secrecy veil seems to have fallen over the candidates for this important position.

Enforcement of liquor laws in the District for years has been hobbled by the caliber of appointees to the ABC Board. Too often has it been used as a dumping ground for party hacks such as the member who recently was forced to resign because of scandalous misconduct.

When there was another ABC vacancy to be filled 18 months ago I expressed the hope that the Commissioners would come up with a new appointee whose honesty, integrity and civic-mindedness could not be questioned. I am pleased to say that upon that occasion the Commissioners' choice, Mrs. Joy Simonson, met these qualification. Her work as chairman of the committee has been exemplary.

I am concerned, however, that again the Commissioners are under pressure to make a selection on a purely political basis. My concern arises from the attention given by the party politicians to this problem as well as from the reluctance of the District government to release any information as to the qualifications and experience of those who have been mentioned for this post.

I hope that my suspicions are not well-founded. I hope that the Commissioners will appoint someone who can match the forthrightness of the present chairman. Public confidence in the board must be restored and a good appointment is the best way to do it.

CONGRESS ASKED TO PASS LEGISLATION CALLING FOR TOUGHER PENALTIES AGAINST OBSCENE PHONE CALLS

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

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the laws of the Nation's Capital are woefully inadequate to protect the individual privacy of its citizens from obscene telephone calls. The maximum penalty upon conviction of such a charge is a $10 fine for disorderly conduct. I do not think there is a Member of Congress who has not heard complaints of this sort from secretaries working in their offices. Washington, D.C., has many thousands of single girls who come here to work in Government agencies. The police have a difficult time tracking down the perverts who comb through telephone directories to find the numbers of women they can harass with indecent remarks. Even when these persons are arrested, there is little that can be done to prevent a repetition of his disgusting activity. In contrast, the adjoining States of Maryland and Virginia have much stronger laws on the books so that offenders of this sort can be given up to $500 fines and 1 year's imprisonment.

I am introducing legislation today which would change this situation by providing similar penalties. I am hoping that adoption of this bill by Congress will serve as a greater deterrent to the commission of such crimes. I am hoping that it will give the Metropolitan Police Department a stronger weapon of enforcement. I am hoping that it will give greater peace of mind to our female citizens who have been bothered with such calls. One can just imagine the fear an obscene telephone call strikes in the heart of a woman living alone.

This bill also contains a provision providing for voluntary pretrial mental examinations of persons charged with violating this law. If such an individual is mentally ill, the court should have that information available at the time the case comes to trial. In that event, treatment can be required. It makes little sense to bring such persons to justice and levy fines and imprisonment if nothing is done to remedy the cause of such antisocial behavior. If a defendant refuses to take such an examination, my bill specifically provides that the judge can still order an examination if he believes the defendant is mentally unsound.

There has been a great outcry about the rising crime rate in the Nation's Capital. I think this legislation deals effectively with one aspect of that problem. I urge the House District of Columbia Committee to take speedy action on this measure so that the bill can be brought to a vote before the end of this congressional session.

Mr. Speaker, my interest in this bill was prompted by an excellent article appearing in the Sunday Star of July 18, 1965. It is entitled "District of Columbia Nearly Helpless as Obscene Phone Calls Increase." This newspaper should be commended for the public service it has performed in calling this matter to the attention of the Congress and the residents of this city. The text of the article follows:

DISTRICT OF COLUMBIA NEARLY HELPLESS AS OBSCENE PHONE CALLS INCREASE

An increasing number of perverts, burglars, and just plain cranks are using the telephone to plague Washington area residents—particularly women.

Police and prosecutors throughout the area report hardly a day goes by without at least one complaint of an obscene or harassing telephone call.

Between 35 and 40 cases a month are under active investigation by the telephone company's security force. Counted as one case is the caller who has given the same shockingly indecent spiel to a hundred or more women.

Both Maryland and Virginia have strong laws against telephone offenders, including maximum penalties of 1 year in jail and a $500 fine for each offense. Virginia's law has just been strengthened.

In the District, however, no matter how obscene or harassing the call, the maximum penalty is a $10 fine for disorderly conduct and a judge's ruling makes even that kind of conviction unlikely.

Washington residents, unprotected by any kind of law against telephone harassment, face this pattern of cases:

A pervert posing as a doctor was believed to have made more than 50,000 calls throughout the area over a period of several years before his recent capture in nearby Maryland. His spiel: Telling women that their husbands had visited him for delicate medical help and asking them numerous intimate questions.

A university's telephone switchboard was tied up so completely that all school business came to a halt because of one family's domestic crisis. The man got 20 of his friends to keep calling the university where his wife worked. They said nothing, simply breathed into the telephone, but no other calls could come through.

Two District firms—a moving company and a barber shop—nearly went out of business through telephone harassment directed not at the firms but at some employee. In both cases, calls swamped telephone facilities.

A current trap for the unwary is the telephone survey. It's used by both burglars and perverts in the District.

The perverts use the survey to entice the housewife into carrying on an innocent conversation before the caller moves into obscenity. A current obscene caller claims he is making a survey of women's garments.

Police believe burglars are employing the survey technique to "case" a house without running any risk of being spotted. Cited as a typical example is the housewife's responses to the seemingly innocuous questions of a caller posing as a TV market analyst:

She revealed the family owned two television sets and an FM portable; that she watched TV regularly after dinner with her small son while her husband made midweek out-of-town trips; that she had no dog; that her jewelry was fully insured; that she did not have a coin collection, and that the family spent every August at a vacation spot in Maine.

Both police and the telephone company, which assist police in tracking down obscene and harassing callers, want persons receiving such calls to report them.

They emphasize that women should not be embarrassed or fear that they are wasting a policeman's time. The police suspect that perhaps half the calls are not reported—which doubles the caller's chances of getting away with it.

It's from the nature of the calls that police can develop a pattern—time of day or

night, what the caller says, a possible dialect, background noises, the type of victims.

Once a pattern is established, police have a better chance—with the full cooperation of the telephone company—to get their man.

The pattern in one case was the identity of the victims. All bought their shoes in the same store. Once that was known it was easy to pinpoint the caller—a shoe salesman.

Generally, police say, obscene calls are made at random. Housewives are called in the daytime when their husbands are away from home. Some women are called because the pervert likes their first name—thinks it's "sexy." If the woman hangs up fast enough, she may never get another call.

Police are concerned about the repeated calls to the same victim. The chances then are that the caller knows the identity of the person he's calling. A second call, police and telephone officials emphasize, should certainly be reported to police.

Less of a psychological shock than the obscene call but often equally harassing is the call from the "breather," who may be psychotic but is more likely to be an enemy out to annoy. He gets his satisfaction from forcing his victim to run to the telephone a dozen times in half an hour, waking up a family in the middle of the night or tying up a telephone. "Breathers" caught here include dissatisfied patients of doctors, fired employees, and frustrated swains.

Assistant U.S. Attorney Tim Murphy, who heads the prosecutor's office in the Court of General Sessions, reports that "hardly a day goes by that we don't have somebody complain that they have been annoyed or harassed by telephone, and we can't do a thing about it. We definitely need a good law to cope with obscene and harassing telephone calls."

Capt. V. Edward Tate, commanding officer of the Police Department's sex squad, says he has proposed to the chief of detectives that Washington residents be given the same protection from telephone torment as their Maryland and Virginia neighbors.

CURRENT CIVIL DISORDERS IN LOS ANGELES, CHICAGO, AND ELSEWHERE

Mr. HANSEN of Idaho. 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 Idaho?

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, at the conclusion of the regular order of business today, and in my turn, I shall discuss the current civil disorders in Los Angeles, Chicago, and elsewhere.

These shocking examples of unbridled mob action have stunned the United States, and are painting a dismal picture of this country for the rest of the world. Furthermore, they are doing irreparable harm to legitimate civil rights movements throughout the country.

I extend an invitation to my colleagues to join me in this discussion.

A FULL-FLEDGED PROBE OF THE PACIFIST MOVEMENT SHOULD BE MADE DURING THE RECESS OF THE CONGRESS

Mr. GATHINGS. 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 Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Speaker, a full-fledged probe of the pacifist movement, its organization, scope, and goals, as well as the various civil rights groups should be made during the recess of the Congress. Some of the things that could be explored by the group would include the connection, if any, between the violence in Los Angeles and Chicago with the element that insists on retreat in Vietnam. There is growing up in this country general disregard for constitutional authority to a large degree on the part of student age groups.

The Los Angeles and Chicago uprisings are not just detrimental to the communities involved, they are a national disgrace. These people had no respect for legal processes or the rights of their neighbor. Here is the summary of losses in the Los Angeles 50-square-mile area of rioting: 31 people lost their lives; fire damage estimated at $100 million and up, with 2,000 fires reported; 676 persons were treated in hospitals including 66 policemen and 26 firemen; 2,250 persons were jailed; salary costs of 15,000 guardsmen and 1,000 peace officers amounted to $250,000.

New gains by the Negro mean he has assumed added obligations to society. The burden falls upon him to show that he justifies the newly won status accorded him by the several congressional acts that have been passed in recent years.

The Washington Evening Star of Saturday, August 14, 1965, had this to say in its editorial columns about the Los Angeles riots and the direction taken by the lawless element in this country, and I quote:

> In short, the rule of law, to which so much lipservice is paid, seems to be breaking down in Los Angeles and throughout the land. This is something which might properly concern the President's new Commission on Crime. What are the real reasons? Slums? Discrimination? Underprivilege? These doubtless are part of the story. We suggest, however, that the Commission examine other possibilities. What is the effect on respect for law when prominent members of the clergy announce they will not obey a law if they disagree with it? What is the effect when the Supreme Court, as well as lower Federal courts, overturn convictions for law violations on the flimsiest of bases, or, as in one instance, for no stated reason? Does this sort of thing encourage the hoodlum type to think that respect for law is for the birds? We think so.
>
> At any rate, it has become clear in Los Angeles that the rioters will give way to nothing except superior force. And in that event the superior force must be applied—followed, one may hope, by severe punishment of those who may be found guilty of criminal activity.

The Star points up the broad area which should be investigated by the President's new Commission on Crime. The same general area should be encompassed in the authority accorded any investigative effort authorized by the Congress. The need is urgent for action in this field. I hope that the Rules Committee and the House approve a broad investigatory resolution carrying a provision for adequate financing to do the job well.

IS PERCENTAGE DEPLETION TOO HIGH FOR FOREIGN OIL PRODUCTION?

Mr. PATMAN. 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 Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on May 20 and June 15 of this year I addressed the House on the subject of international oil, small business, and the balance of payments. I raised the question of whether in fact American international oil companies have been made to face up to their obligations in helping to close the balance-of-payments gap. I also expressed the view that the present import allocation arrangement is politically unsuitable and eminently unsuccessful in terms of purpose.

My purpose here today is to detail a concern which many of us have with the tax treatment accorded foreign oil investment by American nationals. If indeed there is preferential treatment to foreign oil investment, as compared with domestic oil investment, then the time has come for corrective measures.

As I earlier announced, committee hearings will be held at the appropriate time, inquiring into as many facets of the problems having to do with the international oil companies and their balance-of-payments responsibilities. No less attention will be given to the plight of the small domestic businessman in the petroleum industry. There would seem to be unmistakable signs of a concentration trend in the petroleum industry which requires early attention.

Any discussion of tax treatment to the petroleum industry immediately brings to mind the 27½-percent depletion allowance. Can it be justified under present circumstances?

That is a fair question. I believe any inquiry will show that 27½-percent depletion allowance for domestic investment is justified. I am equally convinced that American international oil companies will find extreme difficulty in justifying the same 27½-percent depletion allowance for their foreign production.

Now is it practical to consider reducing foreign depletion but leaving this full 27½ percent applicable to domestic oil-and-gas production? Of course it is. What is little understood is that some 36 minerals already have a lower percentage depletion allowance for foreign production than for domestic production. It seems to me a little absurd to argue that a cut in foreign depletion would necessitate a cut in domestic depletion.

To be specific, minerals and other natural deposits which have a higher

percentage depletion rate for U.S. deposit production than for foreign production are as follows:

	Percent
Asbestos:	
Percentage, United States	23
Depletion rate, foreign	10
Anorthosite, bauxite, beryl, celestite, chronite, corundum, fluorospar, graphite, ilmenite, kyanite, mica, olivine, quartz crystals, rutile, black steatite talc, zircon (ores of the ff metals), antimony, bismuth, cadmium, cobalt, columbium, lead, lithium, manganese, mercury, nickel, platinum, platinum group, tantalum, thorium, tin, titanium, tungsten, vanadium, and zinc:	
Percentage, United States	23
Foreign depletion rate (a few are 5 percent under certain specifications)	15

It is my understanding that several industry associations are currently engaged in a reexamination of their own attitudes toward foreign oil tax treatment. Some have already indicated a belief that a comprehensive study will show that 27½ percent foreign depletion cannot be justified and should be cut. Others cite additional tax privileges allowed foreign oil investment which are not equally applicable to domestic oil investment.

I am aware that no few oilmen believe, or say they believe, that a cut in foreign depletion would jeopardize domestic depletion, which is necessary to continued exploratory operations at home. Other friends of the industry, including Members of this Congress, contend just the opposite: that there would be no threat to domestic depletion if foreign depletion were cut. They argue that by all standards 27½ percent is fully justified on domestic production, but appears quite excessive for foreign production.

The balance-of-payments problem contributes another dimension to this issue. Whatever our preferences, Congress has the obligation to determine whether in fact there is excessive encouragement to the outflow of American capital for foreign oil development. Some changes in the tax treatment accorded American international oil companies seems inevitable to me. Simple reduction in foreign depletion would be the most readily understood and easiest to enact, in my judgment. At the same time, a cut in foreign depletion would undoubtedly go far toward decreasing the economic advantage of foreign oil, thereby reducing pressures for ever-higher imports in a more normal way than occurs when quotas are arbitrarily assigned.

Now I am aware that a cut in foreign depletion, as a means of slowing the growth of oil imports, would be a little tougher on the American international oil corporation than would be some form of import duty, such as the quota bidding procedure which some of my colleagues in the Congress advocate. A cut in foreign depletion would affect all their foreign operations, whereas an import duty would affect only that relatively small portion of their foreign production which is imported here.

In any case, it is the duty of Congress, as I see it, to look at the tax privileges to American companies abroad and to see if there is preferential treatment contributing to the monopoly trend and adverse payments balance.

The need for reform in our foreign tax allowances has been officially recognized by both the Kennedy and the Johnson administrations. Officials of both administrations have spoken of the need for "tax neutrality" as between foreign and domestic income of American nationals. As early as 1961 former Treasury Secretary Douglas Dillon testified before the House Ways and Means Committee as follows:

> The President (Kennedy) in his tax message has cited the strains in our balance-of-payments position as one of the factors which have led us to reexamine our tax treatment of foreign income. Earlier, in his balance-of-payments message, the President made it clear that our concern relates to the preferential treatment of foreign investment income, tax treatment that has favored U.S. private investment abroad compared with investment in our own country. There is no thought of penalizing private investment abroad which rests upon genuine production or market advantages.

Unfortunately, the intent of the measures introduced, insofar as they would affect foreign operations of American international oil companies, was effectively subverted. Both the tax revision and tax reduction measures were modified so as to render them ineffective in terms of achieving the "tax neutrality" objective respecting American oil companies abroad.

Let us look briefly at what has been termed the tax advantages accorded foreign oil operations.

MONOPOLY CONCESSIONS

Before discussing the principal deficiencies in our tax structure which further the advantage of foreign production by American companies over domestic producers, let us look broadly at the situation.

First, there is the advantage of monopoly or virtual monopoly which constitutes the principal advantage of producers of foreign oil over domestic producers.

In the United States literally thousands of producers compete in obtaining leases from landowners on tracts of all sizes in drilling wells. In the Middle East, on the other hand, single companies or combinations of companies control the oil rights for entire nations by arrangement with the governments of those nations. Under these conditions competition is impossible. In Venezuela, again, concessions are granted by the nation and in large blocks to large companies.

The result is that in the Middle East, for example, a few wells can drain large areas and, being operated without proration, produce an average in excess of 4,000 barrels per day, as contrasted with an average of some 12 barrels per day per well in the United States.

Moreover, greatly enhancing this natural advantage is the manner in which our tax laws are being applied to these American companies abroad.

In addition to the highly questionable extension of statutory percentage depletion at the full 27½ percent to foreign production, there has arisen what can only be described as serious abuse of the foreign tax credit provisions of the Revenue Code. Let us consider these two principal tax privileges individually.

I. FOREIGN DEPLETION

A study of the history of 27½-percent statutory depletion clearly indicates that it was designed to stimulate domestic exploration. No serious attempt has yet been made to justify 27½-percent depletion strictly in terms of returning capital investment. It is invariably explained in terms of returning capital investment, to prevent taxation of capital, and to providing an incentive for the maintenance of adequate oil and gas supplies within the United States. In some degree, therefore, statutory depletion must be regarded as a tax subsidy to keep this Nation from becoming unduly dependent upon foreign oil.

But neither of these bases are fully applicable where foreign production is concerned. The present full 27½-percent depletion can be justified on foreign production neither as necessary to return capital investment nor to preserve America's oil self-sufficiency.

As a matter of fact, at present, foreign depletion actually conflicts with the original objective of depletion—maintaining a healthy home producing industry—in that it is being permitted to destroy the value of domestic oil.

In addition, foreign depletion primarily serves only a few giant companies.

The five big international companies in 1963 produced 2,270,000 barrels of crude oil per day in the United States and Canada, but at the same time they produced 6,152,000 barrels per day outside the United States and Canada. In other words, for each barrel of domestic oil upon which statutory depletion was taken by these companies, they took statutory depletion on almost three barrels of the very foreign oil that is causing the havoc in this industry. Most of the countries where the foreign oil was produced do not permit statutory depletion. It is quite illogical for this Government to subsidize a handful of international companies in their present undertaking of rendering it impossible for domestic producers to compete even on the domestic market.

While some percentage depletion might be justified on foreign production, on grounds of returning capital investment, there is no logic whatever in the argument that because 27½ percent is proper for domestic production no less should be accorded foreign production. Differential percentage rates are applicable in case of other minerals in the U.S. Revenue Code.

In summary, there is simply no reason why percentage depletion should not be amended in case of foreign production to scale the 27½ percent sharply downward.

II. FOREIGN TAX CREDIT

The principle of granting tax credits for legitimate foreign taxes is sound.

The problem consists in the manipulation of foreign tax credit provisions of our Revenue Code and oil concession agreements with foreign governments in such manner as to enable foreign oil producers to obtain tax credits for payments which are in fact royalties.

A royalty is the portion of production paid to the landowner for the privilege of producing oil and gas from his land. In this country it is most often one-eighth, but where areas are known to be particularly good, it is sometimes three-sixteenths or one-fourth or even one-half. The State of Texas has made leases of land in the Sabine River bed in east Texas where the royalty paid is one-half.

In the Middle East, where monopoly enables the producer to produce more than 4,000 barrels per day per well at a fraction of the cost in the United States, obviously a producer can and should pay a larger royalty. Indeed, American companies willingly pay one-half and, in some cases, more. However, in these foreign situations the company avoids income taxes on the one-half he retains by arranging to call a large portion of this royalty a "tax," enabling him to deduct this royalty on a dollar-for-dollar basis from the company's U.S. tax obligation. Under such an arrangement this company generally pays no U.S. income tax.

The foreign tax credit provisions of the Internal Revenue Code were designed to cover general taxes levied by a foreign nation equally on all persons or companies making a profit in that nation. No complaint can be directed to the principle of granting foreign tax credits for payment of such general taxes to foreign nations. But the taxes paid by the producers of foreign oil are not general taxes, levied alike on all persons and companies; they are called special taxes levied on the oil companies alone, and are not in fact taxes at all but rather royalities under a different name. The granting of a foreign tax credit for the payment of these so-called taxes is outside the purpose of the foreign tax credit provisions of the Internal Revenue Code and grants companies with monopolies on foreign production an enormous advantage over the thousands of competing small businessmen who produce in this country.

The U.S. News & World Report explains the foreign tax credit issue thus:

One major provision in the present tax laws is coming under attack. It's the foreign tax credit. Main criticism is that the credit gives benefits to foreign operators that are not given to domestic companies.

Here is how the foreign credit works:

A foreign subsidiary or branch can credit taxes paid abroad directly against its U.S. tax bill. For instance, if a subsidiary pays $100 in foreign taxes, and its U.S. taxes on dividends sent home would amount to $100 the foreign payment wipes out the need to pay any U.S. tax.

A domestic company gets no such treatment. For example, if it pays the state $100 in taxes, it can only deduct this payment as a business expense in figuring its Federal tax. It cannot use a state-tax payment directly to reduce the tax owed by the U.S. Government. * * *

This is costly for the U.S. Treasury, according to official figures. In 1959, for example, branches and subsidiaries of U.S. companies sent home $2.2 billion. After foreign tax credits were claimed, the U.S. Treasury collected only $240 million—a scant 11 percent of the profits.

Opponents of the tax credit in Congress are pushing to change the law to allow only a straight deduction for foreign taxes. The effect: A substantial tax increase for many U.S. firms.

By virtue of the foreign tax credit operations, as presently interpreted, there is a serious inequity as between foreign and domestic producers of oil. After the high cost of production and the relatively low cost of royalty is taken out of the domestic producer's gross income, he must still pay U.S. income taxes on the remainder. The producer abroad, on the other hand, ends up paying no tax on the remainder after the low cost of production and the high cost of royalty is taken out. This occurs even though the producer abroad may end up with a greater percentage of the dollar after costs and royalty than the domestic producer.

If the executive department is unable to correct this inequity by modification of its interpretation of section 904 of the 1954 Internal Revenue Code, then Congress should consider the most appropriate means of dealing with the situation. Hearings should be held, in any case, to consider the full extent of this problem and its effects upon the preservation of a healthy domestic producing industry, competitive status of small companies at home, the potential of this increased source of U.S. Government revenue, and the effect upon our Nation's adverse balance of payments.

III. OTHER ADVANTAGES

In addition to the inappropriateness of allowing full 27½-percent depletion to foreign production, and the misuse of our foreign tax credit provisions by American oil companies abroad, there are several other ways in which tax inequality arises as between domestic and foreign operations.

The administration, in presenting testimony before the House Ways and Means and Senate Finance Committees in recent years, has spelled out some of these inequities and recommended corrective measures.

One which has not been specifically recommended, however, has to do with the advantage accruing to international companies in moving oil by foreign-flag tankers.

The domestic producer must use expensive pipelines or rail transports or, when shipping by sea, must use U.S.-flag tankers for coastwide trade. Foreign producers, on the other hand, are privileged to use foreign-flag tankers. It has been estimated that the use of foreign-flag tankers reduces the cost of moving oil from the Middle East to the U.S. east coast by some $1.56 per barrel and from Venezuela to the United States east coast by some 19 cents a barrel. Consideration might well be given to removing this inequity whereby only domestic-produced oil is required to use American-flag tankers.

Being permitted to use fictitious "posted prices" abroad, particularly in relation to depletion taken, constitutes another advantage which warrants attention. Other advantages, including the Western Hemisphere trade corporation tax reduction policy, should be reexamined in the light of existing circumstances, particularly as regards to national security and our Nation's foreign trade balance.

The time has arrived, most certainly, when either the executive department or the Congress, or both, should reexamine the interpretations placed on these tax situations abroad. Present liberal interpretations may have once served the worthwhile purpose of providing by massive subsidies encouragement to investment by American companies abroad. But that day is past. Today there is a serious world oil surplus, a U.S.-import problem requiring mandatory controls, and a balance-of-payments difficulty that defies normal solution.

TECHNICAL EXPLANATION OF 1963 TAX PROPOSALS SUBMITTED BY TREASURY SECRETARY DILLON, FEBRUARY 6, 1963

C. FOREIGN OPERATIONS

The President recommended that measures be adopted to insure that U.S. companies are not permitted to use deductions for the development of mineral resources in foreign countries to reduce their U.S. tax on income earned in the United States. He also recommended that consideration be given to preventing excess foreign tax credits, which arise from the allowance of percentage depletion and the deduction of development costs on foreign mineral operations, from offsetting U.S. taxes on other nonmineral foreign income. This latter proposal is similar to a provision included in the Revenue Act of 1962, which provided that excess foreign tax credits could not be used to offset the U.S. tax on certain interest income earned abroad.

Under present law, U.S. companies which develop and produce minerals in foreign countries are permitted to take an immediate deduction for certain capital costs of exploration and development. Under certain circumstances, these deductions can be used to offset domestic income. For example, a U.S. company can place its development activities in a branch operation, and some of its foreign income-producing activities in a different corporation. In this way the foreign development deductions could be used fully to reduce U.S. tax on domestic income of the corporation. This creates a strong incentive to develop foreign natural resources since part of the cost of undertaking the development program is borne by taxes which would otherwise be paid on domestic income.

In addition, the production of foreign natural resources often generates substantial excess foreign tax credits. Because of percentage depletion and the other special tax benefits available to the mineral-producing industries, the effective U.S. tax rate on these operations is low, while the tax on the same operations in the foreign country is relatively high in comparison. This creates excess foreign tax credits where none would otherwise exist. These excess foreign tax credits are permitted under present law to offset, in a number of different situations, the U.S. tax on nonmineral foreign income. Thus, the excess credit attributable to mineral operations in a particular foreign country may be used to reduce or eliminate the U.S. tax on income from a marketing, refining, or a completely unrelated operation car-

ried on in the same or a different foreign country.

The use of development deductions and foreign tax credits from mineral operations abroad to offset tax on domestic and on other foreign income may be illustrated by the following examples:

Example 1

A U.S. corporation is engaged in the development and operation of oil properties in foreign country X. Assume the operations carried on in X produce a $6 million loss due to the deduction of a large amount of intangible drilling and development costs and that U.S.-source taxable income is $10 million.

Although a corporation with $10 million of domestic taxable income would ordinarily pay a U.S. tax of $5,200,000 (52 percent of $10 million), under present law, the U.S. corporation, in this example, would pay tax of only $2,080,000. This occurs because of the deduction of capital development costs expended in foreign country X which are used to reduce domestic taxable income.

A. Taxable income:	
From sources within the United States	$10,000,000
From foreign country X	−6,000,000
Total taxable income	4,000,000
B. U.S. income tax (52 percent of $4,000,000)	2,080,000
C. Tax savings on U.S.-source taxable income because of development activities undertaken in foreign country X ($5,200,000−$2,080,000)	3,120,000

Example 2

A hypothetical U.S. corporation derives taxable income from the production of crude petroleum in foreign country X (which, for purposes of illustration, is considered to have a tax system similar to that in Kuwait) and also receives taxable dividends from two foreign subsidiaries, one a Swiss subsidiary marketing the production of crude oil and the other a Mexican subsidiary operating a petrochemical plant in Mexico. Assume that the U.S. corporation elects the overall limitation on the U.S. foreign tax credit (the result would be the same for a taxpayer electing the per-country limitation, if all the activities described were carried on in the same country, but taxed at the differential rates set forth.)

A

Taxable income from production of crude petroleum in foreign country X	$10,000,000

Example 2—Continued

Income tax paid to country X	$6,400,000
U.S. tax liability on income from country X	[1] 5,200,000
Excess credit for foreign taxes paid	1,200,000

B

Earnings and profits (before Mexican income tax) of Mexican subsidiary operating a petrochemical plant	3,000,000
Mexican income tax	900,000
Dividends	2,100,000
Mexican withholding tax on dividends	320,000
Dividends net of withholding tax	1,780,000
U.S. tax liability (52 percent of $2,100,000)	1,092,000
Credit under sec. 902 for Mexican taxes paid by subsidiary	630,000
Credit under sec. 901 for Mexican taxes withheld	320,000
Total	950,000
Tentative U.S. tax payable	142,000

C

Earnings and profits (before Swiss income tax) of a Swiss marketing subsidiary	1,300,000
Swiss income tax	104,000
Dividends	1,196,000
Swiss withholding tax on dividends	60,000
Dividends net of withholding tax	1,136,000
U.S. tax liability (52 percent of $1,300,000)	676,000
Credit for Swiss taxes ($104,000+$60,000)	164,000
Tentative U.S. tax payable	512,000

D

U.S. tax tentatively payable on foreign income:	
Mexico	142,000
Switzerland	512,000
Total	654,000

Example 2—Continued

Excess credit from crude production	$1,200,000
Net U.S. tax liability	0

[1] This figure represents U.S. taxable income after the allowance of percentage depletion and deductions for development costs. The taxable income upon which the tax paid to foreign country X was based is higher since X does not allow these special deductions.

The President's proposals would prevent the special tax benefits available to mineral operators from being used to reduce or eliminate the U.S. tax on domestic income or on nonmineral foreign income.

The first proposal provides that to the extent deductions of capital costs of exploration and development result in an operating loss in a foreign country or countries, these deductions may not be used, either directly or through the computation of the limitation on the foreign tax credit, to reduce the tax on taxable income earned in the United States. Such amounts would be required to be offset against any other foreign income, and to the extent they exceed other foreign income, they would be required to be carried forward and used to offset foreign income in subsequent years until exhausted. The amounts in the carryforward account would be reduced in case of abandonment of a property on which development costs were expended to the extent these costs were included in the carryforward account. Such abandonment losses would be allowed as deductions even though applied in reduction of domestic taxable income.

The second proposal provides that excess tax credits, which are attributable to the deduction of exploration and development costs and percentage depletion in computing U.S. tax liability, cannot be used to offset U.S. tax on nonmineral foreign income, but must be used, if at all, against the U.S. tax imposed on income from mineral operations in other taxable years.

Applying these proposals to the preceding examples, in example 1, the U.S. corporation would pay tax of $5,200,000 (52 percent times $10 million), and the $6 million of excess development costs incurred in foreign country X would be carried forward to be applied as a deduction against future foreign income. In example 2, the U.S. corporation would pay tax of $654,000 on the dividends received from its Mexican and Swiss subsidiaries. The excess tax credit from crude production in foreign country X could be used only to offset U.S. taxes on foreign mineral operations.

These proposals would apply, in the case of a U.S. company engaging in foreign mineral operations, to all taxable years beginning after December 31, 1963.

Selected U.S. oil companies, crude oil production, refinery runs, and gas utilization, 1963 and 1962

Company [1]	Net crude and NGL production (thousand barrels daily)					Refinery runs (thousand barrels daily)					Production as percent of runs, 1963	Gas utilized (million cubic feet daily)	
	1963				1962	1963				1962		1963	1962
	United States and Canada	Other western hemisphere	Eastern hemisphere	Total		United States and Canada	Other western hemisphere	Eastern hemisphere	Total				
Major internationals:													
Standard Oil (New Jersey)	861	1,245	1,041	2,967	2,663	1,126	1,023	1,341	3,490	3,299	85.0	2,616	2,327
Gulf	463	167	1,179	1,809	1,699	667	121	232	1,020	968	177.4	1,549	1,423
Texaco	616	193	699	1,508	1,432	828	336	399	1,563	1,467	96.5	1,821	1,664
Standard Oil (California)	425	54	698	1,177	1,117	554	42	391	987	922	119.3	1,024	945
Socony Mobil	285	124	452	861	798	631	55	480	1,166	1,082	73.8	1,588	1,433
Other integrated companies, primarily domestic:													
Shell Oil	394	----------	----------	394	375	624	----------	----------	624	562	63.1	1,413	1,299
Standard Oil (Indiana)	349	[2] 8	----------	[2] 357	374	710	----------	10	720	696	49.6	1,866	1,839
Phillips	236	35	38	309	298	241	[3] 4	[3] 25	270	263	114.4	2,836	2,804
Continental	215	5	56	276	231	205	20	21	246	213	112.2	714	576
Sun	123	87	----------	210	195	247	----------	----------	247	229	85.0	[3] 735	700
Sinclair	151	52	1	204	191	424	34	4	462	451	44.2	614	583
Atlantic	109	68	5	182	184	204	----------	1	205	198	88.8	632	564

See footnotes at end of table.

Selected U.S. oil companies, crude oil production, refinery runs, and gas utilization, 1963 and 1962—Continued

Company[1]	Net crude and NGL production (thousand barrels daily)					Refinery runs (thousand barrels daily)					Production as percent of runs, 1963	Gas utilized (million cubic feet daily)	
	1963				1962	1963				1962		1963	1962
	United States and Canada	Other western hemisphere	Eastern hemisphere	Total		United States and Canada	Other western hemisphere	Eastern hemisphere	Total				
Marathon	123		52	175	141	140			140	133	125.0	330	320
Cities Service	138	[2] 5		[2] 143	139	274			274	278	52.2	984	993
Tidewater	118		11	129	126	217		[4] 5	[4] 222	[4] 241	58.1	465	415
Union of California	116			116	108	154			154	155	75.3	563	510
Sunray DX	83	[3] 8	[3] 3	94	92	159		[3] 2	161	159	58.4	340	350
Richfield	70	5	17	92	92	155		5	160	157	57.5	75	73
Skelly	85			85	85	48			48	50	177.1	348	334
Pure	77	5		82	80	182			182	178	45.1	283	302
Signal	28	7	43	78	83	90		29	119	88	65.5	218	175
Standard Oil (Ohio)	30	4	6	40	40	150		[3] 2	152	141	26.3	99	101
Ashland [5]	14	6	15	35	31	155		17	172	170	20.3	29	19
Champlin	26			26	25	29			29	27	89.7	211	207
Murphy Oil	11	4		15	16	39		4	43	34	34.9	58	66
American Petrofina	14			14	8	81			81	39	17.3	50	36
Colorado Oil & Gas	8			8	10	19			19	20	42.1	34	36
Oil and gas producers:													
Amerada	86		50	136	101							338	302
Superior [5]	64	50		114	118							722	673
Getty	8		97	105	106			54	54	59	194.4		
Kem County Land [6]	46			46	50								
Louisiana Land	37			37	35							134	117
Midwest	25			25	26							47	42
General American [5]	24			24	23							182	132
Kewanee	23			23	22							25	22
General Crude Oil	8			8	8							23	23
Southland Royalty	8			8	8							27	[3] 31
Belco	5	1		6	5							108	128
Ambassador	5			5	4							14	13
Livingston Oil [5]	4			4	2							22	18
Barber Oil	3			3	2							10	10
Wilcox Oil	3			3	3							13	12
Tex-Star Oil & Gas [5]	1			1	1							26	18

[1] Listed within group in order of total crude and NGL production.
[2] Excludes production under contract in Argentina.
[3] Estimated.
[4] Excludes share of an undisclosed amount of crude run by a nonconsolidated affiliate.
[5] Fiscal year basis.
[6] Gross production.

Banking: E. Peter Corcoran, vice president; Robert L. Huston, assistant vice president; John L. Cowan, assistant vice president; Jeremiah K. Ross, Jr., assistant vice president; Sanford H. England II, assistant cashier; Samuel B. Hayes III, assistant cashier; James F. Marx, assistant cashier; John D. Currie, Jr., O.A.; Robert A. Moore, O.A.

Special industries group: William I. Spencer, senior vice president; petroleum department, William A. Lockwood, vice president.

Economics: Edwards Symonds, economist; John J. Simpson, assistant economist.

Petrochemicals: Robert W. Todd, associate.

Engineering: Gerald E. Sherrod, vice president; William W. Collins, assistant vice president; Robert S. Ryan, assistant vice president; Franklin Dartez, engineer.

First National City Bank, New York, August 5, 1964.

FINANCIAL CIRCLES DISTURBED BY FED CHAIRMAN MARTIN'S DANGEROUS CREDIT POLICIES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the Federal Reserve claims it is completely free and independent in controlling the Nation's money and credit policies. This power is not conferred by Congress, but the Federal Reserve claims to have it. The Federal Reserve nevertheless exercises it, and regardless of the wishes of the Congress or the executive branch.

In early June, Mr. Martin made his now famous statement at Columbia University that right now we may be on the verge of another 1929-type crash.

What worries me is the old saying that a man is a prisoner of his own words. Mr. Martin has predicted bad days ahead and what is so disturbing is that Martin himself and the Open Market Committee, which he dominates, have the absolute power to bring on those bad days by drastic money tightening and unnecessary high-interest rates.

Martin has admitted that he has been pursuing a tight-money policy for months now—starting last November actually. To make matters worse, Walter Heller, former Chairman of the President's Council of Economic Advisers, says that our economic growth rate is slowing down drastically—that the second half of 1965 will be much worse for business than the first half. Just at the time when the economy requires additional credit to finance the forthcoming autumn and Christmas business, the Federal Reserve is instead further tightening the monetary screws.

Mr. Speaker, the banks in the large commercial centers are literally gasping for reserves. Net free reserves of member banks are at a minus figure approaching $200 million. To meet existing commitments to their customers, these banks have had to borrow this great sum from the Federal Reserve because the Fed itself refuses to make available adequate reserves for them. And this $200 million figure makes the true situation in that most of the borrowing from the Fed is concentrated in areas where demand for loans is greatest. The $200 million is a net figure, hiding the fact that the loan situation in our busiest commercial centers is much worse than it appears. Why is the Fed pressing so hard? Why should it be necessary that Chase Manhattan Bank and First National City Bank must each borrow one-quarter billion dollars in long-term funds? Of course, this money comes from other banks, thus depleting the lending power of smaller, independent unit banks. This makes it that much harder for the small businessman to survive when the reserves of his own local bank are captured by the money hungry Wall Street superbanks.

The word from Wall Street is that Martin has set as his target free reserves of minus $400 million. There is no doubt whatever that Martin has the power to achieve this goal of his. There is also no doubt that he is courting economic disaster. Already he has completely disrupted the U.S. Government bond market; for the first time in history the 4¼ percent interest 1992–87 issue—bellwether of the market is selling below par. I have been informed that the price to the investor on this issue during the week of August 9 yields over 4¼ percent interest even though by act of Congress 4¼ percent has been the ceiling since 1918. The Federal Reserve has absolute control over prices and yields in the Government bond market. They hold nearly $40 billion in bonds up in New York with which they manipulate bond prices and bank reserves. Just last week Martin warned Treasury Secretary Fowler that the Fed was taking action that would

make the Government's $7 billion refinancing difficult. Instead of working with the Government, he worked against the Government. Bewildered bond dealers—and even some bankers—say that the squeeze is on as they watch bank reserves deficits grow. Meanwhile, the effect on municipalities, businessmen, and just plain citizens will be even worse. Tight money hurts the little man hardest, but when sophisticated Wall Streeters are alarmed then there really must be trouble.

Just what is Chairman Martin up to? He is already the most powerful money manager in the free world. Does he also want to prove himself a great prophet—that the 1929 crash may repeat itself in 1965?

DR. MARTIN F. PALMER, FOUNDER OF INSTITUTE OF LOGOPEDICS AND PIONEER IN CLINICAL RESEARCH IN DISORDERS OF COMMUNICATION, PASSES

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SHRIVER. Mr. Speaker, it is with a sense of great personal loss that I report to my colleagues in the House of Representatives the passing of Dr. Martin F. Palmer, director of the internationally known Institute of Logopedics and professor of logopedics at Wichita State University. Dr. Palmer died on Friday, August 13, in Wichita after a short illness.

His passing leaves a great void not only in Wichita but throughout the Nation and the world. Martin Palmer brought hope and meaningful progress to thousands of handicapped persons through more than 30 years of work in the disorders of communication.

In March of this year, Dr. Palmer again appeared before the Labor and Health, Education, and Welfare Appropriations Subcommittee, on which I serve, to share his valued opinions on research efforts relating to mental retardation and the speech and hearing field. Dr. Palmer's testimony demonstrated his concern and knowledge of a national approach to the problems of the handicapped. Following is an excerpt from his testimony before our subcommittee this year:

For more than 30 years I have been deeply interested in the disorders of communication, particularly as they relate to the problems of mental retardation and to the question of what is intelligence. These are not only problems of humanitarian concern, they are economic as well. The development of the Great Society can only be hindered and impeded by the existence of a helpless minority of silent persons. And no society can be great unless it considers the handicapped individual and provides a place for him.

To do this requires research, demonstration of applied research, the provision of services on a permanent basis, and professional education.

Of these, so far as the speech and hearing field is concerned, the strongest effort is in research, and steady advances are being made in knowledge. It is a truism in all the professions, however, that such advances require an average lapse of 20 years before these findings are generally applied, or made part of professional education. They must be tested in the field; information from these tests must be widely disseminated, and there must be general acceptance by the profession concerned.

Dr. Palmer founded the Institute of Logopedics in 1934 in a classroom on the University of Wichita campus. Since that time it has grown to cover 52 acres in a site near the campus. It was the first department of logopedics in the world. As the largest institute of speech and hearing rehabilitation, the center has become a model for such centers throughout the world.

Dr. Palmer's services were sought by international health organizations. In 1960 he served as a consultant to the Government of Japan for the World Health Organization. Dr. Palmer made recommendations concerning that country's speech and hearing rehabilitation program. For nearly 2 years he had served as a consultant to the Ministry of Health of the Government of India.

Every Kansan takes great pride in the humanitarian work of the institute in Wichita. It has treated more than 30,000 persons from every State and 24 foreign countries.

Mankind owes a great debt to Martin Palmer for his lasting contributions to the training of specialists and teachers and in the treatment of the speech and hearing handicapped.

Mr. Speaker, my heartfelt sympathy and condolences are extended to his widow and his daughter. We all share the loss of this great American.

A CHALLENGE FOR TRANSPORT LEADERS

Mr. WATSON. 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 South Carolina?

There was no objection.

Mr. KEITH. Mr. Speaker, if we are to maintain the health and growth of the transportation industry in this country, on which so much of the overall expansion of the national economy depends, it will be necessary for Government, labor, and the industry itself to assume a more enlightened outlook toward the problems and prospects of transportation. In recent years the transportation enterprises have often contended with strict regulatory supervision, low returns on investments, and slow attraction of capital. We know, for example, that both the railroads and the airline industry have been operating on an unsatisfactory rate of return. If we are to avoid placing additional burdens on the backs of the taxpayers in the form of Federal subsidies to transportation and if we are to ward off the ultimate resort to public ownership, we must find the leadership within the transportation industry to provide new and imaginative solutions.

In this connection, Mr. Speaker, I should like to call attention to an excellent address delivered before the National Transportation Institute by Mr. George K. Whitney, a trustee of the Massachusetts Investors Trust. This speech contains a very illuminating analysis of the problems facing the transportation industry in this country, and it offers several lines of advance for the industry's leaders.

The speech follows:

A CHALLENGE FOR TRANSPORT LEADERS

(By George K. Whitney)

Transportation in this country presents the appearance of having taken a turn for the better, passing from a climate ridden with crises—real or disputed—into an era of relatively some optimism.

Thus, on a volume-of-business basis at least, almost all segments of transportation look fairly prosperous, as compared with the statistics for each a few years back.

Nevertheless, and unfortunately, most transportation enterprises are by no means in as sound a position as are most of the important industrial segments of the American economy. The rate of return on invested capital—the test of profitability—earned by transportation enterprises is still in too many instances not up to the standards necessary to warrant investor confidence, from the standpoint not only of the level of the rate of return, but also of the relative stability and trends thereof. A notable exception to this comparison with general industry is the steel industry.

I am here today as a representative of an institutional investor in common stocks, and the comment I have just made is from that point of view. My concern as to the future of transportation and equity investments therein has not been eased by the aforementioned traffic gains.

Impressive as these gains may be on their face, the present or prospective stockholder looks at the cold, underlying facts. Railroads continue to earn a dangerously low rate of return, last year only a little over 3 percent. As compared with the past, the recent spurt in airline earnings is indeed heartening; but in general the rate of return is still below the level set by the CAB as "fair." The regulated trucking industry varies greatly from enterprise to enterprise. It is characterized by very high operating expense ratios, but investment requirements are relatively low, with the result that rates of return, when earned, are at a good level.

Federal subsidy is no cure-all for an unsatisfactory rate of return on invested capital. Underlying unsound conditions continue, and there is an additional burden placed on the back of the already overburdened taxpayer.

The two investment companies with which I am associated have a combined portfolio, almost entirely invested in common stocks, amounting in market value to $2.8 billion. We strive to have a soundly selected group, numbering about 160, of enterprises representative of those which will benefit the most through the continued growth of the economy, both here and abroad.

It should be of interest to you that we have—aside from the automotive manufacturing industry—less than 3 percent of the combined portfolio invested in stocks of transportation companies. Including the stocks of automobile and tire and rubber companies, the percentage invested in transportation still amounts to under 6 percent of the total.

These figures compare with the 10 percent of gross national product accounted for by

public and private freight and public passenger transportation services and with the roughly 20 percent of GNP for transportation activities including the private automobile.

Of course, equity investment objectives are different from those of lenders of money and of bond buyers. There is no difficulty in attracting these latter types of funds into transportation enterprises, wherever collateral and cash flow are adequate.

But piling up of too much debt without an adequate equity base is unsound, and "partnership" or "risk" capital must be attracted and can only be attracted when the many intangibles involved in the future outlook for relative profit stability and absolute profit growth appear favorable.

Before coming to my main theme, "A Challenge for Transport Leaders," I wish to mention what everyone actually knows, and that is the unfortunate history of economic and rate regulation in the field of transportation—particularly rate regulation. Such regulation has by no means kept up with the fundamental change which has occurred over the years; namely, that transportation is no longer a monopoly industry and should not be regulated as such. In the public utility field such regulation is justified and, when wisely applied and when coupled with intelligent, forward-looking managements, benefits both users and investors. One of my company's most successful investments has been in the stock of the electric utility system in the service area of which is included Appalachia. Despite this unfavorable market factor, however, rates charged are relatively among the lowest and per customer usage figures among the highest; and at the same time the rate of return earned is more than twice that earned, for example, by the railroads.

As an aside, and to mention the steel industry again, it is my fervent hope that the powers that be in Washington do not come to consider it a monopoly and treat it as such.

Despite outmoded regulatory laws and practices and all the well-known restrictive practices of unions, under private ownership America has the best public transportation system of any country in the world. In fact, private ownership in other countries is a rarity. The inherent incentives of our profit system have been responsible and have inspired the requisite leadership.

Looking ahead, inspired leadership in transportation to make it profitable and attractive to investors has never been more needed. Our transportation system cannot continue strong and cannot grow to meet the future requirements of our burgeoning economy and population without adequate profits; and without an expanding and strong transportation system, overall growth of our economy will be stagnated.

In the years ahead the dollar measurement of our economy will increase tremendously—as will also the volume statistics—and an estimate by those more qualified than I sets the figure for GNP 10 years hence at a minimum of $850 billion, more than $200 billion ahead of 1964. I hasten to add that this measurement is not in "constant" dollars. The way the political winds are blowing, for example, over the mountains of Appalachia, through our hospitals and schools, across the wheatfields and into some pretty faraway corners of the world, I think dollars of constant value are a relic of the past.

As to population growth, we who have reached the grandparent stage can readily go along with the expert opinions of a 30-million increase for our country in 10 years' time.

Going back to the GNP estimate for 10 years from now, it implies that spending for public and private transportation services will be $40 billion higher than in 1964. This constitutes a challenge and an opportunity for private enterprise in the transportation field to serve the public interest and to meet fully the vital requirements of our economic growth.

In fact, I believe that the vitality of the profit system is the only catalyst which will provide the leadership in terms of energy and imagination to do this essential job. Only through intelligent, sound and inspired leadership can the necessary base of equity capital be attracted. Borrowed money, equipment financing and depreciation flowthroughs, although absolutely necessary, are not enough to fuel the future.

The future transportation needs of our country cannot be solved by public ownership. The history of socialized transport systems has been sorry indeed—inadequate and antiquated facilities and inefficient service, for the most part, and, with but two exceptions, I believe—the railroads of Holland and Switzerland—a terrific burden on the taxpaying public.

In England last year the railway deficit was $340 million, and the new Labor Government has just fired the managing director because he was trying to do something about it, by way of abandoning sparsely used trackage and getting rid of unnecessary workers. I understand, however, that not even that Government is going to repeat the disastrous mistake of the former Labor Government of nationalizing the trucking industry.

Another horrible, and unfortunately altogether too typical, example of public ownership is Argentina with half of its massive national deficit coming from the socialized railroads, which are rampant with featherbedding.

Today, I reiterate, we have the best transportation system in the world. This fact is due to the principle of private ownership, which provides the incentives for continued technological progress and for the seeking of solutions to problems by the leaders in transportation which are economically sound solutions. These leaders, I am sure, can act more effectively without the heavy hand of Government in the form of unwarranted interference and unasked for advice.

The road ahead in meeting fully the future transportation needs of our economy will not by any means be an easy one. In addition to the previously mentioned obstacles of some seriously outmoded regulatory practices, which must be corrected, and the difficulties of dealing with labor unions, the many diverse elements existing in transportation naturally tend to make progress more difficult and complicated. There are varying points of view among the six modes of carriers and variations of significance within the modes. There is the traveling public and there are the shippers, with many different needs and requirements. Within the Government there are differences of outlook in the executive, congressional and regulatory branches. The myriad unions of transport labor sometimes are at odds. And then there are those who will provide an essential part of the money for expansion—the investors, both institutional and individual, with differing objectives.

Narrowing these differences in view for a moment down to those within the modes themselves, we have learned from disappointing experience—at least to some major transport segments—that unyielding self-interest on the part of transport leaders can mean stagnation for all, particularly in the area of remedial legislation. But I do not believe there is shortsightedness, by any means, among such leaders. In the last 18 years, as a director of TAA I have been privileged to meet and mingle with those most eminent in the business of transportation. I know these leaders are gentlemen of courage, goodwill and intelligence, and having such statesmanship at the helm gives me much confidence as to the future of transportation.

They and we all know that in the field of transportation the seeds for—areas of advance, great profit progress, and enterprise growth exist in the following areas:

Increased coordination of services to match the physical and geographical dictates of our country and its industry;

Advances in containerization;

Soundly based mergers among carriers of similar mode;

Elimination of inequitable taxation;

Improved ratemaking; and

The mandatory paring down of the great burden of transport labor costs, which range, with fringe benefits, from 40 percent to over 60 percent of transport gross revenues, not only through the elimination of unnecessary jobs but also through automation and technological improvements.

To make these seeds develop better than they have, we need in addition to the high quality of leadership now existing in the transportation business itself an enlightened attitude on the part of the leaders of all the other segments which have a vital interest in transportation, previously mentioned.

Now, as to my challenges, which are of a general nature and four in number—and can only be met through cooperation in the finest sense among these various parties at interest:

First, leaders of all transport segments must think anew and with open minds. Transport "troops" now committed to a rearguard battle to preserve the status quo must be reassigned to the "frontline" to fight for more breakthroughs in technology, new and improved services, better equipment and lower costs.

Second, leaders of all transport segments must also think wisely. We must profit from past mistakes, otherwise we shall repeat them. Planning should refuse to tolerate for the future such burdens as labor-management stalemates, outmoded services, archaic labor rules, artificial rates, obsolete equipment, discriminatory taxation, and the uneven hand of Government controls in which some Government department are at odds in their use and in their regulation of transportation.

Third, leaders of all transport segments must also think cooperatively. All must join in building a bigger market rather than concentrating on holding a set share of a smaller market. The long-range goals of transport labor and management, of Government and carriers, of investors and carriers, of users and carriers, and of the public and carriers are identical. All want and must have an adequately profitable and vigorously modern coordinated transport system which in the ultimate will best serve their own goals.

Lastly, leaders of all transport segments must think practically and begin to focus with greater emphasis on areas where there is already agreement. For example, why not zero in now on ending discriminatory taxation and getting more weapons to use against illegal for-hire carriage? Progress is more likely to occur when parties in contention work first on the least controversial components. This avoids major collisions on major principles, and such collisions normally stymie action on even the smallest step forward. We cannot build a better transport system by any overnight miracle. We must build it day by day, step by step. Let's take a step forward whenever we can.

Having listed those generalized goals, I now propose a specific "demonstration program" of modern transport statesmanship.

I urge the leaders of transport companies and transport-labor, in each of the various modes, to sit down together in an atmosphere of mutual respect and ratify statements of broad principles and goals to be met in each mode over the next 5 or 10 years. Such meetings would have to be founded on the joint realization by management and by labor that the future of both depends on each other. They must act in

the best public interest, and they must attract investment capital.

I urge management to take the initiative on this instead of sitting back and waiting for the presentation of periodic demands by the labor organizations or waiting for the heavy hand of Federal Government to make the first move. Now is the time to elevate labor-management relations—to transform this very crucial fundamental of progress from a partisan duel to a serious joint consideration of the massive challenges which lie ahead. The selfish welfare of these partisans and the general welfare of the economy are commonly dependent on such action.

Once broad principles are set, such as mutual acceptance of the increasing introduction of automation, mutual recognition that the impact of technology on employees should be cushioned, mutual agreement on the ever-growing need for employees of higher training and new skills, mutual acknowledgment of the necessity for new techniques of operation which highly coordinated transport services of the future will require, then implementing the details should flow quite smoothly in truly enlightened bargaining sessions.

Can this be accomplished?

We can stand still if we want, but the future will never stand still. Either it will overwhelm us, if we are unprepared, or we shall master it, if we are prepared, for a stronger economy and, thus, a better life for all. The time has come for private enterprise in transportation to mobilize intelligently for the inevitable battles of progress it must win if we are to remain the first nation on earth, which in turn depends on the best transport system which men have yet devised.

We—all of us together—can make that system even better under enlightened capitalism.

HOOVER-TYPE COMMISSION IS NEEDED ON FOREIGN RESEARCH PROJECTS

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] 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 South Carolina?

There was no objection.

Mr. FINDLEY. Mr. Speaker, we need a Hoover-type commission to bring U.S.-sponsored foreign research projects under control and put them on the right track.

State Department clearance of all such projects, as recently ordered by the President, will not help and may hurt.

The press recently has been full of news about the Defense Department's controversial study of revolutionary techniques in Chile known as Project Camelot.

The State Department knew all about Camelot for nearly a year and did not lift a finger to stop it.

State Department officials attended at least 15 different briefings and discussions of the Camelot project beginning with one held August 25, 1964.

This briefing by Defense was held with State's Bureau of Intelligence and Research. On November 4 a briefing was held with American and African desk personnel as well as with intelligence and research officials of State.

Two subsequent discussions of Camelot were held with the foreign area research coordination group which is chaired by the State Department.

In March and April of 1965 the State Department was represented in a weekly series of meetings. Further, the State Department was represented at two meetings on Camelot of the advisory board of the Academy of Sciences in October 1964 and January 1965.

Copies of all Camelot documents were sent to a point of contact designated by the State Department.

From this, it is obvious that State Department was fully informed all the way. State and Defense could hardly have been more fully coordinated with regard to Camelot.

State had ample opportunity to block Camelot and did not do so.

Therefore, the President's action to clear all such projects through State gives no hope for improvement.

It carries with it the danger that the State Department—whose own closets are not free of research project skeletons—might arbitrarily abridge academic freedom to such an extent that the projects will not yield the objective points of view so essential to sound policy development.

Research projects abroad can yield great benefits to our Government but they must not be shackled by a complicated bureaucratic veto system. What is needed is a thorough study of these projects by a Hoover-type commission of eminent citizens, including foreign-policy research specialists and representatives of the various Government agencies.

From this study, the commission could recommend guidelines and procedures which would prevent Camelot-type foolishness and at the same time preserve the freedom of inquiry so essential to worthwhile research.

The shift of authority to the State Department may well be the culmination of a long-range effort. The Foreign Area Research Coordination Group—FAR—an intergovernmental study group including State, issued its first annual report in June.

The report—page 7—listed coordination of research planning as a central objective. Clearance authority for the State Department certainly fits this objective neatly. Whether it is in the public interest is another matter.

LETTERS ON BREAD TAX, FARM BILL

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] 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 South Carolina?

There was no objection.

Mr. FINDLEY. Mr. Speaker, below are typical letters I received following my appearance on the televised "Today" show Friday morning. I place them in the RECORD to illustrate what is apparently widespread opposition to the farm bill.

ZEELAND, MICH.

Just heard you on "Today" show, and had to write you to tell you how right you are.

I own a feed mill and the farmers around here all are against Freeman's ideas all the way. Have lost many customers who have just given up farming. The farmers feel they have no voice in Washington. When they were given a chance to vote on the wheat deal, they voted no—but it did no good—Freeman decided they would have to "pay" for voting against his program and clamped the 70-percent tax on wheat which really hurts.

In other years it would take us 2 weeks to process the wheat—this year 4 days—so many either quitting farming or not planting wheat. It's time they find someone that really understands the farm program to take over this mess and really help the farmers. In the depression of the 1930's it was the farmers that suffered first. We hope we never have to go through that again.

Hope you can read this. Am writing at home, where I don't have a typewriter. Keep bucking Freeman all the way.

Thank you.

ROBERT JACKSON.

NORTHWOOD, N.H.

This morning we saw you on the "Today" show. If you can do anything about the silly way agriculture is being handled, I'm sure we would be grateful. The whole program just does not make sense to us. If the Government would stay out of the whole thing, and let supply and demand have its way, we would all be better off.

Mrs. GEORGE K. RICHARDSON.

LEWISBURG, PA.

Between my second cup of coffee and my first load of laundry I am grabbing a few minutes to congratulate you on your clear thinking on the farm bill—as expressed on the "Today" show. It is most reassuring to know that in Congress we have men like yourself who do not preach the creed that "The Great White Father at 1600 Pennsylvania will take care of us all." If I were registered in Illinois I would be proud to give you my vote.

Sincerely,

Mrs. CHARLES B. MUCHMORE.

BURLINGTON, WIS.

Congratulations on your appearance on the "Today" show—keep hammering at these characters in the Department of Agriculture—and the White House.

Mr. M. P. MAHER.

UPPER DARBY, PA.

What a joke—taking the taxes off the minks and putting it on flour and bread.

Mrs. ROBERT R. JOHNSON.

UNADILLA, N.Y.

I have just had the pleasure of listening and watching you on the "Today" show—I am very much impressed with your views on the Feeds Grains bill. I am writing to my Congressman—to look into this bill too—I sure hope he agrees with you.

Mrs. NORMAN F. HOAG.

NEW YORK CITY, N.Y.

I had the pleasure of listening to your able talk over station WNBC-TV today. Your subject bread and flour tax concerns members of our labor organizations who publish a magazine that I contribute to.

MICHAEL ROSENBERG.

PASSAIC, N.J.

An antipoverty program combined with higher living costs, including bread, doesn't make sense, as you say. I must admit to a prejudice against millers, as they remove all the vitamin B from wheat so that the bakers

can come up with Bond bread, which is indistinguishable from Johnson & Johnson's (no relation) cotton. Your graph showing the high consumption of bread among lower income groups may be due to the fact that the better fixed people eat out more. And 21 cents for a loaf? Where?

You might consider the effect of a price rise on even the lowliest luncheonette. When the price goes up 2 cents on a loaf, another 5 cents is put on each sandwich. The tax cuts are so favorable to big business; else why have they left the tax on savings, on which you already have paid an income tax? But to him that hath shall be given, as it was said. Glad to have tuned in on you.

Bye.

CELIA SALKIN.

ATLANTA, GA.

Thank you for your TV program re Government should not be fixing prices for farmers; resources for an efficient farming job with special attention to flour prices.

Since my retirement on less than half pay after 30 years' Government service, I have had to revise my way of living and found bread and butter most satisfying and economical food. Although I do not like bread much, that proves to me that, since there are many others worse off than I, bread prices should be lowered more than anything in food line.

Miss MARJORIE HALL.

CHICAGO, ILL.

A job well done.

HAMILL VARNER.

TERRE HAUTE, IND.

I saw and heard the TV program on which you appeared this morning. I want to congratulate you on the clear, informative, and sensible presentation that you gave on the farm subsidy situation that is obviously ruining this country's economics of farming.

I hope that you will continue opposing Federal regulation and socialism in all of the present administration's program.

Very truly yours,

NOEL S. MCBRIDE, M.D.

LUBBOCK, TEX.

Thank you so much for your comments on the "Today" show. I just hope your thoughts prevail when the votes are cast.

I also pray you will vote against the repeal of section 14(b) of Taft-Hartley.

Thanks.

H. J. ROPER.

LUBBOCK, TEX.

You are 100 percent right in your ideas about farm bill and the poverty program is an insult to American's intelligence. And to take tax off luxuries instead of essentials is pure ignorance.

A TEXAS VOTER.

SARASOTA, FLA.

You should get a low bow from many, many Americans. It takes courage to stand up to Agriculture. Look what happened when the president of First National City commented adversely on Agriculture's price-fixing policy.

I have wondered if the apathy which seems to have crept into the average American works from the bottom up, or the top down. Are we apathetic because Congress is, or are they because we don't seem to care what happens to us.

If I recall rightly, there was a vote taken by farmers about a year ago, and it went against Agriculture. At that time the Secretary forecast dire results, and that wheat would sell under $1 because of the stupidity of the farmers, who, after all, don't know as much about crops as the bureaucrats do.

Please, please, Mr. Congressman, do something, not only about the price of bread, which is important, but about law and order, which is even more important.

Thank you again for your courage and perspicacity.

F. J. JAKES.

Written in person, and since I have no sight, I hope you will forgive any misspelling, and/or typing errors. Thanks.

———.

Your views expressed on the "Today" show concerning the agricultural program were sound. You should be the next Secretary of Agriculture.

Yours truly,

H. DAYNE KLINE,
Dairyman and a Democrat.

P.S.—I would appreciate hearing more of your work on the Agricultural Committee. Thank you.

AUGUSTA, ILL.

I saw the interview with you on the "Today" show this morning. We agree with your ideas and wish you luck in opposing the bread tax bill. You have our support.

We feel fortunate to have you representing our district; please let us know if we can be of help in your efforts in Congress.

Sincerely,

Mrs. VIRGIL ROSENDALE.

ALEXIS, ILL.

We heard and saw you on "Today" this morning. We thank God for you. We want you to know that though ours is a different congressional district still we have a warm affection and prayerful interest in you.

Sincerely,

E. L. CASTRODALE,
Pastor.

BEARDSTOWN, ILL.

Congratulations on your forthright and factual presentation on TV this morning.

JOHN J. WHITE.

ZOLFO SPRINGS, FLA.

Just viewed your interview with Sandy Vanocur on NBC. I think you were wonderful. It is always easier, and I hope more convincing, when you have facts and figures refuting these radical and crazy ideas. This administration has gone all out for, and gotten the Negro vote, the Catholic vote, the poor man's vote (though I must say on very misleading promises) the Jewish vote, and are now after the rich man's vote. And what I mean is, is that they are shifting the excise taxes from the rich who pay them, to the poor, and that on the necessities of life. How dumb do they think we are!

CECIL LANGFORD.

KENNEDY ROUND EXTREMES NEED TRIMMING

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] 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 South Carolina?

There was no objection.

Mr. BRAY. Mr. Speaker, at the moment the glamour and excitement has gone out of the Common Market and with it the Kennedy round that was to boost trade with the Six and the rest of the world. Delay upon delay has become the order of the day; and it now looks as if it will be well into 1966 before real negotiations on actual tariff reductions will begin. In fact there is beginning to be some question whether the Common Market countries are so anxious to move into the Kennedy round.

It will be recalled that in the last session of Congress a large number of bills was introduced seeking to remove the most sensitive or vulnerable items from the President's list. The bills provided for certain definite criteria as a guide to the Tariff Commission which was to certify to the President those products that met the criteria. In general the criteria were designed to apply to products that were already experiencing strong import competition and should, therefore, not be further exposed by additional tariff cuts. The Tariff Commission would only act on application by an industry or labor group, but if it found that the facts supported the claim that one or more of the criteria were met the Commission would so report to the President and the item must then be removed from the list.

The need for that kind of legislation arose from the high-handed manner in which the intent of Congress was ignored by those who were responsible for the negotiations with GATT. Congress laid down strict requirements for detailed public hearings, item by item, with the obvious intent that each product be given special attention. Such evidence of competitive standing as trends in profits, employment, output, sales, imports, prices, wages, and so forth, were to be the subject of inquiry.

The Tariff Commission did hold prolonged hearings. They lasted 4 months. I understand that some 800 witnesses participated, including many Members of Congress. Certainly it would be thought that these hearings had a purpose. As it turned out they were completely ignored and treated with outright contempt.

What happened? Our negotiators agreed with GATT that all tariffs would be cut 50 percent, with only a minimum of exceptions—I should say a "bare minimum" of exceptions, because those were the words agreed to.

Mr. Speaker, when the executive branch so grossly disregards what was the unmistakable intent of Congress, it seems to me incumbent on the legislative branch to object and to lay down guidelines that cannot be evaded. That is what the bills that were introduced last year provided.

The legislation now being introduced repeats these criteria but adds some provisions for relief against future injury or undue exposure to imports if imports already have encroached heavily on the domestic market. If imports have risen as much as 75 percent since 1958 and have taken a share of the domestic market at least equal to 7½ percent of domestic production, the industry concerned will be free to request that an import quota be imposed to prevent a runaway surge of imports. Upon application to the Tariff Commission this agency would investigate the facts and if these sustained the claims set forth and met the criteria of the legislation, the President must set up an import quota. This would keep imports to the level of the average of the immediately preced-

ing 3 years. Imports thereafter could grow in step with domestic production.

I believe that this legislation is not only desirable but necessary if imports are not to injure many of our industries and thus lead to stagnation of the economy.

Employment will not grow in the industries that encounter rising import competition. The future market prospects would not sustain plans for expansion. On the other hand we could expect the exposed industries to resort to mechanization as a means of increasing efficiency which in turn would be expected to improve their competitive position. This might help individual companies but it would reduce the number of jobs without hope of restoring them at any time in the visible future—precisely because the market was being divided, with imports enjoying the upper hand.

The behavior of industry under these circumstances can now be forecast with little fear of error as a result of the experience of recent years. The companies with sufficient capital resources, besides modernizing their plants, will also explore the possibilities of manufacturing abroad, thus getting the advantage of the low wages prevailing generally throughout the rest of the world, Canada excepted.

If our tariffs are cut another 50 percent both of these trends will surge upward, because the need will be all the greater. The pressure for automation will increase and so also the search of capital for outlets abroad. Already this latter trend has caused alarm because of its high volume and effect on our unfavorable balance-of-payments situation. Already restrictions have been called for to stem the heavy outflow. Another 50 percent tariff reduction would enlarge this outflow to a torrent and to keep it within bounds would require strong regulations strictly enforced. This would then vastly increase the pressure for automation at home, since the escape to foreign havens would be cut off or narrowed too greatly to provide an offset against shrinkage of the domestic market.

Mr. Speaker, a number of important industries are already on the borderline. Others already need safeguards or have indeed already moved so extensively overseas that a substantial share of their dividends come from overseas. The further tariff cuts would drive more and more industries into the latter class.

What would be wrong with that? What is wrong with earning profits overseas? Nothing at all unless earning them abroad means a subtraction from domestic activity and loss of employment here that would otherwise take place. If foreign investments are made as an escape or because foreign pastures are greener than those in this country it means that we should determine what is wrong on the homefront and correct it. Certainly to cut tariffs 50 percent from existing levels would aggravate situations that are already distressing enough and boding ill enough for the future without encouraging more imports.

The electronics industry, which is one of those in my district, as an example, had great employment potentialities; and in the field of industrial, governmental, and military products it has done quite well. However, in the segment of consumer electronics, such as radio, television, tape recorders, and so forth, imports have spoiled the market and forestalled the healthy expansion and employment that would have occurred in the absence of this severe competition. This is not to say that the industry could not withstand any foreign competition. It means that it cannot meet the kind of competition that gets its advantage from extremely low wages compared with our own. It means that the lower levels of consumer income in our market are virtually lost as an outlet for the domestic manufacturers. Our industry cannot make a product at prices as low as can the Japanese. The reason is no mystery at all. Their wages are less than a fifth of ours and the Japanese are very efficient workers. In many instances they produce under our patents, licensed by our companies that own the patents.

Obviously, if our companies own the patents, they could manufacture here, but they could not for the present achieve the extremely low prices possible in Japan. Possibly they could in 5 or 10 years of further research. Therefore this market is all but lost to us, and it is no secret that within the lower income levels is precisely where tens of millions of new customers reside. The transistor radio, moreover, is one of those items that also reaches into some of the middle levels of income because it is suited for purchase as a second or third or fourth set in a household. This represents a considerable market.

This situation is much the same as that of the small automobile. Its first market may lie with the lower income group which our manufacturers have not yet reached because of costs, but as it takes on the function of being the second or even third car in higher income groups it takes away or greatly trims a market that could be met by domestic manufacturers if they could manufacture as cheaply as their foreign competitors who pay the lower wages. The foreign advantage is simply one of lower labor costs.

The history of consumer goods manufacturing in this country where the product was at first expensive until mass production was achieved was essentially one of successive cost reductions as improved techniques of production were developed, thus working downward into broader consumer income levels as time went by. That was the pattern of the automobile industry, the radio and TV industry, in cameras, typewriters, and other products.

When imports can jump in ahead of our own manufacturers and virtually preempt the lower income field as their own as well as the second and third units of lower cost, bought by higher income consumers, they cut the domestic industry off from full market exploitation in both fields. It is the natural and the easy thing for the foreign manufacturer to do. The effect is to enlarge the domestic market just as it would be enlarged if our own manufacturers had achieved the lower costs, but the trouble is, especially now, with their modern technology, they can beat us to the draw. Their low wages combine with their advancing technology to give them an insuperable competitive lead over us.

Mr. Speaker, this situation is nothing other than the natural outcome of the fact that our former long technological lead over other countries has been cut and in some instances extinguished, while wide differences in wage rates remain. Wages in other countries are not standing still, to be sure. They have been rising rather rapidly, according to reports, in Japan and West Germany and a few other countries, but let us not overlook the fact that wages have not stood still in this country. They are still upward bound, as we all know.

Therefore the hope that we will soon be on even terms in labor costs per unit of production with other countries is purely a pipedream; and it would behoove us to look this bleak fact squarely in the face. We should study its meaning for our freer trade policy.

I say we have worshiped at the altar of free trade long enough. It is about time that we broke the spell and lifted our eyes to the encroaching realities of the world. We have had 5 or 6 years in which to do some new thinking but the eyes of our national leaders and economic trailblazers have been blinded. They are tied to the trade policy of the past 30 years by seemingly unbreakable apron strings. Psychologically they are hogtied too.

The bill I am introducing would halt some of the extreme aspects of the Trade Expansion Act of 1962, especially as it has been interpreted, as I have already described.

The act itself is a monument to ineptness. Its probable effects were never thought through. The whole idea was to make a sudden lurch toward free trade while there was time. The rest of the industrial world had not yet become ready to challenge us. They had a vast pent-up demand at home to satisfy.

Now the catchup is nearly complete and we should know that we are living in a different world and on borrowed time.

I not only introduce the legislation; I support it and trust that the Ways and Means Committee will open hearings during the present session or during the recess. We must act before those who have little sympathy for our industry go to the extremes now contemplated; namely, a 50-percent tariff cut across the board with only minor exceptions.

SETTING THE RECORD STRAIGHT

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ROSENTHAL] is recognized for 60 minutes.

Mr. ROSENTHAL. Mr. Speaker, it is with considerable regret and a heavy heart that I take this time this afternoon but I do so on a matter of great importance, in my judgment, both to the House of Representatives and certainly to myself.

On last Thursday the gentleman from Ohio [Mr. HAYS] made some remarks which I think were probably among the most serious ever made by one Member against another Member in the history of this body.

The United Press of that day reported as follows:

WASHINGTON.—Representative WAYNE L. HAYS, Democrat, of Ohio, said today current unofficial hearings at which Congressmen have been soliciting views on Vietnam are giving "aid and comfort" to the Communists.

HAYS in a House speech directed his critical remarks particularly at Representative BENJAMIN S. ROSENTHAL, Democrat, of New York, one of several Members who have conducted such informal sessions.

HAYS said the sessions have provided a forum for "crackpots" to air their views in opposition to U.S. participation in the Vietnam fighting. He said ROSENTHAL had been "helping the Communists" by holding such meetings. "He's giving aid and comfort to them," he said.

The dispatch continued:

HAYS' remarks were prompted by a statement by ROSENTHAL on another issue. ROSENTHAL had told the House U.N. Ambassador Arthur J. Goldberg, according to press reports, would announce shortly a more flexible U.S. policy toward Russia's nonpayment of U.N. peacekeeping assessments.

HAYS said he doubted that ROSENTHAL knew, since the matter was still under study, and that anyway ROSENTHAL was helping Russia by suggesting to Russia in advance that she need not make further concessions in this U.N. dispute.

He said ROSENTHAL was "aiding the Communists" in this case "just as he has been helping the Communists in Vietnam" by holding meetings on Vietnam. He said ROSENTHAL had been incorrectly implying that the hearings were sponsored by the Foreign Affairs members.

For the attention of those Members who have not had the opportunity to read these remarks in the RECORD, they appear at page 20360 of the RECORD of August 12, 1965.

It seems to me that when one Member accuses another Member of aiding the Communists and giving aid and comfort to the Communists, he is bordering on the charge that the other Member is guilty of treason. This, I believe, is a very serious charge and must be answered in its entirety, not only by myself but by other interested parties.

Frankly, when the gentleman from Ohio made his remarks, I was rather taken aback and shocked. My subsequent reaction was one of hurt, because Mr. HAYS is the chairman of my subcommittee on State Department Affairs. He is, in my judgment, a respected Member of the House, a man for whom I have considerable respect and even admiration, a man with whom I have had the pleasure of having lunch at the same table in the House restaurant perhaps 100 times since I have been in Congress, and a man who has done me a number of personal favors. Only within the last week or two he did something for which I was very grateful to him. Thus; when he made these very serious charges, I wondered if perhaps there was not something wrong with me—if there was not something I had done directly to Mr. HAYS to cause him to make what I believe is probably one of the most serious charges ever made in this Chamber.

At the time of the incident, I could have, as all Members know, risen to a point of order and asked that his words be taken down. At that point had the Speaker ruled in my favor, the words and Mr. HAYS' remarks would have been removed from the body of the RECORD. But the damage would have been done in the press. It was my immediate judgment, whether good or bad, that it would be better to face the entire issue, and better to face the remarks so that we might all reflect on them at some other time rather than have the matter disposed of at the moment.

I was at a loss to explain Mr. HAYS' attack. Yet I knew he must have realized that anything he said, one Democrat against another, would carry very, very serious political implications. When I had thoroughly exhausted the possibilities of my behavior having caused his remarks, I then began to wonder about him. Of course, I had no basis for any personal feelings for him other than respect and admiration and, a modest degree of affection. I then waited until the next day, until the newspapers reported the incident. I should be honest and tell you I had hoped there would be little press reaction. But in the Long Island Press of Friday, August 13, which is the most important paper in my district, there appeared a headline in about 1-inch type which said, "Abet the Commies? Absurd: ROSENTHAL." In other words, while I did have a chance to make a response, the attack had put me completely on the defensive.

New York Times of Friday, August 13, 1965, carried the first half of the UPI story. But they carried the charge and not my response. They said as follows:

Representative WAYNE L. HAYS, Democrat, of Ohio, said today that unofficial hearings at which Congressmen had been soliciting views on Vietnam were giving "aid and comfort" to the Communists.

Mr. HAYS, in a House speech, directed his critical remarks particularly at Representative BENJAMIN S. ROSENTHAL, Democrat, of Queens, one of several members who have conducted the informal sessions.

Mr. HAYS said the hearings had provided a forum for "crackpots" to air their views in opposition to U.S. participation in the Vietnam fighting. He said Mr. ROSENTHAL had been "helping the Communists" by holding such meetings.

And the New York Daily News of the same day, Friday, August 13, 1965, carried the story which said in the headline, "L.B.J. Supports Lodge on Vietnam," but, in the bottom of the story, recorded the same essential charge that I was giving aid and comfort to the Communists.

It was then that I realized the matter had to be faced directly, then that I was obliged to look at what Mr. HAYS had said in the past remarks on the floor of the House, then that I sought to discover whether he had ever questioned the integrity of other Members of Congress. I supposed if I could find some clue along these lines, I might then find the answer as to why he chose to attack me.

I was particularly surprised at one of the gentlemen's statements, made in the CONGRESSIONAL RECORD, volume 109, part 15, page 20679, where Mr. HAYS said:

Mr. Speaker, I have been reading in the press about various people being called pinkies, Communists, and what-have-you by other Members of the House. I have never stooped to calling anybody a Communist or any other vile name, but I would point out, having some knowledge of communism, that one of the Communists' chief tricks and one of their chief tactics, as well as the Nazi murderers' principal tactics, was to call somebody they disagreed with a dirty name such as a Communist or for a Communist to call someone a Nazi. I wonder if those who play this game should not be suspect as to their own political philosophies? In other words, the big lie technique.

Given the quality of his attack on me, I was puzzled by the very tolerant sentiments of that particular statement.

I continued looking at other comments and came across one which indicated another saddening tactic—the old charge of guilt by association. This occurred on June 7, 1957, in the CONGRESSIONAL RECORD, volume 103, part 7, page 8533, where Mr. HAYS said as follows:

I have always been told if you have evidence introduced—I am not an attorney, so I am trying in my feeble way to refute this—if you have evidence introduced, you consider from whence this evidence comes. Since Mr. POWELL is the sole source of this statement and since Mr. POWELL has made this accusation against Members from Pennsylvania and Ohio, maybe we should consider some of his previous statements. Why he made this accusation I do not know. I suppose that is as hard to explain as it would be to explain why he appeared with Earl Browder and William Z. Foster at a joint rally of the Communist Party in Madison Square Garden in 1944 and shared top billing with those two. Or it might be as hard to explain why he was the editor of a newspaper and the author of a column in which he one time identified the New York Times as "a Salsberger journal of first-class Negro baiters."

I have heard the New York Times called just the opposite on this floor by many more people than the gentleman from New York, Mr. POWELL. Or why when one time, when the distinguished gentleman from Texas, Mr. Dies, had the temerity to summon one of the columnists of Mr. POWELL's newspaper before his Committee on Un-American Activities, the Reverend Mr. POWELL wrote, "The sooner Dies is buried, the better." And he goes on quoting a lot of other trash that I will not quote because I do not want it to appear in the RECORD.

He [Mr. POWELL] winds up by saying, "The death of Dies is just as important as the death of Hitler." Well, Mr. Dies is here, full of vim, vigor, and vitality, I am happy to say. So that wish of the reverend gentleman from New York had no more reason that his dishonest statement against Members of Congress from Pennsylvania and Ohio.

Mr. HAYS seems to have been particularly worried about other Members' attitudes toward communism. In exchange with Mr. CURTIS, of Missouri, CONGRESSIONAL RECORD, volume 108, part 3, page 4305, the gentleman from Ohio said this:

Mr. HAYS. I would just like to say to the gentleman who is interested in fighting communism that in my opinion each one of us who fights down here in the well by doing a lot of talking is not doing any effective fighting like some of us do back in the precincts.

Such matters, as we all know, are politically very delicate. They deserve restraint and caution. But so do any remarks made by Members about fellow Democrats. This is why I was disturbed by remarks by the gentleman in the CONGRESSIONAL RECORD, volume 102, part 5, page 6540:

Mr. Speaker, perhaps I should say this about the great golfing Governor of Ohio—

Incidentally, the Governor was a Democrat, just as I am.

the Governor of Ohio who reputedly shoots a lower score than the President and who has through his opposition to adequate financing tried to ruin the school system of Ohio and who in his tenure as Governor has permitted Ohio's highways to deteriorate until they are among the worst in the Nation. Knowing him as I do, perhaps I should say in my opinion, he would have kicked the farmers of the Nation in the teeth before he teed off on the first hole; he wouldn't have waited to have a conference in the golf shop on the ninth hole.

I have found, to continue, that I was not the first to take time to respond to charges made by Mr. HAYS. In the CONGRESSIONAL RECORD, volume 108, part 15, page 21103, Mr. Alger, of Texas, had the following to say:

Mr. Speaker, I am happy to report to the House that the statement made yesterday by the gentleman from Ohio, Mr. HAYS, in which the gentleman from Texas now addressing the House and the gentleman from New York, Mr. Pillion, were mentioned, I have been assured privately, in no sense was intended to be derogatory, that we would be slow to hit the beaches with the gentleman from Ohio in case we ever, God forbid, became engaged in combat. I understand that no such implication was intended either in that part that was added under permission to revise which we did not hear on the floor.

That a Member of this body had seen fit to question the courage of his fellows, apparently to deny it later—all this seemed to me deeply puzzling. Yet there were other unexplainable incidents. On January 17, 1963, CONGRESSIONAL RECORD, volume 109, part 1, page 542, appears the following:

Mr. HAYS. Mr. Speaker, I listened with a good deal of interest to a great part of the speech which was made by the chairman of the Committee on Appropriations, the gentleman from Missouri, Mr. Cannon. I am sure all of us are concerned about the debt. But I might say in the 14 years I have been here I have never been before the Committee on Appropriations one single time and asked them for one single appropriation. But I would have been a lot more impressed still if I had not been around here last year and had seen the spectacle of the fight for prestige that went on and a considerable number of weeks of the time of the Congress and the country wasted. I would have been more impressed if the chairman would have devoted himself at that point to trying to reduce the debt instead of trying to increase his own prestige.

Is there not a better way to conduct the discourse of politics, regardless of how strong one's sentiments?

Mr. Speaker, other Members have taken special orders to respond to Mr. HAYS before with reference to his accusations. One such example was May 18, 1961, CONGRESSIONAL RECORD, volume 107, part 7, page 8405, when the distinguished gentleman from Iowa, Mr. Schwengel, had the following to say:

Mr. SCHWENGEL. Mr. Speaker, on occasions, Members of the House get carried away or for some reason become careless with their thinking and speech and in the process reflect upon the good character and record of distinguished public servants and private individuals in our country.

This, in my opinion, was the case, Mr. Speaker, when the gentleman from Ohio [Mr. HAYS], referred to a very dear friend of mine and a friend of thousands of people in Iowa as a broken-down politician during a colloquy on the House floor when we were discussing some matters that had little relationship, if any, to people like Mr. Whitney Gillilland of whom the gentleman from Ohio spoke when he said, I quote:

"If they cannot find a Kennedy, maybe they can find a broken-down politician from Iowa like Gillilland that Eisenhower put on the CAB."

Is such an approach really necessary? Does it fit the traditions of this body?

Mr. Speaker, I also discovered that both Senators from Ohio had felt the sting of Mr. HAYS' tongue. Perhaps this was State politics. However, in my case I really cannot understand how there would be any political motivation by making remarks that would apparently increase the chances of my not being returned to this body.

Yet Mr. HAYS had been active in Ohio. On November 12, 1963, CONGRESSIONAL RECORD, volume 109, part 16, page 21578, Mr. YOUNG of Ohio said the following:

This article by Tom Talburt, Washington correspondent for the Scripps-Howard newspapers, contains the following specific statements made by Representative HAYS:

"Congressman WAYNE HAYS, Democrat, of Ohio, says he understands why both of Ohio's Democratic Senators oppose a congressional pay raise. He says they're not worth it.

"HAYS, who's backing a proposed pay boost, said he'll offer an amendment to pay legislators on a sliding scale from $5,000 to $35,000 a year and let each Member decide for himself how much he is worth.

"'If my amendment passes and either Ohio Senator says he's worth more than $5,000, he could be tried for perjury,' snapped HAYS.

"After placing rather dubious prices on the heads of Senators FRANK LAUSCHE and STEPHEN YOUNG, HAYS was asked to evaluate his own performance.

"'I'm worth the maximum,' he declared."

I am not pleased with such remarks. I am not happy to have to bring them to the attention of the House. But I have been attacked, and made vulnerable to serious political charges at home. That I am obliged to defend myself is not my fault. And this is why I am taking the time of the House today.

Mr. Speaker, other examples, some more pungent and some less pungent, of the gentleman from Ohio's habits of political discourse. But perhaps Mr. HAYS himself summed up his own style when on May 24, 1950, at page 7636 of the RECORD of the House, Mr. HAYS, of Ohio, said as follows:

Mr. HAYS. Mr. Speaker, I also recognize that the statement which I inserted is a technical violation of the rules. The remarks which were made were not, in my opinion, particularly offensive to the gentleman in the other body, and I might say, not anywhere near as offensive, not one-tenth of 1 percent as offensive as some statements I have made from the public platform without congressional immunity about the aforementioned gentleman. With that statement, I ask unanimous consent that the remarks be withdrawn.

Mr. Speaker, I have neither the experience nor the training to understand why there are times when the gentleman from Ohio chooses to say unexpectedly critical things about other Members.

And sometimes they have been almost as serious as the one he said about me.

What, then, Mr. Speaker, did he charge me with? He charged me with three things: He charged me with breaching and violating the security of the briefing given by Ambassador Goldberg to the House Committee on Foreign Affairs, and of announcing in advance what this country's position is in regard to the United Nations. He then charged me with giving aid to the Communists by holding public hearings in my district. And he charged me with being misleading in suggesting that these hearings had the official sanction of the House.

With regard to the first citation, the briefing held by the committee, I would like to advise you, Mr. Speaker, this was not the first occasion on which Mr. HAYS has charged a Member of the House with violating security.

On October 23, 1964, he charged the gentleman from Delaware [Mr. MCDOWELL] with probably the "biggest intelligence break that Peiping has had vis-a-vis the United States." And he also said he hoped the people of Delaware would take cognizance of the action of MCDOWELL in breaking American security. Is this proper politics between Democratic colleagues?

What I read to you is a direct quote from the Wilmington Evening Journal of October 23, 1964:

Mr. MCDOWELL, in response to Mr. HAYS' accusation, said, "The insinuation that I broke any security regulation is completely false."

HAYS said "MCDOWELL's remarks were of unquestionable and inestimable value to the Chinese Communists."

Mr. MCDOWELL said he could not understand Mr. HAYS' reaction. He said any one of the U.S. methods of surveillance have been fully available to the public press for several months.

So I was not the first Democrat charged by Mr. HAYS with breach of security. In any case, the charge against me was quite without foundation.

In the RECORD of August 12, 1965, I began my remarks by saying:

Mr. Speaker, on next Monday it is reported. Ambassador Arthur J. Goldberg will announce a more flexible American position on peacekeeping—

And in the next to the last paragraph I stated:

If this is to be the substance of Ambassador Goldberg's speech to the 33-nation committee on United Nations finance, then I am anxious to register my highest regard for such enlightened policy.

I inserted in the RECORD at that point a New York Times editorial of that morning, August 12 which said:

Washington's plan to announce a more flexible position on peacekeeping assessments may prove a lifesaver for the United Nations.

The editorial goes on to discuss the United States proposal for a new approach to peacekeeping assessments.

With regard to the United Nations, on August 11, 1965, the New York Times carried a story under the byline of Richard Elder. The headline says, "End of U.S. Fight on U.N. Dues Seen." Below that "Goldberg Is Reported Ready To Announce Policy Shift."

The Washington Star headline of August 10 stated, "U.S. To Abandon Fight for Soviet U.N. Dues." And immediately under, a subheading, "Goldberg Monday Will Agree To Scrap Article 19 for Contribution Device."

A United Press dispatch appearing that morning before the House met, reads as follows:

As it stood, before the last-minute hitch yesterday, the administration planned to make an announcement in New York Monday to this effect:

The United States still holds to its legal view that the U.N. Charter means what it says.

Mr. Speaker, I ask unanimous consent to insert this dispatch in the RECORD at this point, together with the other newspaper stories I referred to.

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

There was no objection.

The matters referred to follow:

UPI RELEASE

As it stood, before the last-minute hitch yesterday, the administration planned to make an announcement in New York Monday to this effect:

The United States still holds to its legal view that the U.N. Charter means what it says, that "the expenses of the organization shall be borne by the members as apportioned by the General Assembly," and that, under article 19, a member more than 2 years in arrears "shall have no vote."

However, if the U.N. membership is unwilling to enforce article 19 the United States will go along, but will regard its own payments as voluntary contributions rather than mandatory.

This would be a major U.S. shift. On October 8, 1964, the United States submitted a memorandum to the United Nations saying that failure to enforce article 19 would "undermine the constitutional integrity" of the world organization.

The memorandum said such a view would be a repudiation of the International Court of Justice, which ruled in 1962 that assessments are mandatory, and would "tempt members to pick and choose" which U.N. obligations they would fulfill.

"How could any organization function on such a fiscal quicksand?" the memorandum asked.

What brought about the U.S. change was a realization that the U.N. membership was not prepared to enforce article 19. The organization has virtually paralyzed itself for the past year by suspending voting in order to avoid a showdown.

Administration officials were well aware their move would be seen by some critics as a U.S. "surrender." Representative H. R. GROSS, Republican, of Iowa, said after a Goldberg briefing yesterday that the United States was getting ready to "tuck its tail between its legs."

But the administration argues that it is better to slide around a legal point than to see the United Nations paralyzed for still another year. As one U.S. diplomat put it: "All those legal opinions we wrote a year ago are still true. But this has become a matter of practical politics."

The move would be significant in U.N. history. Under the charter, an assessment of expenses on members was the only so-called mandatory power given the General Assembly.

UNITED STATES TO ABANDON FIGHT FOR SOVIET U.N. DUES—GOLDBERG MONDAY WILL AGREE TO SCRAP ARTICLE 19 FOR "CONTRIBUTION" DEVICE

(By William R. Frye)

UNITED NATIONS, N.Y.—Next Monday, the United States plans to abandon its long fight to force Russia to pay her United Nations dues, it has been learned here. Russia then is expected to make a "voluntary" contribution in September or October.

Defeat for Washington on the Russian-dues issue has been considered inevitable for months. U.N. diplomats long have known the United States did not have the votes to put the squeeze on the Kremlin, requiring payment or taking away Russia's voting rights.

Next Monday, U.S. Delegate Arthur J. Goldberg will bow publicly out of the effort, according to the present plans. He will agree to shelve article 19 of the U.N. Charter, which says countries 2 years in arrears shall have no vote in the General Assembly.

After the Russians have cast several votes in the 1965 Assembly, which meets in September, they are expected to make a "voluntary" contribution that will be "substantial" but much less than the $62 million they owe.

Thereafter the United States, too, is expected to contribute to a "save the U.N." fund and other countries will do the same, in the hope of erasing a $108 million U.N. deficit.

In addition, however, the U.N. must pay off some $180 million in bonds floated to pay for peace operations in the Congo and Mideast. Russia has refused to pay her share toward amortizing this debt.

The Johnson administration's decision to swallow defeat came after long and careful consultation * * * which felt that the overriding time an explosion of indignation was feared.

The danger apparently was overrated. Sources say there proved to be three major factions in Congress:

1. Those who felt the United States should fight to the end. This group dwindled as the months passed, and at the last was very small.

2. A group, largely pro-U.N., which felt that the overriding necessity was to free the world organization from paralysis over the issue, even though it would mean loss, for the foreseeable future, of the U.N.'s legal power to tax its members for peacekeeping actions.

3. A group, largely anti-U.N., which welcomed loss of the U.N.'s tax power, fearing it might one day be used to embarrass the United States.

MAJORITY IN ANY CASE

By whatever process of reasoning the conclusion was reached, a majority decided the United States should bow out of the struggle as gracefully as possible.

The administration settled upon this course in late spring or early summer, and thereafter the only problem was how to save the most face.

One device, urged by British Delegate Lord Caradon, was to save the law by changing the facts, that is, to have the U.N. Assembly convert all past contributions for peacekeeping into voluntary contributions, so that anyone who had not made a contribution was not legally in arrears.

U.S. experts considered that this wouldn't wash, that it was too drastic and too obviously contrived. It could still happen, even now, despite American skepticism; but the United States is not expected to urge it.

Instead, the United States is expected to endorse a relatively simple Ethiopian plan, or some close variant of it, under which the U.N. would merely decide that article 19 should not or will not be raised in the Assembly. This will mean that business can "proceed normally" in September when the Assembly reconvenes.

SHOWDOWN AVOIDED

Previously, ever since January of 1964, the Assembly has been unable to act on controversial issues for fear of an explosive showdown on article 19. Beginning in December 1964, a device of unanimous consent was adopted to avoid determining which countries had the right to vote. Only a relatively few matters could be handled this way.

The result was that the 114-nation Assembly was rendered inoperative, with the veto-bound Security Council the U.N.'s only practical resource in the political field. This in turn enhanced the power of the Soviet veto. Virtually nothing could be done of which Russia did not approve.

The forum in which Goldberg will disclose the new American stand is expected to be a 33-nation Finance Committee which is due to resume August 16. The present plan is for Goldberg to be among the first speakers.

There will be a note of irony for the new American representative in that his first major appearance will be to break bad news to the American public and to accept reversal of a World Court opinion.

Goldberg came to the U.N. from the U.S. Supreme Court, and has said he wants to build up the rule of law. The World Court ruled in 1962 that article 19 could be enforced in the present case.

[From the New York (N.Y.) Times, Aug. 1, 1965]

END OF U.S. FIGHT ON U.N. DUES SEEN—GOLDBERG IS REPORTED READY TO ANNOUNCE POLICY SHIFT

(By Richard Elder)

WASHINGTON, August 10.—The United States will give up its long fight to get the Soviet Union to contribute to peacekeeping operations of the United Nations, according to reliable official sources here.

This policy shift, which has been considered inevitable since last December, is to be publicly announced next Monday. At that time, Arthur J. Goldberg, the new U.S. representative at the United Nations, will address a special 33-nation committee that has been studying the question of delinquent assessments.

The Soviet Union and its allies and several other countries have refused to contribute to peacekeeping operations in the Congo and the Middle East. Other nations contended that the arrears of the objecting members had built up past the point at which, according to article 19 of the charter, those countries were no longer entitled to vote in the General Assembly.

The sum charged to the Soviet Union as arrears is $62,236,000, of which $21.6 million would be for this year. The total of the sums carried as arrears stands at $128 million. Other countries that have refused to contribute to the peacekeeping operations are Czechoslovakia, Byelorussia, the Ukraine, Rumania, Poland, Cuba, Hungary, Albania, France, and South Africa.

Throughout last year, the United States lobbied vigorously to obtain a General Assembly majority for compelling the Soviet Union to pay or lose its vote. Although the majority was believed to have been available, some U.S. officials contended that to force the matter would disrupt the United Nations. This argument prevailed.

The United States agreed to avoid a showdown, and a complicated formula was adopted under which no votes were taken during the last Assembly session. Because of this next to no business was done.

APPROACH DISCUSSED

Officials here believe that the decision to avoid a showdown has undermined any chance of rallying a new anti-Soviet majority at the 20th Assembly session which opens September 21. It is believed that the United States could, at best, fight only a rearguard action against the Soviet right to vote.

The current discussion in the administration is on the manner in which the United States should signify that it has given up the fight.

Some officials and other persons close to the situation report that Mr. Goldberg favors making a clear-cut announcement Monday that the United States has dropped its insistence on linking the penalties of article 19 to peacekeeping operations authorized by the General Assembly.

Other State Department officials are reported to oppose this, saying the United States should insist that the Soviet Union pay while indicating quietly that it would accept whatever the General Assembly decided this fall.

CONTRIBUTION OFFERED

Mr. Goldberg issued a statement calling reports that the United States would drop its insistence on enforcing article 19 not accurate. He added that the question was still being discussed and that the U.S. position will be explained fully and clearly when the committee of 33 convenes on August 16.

The United Nations delegate discussed the question before a closed session of the Senate Foreign Relations Committee this morning. Later this week he will appear before the House Foreign Affairs Committee.

The Soviet Union contends that only the Security Council can authorize peacekeeping operations, and that it is not obliged to pay for operations authorized by the General Assembly. The United States, and most United Nations members, argue that the General Assembly can act when the Security Council is unable through vetoes to do so.

Mr. ROSENTHAL. Mr. Speaker, another interesting part of this experience is that on the previous day there was a colloquy on this floor between Mr. HAYS and Mr. SISK, of California. This colloquy is to be found on page 19986 of the CONGRESSIONAL RECORD of August 11, 1965. Mr. HAYS said:

If I were the gentleman from California, and he is a very close friend of mine and a distinguished Member of this body, I would not go too far out on the limb betting that that story is wrong.

That was referring to the U.N. story. Then Mr. SISK replied:

I might say to my good friend I am not betting on it one way or the other. I am simply saying, based on the information I have, I think the story is not necessarily true because the decision has not been made. It may be that the story in the future may prove to be true but I question its truthfulness as of last night or as of this time.

Mr. HAYS then replied:

I do not know how true it was last night and I do not know how true it is this minute, but if I were a betting man I would be willing to bet a year's salary that the new Ambassador to the United Nations will make that statement next Monday.

That is the statement by Mr. HAYS which was made approximately 24 hours before my own statement was made in the well of this House.

Other of his charges accuse me of giving aid and comfort to the Communists in holding hearings in my congressional district seeking grassroot opinions on the war in Vietnam.

On this matter, I think it is interesting to bring to the attention of my colleagues, Mr. Speaker, the remarks Mr. HAYS made on October 1, 1964, in the daily RECORD of that day which are on pages A5034 and A5035 as follows:

Mr. Speaker, in an effort to reacquaint its officers with the thinking and views of Americans in communities across the land, the Department of State is encouraging Foreign Service officers on leave from foreign assignments to accept invitations to meet with community groups, service clubs, churches, and other organizations. This program is under the direction of Mrs. Katie Louchheim, Deputy Assistant Secretary of State, and long an advocate of an increased dialog between American communities and the Foreign Service officers who represent us abroad.

Through such contacts our Foreign Service officers are able to familiarize themselves with grassroots thinking on a host of domestic and international subjects and to become acquainted with developments in our rapidly changing society.

He goes on to insert an article entitled "New Communications With Grassroots America," which endorses the idea that members of the executive branch ought to find out what people are thinking. Ought this not also be the duty of Congressmen? On what grounds would the gentleman endorse those meetings and attack mine?

A story of the Long Island Press of August 7, 1965, which announced my hearings, said:

ROSENTHAL TO HOLD VIET HEARINGS FRIDAY

Congressman BENJAMIN S. ROSENTHAL, Elmhurst Democrat, will hold an open hearing on Vietnam at 9:30 a.m., Friday, in Borough Hall, Kew Gardens.

The hearings, which the lawmaker says are to get the grassroots sentiments of his constituents, will be held in the old traffic courthouse.

A member of the House Foreign Affairs Committee, ROSENTHAL asked all those interested in expressing their views to write his Washington office.

Although the hearings are not official, ROSENTHAL said he would compile a report to be distributed to Congress, the State Department and the White House.

A New York Times story that followed the hearings on Saturday, August 7, 1965, is an article written by Tania Long; it said:

However, the all-day session was unofficial, but a stenographic record was taken.

In my opening remarks at the hearing, of which I hold in my hand a stenographic record, I said on page 2: "This unofficial congressional hearing will begin a little late."

On page 5 of those hearings, I said, and I quote:

I want to emphasize that this is an unofficial hearing, not authorized by any congressional committee, but will be conducted in accordance with the Rules of the House of Representatives with the one exception that the press, radio, and photographers will be permitted.

There could hardly have been any ambiguity here. I was quite clear in emphasizing the unofficial nature of the hearings.

At the hearing, Mr. Speaker, 35 witnesses testified, all residents of my congressional district or those representing organizations whose principal activities are conducted in my congressional district, offering many and varied views. What was the reaction to such hearings? Many seemed to agree with the viewpoint of the New York Times.

On this Saturday, August 14, 1965, the New York Times carried the following editorial entitled "Listening Posts on Vietnam." I read as follows:

The gloominess of the options the United States faces in Vietnam makes it important that the country's policymakers keep open the fullest opportunities for two-way communication between them and the American people. President Johnson has been alert in recent weeks to the necessity for informing both Congress and the country of the motivations and limitations of American involvement.

A small group of Congressmen have decided that they can best discharge their obligations in helping to shape policy by holding unofficial hearings in their districts, at which opponents and proponents of American actions in Vietnam set forth their views. Most of these hearings have elicited a broad range of opinion in keeping with the best traditions of free inquiry and expression. The one-sidedness that too often has characterized college teach-ins has been notably absent.

Despite this accent on the democratic interplay of ideas, the hearings have come under attack in the House by Representative WAYNE L. HAYS, of Ohio. He charges that they provide a forum for "crackpots" and give aid and comfort to the Communists. The notion that free discussion must be a casualty of the Vietnamese war impresses us at much more destructive of American values than any viewpoint that might be set forth at the hearings. We hope more Congressmen will hold them as a demonstration of democratic vitality.

Those Members of whom the Times editorial speaks—who have either held or participated in such hearings—are: Representatives KASTENMEIER, BINGHAM, DIGGS, BROOMFIELD, RYAN, RESNICK, and FARBSTEIN.

I have received dozens of letters, Mr. Speaker, on the subject since the articles about Mr. HAYS' charge appeared in the paper. One that came in not from my district but from an adjacent district across the Long Island Sound I would like to read. It is from Pastor George Koski of the Bernadotte Evangelical Lutheran Church, Strang and Murdock Avenues in the Bronx. It says:

DEAR MR. ROSENTHAL: It is good to see that you are holding informal sessions at which the people can voice their views on the complicated questions of the war in Vietnam.

Of course, these hearings are not a fully satisfactory substitute for the official inquiry which should be launched by the Foreign Relations and Foreign Affairs Committees, but at least they represent the beginning of a congressional search for understanding which can lay the basis for sound policy.

I cannot agree with those who feel that the Communists are receiving "aid and comfort" from these meetings. Our Nation has grown great not through the suppression of dissent but rather through the full exercise of our freedoms of belief, expression, and association. Contrary to the views of some

legislators, it is not the constitutional duty of Congress to duck big questions. Vietnam is a big question. It should not be ducked.

Your sincerely,

Pastor GEORGE KOSKI.

Mr. Speaker, I have sought to answer strong charges made against me by a colleague and fellow Democrat. I regret that these have been made. I regret even more that I have had to respond to them in this fashion. But I knew of no other way to clear my own good name which, it seems to me, is put in question by accusations that I am the sort to "give aid and comfort to the enemy." This has been an unfortunate affair.

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

Mr. ROSENTHAL. I am happy to yield to the gentleman from New York.

Mr. BINGHAM. Mr. Speaker, as a new Member of Congress I have been deeply impressed by the courtesy generally extended by Members to each other on this floor, even when they differ profoundly on issues. I was therefore deeply shocked by the attack that was made last Thursday by the gentleman from Ohio [Mr. HAYS] on my colleague from New York [Mr. ROSENTHAL]. I do not believe it is necessary for me to discuss in detail the reasons given by the gentleman from Ohio for his criticisms. They have been dealt with very ably and completely by my colleague from New York. I should like merely to add a few comments.

First, it was clear, as he had just now told the House, from Mr. ROSENTHAL's statement on August 12, that he was referring to press reports as to what Ambassador Goldberg's position was going to be and that he was not disclosing or discussing any confidential information. Nor was he making any announcements of U.S. policy.

Secondly, my colleague was expressing his support for the idea of a flexible U.S. position on the article 19 issue. I likewise expressed my support for such a position on August 12. This is essentially the position which President Johnson, through Ambassador Goldberg, has now announced.

Third, at the invitation of my colleague [Mr. ROSENTHAL], I joined him in the informal hearing he conducted in his district 10 days ago. Various points of view were expressed there, just as they had been at a forum I helped to put on in my district some weeks before. If such expressions of opinion at the grassroots of our country give aid and comfort to the Communists, then I say God help us. The day we seek to choke off the free expression of citizen opinion, that day we will have taken a long step toward totalitarianism. We shall be in danger of losing the very freedom we are fighting for in Vietnam.

Parenthetically, Mr. Speaker, and so that there may be no misreading of my position, I want to say that in spite of great concern and misgivings on some points, I support the broad outlines of the President's policy in Vietnam as I understand it. I expect to have more to say on that subject in a day or two.

Fourth, the gentleman from Ohio was quite mistaken in his charge that my colleague from New York had given the impression that the hearing in his district was some sort of Foreign Affairs Committee hearing. It was clear from Mr. ROSENTHAL's statements both before and after the hearing that this was an informal session with no official status. It was on this basis that I took part in it.

These are agonizing days, Mr. Speaker, for the President of the United States and for all of us. We are confronted with awesome and difficult decisions on which good men and true, loyal Americans, may differ. When a private citizen accuses another private citizen with whom he disagrees of giving aid and comfort to the enemy, that serves no good purpose and is regrettable. When one Member of this House so accuses a colleague on the floor of this House, it is deplorable, and it will only impede the important work we have to do here.

I take it, Mr. Speaker, that is the reason for the rules of this House requiring that Members control their tempers and enjoining courtesy upon them.

If I may, as a freshman Member, say so, those rules are wise.

I thank the gentleman from New York for yielding to me.

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

Mr. ROSENTHAL. I will be happy to yield to the distinguished gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Speaker, I want to thank the gentlemen from New York for yielding to me so that I might take this opportunity to offer some observations in connection with the proceedings known as "Hearings on Vietnam" held in various Members' districts.

I do this because I think in certain quarters a considerable misunderstanding has arisen as to the nature of these proceedings and as to what they purport to be. At a later date I will report more fully the unofficial hearings conducted by myself in Madison on July 30 and 31.

I support what the gentlemen from New York [Mr. BINGHAM and Mr. ROSENTHAL] have already said in connection with the proceedings that they participated in.

However, at this time I should like to state that at the very outset the proceedings were described as unofficial or not authorized by a congressional committee or the Congress and were further described as being conducted in my representatives capacity as a Member of Congress solely. There was no suggestion that these were official and to my knowledge this inference was not drawn by anyone who had taken the trouble to read or inquire what the proceedings were about. Secondly, I would like to make a brief observation or two about the participation in these hearings. I do this because some quarters, including in my case, one State senator from the State of Wisconsin, Senator Gordon Roseliep, who has taken the liberty of transmitting to various Members of Congress an undated press release in criticism of the proceedings I was conducting, have betrayed a woeful lack of information on this matter.

The principle misconception is that the hearings were conducted solely or primarily to provide these administration critics of Vietnam policy or even in some cases "leftists" a forum to express their views. In all the hearings that I have been familiar with, and certainly I can speak for the Madison proceedings, organizations and experts were invited and in fact did participate in support of the administration and in some cases in advocacy of the military policies beyond that of the administration so that at the very least a reasonably balanced hearing took place.

In the case of the Wisconsin State senator, I am sure that, since he released his press release before the hearing took place, he was unmindful of the fact that such organizations as Young Americans for Freedom, Young GOP, The American Legion, Reserve Officers of America, Citizens To Support the People of South Vietnam, and many other organizations participated voluntarily in the proceedings. I say this because his release intimates that these proceedings are somehow sinister and darkly motivated. This just simply is not true. Various Members of Congress or, indeed, other citizens may differ whether proceedings of this sort are useful, desirable, or necessary. This may depend on one's district or one's personal views. But as far as I am concerned the cause of democracy and a free society is served by open and public discussion of policy issues of the highest concern to all citizens. We have done this to some extent in public television debate; it was done some months ago in March in the House hearings on the Sino-Soviet conflict, and it is clear to me that it is well that public discussion goes on concerning the issue of gravest importance at this time to all Americans.

A further misconception inherent in the release circulated in the name of Wisconsin State Senator Roseliep alleges the hearings play in the hands of our enemies by encouraging the communities in their belief that America is divided over the war in Vietnam.

What the gentleman seems to be saying is that free discussion of important policy matters is a luxury a democracy cannot afford in times of crisis, a proposition which is contradicted throughout the history of this Nation.

Mr. Speaker, I ask unanimous consent to include excerpts from four editorials from prominent newspapers in Wisconsin, three of which are Republican, which have clearly supported the idea of having hearings on Vietnam back home at the grassroots.

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

There was no objection.

[From the Monroe (Wis.) Evening Times, July 23, 1965]

A good many persons from the Monroe area have indicated interest in hearing what KASTENMEIER has to say. And we hope the meeting can be held in a manner by which we all learn something of value concerning the Vietnam situation.

We don't expect any great answers to the problems of the world. But it should give us a better insight into just what Vietnam

can mean to you and the fellow who lives next door.

[From the Portage (Wis.) Daily Register, Aug. 2, 1965]

Wisconsin Congressman ROBERT KASTENMEIER has led the way in what we cannot help but think is an admirable cause. It is a political cause, too. It will help the energetic KASTENMEIER's image; but, mainly, it is an attempt to wake up the people of the home district and make them aware that the national and international problems which face our Nation face them also.

BOB KASTENMEIER may have gained publicity by holding his hearing. If so, he richly deserves it, for we, in turn, have gained some small lesson in the degree of our apathy toward the decisions of our Government, and in the necessity of our becoming more aware of what is happening on the national-international scene.

[From the Waukesha Freeman, July 21, 1965]

It is responsive to this overwhelming sentiment that he wants public discussion of the issue. It is our feeling, as well as his, that the American people ought to be heard on what this country's course shall be prior to involvement so serious that there would be no other choice than all-out war.

[From the Madison Capital Times, July 19, 1965]

If ever there was a need for discussion and debate on any issue faced by the American people it is on this question of the gathering war in Vietnam.

We are well on the way to what might be the most destructive war in history. But there has been scarcely any debate on the decisions which have so deeply involved this country.

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

Mr. ROSENTHAL. I yield to the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Speaker, I shall not take long to express my thinking. I have read the remarks of the gentleman from New York and I have read the remarks of the gentleman from Ohio. In my opinion, Mr. Speaker, the remarks of the gentleman from New York, coupled with his observations today, much better serve the cause of free speech in this country, much better serve our historic American tradition of freedom, and much better serve the cause of freedom today than the remarks of the gentleman from Ohio.

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

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

Mr. FRASER. Mr. Speaker, I want to join in the remarks of my colleagues concerning the incident which has been the subject of this discussion this afternoon.

Mr. Speaker, I read the statement which my distinguished friend from New York [Mr. ROSENTHAL] made about the prospective policy position of the U.S. Government in connection with the payment of United Nations assessments. I thought that his statement was not only in order but was well reasoned and timely and, certainly, breached no confidence of any kind with respect to any committee hearing. I can say that with some confidence, Mr. Speaker, because I attended the committee hearings to which the gentleman from Ohio referred. I have also read the press reports, and I am certain that what the gentleman from New York was talking about was a matter of public knowledge, having been fully discussed in the press of this Nation.

I might also say, Mr. Speaker, that I am amazed that there should be this intolerant attitude toward the idea of holding hearings in the district of a Member of this House. In a way, it seems to me that these hearings are analogous to the practice of those Members who seek to ascertain public opinion through the use of polls. I know that many Members of the House take advantage of this opportunity. Also, in a way, it is analogous to the invitation extended by the newspapers of this Nation to have the readers comment in the newspaper giving their private and individual views.

Mr. Speaker, it is my judgment that holding hearings of the kind that the gentleman from New York held promotes the public interest and serves to develop a deeper public understanding of the issues involved and helps to enlighten the Members whose responsibility it is to both serve the constituents of their own districts and the welfare of the Nation.

May I say, Mr. Speaker, I discussed with the gentleman from New York the nature of the hearings he was proposing to hold. It was clear to me then, that there was no suggestion that these were to be official hearings, but were unofficial. I have since verified that by reading the press release which announced such hearings.

I had the opportunity to help arrange for a speaker for a teach-in at the University of Minnesota, one of the great universities of this country, and I was in touch with the Department of State to gain from them a spokesman for the administration's point of view.

It is my belief that these teach-ins, these hearings, and every other forum in this country which provide for a discussion of an issue as crucial as that of Vietnam deserve our support and do promote the public interest.

Lastly, Mr. Speaker, let me say that I serve with my colleague from New York [Mr. ROSENTHAL] as a member of the Committee on Foreign Affairs. He is one of the hard-working effective members of that committee. He has demonstrated on that committee a very deep and genuine concern for the welfare of the American people and for their Government.

I am glad to associate myself with the efforts which he has made to try to inform himself more completely about the views of his constituents on Vietnam and in promoting a broader public discussion of the policy alternatives which continue to confront this Nation.

Mr. ROSENTHAL. I thank the gentleman from Minnesota.

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

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

There was no objection.

Mr. RYAN. Mr. Speaker, I join with my distinguished colleague, the gentleman from New York [Mr. ROSENTHAL] in his remarks on the importance of unofficial congressional hearings on the Vietnam situation. It is unfortunate that public debate should ever become the casualty of war. It is alarming that debate should ever be stifled because views expressed differ from official governmental policy.

The Congress has yet to undertake a full-scale discussion of the American military and political role in Vietnam. Nonetheless, decisions are made every day that touch the life of every American family. Congressmen need, and the American people deserve, all the illumination that can be brought to bear on the issues.

The hearings I held on August 12 and 13 in New York City were designed to do just that. Panels were balanced with witnesses who presented various points of view—some in support of and some in opposition—to administration policy. Informed citizens exchanged views and debated the issues in a free and open forum.

To label such hearings crackpot or the participants propagandists is to cloud the importance of what was said. It is to divert attention away from the debate by the most tactless name-calling.

I am shocked that any Member of Congress would attack another Member for encouraging this kind of public discussion and impugn his motives. Certainly the gentleman from New York [Mr. ROSENTHAL] is owed a public apology.

People in a democracy bear the responsibility of being attentive at all times to decisions and events which shape their lives. Quiescence is never the duty of a citizen. A silent democracy is in fact a dangerous democracy. Informed public discussion, on the other hand, is a sign of a vital citizenry. I for one have no fears of citizens speaking out.

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

Mr. ROSENTHAL. I am happy to yield to the gentleman from New York.

Mr. GROVER. Mr. Speaker, there is an honest difference of opinion as to the wisdom of these teach-ins and I subscribe totally to the fact that there is an honest difference of opinion, and also to the wisdom of having broadcast in the country a program of informal so-called hearings.

Again, I subscribe to that fact that there is an honest difference of opinion, but I have known the gentleman from New York [Mr. ROSENTHAL] for some 10 years and his loyalty, his integrity, and his patriotism is unquestioned.

Mr. Speaker, the remarks which were made and which I have read in the RECORD certainly were ill-advised and intemperate. The gentleman from New York is a sincere Representative who has been overwhelmingly elected from his district. With respect to those remarks I say to the gentleman from New York

[Mr. ROSENTHAL], "I am with you and I would hope that the RECORD would some day be adjusted and that they would be withdrawn."

Mr. ROSENTHAL. I thank the gentleman from New York.

THE LOS ANGELES SITUATION

The SPEAKER pro tempore (Mr. HARRIS in the chair). Under previous order of the House, the gentleman from Idaho [Mr. HANSEN] is recognized for 30 minutes.

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

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

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, I take the floor today with a deep feeling of apprehension.

The events of the last few days in Los Angeles, Chicago, and other parts of the country—but especially in Los Angeles and southern California—are enough to make one's blood run cold. Here we have seen rioting conducted to such an extent that it can only be called armed insurrection. Here we have seen armed thugs running rampant in the streets burning, pillaging, and killing.

I received a telephone call yesterday from a constitutent who is now in Los Angeles. He described to me the hell and horror of that city during the past few days and said, "This isn't America."

I include at this point in my remarks three newspaper clippings—the first a short article from the Wall Street Journal of this date giving the current status in Los Angeles, Chicago, and Springfield, Mass.; and two from the Washington Post of August 14 describing conditions in Los Angeles and Chicago:

[From the Wall Street Journal, Aug. 16, 1965]

Los Angeles rioters were driven from the streets by authorities.

Looting and arson decreased in the city's Negro ghetto on the fifth day of disorders, but sniper fire increased. Firemen and police were favorite targets, and some cars on a busy freeway were fired upon. A Negro looting a liquor store was killed by police early yesterday, bringing the death toll to 31, all but 4 of them Negroes. The riots left 762 injured and 2,334 in jail; fire damage was put at $175 million with unestimated millions in looting losses.

A curfew was extended by California Governor Brown after police and National Guardsmen had seized control from the rioters Saturday night. Security forces sealed off a 42-square-mile area so tightly that residents couldn't get out to buy food. Most of the grocery stores in the area had been burned and looted.

President Johnson expressed a sense of national relief as order was being restored "to the frightened streets" of Los Angeles. He said resort to terror takes from the Negro "the very weapons with which he is achieving his own emancipation."

Chicago police arrested 46 persons Saturday night and early yesterday as violence resumed sporadically on the West Side. Rioting began Thursday night when a firetruck killed a Negro woman. In Springfield, Mass., calm prevailed after a civil rights demonstration in which 44 persons were arrested early yesterday.

[From the Washington (D.C.) Post, Aug. 14, 1965]

ADVERTISING SALESMAN RECALLS TERROR OF LOS ANGELES RIOTING

(NOTE.—Robert Richardson, 24, a Negro, is an advertising salesman for the Los Angeles Times. He witnessed rioting in South Los Angeles for nearly 8 hours Thursday night.)

(By Robert Richardson)

LOS ANGELES, August 13.—It was the most terrifying thing I've ever seen in my life.

I went along with the mobs—watching, listening.

It's a wonder anyone with white skin got out of there alive.

I saw people with guns. The cry went up several times—"Let's go to Lynwood" (an all-white neighborhood) whenever there weren't enough whites around.

Every time a car with whites in it entered the area, the word spread like lightning down the street:

"Here comes 'Whitey'—get him."

The older people would stand in the background, egging on the teenagers and the people in their early twenties. Then the young men and women would rush in and pull people from their cars and beat them and try to set fire to their cars.

One white couple, in their sixties, happenened to be driving along before the blockades were put up. They were beaten and kicked until their faces, hands, and clothing were bloody. I thought they were going to be killed. How they survived I don't know. Those not hitting and kicking the couple were standing there shouting "Kill! Kill!"

Finally, they turned them loose. An ambulance was called, and they were taken away.

Two white men ducked when rocks bombarded their car. When they ducked, the car hit a car with Negroes.

They were beaten so badly one man's eye was hanging out of the socket. Some Negro ministers made their way through the crowd and carried both men into an apartment building and called an ambulance.

The crowd called the ministers hypocrites. They cussed them and spit on them. Some Negro officers tried to disperse the crowd, but they were jeered at, sworn at, called traitors and stoned.

The Negro officers were given a worse time than the white officers.

Light-skinned Negroes such as myself were targets of rocks and bottles until someone standing nearby would shout, "He's blood," or "he's a brother—lay off."

As some areas were blockaded during the night, the mobs would move outside, looking for more cars with whites. When there were no white cars, they started throwing rocks and bottles at Negro cars. Then near midnight, they began looting stores owned by whites.

Everybody got in the looting—children, grownups, old men and women, breaking windows and going into stores.

Then everybody started drinking—even little kids 8 or 9 years old. That's when the cry started, "Let's go where 'Whitey' lives." That's when I began to see guns.

I believe the mobs would have moved into white neighborhoods, but it was getting late, and many of them had to go to work this morning.

But some said, "Wait till tonight and Saturday. We'll really roll over the weekend. We'll really get 'Whitey' then."

They knew they had the upper hand. They seemed to sense that not the police nor anyone else could stop them.

[From the Washington (D.C.) Post, Aug. 14, 1965]

MOB SLASHES POLICEMAN IN NEW CHICAGO OUTBURST

CHICAGO, August 13.—A crowd of Negroes attacked and slashed a white policeman tonight as he drove to work through a racially troubled West Side neighborhood.

Blood streamed from face cuts onto his civilian clothes as other policemen led him through a shoving, shouting crowd of about 200 Negroes. He was identified as Robert Wiens, 25.

A uniformed policeman was reported to have been knocked unconscious when a bottle sailed through the window of his squad car and hit him on the head. His identity was not immediately known.

The attack on Wiens took place 1 block from a civil rights rally sponsored by ACT, a civil rights group. The rally swelled to about 300 after the attack on Wiens.

The all-Negro crowd at the rally shouted "revenge" and "fight" as ACT leader Lawrence Landry exhorted them: "You are misused in a white-controlled society." Landry's speech did not make a direct call to violence.

During the demonstration, 2 dozen crowd members marched into the intersection of Wilcox Avenue and Pulaski Road, where they waved signs, stopping traffic for 5 minutes.

No arrests were made immediately.

At one point, a segment of the crowd surged several blocks down the street to the Goldblatt Bros. Department Store, where they shouted obscenities against "the white man's store" and attempted to break in. Police from six nearby squad cars quelled the attempt in minutes.

A group of about 15, mostly teenagers and including girls, broke windows of the store.

Earlier, city officials suspended three firemen and began an inquiry after a fire truck accident killed a woman bystander and provoked a racial demonstration last night.

Desegregation leaders had attributed some of the bitter feeling to the absence of Negro firemen in the station at 4000 West Wilcox Street, a predominantly Negro neighborhood.

Fire Commissioner Robert J. Quinn shifted Engine Co. 12, consisting of 18 Negro firemen and 1 white captain, into the Wilcox Street Station to replace Truck Co. No. 26. A spokesman at the station said the move was made because company 26's truck was damaged in last night's incident and was undergoing repairs.

Civil disobedience such as the current riots in Chicago and Los Angeles are doing much to harm legitimate Negro goals.

The triggering incident in Chicago, a Negro woman accidentally killed by a firetruck, certainly cannot be called trivial. But the resultant explosion of racial violence was out of all proportion to the cause. Also, the firetruck was responding to a false alarm in a Negro neighborhood, and the race of the person who set the alarm can only be conjectured.

The violent and devastating riots in Los Angeles are inexcusable. They were triggered by the arrest of a Negro youth on suspicion of drunken driving, and I would rather imagine that Los Angeles police blotters of the same day showed a number of arrests of whites on similar charges without any riots.

I highly commend responsible Negroes in these critical areas who are trying to bring order out of chaos despite the fact that, in many cases, they are being subjected to greater abuse than that suffered by most whites.

In this connection, I note that Nobel Peace Prize winner, Dr. Martin Luther King, is currently planning on going to Hanoi to talk peace with Ho Chi-minh. Perhaps, before Dr. King attempts any

self-appointed international peace assignments, he should stop off in Chicago, Los Angeles, and other critical areas of the Nation. In my opinion, Dr. King and other recognized leaders of this Nation's civil rights movement are obligated to help quell these insurrections which are the inevitable result of pyramiding violations of the law which have been occurring in scores of previous demonstrations.

Mr. Speaker, there is great fear among our people. Where will this lawlessness strike next?

Those with grievances have no business rioting in the streets, destroying lives and property. They, like everyone else, have constitutional recourse to the courts and to lawmaking bodies if their rights have been abridged in any way. This kind of violence can only drive races in this country into armed camps. It would seem to me fundamental that any person or group of persons demanding full privileges of citizenship should assume at least some of the basic responsibilities of that citzenship.

Mr. Speaker, our leaders must not give comfort to lawless behavior. Our legislators are entrusted to pass good legislation. Our people are responsible for selection of good leaders, and to honor and obey the law. These are the only conditions under which domestic peace and security can exist. This is rule by law. This is the American way.

Let us all join in responsible effort to end prejudice, hatred, and violence within this country. Let us never, irrespective of our racial heritage, forget that our Constitution is not only color blind, but it recognizes the fatherhood of God and the brotherhood of man.

Our system is the last best hope on earth for mankind—let us not fail those who have paid dearly to entrust its blessing to us.

GENERAL ASSEMBLY APPEARS UNWILLING TO STRIP RIGHT TO VOTE FROM TWO MAJOR POWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. GALLAGHER] is recognized for 5 minutes.

Mr. GALLAGHER. Mr. Speaker, the United States took a painful step at the United Nations today and nobody seems entirely happy about it. We are involved in some rather painful business in Vietnam and no one is entirely happy about that either. But, as we in this Chamber are well aware, working constructively with reality is seldom easy.

The realities facing the administration in its dealings with the constitutional-financial crisis in the United Nations General Assembly are simple, clear cut, and obvious:

Majority sentiment in the General Assembly appears to be unwilling to strip from two major powers the right to vote because they have refused to pay assessments for major activities which they do not wish to support. This unwillingness stems from the simple but genuine fear on the part of many members that to do so would split the United Nations apart, leaving them adrift alone in a very troubled sea.

At the same time, the members of the General Assembly cannot bring themselves to sign away, by legislative act, their only real power: the power under the Charter to assess its membership collectively for activities approved by a majority of the member states. And this is what, in effect, they would be doing if they voted formally not to apply the sanctions of article 19 to the Soviet Union and France, the principal delinquents.

For almost a year now, the General Assembly has been like a sick man forced to lie in a hospital bed, unable to do much other than think about his own weakness. And during that time, without a forum for orderly dialog among nations, we have seen what we call "the world situation" deteriorate. Examples? Today's morning newspaper lists a few: Vietnam, the Dominican Republic, Kashmir, rumors of a possible nuclear test by Indonesia who is at odds with her neighbor Malaysia, Cyprus. Plain commonsense dictates that the United States insure the availability of every instrumentality possible to channel the energies of a restless family of nations into paths leading away from, not toward, chaos and disaster. The General Assembly may not be as strong as it thought it was a year ago, but at least the statesmanlike move today by the U.S. delegation should help get it out of the hospital and onto its feet where it can tower collectively over the misadventures of its membership.

There has been a lot of talk over the past few months, and there will undoubtedly be a lot more in the next few days, about mistakes and defeat. I would suggest that the cardinal mistake was that the General Assembly misjudged its maturity. It moved decisively in the name of its collective membership to meet threats to the peace, trusting in the collective responsibility of that membership to support its initiatives. It was only after deep commitment that it discovered that some of those members wanted out, even though they had acquiesced and in some cases voted for the major peacekeeping undertakings in the Congo and in the Middle East.

By its unwillingness now to insist that these delinquent members pay their fair share of these operations, the General Assembly has admitted to its limitations as a corporate body of nations, and accepted that it will not require major powers to shoulder the greater burden of financing of major activities they do not wish to support. This does not mean that future such activities will die unborn. On the contrary, they can be financed by those nations principally interested and concerned.

As Ambassador Goldberg said today, however, the United States considers such an attitude equally applicable to itself. Thus, although he stressed the firmness of U.S. support for the integrity of the regular budget of the United Nations, our new representative served notice that this country reserved the right to hold back its support of questionable major activities which an irresponsible majority might attempt to launch in the future.

As for the word "defeat," I would suggest that it applies really to the General Assembly's battle with itself. The United States could be Jiminy Cricket for only so long. The World Court could advise but once. After that, it was up to the General Assembly collectively to decide the extent of the role as an international deliberating and deciding body it could actually play in the world as it is today.

The task for the United States now is exactly as it has been since the signing of the charter 20 years ago in 1945. It is to work to bring to the community of nations through our voice in the United Nations the ideals and goals and belief in the rights of man which have motivated us as a nation for almost 200 years. It is, at the same time, to use the United Nations to help keep chaos and irresponsibility from keeping us and other peace-loving nations from realizing the goals we seek.

I do not view our position as a backdown. I view it as a mature demonstration of our desire not to dissolve the U.N. and leave the United Nations building as an empty monument to the futility of man's search for peace. The central problem in the world today is in the perilous posture of world peace in Vietnam. The best hope for a termination of that war is in the United Nations.

In this light it would not only be immature but adverse to our national interest and toward world peace to force a dissolution of the United Nations by a confrontation with the Soviet Union on a legal interpretation of one's financial obligation.

On the Great Seal of the United States the American eagle holds in one of its talons an olive branch and in the other arrows. Our history has demonstrated that there is a time for the arrows and a time for the olive branch. The necessity to use the arrows is unfortunate and yet in Vietnam today that necessity continues to exist. At the United Nations today we are relying more on the olive branch in order to prevent the stalemate and possible dissolution of the United Nations because we are essentially interested in peace and the United Nations still remains man's best hope for peace. Perhaps the United Nations will never realize a world of total agreement but it could realize a world at peace living by the rule of law. This has long ago become a necessity rather than an idle dream.

For now that man has found the means of ending the human story on this earth he should find the means for it to continue. The framework of the United Nations, frail and sick though it is, is still the best apparatus of making this hope a reality.

The principle laid down by Ambassador Goldberg, sound though I believe it to be, will renew the opportunities to demagogue against the United Nations by those who never fail to avail themselves of any opportunity to point out the imperfections of that body.

It will be condemned as soft on communism—but can anyone really believe

that over 80,000 American troops fighting Communist aggression in Vietnam is being soft on communism? Certainly the Communist aggressors of North Vietnam would disagree that we are soft on communism when they look up and see our bombers flying with complete freedom in their air.

To those who advocate a confrontation on this issue merely to force the Soviet Union into leaving the United Nations let them not be unaware that if the Soviet Union wanted a confrontation they have every reason to do so in Vietnam where the creditability of the Communist commitment is being destroyed.

Confrontations are easy to come by, their disposal is more difficult. Perhaps we have gone farther down the path in search of a solution than we should be required. But the requirements of world leadership are not simple. I am sure that history will record that while we made a difficult decision today we nevertheless made one necessary to keep the United Nations together. And in making it we laid down a new principle that will allow the United Nations to get on with its work. The work of that body is peace. We know some of the things it cannot do, now let us explore the things it can do. It has done and it can do quite a lot. Let it now turn to the important work for which it was created.

CONGRESSMAN BEN ROSENTHAL

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] 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 South Carolina?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I rise at this time, not to defend or attempt in any way to explain or apologize what is in need of no defense or apology.

I speak of the clear record of honest, efficient, effective representation offered by my great and esteemed colleague, BENJAMIN ROSENTHAL.

Those of us inured to the hurly-burly of political life and public office know the extremes that otherwise sensible and rational human beings reach while in the process of public debate and discussion. This does not mean that intemperate and unjust and untrue statements by anyone should be tolerated or condoned in either public or private life. BEN ROSENTHAL'S shoulders are broad enough and big enough to take calumny and invective calmly and objectively. For this I admire him and honor him. I commend Congressman ROSENTHAL'S restraint and magnanimity.

I have known BEN ROSENTHAL to be a true patriot, a most conscientious and honorable Member of this House of Representatives. He honors and graces these Chambers. His countenance is that which reflects honor and great love for his fellow man.

Mr. Speaker, the great overwhelming majority of us—I daresay the universal opinion, shared by every one of us—is that BEN ROSENTHAL has always reminded us of what the complete gentleman is and should be. Time will show his inestimable contribution to the progress and health of not only his district but the entire Nation.

A RURAL RESCUE ACT

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HUNGATE] 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 South Carolina?

There was no objection.

Mr. HUNGATE. Mr. Speaker, a great newspaper has again given proof of its right to that title. On Tuesday, August 10, 1965, the St. Louis Post-Dispatch following the tradition of Joseph Pulitzer published an editorial dealing with one of our greatest American dilemmas. This great metropolitan daily demonstrated its ability to see past the end of a grocery cart. It indicated rural citizens may have magnified the threat of the Supreme Court's one-man, one-vote ruling. For there are people in our cities, as there are families on our farms, who recognize this as one nation, one family of peoples, and who refuse to compartmentalize our Nation's problems.

Poverty is poverty, and Americans who live without decent housing and modern schools; who receive subsistence wages in our affluent economy, such people do not constitute a farm problem, or a slum problem, but they are an American problem.

To deplore American farm surpluses in a world where countless thousands die of starvation is to kill the chicken for not laying an omelette. The American farmer is one segment of our economy that is clearly outdistancing the Russian and Chinese Communists.

Mr. Speaker, I am proud that Missouri, which furnished our Nation with its first school of journalism, has men to continue the highest traditions of that profession by providing informed and unselfish counsel to our citizens and I include that editorial at this point in the RECORD:

A RURAL RESCUE ACT

If the Johnson administration could apply the same consensus strategy to farm policy that it has so successfully applied to several major new bills, the result would be a bold new farm program. But there is no consensus on farm policy.

Consequently Congress faces a fight over the administration bill reported by the House Agriculture Committee. The fight pits what Secretary of Agriculture Freeman calls the "bread trust" against what his opponents term a "bread tax."

These charges focus public attention on only one aspect of the farm bill: the wheat provision. It would require wheat processors to buy certificates at $1.25 a bushel, instead of 75 cents. The 50-cent increase, plus regular price supports at $1.25, would give the farmer $2.50 a bushel—or nearly parity.

No doubt the processors would pass the increased certificates charge on to consumers. So the processors, joined by the American Farm Bureau Federation, speak of a bread tax. It is an exaggerated charge. The Agriculture Committee majority doubts that the new costs to processors would add as much as a penny to their costs on a loaf of bread. The farmer receives only about 3 cents for the wheat in one loaf, and though the retail price has gone up 8 cents in recent years, the farmers has not had any share of the rise.

Secretary Freeman bases his counterattack partly on the fact that 5 major processors among 3,500 baking firms enjoyed 57 percent of the baking industry's profits (after taxes). His exaggerated talk of a bread trust does not prove, however, that a few companies set the price of bread. It does suggest the irony of such industrial giants suddenly rushing to the defense of the poor farmer and the poor consumer.

In all this flamboyant propaganda there is the question of the extent to which the burden of farm subsidies should be transferred from the taxpayer to the consumer. In theory, tax-supported subsidies are fairer. In practice, if the House committee and Mr. Freeman are right, the consumer should pay very little more for bread—while the Government saves more than $150 million a year and raises wheat farmers' income by as much.

This will be a neat trick if it works, and it is worth a trial. It is worth a trial because the alternatives of no farm bill or of continued high Federal costs are unacceptable, and because a slight shift in the cost of food to the people who buy it makes some sense.

Primarily it is worth a trial because rural America lives increasingly close to poverty and needs help. Only 400,000 of 3 million farmers earn anything near parity income despite the flight from farm to city. We would prefer to see a farm program with payments graduated to individual need, but surely the Nation's food costs must be graduated to the needs of its food producers.

Today 8 percent of the population produces food for all the population. Despite this record of general efficiency, farm prices have dropped 15 percent in 17 years while living costs have increased 35 percent. America spends less on food proportionately, than any other country, but farmers as a whole do not enjoy a proportionate share of the prosperity they have helped to create.

Well-fed Americans can afford to pay a little more for food. One way or another they will have to do so, if the Great Society is ever to incorporate its diminishing rural population.

THE BREAD TAX

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, tomorrow the House will take up debate on the Food and Agriculture Act of 1965. I wish to take the time of the House today to express my views on the proposed legislation. I shall confine my remarks to the wheat program.

As it now stands, I am opposed to the wheat certificate plan. Wheat has been singled out for regressive consumer financing. There is no question that by raising the cost of raw wheat to the processor by $0.50 a bushel, a rise in consumer prices will result. My study of this matter shows that bread prices will go up at least 1 cent a loaf. In fact, the President himself, in his request to Congress for farm legislation stated that the proposal would "increase the cost of a loaf of bread by a little more than 1 cent."

Those hardest hit by this increase would be the urban poor. USDA statistics indicate that the lower a family's income, the higher the consumption of

wheat products. In families with incomes under $2,000 a year, consumption of bread and other wheat products, per person, is 1¾ times as high as in families with incomes of $10,000 or more. The incongruity of increasing consumer prices, which hit the poor the hardest, at the time the Government is waging war on poverty, is alarming. No less strange is the imposition of the so-called bread tax when we just repealed excise taxes on automobiles, cosmetics, handbags, and telephone calls.

In short, the wheat program collides head on with the President's promise of aiding those people who now live in the shadow of poverty. Even States which impose a sales tax tend to exempt food. To do anything by Government action to raise the price of a basic American staple is to frustrate other efforts to relieve the pressure of consumer prices on the poor.

It is beside the point to minimize the impact of the program by saying that it would raise the cost of bread for a family of four by only 6.4 cents a week, or $3.33 a year. Any deliberate increase in the prices to be paid by the poor is inconsistent with relieving poverty by Government programs. The New York Journal of Commerce, on July 7, 1965, termed such a situation "Alice in Wonderland" thinking.

Ester Peterson, Chairman of the President's Committee on Consumer Interests wrote:

> We are aware of the widely publicized predictions that this program will raise the price of bread and wheat products. * * * We also realize that any further increase in the price of such a staple produce would be unwelcome, especially by those finding it difficult to live within their incomes.

Taking Mrs. Peterson's estimate that the cost of bread to the average consumer would increase 83 cents a year, and taking into consideration the relatively higher per capita consumption of poor families, how would this affect New York City? There are currently over 480,000 welfare recipients at an expense of $33 million to the Federal and State governments in the city. What will the hike in bread prices mean to the city's welfare budget? Welfare payments certainly take into account consumer prices. Will there have to be an increase in welfare payments to keep abreast of bread costs. And how will increased flour and wheat prices affect city hospitals and charitable institutions which provide meals for the sick and the needy?

The wheat program as it stands should not be supported. It is possible, of course, to rework the program on the floor of the House. Direct Government payments to growers from the Federal Treasury could replace the indirect bread tax and possibly avoid increased consumer costs. As the House prepares for debate, I urge my colleagues to give full consideration to the implications of the increase in the cost of bread to the consumer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DYAL, for August 16 to August 19, 1965, on account of official business.

Mr. HELSTOSKI (at the request of Mr. FRIEDEL), for today on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HANSEN of Idaho, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PATMAN, for 30 minutes, on Tuesday, August 17, 1965; to revise and extend his remarks and to include extraneous matter.

Mr. GALLAGHER, for 5 minutes today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. GETTYS) to revise and extend their remarks and to include extraneous matter:)

Mr. RYAN, today, for 10 minutes.

Mr. BOGGS, on August 17, 1965, for 1 hour.

Mr. WOLFF, on August 18, for 15 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FOGARTY to revise and extend his remarks on the conference report on H.R. 7765 and to include tables.

(The following Member (at the request of Mr. WATSON) and to include extraneous matter:)

Mr. GUBSER.

(The following Members (at the request of GETTYS) and to include extraneous matter:)

Mr. MURPHY of New York in three instances.

Mr. CALLAN.

Mr. PEPPER.

Mr. ST. ONGE.

Mr. JONES of Alabama.

Mr. GATHINGS.

Mr. SCHISLER.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 322. An act for the relief of Choy-Sim Mah; to the Committee on the Judiciary.

S. 343. An act for the relief of Paride Marchesan; to the Committee on the Judiciary.

S. 505. An act for the relief of Darlyne Marie Cecile Fisher Every; to the Committee on the Judiciary.

S. 782. An act for the relief of Anna Ungvari; to the Committee on the Judiciary.

S. 1397. An act for the relief of Vasileos Koutsougeanopoulos; to the Committee on the Judiciary.

S. 1647. An act for the relief of Kim Sung Jin; to the Committee on the Judiciary.

S. 1651. An act for the relief of Dr. Augustine Y. M. Yao; to the Committee on the Judiciary.

S. 1678. An act for the relief of Guillermo Macalintal Madrigal; to the Committee on the Judiciary.

S. 1736. An act for the relief of Jennifer Ellen Johnson Mojdara; to the Committee on the Judiciary.

S. 1748. An act for the relief of Virgilio Acosta-Martinez; to the Committee on the Judiciary.

S. 1775. An act for the relief of Erich Gansmuller; to the Committee on the Judiciary.

S. 1919. An act for the relief of Laura MacArthur Goditiabols-Deacon; to the Committee on the Judiciary.

S. 2150. An act to discontinue or modify certain reporting requirements of law; to the Committee on Government Operations.

S. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 198 entitled "The Commission on Intergovernmental Relations"; to the Committee on House Administration.

S. Con. Res. 45. Concurrent resolution authorizing the printing of additional copies of the "Catalog of Federal Aids to State and Local Governments" and the 1965 supplement thereto; to the Committee on House Administration.

S. Con. Res. 49. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorzed for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 2176. An act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes;

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes;

H.R. 9075. An act to increase the basic pay for members of the uniformed services, and for other purposes;

H.R. 10139. An act to amend the act of June 23, 1949, relating to the telephone and telegraph service furnished Members of the House of Representatives; and

H.J. Res. 431. Joint resolution extending the duration of copyright protection in certain cases.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 81. Joint resolution to amend the Federal-aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes.

ADJOURNMENT

Mr. GETTYS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 17, 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:

1450. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Platte River and tributaries, Missouri and Iowa, requested by resolutions of the Committee on Commerce, U.S. Senate, adopted November 3, 1943, Committee on Flood Control, House of Representatives, adopted November 10, 1943, and of the Committee on Rivers and Harbors, House of Representatives, adopted April 24, 1945 (H. Doc. No. 262); to the Committee on Public Works and ordered to be printed with three illustrations.

1451. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Savannah Harbor, Ga., requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 1, 1959 (H. Doc. No. 263); to the Committee on Public Works and ordered to be printed with seven illustrations.

1452. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated June 30, 1965, submitting a report, together with accompanying papers and an illustration on an interim report on Crescent City Harbor, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957 (H. Doc. No. 264); to the Committee on Public Works and ordered to be printed with one illustration.

1453. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for more effective regulation under such act, and for other purposes; to the Committee on Agriculture.

1454. A letter from the Acting Comptroller General of the United States, transmitting a report of deficiencies in administration of donable surplus personal property program for educational and public health purposes in the State of Missouri, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1455. A letter from the Acting Comptroller General of the United States, transmitting a report of additional costs incurred in the management of automatic data-processing equipment at National Aviation Facilities Experimental Center, Federal Aviation Agency; to the Committee on Government Operations.

1456. A letter from the Acting Comptroller General of the United States, transmitting a report of cost of indirect procurement of F-105 aircraft multiple-ejector bomb rack assemblies, Department of the Air Force; to the Committee on Government Operations.

1457. A letter from the Acting Comptroller General of the United States, transmitting a report of retention of obsolete telephone cable, Department of the Army; to the Committee on Government Operations.

1458. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes; to the Committee on Interior and Indian Affairs.

1459. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes; to the Committee on Interior and Insular Affairs.

1460. A letter from the Secretary of the Interior, transmitting an application for a loan by the Roosevelt Water Conservation District of Higley, Ariz., pursuant to the Small Reclamation Projects Act (Aug. 6, 1956, 70 Stat. 1044, as amended June 5, 1957, 71 Stat. 48); to the Committee on Interior and Insular Affairs.

1461. A letter from the Deputy Postmaster General, transmitting a report covering claims presented in fiscal year 1965, pursuant to the requirements of the Military Personnel and Civilian Employees' Claims Act of 1964 (78 Stat. 767, 31 U.S.C. 240–242); to the Committee on the Judiciary.

1462. A letter from the Executive Office of the President, transmitting a draft of proposed legislation amending sections 2 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans; to the Committee on Merchant Marine and Fisheries.

1463. A letter from the Secretary of Commerce, transmitting a report of activities as of June 30, 1965, pursuant to title XII of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

1464. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 30, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Fulchers Landing, N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 16, 1958; to the Committee on Public Works.

1465. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 22, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Kodiak, Alaska, requested by resolutions of the Committee on Public Works, U.S. Senate, adopted April 25, 1959, and June 19, 1961, and a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961; to the Committee on Public Works.

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. UDALL: Committee on Post Office and Civil Service. H.R. 10281. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; without amendment (Rept. No. 792). 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. MORGAN: Committee on Foreign Affairs. H.R. 10342. A bill to authorize the Honorable FRANCES P. BOLTON, of Ohio, a Member of the House of Representatives, to accept the award of Officier in the French National Order of the Legion of Honor; without amendment (Rept. No. 793). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXIII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 10451. A bill to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MACDONALD:

H.R. 10452. A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; to the Committee on Government Operations.

H.R. 10453. A bill to establish a Federal Boxing Commission to exercise surveillance over professional boxing matches broadcast or disseminated by wire in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS of South Carolina:

H.R. 10454. A bill to provide special pay for enlisted members of the Regular components who are involuntarily extended on active duty; to the Committee on Armed Services.

By Mr. SCHMIDHAUSER:

H.R. 10455. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 10456. A bill to establish a National Study Commission on Water Conservation and Utilization; to the Committee on Interior and Insular Affairs.

By Mr. HÉBERT:

H.R. 10457. A bill to amend title 10 of the United States Code to permit retention of certain Reserve officers in an active status notwithstanding certain attritive provisions of chapters 363 and 863 thereof; to amend sections 323 and 709 of title 32, United States Code, relating to Federal recognition and to the employment of persons to care for supplies of the National Guard; to establish a retirement system for certain National Guard employees; to extend the benefits of the Federal Employees' Group Life Insurance Act of 1954 and the Federal Employees' Health Benefits Act of 1959 to persons compensated under section 709 of title 32, United States Code, and for other related purposes; to the Committee on Armed Services.

H.R. 10458. A bill to provide pecuniary liability by the States of members of the National Guard if loss or damage to Federal property resulted from gross negligence or willful misconduct; to the Committee on Armed Services.

H.R. 10459. A bill to amend titles 10 and 32, United States Code, to provide certain

benefits for Reserves of the Army, Navy, Air Force, and Marine Corps, and members of the National Guard, who are injured in connection with inactive duty training, and for other purposes; to the Committee on Armed Services.

H.R. 10460. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

H.R. 10461. A bill to provide travel and transportation expenses for members of the Reserve Forces authorized medical or surgical care, hospitalization or rehospitalization at Federal expense; to the Committee on Armed Services.

H.R. 10462. A bill to amend title 37, United States Code, to provide an incentive plan for participation in the Ready Reserve; to the Committee on Armed Services.

H.R. 10463. A bill to provide that National Guard officers appointed, designated, or detailed as U.S. property and fiscal officers shall not be counted against the authorized active duty strength of the Army or Air Force; to the Committee on Armed Services.

H.R. 10464. A bill to provide medicare for dependents of reservists who die in a training status; to the Committee on Armed Services.

H.R. 10465. A bill to amend titles 10 and 32, United States Code, to provide Federal support for defense forces established under section 109(c) of title 32; to the Committee on Armed Services.

H.R. 10466. A bill to amend title 10, United States Code, to provide for the investigation by a military department of certain aircraft accidents and for the use of reports resulting from those investigations in actions for damages; to the Committee on Armed Services.

H.R. 10467. A bill to provide for leave of absence for members of the National Guard who are officers or employees of the United States when called or ordered to Federal or State military service in aid of civil authority; to the Committee on Armed Services.

H.R. 10468. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; to the Committee on Armed Services.

H.R. 10469. A bill to authorize the promotion of qualified Reserve officers of the Army and the Air Force to existing unit vacancies; to the Committee on Armed Services.

H.R. 10470. A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard; to the Committee on Armed Services.

H.R. 10471. A bill to amend titles 10, 14, and 32, United States Code, with respect to the remission or cancellation of indebtedness of enlisted members of the Armed Forces and the National Guard to the United States; to the Committee on Armed Services.

H.R. 10472. A bill to provide for the extension of certain rights and protections contained in the Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Veterans' Affairs.

By Mr. LATTA:

H.R. 10473. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Veterans' Affairs.

By Mr. LIPSCOMB:

H.R. 10474. A bill to amend section 10 of the Gold Reserve Act of 1934, as amended, 31 U.S.C. 822a, to provide the General Accounting Office with authority to audit the exchange stabilization fund; to the Committee on Banking and Currency.

By Mr. BRAY:

H.R. 10475. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 10476. A bill to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 10477. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCULLOCH:

H.R. 10478. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Veterans' Affairs.

By Mr. MORTON:

H.R. 10479. A bill to indemnify dairy farmers; to the Committee on Agriculture.

By Mr. LANDRUM:

H.R. 10480. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHMIDHAUSER:

H.J. Res. 626. Joint resolution to establish a National Commission To Study Railway Post Office Service and Its Relationship to the National Transportation System; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.J. Res. 627. Joint resolution to authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H. Res. 526. A resolution to provide for the further expenses of the investigation and study authorized by House Resolution 118; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 10481. A bill for the relief of Mr. Robert A. Owen; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 10482. A bill for the relief of Mrs. Nora J. Garner; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10483. A bill for the relief of Kyung Sook Yun; to the Committee on the Judiciary.

H.R. 10484. A bill for the relief of Stefan Bryttan; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10485. A bill for the relief of Giuseppe Giallo; to the Committee on the Judiciary.

H.R. 10486. A bill for the relief of Francesco Martorana; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 10487. A bill for the relief of Vito Barresi; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 10488. A bill for the relief of Manuel Marques; to the Committee on the Judiciary.

By Mr. O'NEILL of Masssachusetts:

H.R. 10489. A bill for the relief of Jose Dos Santos Costa; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 10490. A bill for the relief of Salvatore and Antonina Carollo; to the Committee on the Judiciary.

H.R. 10491. A bill for the relief of Giovanni Batista Davi; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 10492. A bill for the relief of Syed Hashim Reza; to the Committee on the Judiciary.

H.R. 10493. A bill for the relief of Anna Gambino; 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:

257. By the SPEAKER: Petition of State recreation commission, Sacramento, Calif., relative to rental charges for agencies of local government for use of certain areas of the national forests; to the Committee on Agriculture.

258. Also, petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to incorporating the U.S. Trust Territory into the State of Hawaii; to the Committee on Interior and Insular Affairs.

259. Also, petition of the city council, Boston, Mass., relative to reaffirming American principles of fair and open trade; to the Committee on Ways and Means.

SENATE

MONDAY, AUGUST 16, 1965

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

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

Almighty God, Thou art the true home of our souls, whence we sprang, to whom we belong, and in whose love and fellowship we may daily renew our strength.

At the beginning of another week, comfort us, we beseech Thee, with a vivid awareness of the spiritual verities by which we are surrounded and undergirded, that we may be stripped of pride and made humble and penitent.

In a world full of the clamor of the violent, the boasting of the arrogant, and the agony of tortured peoples, make us valiant for thy truth in a day when the hearts of many turn to water. As undefeated souls may we sustain the shocks of these days of social earthquake, master their handicaps, turn their threats into challenges, and at last make even the wrath of men to serve Thee.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 13, 1965, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the

following enrolled bills and joint resolutions:

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 2176. An act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes;

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes;

H.R. 9075. An act to increase the basic pay for members of the uniformed services, and for other purposes;

H.R. 10139. An act to amend the act of June 23, 1949, relating to the telephone and telegraph services furnished Members of the House of Representatives;

S.J. Res. 81. Joint resolution to amend the Federal-Aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes; and

H.J. Res. 431. Joint resolution extending the duration of copyright protection in certain cases.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request by Mr. LONG of Louisiana, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. LONG of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MORSE. Mr. President, I ask unanimous consent that the Subcommittee on Public Health, Education, Welfare, and Safety of the Committee on the District of Columbia be authorized to meet during the session of the Senate tomorrow. The request has been cleared with both Democratic and Republican Members.

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

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of August 13, 1965,

Mr. BIBLE, from the Committee on the District of Columbia, reported favorably, with an amendment, on August 13, 1965, the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, and submitted a report (No. 600) thereon, which was printed, together with minority and supplemental views.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate the memorial of Flora Terry, of Memphis, Tenn., remonstrating against the establishment of Russian consular establishments in American cities, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 993. A bill for the relief of Doctor Oscar Valdes Cruz (Rept. No. 603);

H.R. 1481. An act for the relief of the estate of Donovan C. Moffet (Rept. No. 604);

H.R. 3750. An act for the relief of certain individuals (Rept. No. 605);

H.R. 4719. An act for the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley (Rept. No. 606); and

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act (Rept. No. 607).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1701. A bill to provide relief for Dr. Jose M. Quintero (Rept. No. 608);

S. 1802. A bill for the relief of Dr. Jose Raul C. Soler y Rodriguez, and his wife, Dr. Gladis B. Pumariega de Soler (Rept. No. 609); and

S. 1945. A bill for the relief of Dr. Esther Yolanda Lauzardo (Rept. No. 610).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement (Rept. No. 602).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

H.R. 4465. An act to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia (Rept. No. 612).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. 1154. A bill to incorporate the American Academy of Actuaries (Rept. No. 601).

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 1587. A bill to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation (Rept. No. 614);

H.R. 1763. An act to amend section 1825 of title 28 of the United States Code to authorize the payment of witness fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28 for persons who are authorized to proceed in forma pauperis (Rept. No. 615);

H.R. 3990. An act to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors (Rept. No. 616);

H.R. 3992. An act to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts (Rept. No. 617); and

H.R. 3997. An act to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means (Rept. No. 618).

By Mr. LONG of Missouri, from the Committee on the Judiciary, with an amendment:

H.R. 6964. An act to amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States (Rept. No. 613).

By Mr. TALMADGE, from the Committee on Finance, with amendments:

S. 2127. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones (Rept. No. 619).

Mr. TALMADGE subsequently said: Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Delaware [Mr. WILLIAMS] may be added as a cosponsor to Senate bill 2127, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECRET SERVICE PROTECTION FOR FORMER PRESIDENTS AND WIDOWS AND MINOR CHILDREN OF A FORMER PRESIDENT—REPORT OF A COMMITTEE—(S. REPT. NO. 611)

Mr. EASTLAND, from the Committee on the Judiciary, reported an original bill (S. 2420) to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes, and submitted a report thereon; which report was ordered to be printed, and the bill was read twice by its title and placed on the calendar.

EXECUTIVE REPORT OF A COMMITTEE

The following executive report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive C, 89th Congress, 1st session, agreement between the Government of the United States and the Government of Canada concerning the establishment of an International Arbitral Tribunal to dispose of U.S. claims relating to Gut Dam, signed at Ottawa, March 25, 1965 (Executive Report No. 5).

BILLS INTRODUCED

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

By Mr. HARRIS:

S. 2409. A bill to prevent loss of veteran pension benefits as a result of increases provided under the Social Security Amendments of 1965 in monthly insurance benefits payable under title II of the Social Security Act; to the Committee on Finance.

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

By Mr. PEARSON:

S. 2410. A bill to retrocede to the State of Kansas concurrent jurisdiction over Haskell

Institute; to the Committee on Interior and Insular Affairs.

S. 2411. A bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government; to the Committee on Government Operations.

(See the remarks of Mr. PEARSON when he introduced the above bills, which appear under separate headings.)

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

S. 2412. A bill to terminate use restrictions on certain real property previously conveyed to the city of Kodiak, Alaska, by the United States; to the Committee on Interior and Insular Affairs.

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

By Mr. BIBLE:

S. 2413. A bill for the relief of Magdalene Tsoukalos; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2414. A bill to provide retirement benefits for firefighters employed by the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. BIBLE (by request):

S. 2415. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to provide a new schedule of salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. MONDALE:

S. 2416. A bill for the relief of Elmer O. Erickson; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON (by request):

S. 2417. A bill to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information; to the Committee on Commerce.

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

By Mr. MORSE (for himself, Mr. DOUGLAS, Mrs. NEUBERGER, Mr. LONG of Missouri, Mr. WILLIAMS of New Jersey, Mr. MONDALE, and Mr. MCINTYRE):

S. 2418. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

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

By Mr. DOMINICK:

S. 2419. A bill to make assistance to localities under title I of the Housing Act of 1949 contingent upon the publication of the names of the owners of rental properties in such localities which are used for residential purposes; to the Committee on Banking and Currency.

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

By Mr. EASTLAND:

S. 2420. A bill to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 2421. A bill to make retrocession to the State of Washington of jurisdiction over lands comprising the Fort Canby-Cape Disappointment Area near the mouth of the Columbia; to the Committee on Armed Services.

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

PROPOSAL NOT TO TABULATE INCREASE IN INCOME DERIVED FROM SOCIAL SECURITY INCREASES IN DETERMINING ELIGIBILITY FOR A VETERAN'S PENSION

Mr. HARRIS. Mr. President, I am introducing, today, a bill to amend title 38, United States Code, section 503, relating to non-service-connected disability pension payments to veterans of World Wars I and II and the Korean conflict. This amendment provides that any increase in income derived from social security increases under the Social Security Amendments of 1965 will not be tabulated in determining eligibility for a veteran's pension. This modification is necessary to avoid actually penalizing some of the very people living on low, fixed incomes that the 7-percent social security increase was intended to aid. Let me cite a case that was recently brought to my attention that will illustrate the need of which I speak.

A certain veteran will receive an increase of $81 per year from January 1, 1965, under the new social security amendments. Since he is already under the benefits of the social security program he has been officially advised that he must accept the increase. This added sum will, unfortunately, bring his total annual income to a figure above the $1,800 maximum allowed under the veterans' pension program. He will, therefore, lose the $516 per year he now receives as a pension, thus actually reducing his annual income by $435. So, one of the typical persons we intended to help with this much-needed increase in social security will be hurt instead. This case is only one of many like it in every State in the Nation.

This amendment will be thoroughly consistent with the existing provisions of the law related to determining pension eligibility. For example, effective last year Public Law 88–664 exempted 10 percent of retirement income from counting against the maximum allowable. Similarly, donations or payments from welfare or relief organizations do not count in computing pension benefits. Proceeds from fire insurance policies are treated the same way, as are profits realized from the sale of a house or personal property other than in the course of business. There are other specific exclusions. It seems to me that none of these exclusions, and they are all highly justified, is more logical than the one I now propose.

Veterans pensions are pitifully low at best. The meager increase of 7 percent in the new social security amendments will not go far to help the disabled or elderly person living on a small, fixed income. Surely these two programs should not be allowed to work against each other to the detriment of those who need them and are qualified to receive them. The bill I offer will correct the unfortunate situation that exists and be of great benefit to a group of American veterans who need and deserve our support.

Mr. President, I send the bill to the desk and ask that it be received and appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2409) to prevent loss of veteran pension benefits as a result of increases provided under the Social Security Amendments of 1965 in monthly insurance benefits payable under title II of the Social Security Act, introduced by Mr. HARRIS, was received, read twice by its title, and referred to the Committee on Finance.

JURISDICTION OVER HASKELL INDIAN INSTITUTE SHOULD BE CONCURRENTLY FEDERAL AND STATE

Mr. PEARSON. Mr. President, I introduce a bill which would correct an error of long standing presently affecting proper law enforcement in and around Haskell Indian Institute of Lawrence, Kans. The bill would retrocede legislative jurisdiction over Haskell Indian Institute to the State of Kansas. Through a clerical oversight some years ago, exclusive jurisdiction was given to the Federal Government instead of noting that jurisdiction would be concurrently Federal and State.

It is apparent that exclusive Federal jurisdiction over an institution such as Haskell, which is contiguous with the city of Lawrence, Kans., can create problems involving law enforcement, fire protection and other services normally engaged in between the city and the Institute. The bill I introduce today has the approval of the Department of Justice and has been forwarded to the Bureau of the Budget where no opposition is expected. The Bureau of Indian Affairs is aware of this legislation and has expressed their belief that jurisdiction must be retroceded to Kansas to offset any problems which might occur through the joint use of city and Institute property for such programs as high school athletics and other sporting events.

Because the city of Lawrence would like to enter into a contract with Haskell for their track and football facilities at the beginning of the school year next month, it is of the utmost urgency that this bill be acted upon during this session of Congress. A similar bill will be introduced in the House of Representatives by Representative ROBERT ELLSWORTH.

Mr. President, I ask that this legislation be referred to the appropriate committee for immediate action.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2410) to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute, introduced by Mr.

PEARSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED STUDY AND APPRAISAL OF THE ORGANIZATION AND OPERATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a bill for the establishment of a Commission to study and appraise the organization and operation of the executive branch of the Government.

Most briefly stated, the purpose of this measure is to create once again a Commission with duties and responsibilities similar to those of the highly successful and widely heralded Hoover Commissions of past years.

This measure would create a bipartisan Commission on Governmental Operations. The proposed Commission would be authorized to make studies and investigations of the present organization and methods of operation of all agencies of the Federal Government and to submit recommendations to Congress for appropriate action designed to abolish services, activities, and functions not necessary to the efficient conduct of the Government or which may be found to be in competition with private enterprise.

It is almost universally acknowledged that there is a need for a comprehensive study of duplicated and overlapping activities, organizations, methods, administration, functions, and policies. This study would proceed with the view of improving Government efficiency and effecting economies wherever possible.

Mr. President, the best way to aid the States, counties, and cities is to reduce Federal expenditures. When this is done some tax revenues will be left at the local levels. In order to do this every possible means must be taken to reduce the cost of the Federal Government. We have learned that it is not easy to reduce Federal expenditures. The only safe way to do it is through better government; that is, by reorganizing, merging, eliminating, consolidating, and standardizing those unnecessary and wasteful practices which exist in the executive branch of the Government.

Those who have a knowledge of government or who may be students of the former Hoover Commission understand that many of its recommendations have not been fully implemented and these recommendations should be reevaluated in the light of present conditions.

A study in reorganization of the executive branch of the Government would be consistent with and complement hearings now being held by a joint committee of the Congress on the organization of the Congress of the United States. This committee is now making a full and complete study of the operation and organization of the Congress and will submit recommendations designed to strengthen and streamline congressional procedures and operations with a view toward improving the relationship of Congress with the other branches of our National Government.

Thus, the time is particularly appropriate, it seems to me, for the institution of such a commission as provided in the proposed bill.

Since the last reorganization and streamlining of the executive branch of Government, many agencies, bureaus, and administrations have been created. With the proliferation of bureaus and the attendant multiplication of expenditures, the lines of authority and responsibility have become entangled. This Congress, in particular, with the passage of many new pieces of legislation, has significantly expanded the structure and the functions of the Federal Government. Medicare, new health legislation, the expansion of the poverty program, Federal aid to education, water pollution control, new housing legislation and the creation of a Department of Urban Affairs and Housing at the Cabinet level, an Equal Opportunities Commission, and many others yet to be acted upon, are examples of this new wave of Federal executive action.

Mr. President, with some of these measures I have found myself in agreement. Others I have opposed. But whatever may have been my position, they are now the law of the land, and the success of each of these measures depends not upon their passage but upon their implementation. Indeed, so much praise has been voiced concerning the ability of both the President and the Congress to pass these measures that there is and has been developing an attitude that the passage of a bill is an end in itself. It is rather the beginning.

The President recognizes the existence of this situation and, in his state of the Union message of January 4, 1965, he stated:

> For government to serve these goals it must be modern in structure, efficient in action, and ready for any emergency. I am busy currently reviewing the structure of the executive branch of this Government. I hope to reshape it and reorganize it to meet more effectively the tasks of the 20th century.

The measure introduced today is identical with that presented to the House of Representatives by the very able and distinguished Congressman from the Fourth District of New York [Mr. WYDLER], who has exercised great initiative in the earlier introduction of this measure in the other body.

Mr. President, last Thursday the bill authorizing the establishment of the Herbert Hoover National Historic Site at West Branch, Iowa, was signed into law. Many who honor the memory and the work of Herbert Hoover urge the continuing efforts of his life in feeding the poor, in guiding the young, and in answering the call to participation in public affairs. With the passage of the legislation proposed we may continue one of his greatest works, in fairly, honestly, and independently improving the tools of government.

Mr. President, I ask unanimous consent that the bill herein introduced be printed in full following these remarks and that said measure remain at the desk of the clerk for a period of 7 days for those Members of the Senate who should wish to join in cosponsorship.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will remain at the desk for 7 days, as requested by the Senator from Kansas.

The bill (S. 2411) for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, introduced by Mr. PEARSON, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 2411

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government by—

(1) recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government;

(5) defining responsibilities of officials;

(6) eliminating nonessential services, functions, and activities which are competitive with private enterprise; and

(7) relocating agencies now responsible directly to the President in departments or other agencies if it can be shown to be more efficient as a result.

ESTABLISHMENT OF THE COMMISSION ON THE OPERATION OF THE EXECUTIVE BRANCH

SEC. 2. (a) For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a commission to be known as the Commission on the Operation of the Executive Branch (in this Act referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of chapter 11 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members as follows:

(1) Two appointed by the President of the United States from private life;

(2) Four appointed by the President of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—Members of the Commission appointed from private life

shall represent equally the majority and minority parties. With respect to members of the Commission appointed from the House of Representatives and the Senate there shall be a Representative and a Senator from the majority party and one each from the minority party.

(c) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 4. The President may appoint the last two former Presidents of the United States as co-Chairmen. If no such appointment is made, the Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 5. Six members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) MEMBERS FROM PRIVATE LIFE.—The members from private life shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such studies.

STAFF OF THE COMMISSION

SEC. 7. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

SEC. 9. (a) INVESTIGATION.—The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the Government except the judiciary and the Congress of the United States to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this Act.

(b) REPORT.—The Commission shall submit an interim report to the Congress ninety days after the first day of the first calendar month which begins after the date of enactment of this Act and an interim report ten days after the end of each succeeding ninety-day period on its activities and recommendations for such ninety-day period. The Commission shall make its final report of findings and recommendations to the Congress not later than two years after the date of enactment of this Act, at which date the Commission shall cease to exist. The final report of the Commission may propose such constitutional amendments, legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations.

POWERS OF THE COMMISSION

SEC. 10. (a) HEARINGS AND SESSIONS.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

TERMINATION OF USE RESTRICTIONS ON CERTAIN REAL PROPERTY IN KODIAK, ALASKA

Mr. BARTLETT. Mr. President, for myself and the junior Senator from Alaska [Mr. GRUENING], I introduce for appropriate reference, a bill to terminate use restrictions on certain real property previously conveyed to the city of Kodiak, Alaska, by the United States.

In 1950 an act, 64 Stat. 470, was passed by the Congress to direct the Secretary of the Interior to convey abandoned school properties in the then Territory of Alaska to local school officials. One such property was located in the city of Kodiak, a small tract of 2.2 acres described as U.S. Survey No. 1594. Under the authority of the act, the Kodiak property was transferred by the United States to local school officials there.

Mr. President, it is important that I point out that the deed under which the Kodiak property was conveyed contained a restriction that the land not be used for other than "school or other public purposes."

A short time ago the city of Kodiak commenced planning with the Alaska State Housing Authority and the Federal Urban Renewal Administration for a downtown urban renewal project designated R–19. The Urban Renewal Administration recently made funds available for the purchase of property for the renewal project. Included in the project plans is the purchase of the school property I mentioned earlier. It is here the renewal project has run into a roadblock.

Because of the restriction in the deed prohibiting use of the property for other than "school or other public purposes" the city of Kodiak is unable to convey the property for urban renewal. The bill I introduce today would remove the restriction and allow Kodiak to go ahead with this Federal urban renewal project.

Mr. President, I have assurances from the city of Kodiak and the Alaska State Housing Authority that development of this property will not be pursued until the Kodiak School Board has developed a suitable school site at another location. Relocation of the school is expected to take place some time in the summer of 1967. However, it is important that the urban property acquisition be accomplished as soon as possible for orderly execution of project R–19.

Mr. President, my colleague [Mr. GRUENING] and I am hopeful that this bill, which is similar to one enacted in the last Congress in connection with a Fairbanks urban renewal project, will be quickly and favorably acted upon. I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2412) to terminate use restrictions on certain real property conveyed to the city of Kodiak, Alaska, by the United States, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2412

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the restriction contained in the Act entitled "An Act to direct the Secretary of the Interior to convey abandoned school properties in the Territory of Alaska to local school officials", approved August 23, 1950 (64 Stat. 470), limiting the use of any real property conveyed under such Act to school or other public purposes, is hereby terminated with respect to that real property conveyed under such Act to the local school officials of Kodiak, Alaska, which property is more particularly described in United States Survey Number 1594.

REQUIREMENT OF OPERATORS OF OCEAN CRUISES TO FILE EVIDENCE OF FINANCIAL SECURITY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to require operators of ocean cruises by water between the United States, its possessions and territories and foreign countries to file evidence of financial security and other information. I ask unanimous consent that a letter from the Chairman of the

Federal Maritime Commission, requesting the proposed legislation, be printed in the RECORD, together with a statement of purpose and need for the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2417) to require operators of ocean cruises by water between the United States, its possessions, and territories, and foreign countries to file evidence of financial security and other information, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

FEDERAL MARITIME COMMISSION,
Washington, D.C., July 20, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are submitted herewith four copies of a proposed bill, together with a statement of purpose and need for the draft bill, to require cruise operators to file evidence of financial responsibility and other information.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of the bill at the first session of the 89th Congress for the reasons set forth in the accompanying statement.

The Bureau of the Budget has advised that, from the standpoint of the administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral, U.S. Navy (Retired), Chairman.

STATEMENT OF PURPOSE AND NEED FOR BILL TO REQUIRE CERTAIN OPERATORS OF OCEAN CRUISES TO FILE EVIDENCE OF FINANCIAL SECURITY AND OTHER INFORMATION

The bill would require chartered vessel operators offering and conducting passenger ocean cruises from the United States to file evidence of financial security which would indemnify passengers for nonperformance of an ocean cruise. Certain identifying information would also have to be filed with the Federal Maritime Commission. The security intended by this bill would be in the nature of a performance bond written by an American bonding company. However, the Federal Maritime Commission would be authorized to establish the form of the bond and to accept other security that would accomplish the intended protection.

The bill is intended to prevent financial loss and hardship to persons, who, after payment of cruise passage money, are stranded by the abandonment or cancellation of a cruise. Other matters concerning cruise operations such as safety and accommodations are not covered by this proposed legislation. Some of the circumstances and background information concerning the protection of cruise passengers was presented by the Federal Maritime Commission to a House subcommittee studying the problems of international travel in relation to the balance-of-payments deficit. That information is contained in the report of hearings before the Special Subcommittee on Tourism of the Committee on Banking and Currency, House of Representatives, 88th Congress, 2d session, 83–104 (1964).

The Commission is authorized to act as a repository for the information required by the bill and to satisfy itself that the financial security has been accomplished. The Commission would not, however, be authorized to act on claims arising out of the nonperformance of a cruise. Some investigation would be necessary to assure the Commission that the terms of the act were being carried out.

The class subject to the bill consists, in the main, of the type that operate a cruise without sufficient financial means and responsibility which protect the public from the consequences of being stranded. The bill exempts operators who have a proprietary interest in a vessel employed in such cruise operation, because such an interest would indicate a sufficient degree of financial responsibility.

RETROCESSION OF JURISDICTION OVER CERTAIN LANDS TO THE STATE OF WASHINGTON

Mr. JACKSON. Mr. President, on behalf of my colleague from Washington [Mr. MAGNUSON] and myself, I am introducing today a bill which would permit the Secretary of the Army to make retrocession of jurisdiction over the Fort Canby-Cape Disappointment area to the State of Washington.

The State of Washington would like to acquire some of the land in the Fort Canby-Cape Disappointment area for State park purposes. The State parks and recreation commission has not been able to lease or buy any of the property until the Army's exclusive jurisdiction over the area has been rescinded.

In 1852 this area, on the north side of the mouth of the Columbia River, was reserved from the public domain for military purposes. In 1890 and 1891 the Legislature of the State of Washington passed statutes ceding exclusive jurisdiction in the area to the Federal Government.

In 1954, this Fort Canby reservation was transferred from military to civil works accounts of the Department of Army. The Corps of Engineers advises me that it is their policy not to ask for jurisdiction, and therefore they have no objections to this bill.

This bill deals with retrocession of jurisdiction only, and in no way conveys or grants any property rights from the Army to the State.

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

The bill (S. 2421) to make retrocession to the State of Washington of jurisdiction over lands comprising the Fort Canby-Cape Disappointment area near the mouth of the Columbia, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Armed Services.

TREATMENT OF TIPS UNDER RAILROAD RETIREMENT—AMENDMENT

AMENDMENT NO. 388

Mr. HARTKE. Mr. President, I send to the desk an amendment which I intend to propose as an addition to H.R. 3157, which deals with the Railroad Retirement Act.

In many respects we have in the Congress attempted to retain a close parallelism between the Railroad Retirement Act benefits and those available in other industries through social security. The Social Security Act amendments which have now become law include a provision whereby workers who receive tips may for the first time report them and qualify through them for social security benefits. The largest single group affected will be waiters and waitresses.

There are also waiters in railroad dining cars, and other tip employees such as pullman porters. In order to give equivalent treatment to them, my amendment would apply the same provisions to the Railroad Retirement Act as those which are now law under social security. This does not involve any additional tax upon employers, since the treatment in the case of tip workers is that accorded the self-employed. I might add that this comparable change has the support of at least one of the major labor unions thus affected, and so far as I know there is no objection from other groups.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 388) was referred to the Committee on Labor and Public Welfare.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENT NO. 389

Mr. DOMINICK submitted amendments, intended to be proposed by him, to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 390

Mr. DOMINICK (for himself and Mr. SIMPSON) submitted an amendment, intended to be proposed by them, jointly, to House bill 8283, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 391

Mr. FANNIN submitted amendments, intended to be proposed by him, to House bill 8283, supra, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 392

Mr. ALLOTT submitted amendments, intended to be proposed by him, to House bill 8283, supra, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 393 THROUGH 401

Mr. PROUTY submitted nine amendments, intended to be proposed by him, to House bill 8283, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. MORSE. Mr. President, I ask unanimous consent that upon the next printing of S. 2263, to establish a Traffic Branch of the District of Columbia Court of General Sessions, the names of Mr. BIBLE, Mr. MCINTYRE, Mr. KENNEDY of New York, Mr. TYDINGS, Mr. PROUTY, and

Mr. DOMINICK be added as additional cosponsors.

The PRESIDING OFFICER. Without objection it is so ordered.

All members of the Committee on the District of Columbia endorse the bill that I earlier introduced calling for five additional judges, two of whom would be assigned to traffic court. The bill really now should be treated as a combined Morse-Bible bill, because I was an enthusiast for the bill introduced by the chairman of my committee, the Senator from Nevada [Mr. BIBLE], when he introduced it, which provided for only three judges. But further study leads all of us on the committee to believe that the suggestion that I made in my bill for five judges instead of three, two of them to serve as traffic court judges, ought to be adopted by the Senate. I believe that the report on the bill will be filed before the day is over, and therefore I would like to have the names of the additional cosponsors printed when the print is made.

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Indiana [Mr. HARTKE] may be added as a cosponsor of Senate bill 960, to amend the War Claims Act, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I also ask unanimous consent that the name of the Senator from Nevada [Mr. BIBLE] may be added as a cosponsor of Senate bill 2305, to amend the International Travel Act of 1961, the next time the bill is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and resolution:

Authority of July 28, 1965:

S. 2339. A bill to permit a State to elect to use funds from the Highway Trust Fund for purposes of urban mass transporation: Mr. BARTLETT, Mr. BREWSTER, Mr. CLARK, Mr. GRUENING, Mr. INOUYE, Mr. RIBICOFF, and Mr. WILLIAMS of New Jersey.

Authority of August 2, 1965:

S. Res. 138. Resolution to amend the Standing Rules of the Senate requiring germaneness of amendments: Mr. INOUYE, Mr. MOSS, Mrs. NEUBERGER, and Mr. RANDOLPH.

POPULATION HEARINGS SCHEDULED TUESDAY AND WEDNESDAY, AUGUST 17 AND 18, IN ROOM 3110, NEW SENATE OFFICE BUILDING, STARTING AT 10 A.M.

Mr. GRUENING. Mr. President, this week the Senate Government Operations Subcommittee on Foreign Aid Expenditures will hear experts in the fields of health, medicine, and economics discuss the population dilemma and how it relates to these areas.

The subcommittee will hold public hearings Tuesday, August 17, and Wednesday, August 18, starting at 10 a.m. in room 3110 of the New Senate Office Building.

Witnesses appearing before the Subcommittee on Foreign Aid Expenditures tomorrow are Representative ROBERT B. DUNCAN from Oregon's Fourth Congressional District and Dr. Andre Hellegers, Baltimore, associate professor of obstetrics and gynecology at the Johns Hopkins University Hospital. Dr. Hellegers is one of more than 50 nationally prominent Catholic laymen and clergymen endorsing tax-supported birth control programs including all medically accepted forms of family planning in a statement presented to the American Bar Association convention in Miami, Fla., on August 9. The statement was presented on behalf of the signatures by the Reverend Dexter L. Hanley, S.J., director of the Institute of Law, Human Rights, and Social Values, Georgetown University Law Center.

Wednesday, August 18, the subcommittee will hear testimony from the Honorable Marriner Eccles, of Salt Lake City, Utah, former Chairman of the Board of Governors of the Federal Reserve Board and internationally known financier; Dr. Ernest Lyman Stebbins, Baltimore, Md., dean of the School of Hygiene and Public Health of the Johns Hopkins University; and Dr. Leslie Corsa, Jr., Ann Arbor, Mich., director, Center for Population Planning, School of Public Health, University of Michigan.

The testimony of these witnesses will help to examine further the many ways in which the population explosion relates to health, economics, and general well-being, and the subcommittee looks forward to hearing their contributions to the population dialog.

CONGRATULATIONS TO THE DRUM AND BUGLE CORPS OF AMERICA

Mr. DIRKSEN. Mr. President, in recognition of National Drum Corps Week, August 15 through August 22, I am pleased to join my colleagues in paying tribute to all those who have contributed their talents and services to this phase of our American way of life. Music, harmony and precision are great assets in the training and development of the youth of our country and an important extracurricular activity to be enjoyed by performers and spectators alike. Congratulations to the drum and bugle corps of America, and best wishes for continued success as a constant part in our onward march for a greater America.

LOST OPPORTUNITIES IN WHEAT

Mr. YOUNG of North Dakota. Mr. President, over the years the United States has been a great exporter of wheat. It is one of our biggest dollar earners in meeting our balance of payments with the rest of the world.

Consumption in the United States over the past 30 years has remained constant at approximately 500 million bushels a year. This means that with the wheat yields of 10 years ago we would still have to export nearly half of our wheat production even with greatly reduced acreage under present farm programs. This is only half of the story. Due to the efficiency, ingenuity, and hard work of our farmers, coupled with new technological advances and improved farm machinery, wheat production per acre in the last 15 years has practically doubled.

Unlike our neighbor to the north—Canada—United States wheat farmers cannot participate in the biggest dollar market for wheat in the world—that of Russia, her satellites, and China. It is understandable that our wheat farmers would be barred from selling wheat to China. The biggest single impediment now to selling wheat to Russia is the requirement that 50 percent of the wheat shipped to Russia or Russian bloc countries be carried in American vessels. This means that the cost of wheat to these wheat deficit countries is 20 to 30 cents a bushel higher than if the price were the same in both countries.

Canada and every other surplus wheat-producing nation in the world now have sold practically all of their surplus wheat and their farmers are placed in the position of needing to increase their acreage to meet their export commitments.

Here in the United States we have a completely opposite situation. Because we are locked out of the big markets of the world, our farmers have had to resort to stiff production controls and even then we are having a difficult problem holding down surpluses.

Mr. President, the Bismarck Tribune published at Bismarck, N. Dak., under date of August 13 contained a most enlightening editorial on the farm production situation entitled "U.S. Farmers versus Soviet." Unlike this editorial, the farmers and farm programs of this Nation are being condemned and vilified in widely read and most erroneous press stories. Mr. President, I ask unanimous consent that this editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.S. FARMERS VERSUS SOVIET

Around North Dakota this week farmers were busy with harvest, reaping what promised to be one of the richest in history. With more people than ever to feed, fewer farmers than ever were feeding them better than ever.

Across the world, in Russia, quite the opposite was true. Despite the brags of Soviet planners, Russia's farms will be hard put to meet Russian needs of food and fiber.

The U.S. Department of Agriculture publication, Farm Index, draws some comparisons.

In Russia, it takes over a third of the Soviet work force to grow food; in the United States it takes only one-twelfth.

We get our abundance off 308 million acres of sown cropland. Russia struggles in shortages with 540 million sown acres.

Where we raise 4,092 million bushels of corn, Russia produces only 91 million bushels.

Where we had 106.7 million head of cattle in 1963, the Soviets had only 85.4 million.

Only in wheat and potatoes, among major crops, does the Soviet Union outproduce the United States.

There are, of course, good reasons for American agriculture's productive superiority. We use four times as much fertilizer as they do, have four times as many tractors and twice as many combines. More than

that, of course, our farmers have the know-how and management ability needed to produce, because without it they couldn't survive. This is their incentive.

Russian farmers have no such incentive. We have some 3,573,000 farms in this country. There are only 48,000 in Russia, some 38,000 state-supervised collectives averaging 33,000 acres per farm and another 9,000 state-owned farms averaging 147,000 acres and 411 families each.

Here has to be the real reason why American farmers year-in, year-out win the agricultural olympics hands down over their Russian rivals.

Mr. YOUNG of North Dakota. Mr. President, the New York Times of August 13 contains an editorial entitled "Lost Opportunities in Wheat," which I also ask unanimous consent to have printed in the RECORD as a part of my remarks. This editorial from one of our greatest publications tells a story that every American citizen should take time to read.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOST OPPORTUNITIES IN WHEAT

The United States is the odd man out in the huge wheat purchases being made by the Soviet Union. Canada and Argentina have received windfalls largely because U.S. wheat is too costly as a result of the Government's discriminatory requirement that 50 percent of wheat exports to Soviet bloc countries must be shipped in American vessels.

The U.S. exclusion is unfortunate on many counts. Sales from the Nation's surplus would have meant greater prosperity in farming districts. They would also have increased the trade surplus in the Nation's balance of payments. Beyond these economic gains, the sales would have given tangible expression to the Johnson administration's desire to improve relations with the Soviet Union.

Even so, the big Russian purchases are important to the West. For Canada they mean higher incomes in agriculture, the one area of her economy that has not been enjoying boom conditions, and a cut in the big deficit in the Canadian balance of payments. As far as Argentina is concerned, the inflow of scarce dollars will have an even more significant impact on her inflation-racked, capital-short economy.

The United States itself will reap benefits indirectly. If the Russians pay for a good portion of their purchases by selling gold in London, the Treasury will not have to supply as much gold from its own dwindling stock to meet the demands of private and official sellers of dollars. Thus the Russians will be helping to calm the nervousness that has threatened to curb international trade and investment.

The West also is bolstered by the continued demand for grains from the country that had once been the granary of Europe. The Soviet Union has made great advances in industrialization and technology, but it has utterly failed to match the revolution that has taken place in American agriculture. And because Russia has to depend on outside sources of food supply, its leaders must recognize the desirability of strengthening their relations with those who can meet their needs.

It is ironic that the United States, which is the champion of liberalized trade and which has wheat to sell, cannot participate in this trade with Russia because of the high cost of American shipping. Yet the very unions that have done most to make the American merchant marine uneconomic are the chief insisters on quota preference guarantees. Secretary of Commerce John T. Connor has accurately testified that, if the shipping restrictions were eliminated, the almost certain result would be a protest strike by dock and maritime unions.

A large part of the merchant fleet is already strike-bound for reasons that are a compound of economics and interunion warfare. Political strikes are just one more of the factors that contribute to the demise of American shipping they also undermine our prosperity and our foreign policy.

SOCIAL EARTHQUAKES

Mr. KUCHEL. Mr. President, in the prayer of the Chaplain concluded a few moments ago, Dr. Frederick Brown Harris, Chaplain of the Senate, referred to "social earthquakes." Those, alas, are precisely what have been visited on the great city of Los Angeles and on other communities in the State from which I come during the past 5 frightening days. The news this morning apparently reflects a diminution, possibly a cessation, in the wanton killings, the pillage, and the arson which yesterday provoked one newspaper reporter to compare a portion of the metropolitan area of Los Angeles with Hitler's Berlin in the last hours of that infamous reign.

Last Friday night at my home in Washington I said:

I earnestly implore all citizens involved in this frightening and bloody breach of the peace in Los Angeles to become law abiding and rational. Respect for law and order is the very keystone of our society, and no disrespect for duly constituted authority can be tolerated.

Mr. President, respect for law is the only sound basis on which a free American society may be grounded.

We are a nation of 194 million people—black people, white people, people of all shades and races and colors—endeavoring to create a better life for ourselves, endeavoring to lead humanity toward a peace with justice; yet today law and order have been violated in a horrible way.

Law and order must be enforced by government on any and all levels. Law and order must be enforced with courage, with vigor, and with speed. Law and order also must be maintained.

But beyond that, what are the causes which may have produced these terrible and tragic effects? That, too, is a critical and immediate problem for American society, for all of us, in every part of this land, which must be solved.

Education programs enacted by the Congress, war on poverty programs, housing programs, aid programs, are for naught unless finally free from any venal political concern, organized Government in this country is able to raise the standards of those whose deprivation may have contributed to the holocaust which we face in the State from which I come.

I regret that holocaust with all my heart; and, speaking in the Senate, I hope and pray that all the people of the United States will follow the law and respect order, for otherwise American society is in danger.

Mr. President, I ask unanimous consent that an editorial entitled "Anarchy Must End," published in the Los Angeles Times of Saturday, August 14, 1965; an article entitled "Eyewitness Account—Mob Shouts Cry for Blood: Get Whitey," written by Robert Richardson, and published in the Los Angeles Times of Saturday, August 14, 1965; and an article entitled, "Feelings Behind Rioting Analyzed," written by Harry Nelson, Times medical editor, and also published in the Los Angeles Times of Saturday, August 14, 1965, may be printed at this point in the RECORD.

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

[From the Los Angeles (Calif.) Times, Aug. 14, 1965]

ANARCHY MUST END

Race rioting has brought anarchy to a crowded area of south Los Angeles. Terrorism is spreading.

Whatever its root causes, the chaos which has gripped the city for 3 days and 3 nights must be halted forthwith.

If the National Guardsmen belatedly sent to the relief of Chief Parker's outnumbered police, sheriff's deputies and California highway patrolmen are not enough, additional hundreds must be provided at once.

Now that kid-glove measures have failed, the sternest possible steps must be taken to quell the madness before mob violence becomes mass murder. During this all-out effort, citizens are requested to stay out of the riot area. If they live in the vicinity, they are strongly urged to remain in their homes.

Only after sanity is restored can there be any meaningful talk about long-range cures of the basic problems involved.

[From the Los Angeles (Calif.) Times, Aug. 14, 1965]

EYEWITNESS ACCOUNT: MOB SHOUTS CRY FOR BLOOD: "GET WHITEY"

(By Robert Richardson)

(NOTE.—Robert Richardson, 24, a Negro, is an advertising salesman for the Times. He witnessed the rioting in south Los Angeles for nearly 8 hours Thursday night.)

It was the most terrifying thing I've ever seen in my life.

I went along with the mobs, just watching, listening.

It's a wonder anyone with white skin got out of there alive.

I saw people with guns. The cry went up several times—"Let's go to Lynwood" (an all-white neighborhood) whenever there weren't enough whites around.

RACIAL WORD SPREADS

Every time a car with whites in it entered the area the word spread like lightning down the street:

"Here comes Whitey—get him."

The older people would stand in the background egging on the teenagers and the people in their early twenties. Then the young men and women would rush in and pull white people from cars and beat them and try to set fire to their cars.

One white couple, in their sixties, happened to be driving along Imperial before the blockades were put up. They were beaten and kicked until their faces, hands, and clothing were bloody. I thought they were going to be killed. How they survived I don't know. Those not hitting and kicking the couple were standing there shouting "Kill! Kill!"

Finally they turned them loose and an ambulance was called and they were taken away.

Two white men driving down Avalon Boulevard ducked when rocks bombarded their car. When they ducked the car hit a car with Negroes.

They were beaten so badly one man's eye was hanging out of the socket. Some Negro ministers made their way through the crowd

and carried both men into an apartment building and called an ambulance.

The crowd called the ministers hyprocrites. They cussed them and spit on them. Some Negro officers tried to disperse the crowd, but they were jeered at, sworn at, called traitors and stoned.

NEGRO OFFICERS PERILED

The Negro officers were given a worse time than the white officers.

Light-skinned Negroes such as myself were targets of rocks and bottles until someone standing nearby would shout, "He's blood," or "He's a brother—lay off."

As some areas were blockaded during the night, the mobs would move outside, looking for more cars with whites. When there were no whites they started throwing rocks and bottles at Negro cars. Then near midnight they began looting stores owned by whites.

Everybody got in the looting—children, grownups, and old men and women, breaking windows and going into stores.

Then everybody started drinking, even little kids 8 or 9 years old. That's when the cry started, "Let's go where Whitey lives." That's when I began to see guns.

I believe the mobs would have moved into white neighborhoods, but it was getting late and many of them had to go to work Friday morning.

But some said, "Wait till tonight and Saturday. We'll really roll over the weekend. We'll really get Whitey then."

They knew they had the upper hand. They seemed to sense that the police nor anyone else could stop them.

I heard them say, "Just wait till one of the blood gets shot—then heads will really roll. Then Whitey will get his."

[From the Los Angeles (Calif.) Times, Aug. 14, 1965]

FEELINGS BEHIND RIOTING ANALYZED—TWO PSYCHIATRISTS SEE ANGER, ANXIETY, AND SELF-HATRED AS EMOTIONAL KEYS TO OUTBURST

(By Harry Nelson)

Anger mixed with mistrust of white men plus strong feelings of rejection, self-hatred, and anxiety about the future are the key psychological ingredients in Los Angeles' race riots, two psychiatrists said Friday.

The riots very likely will be repeated in other parts of the city—Pasadena especially—unless communities open up more socially acceptable ways of releasing the anger and anxiety, predicted Dr. Edward J. Stainbrook, head of psychiatry at the USC School of Medicine.

But until emotions have cooled, the best course of action is force—firm but not brutal—and a show of numbers, the psychiatrist said.

RATIONAL METHODS

"At this stage it can't be solved with rational methods, although rational methods are what should have been applied before the riot and will have to be when it is over," he said.

A Negro psychiatrist, Dr. Alvin F. Poussaint, analyzed some of the causes of the anger and resentment which overflowed into violence because, he said, there was no other outlet sufficient to handle the strong feelings.

Until a month ago Dr. Poussaint was chief resident at UCLA's Neuropsychiatric Institute. He is now southern field director for the Medical Committee on Human Rights in Jackson, Miss., and was interviewed by telephone.

REVIEW BOARD NEEDED

Police brutality—whether actual or imagined—is a key reason for the anger, he said. The psychiatrist felt there is a need for a review board made up of ordinary citizens in the Negro neighborhood, not Negro professionals, to discuss grievances with the police department.

The reason for having nonprofessionals on the board ties in with another reason for their anger, he said.

"They equate the middle-class Negro, the professional, with the whites. They see them sometimes as not caring for what happens to the common Negro. They see them moving out of the Watts area to richer parts of the city and seldom returning.

"They see the Negro doctors move out. What is needed on the board are some ordinary Joes who have good leadership ability—the sort of a man who would make a good Army platoon leader," he said.

"Proposition 14, the repeal of the Rumford Housing Act in last November's election, also had an enormous psychological effect on Negroes in ghetto areas. It made them feel trapped, as if there is no way of getting out of their low-income housing areas."

Another source of their anger has been identification with the injustices to Negroes in the South.

GETTING EVEN

"By lashing out at the white police officer they feel they are getting even with white people in general," Dr. Poussaint continued.

"There is also self-hatred mixed up in this riot because those people have been told so often that they are no good that they don't think much of themselves and resent the fact that they don't."

"Put an anonymous person in a sprawling city where he scans the future and sees little more than hopelessness and you're going to have trouble," Dr. Stainbrook said.

"That's why we have a John Birch Society—because there is anxiety for the future. People feel they can't depend on the world around them, as they see it, to help them realize their future."

One big problem in analyzing the reasons for the riots, according to Dr. Stainbrook, is the difficulty in differentiating between the Negroes' own feelings about discrimination and the actual situation.

This makes it difficult for the Negro to look at his own behavior and analyze how he is contributing to the problem and then take steps to correct them, Dr. Stainbrook said.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be a call of the calendar of bills to which there is no objection, beginning with Calendar No. 563.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will proceed to state the items on the calendar, beginning with order No. 563.

HUBBELL TRADING POST NATIONAL HISTORICAL SITE, ARIZ.

The bill (H.R. 3320) to authorize the establishment of the Hubbell Trading Post National Historical Site, in the State of Arizona, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 580), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of H.R. 3320, a companion measure to S. 1337, introduced by Senators HAYDEN and FANNIN of Arizona, is to authorize the acquisition of the Hubbell Trading Post, Ariz., including its valuable collection of Indian art and ethnological materials, and to provide for its administration by the Secretary of the Interior as a national historic site. A companion bill, H.R. 4901, was introduced by Congressman SENNER and considered by the committee at the same time as H.R. 3320.

NEED

The Hubbell Trading Post is in northeastern Arizona on the Navajo Indian Reservation. It has been classified by the Advisory Board of National Parks, Historic Sites, Buildings, and Monuments as being of exceptional value to commemorate and illustrate an important phase in the history of the United States.

Federal control of trade with the Indian dates back to the earliest days of the Republic (act of July 22, 1790, 1 Stat. 137). It was recognized from the beginning that the trader would be of great importance, for good or ill, in determining the relations between the Nation and its Indian neighbors and wards. In such isolated spots as northeastern Arizona was where John Lorenzo Hubbell, familiarly known as Don Lorenzo, founded his trading post; the institution was inescapably a strong influence. In his case, this influence was particularly strong, for he was recognized by the Navajos as well as the Hopis, among whom he had lived earlier, as being earnestly interested in their welfare.

Don Lorenzo started his trading business at Rio Pueblo, Colo., now Ganado, in 1878 or earlier. His was the first trading post operated away from direct military protection. He himself continued the business until 1930 when he died. Thereafter the post was kept intact by his son who operated the business until his death not many years ago. The present trading post structure—a "long, low stone building, neither beautiful nor impressive" but representative of a past era and located in an area in which Indian, Spanish, and American influences were and are inextricably intertwined—was constructed about the turn of the century, replacing a smaller structure which was built when the business was founded. It and its furniture and furnishings have been kept intact. This means that the Nation now has an opportunity to acquire what is, in effect, an on-site museum of an era that, with the coming of roads and "civilization," has disappeared nearly everywhere. As the situation is summarized in the volume of the "National Survey of Historic Sites and Buildings" on military and Indian affairs, 1830–98:

"The significance of the Hubbell Trading Post lies * * * in its preservation today of the trading post of yesterday. There have been few changes since the present post and house were built about 1900 to replace an earlier, smaller structure. The long stone trading post, with its wareroom, storeroom, office, and blanket room, looks much as it did in Don Lorenzo's time, and much as other Navajo posts looked. The original massive counters still dominate the storeroom. Office furniture is that of half a century ago. Ancient firearms, Indian craftwork, paintings, and rugs adorn the rug room. The rambling adobe hacienda in which Hubbell lived and entertained retains all of its old charm and atmosphere. The walls of the long living room and the bedrooms are covered with artwork, photographs, and Indian artifacts. Shelves laden with books line the walls. Navajo rugs lie everywhere. The old home conveys more vividly than words the manner in which the Hubbells and other early traders lived. The barn and utility buildings, mostly of stone, round out the complete picture of the old-time trading post. At the Hubbell Trading Post, the visitor at once understands and appreciates the pattern of the Navajo trade, the type of man who conducted it, and the kind of life he led."

For these reasons, it is the opinion of the Committee on Interior and Insular Affairs

that the Hubbell Trading Post will be a valuable addition to the National Park System, particularly if arrangements can be worked out to have it operated along lines close to those that were in effect when it was an active post.

H.R. 3320 calls for the acquisition, at not more than fair market value, of 160 acres of land plus the buildings, nine in all, that are on it. The 160 acres, it is believed, will be sufficient to protect the setting of the trading post against unsightly intrusions. If this is more land than is needed for the purposes of the bill, the Navajo Indian Tribe will be given an opportunity to purchase the excess at the price for which it was acquired and the proceeds of the sale will be deposited in the general fund of the Treasury. It may also be that it will be possible for the tribe and the National Park Service to work out an exchange in which certain land within the area to be acquired will be traded for a small tract on its fringe which is in tribal ownership and which, it is believed, will be of value to the national historic site.

COST

The estimated cost of acquiring the Hubbell Trading Post and the land and buildings related to it is $169,000. The collection of art, ethnological objects, and miscellaneous other movables has been valued by experts in the field at about $143,500. Development costs will, it is believed, be about $635,000. Section 3 of the bill, as amended, contains language appropriate to limit the amount authorized to be appropriated accordingly. Annual operating costs, at present price and wage levels, will be about $70,000.

The land and water conservation fund will be available for appropriations for land acquisition in connection with the Hubbell Trading Post National Historic Site and the site will be subject to the provisions of the Land and Water Conservation Fund Act providing for the charging of admission fees.

ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE NATIONAL MONUMENT

The Senate proceeded to consider the bill (H.R. 881) to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 17, to strike out:

SEC. 3. There is hereby authorized to be appropriated a sum not to exceed $5,000 for the acquisition of land and such other sums as may be necessary to carry out the provisions of this Act.

And, in lieu thereof, to insert:

SEC. 3. There is hereby authorized to be appropriated not to exceed $5,000 for the acquisition of land and not to exceed $260,000 for the development of the area.

The amendment was agreed to.

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

The bill was read the third time, and passed.

ALIBATES MONUMENT BILL IS WORTHY AND NEEDED

Mr. YARBOROUGH. Mr. President, today's passage of the Alibates Flint Quarries bill insures that a great archeological find will be preserved forever.

The Alibates mines were first found and used by ancient man on an extensive scale well over 12,000 years ago. This was 6,000 years before the wheel was invented, 7,000 before the great pyramids of Egypt were built, and 500 years before the last ice age peaked in North America covering the St. Lawrence valley and the Great Lakes under a thick covering of ice. The brightly colored flint from these mines was shaped by ancient man to make arrowheads and spear points. Arrowheads made from Alibates flint have been found associated with the fossilized skeletons of the mammoths and the now extinct giant bison.

The flint from the Alibates mines has been found throughout the Midwest and Far West, from the Canadian border to the Gulf of Mexico. At the mines themselves are artifacts of red Minnesota pipestone, California shell, Yellowstone obsidian, and Arizona pottery—all brought in by the Indian merchants of the past to trade for badly wanted flint. The Alibates mines are truly a great graphic display of the ways of life and trade of those who lived on this continent before the white man came.

The national monument created by this bill will be situated along the Canadian River, 35 miles north of Amarillo, Tex. Most of this land is already part of the soon to be opened Sanford Reservoir National Recreation Area. This bill insures that access roads, parking spaces, and a visitor's center can be constructed so that the thousands of people who will soon start visiting the recreation area will also have the opportunity to see these great reminders of what human life was like on this continent before the time of Columbus.

I have been working for the passage of this bill for over 2 years now. In fact, I introduced the first bill for the purpose of making the Alibates Flint Quarries into a national monument on April 25, 1963, in the 88th Congress. At first, the Department of the Interior opposed passage of that bill but the Department reversed its position this winter following congressional authorization establishing the Sanford Reservoir National Recreation Area.

In the interest of facilitating passage, I approve of the committee's decision to report out H.R. 881 rather than my own bill S. 721. It is with a great deal of satisfaction that I note the passage of the bill by the Senate and the House, awaiting only the President's signature in order to be made law.

Mr. TOWER. Mr. President, in my opinion, the establishment of the Alibates Flint Quarry as a national monument is of paramount importance, not only to the State of Texas, but to our Nation.

The preservation of the Alibates Flint Quarry as a priceless treasury to archeologists, anthropologists, paleontologists, and geologists is indeed worthy of our consideration. Not only is its preservation of vital importance to the populace, but it represents a historical landmark in ancient man's struggle for survival.

For millions of years this flint lay veiled in obscurity, waiting for man to mold its future course. Then, during some millennium this 3-square-mile deposit of flint was discovered, and man found in it his future instruments for work and war. It was through diligent efforts and hard work that ancient man acquired the knowledge and the skills for making flint into tools and weapons.

As we can well imagine, this was a unique accomplishment for primitive man, who had no prior knowledge of metal or iron. Of course, man was not only concerned with the functional aspects of the flint, but he was also attracted by its esthetic beauty.

Present evidence indicates that this source of flint was used as long ago as 12,000 to 15,000 years by a culture of the oldest known man in North America, who found the flint most beneficial in hunting the ice age mammoth and the giant bison. It is known that some cultures traveled as far away as 150 miles, in order to gather the flint to make spear points and other implements needed for survival.

These ancient men established a complex industry based on the trading of this flint with other cultures—from the Great Lakes to the Gulf of Mexico and the Yellowstone to the Pacific Ocean. So the use and influence of the Alibates flint was varied and widespread.

Certainly there can be little doubt that this source produced the finest and most beautiful quality of flint available. The Alibates flint was used the most frequent and by a larger area of the continent than any other, and perhaps ancient man's fight for survival would have been deterred without its existence and importance.

The interest in the Alibates Flint Quarries is not confined merely to the quarries and flint, but also incorporates that mass of evidence deposited by ancient man and his cultures. Artifacts of great significance are still awaiting discovery, where once a great industrial complex was conceived.

In the 1930's, a 66-room pueblo ruin in the quarry areas was excavated and 16,000 known artifacts were revealed. Now, a 100-room pueblo ruin has been located within the area and is awaiting excavation.

The use of the Alibates flint flourished until the age of modern man and the introduction of metal, as still another phenomenon. Yet, before metal was improvised, thousands of tons of this flint was quarried by primitive man with his ancient tools—a formidable task still for modern man with his complex machinery.

I believe the Alibates Flint Quarry could become one of our most important monuments. Located within what is known as the "breaks" of the High Plains, it would provide for all a clear view of intriguing geological strata, complete with numerous fossil remains. The quarry itself spans the entire period of prehistorical America.

The preservation of the Alibates Flint Quarry as a historical site will stand as a monument to those people and cultures who so long ago flourished upon the earth. With the completion of the new Sanford Reservoir, many people will be visiting the area, which was once under private ownership. It is imperative that we act now to preserve those

surroundings where once prehistoric North American man lived and worked.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 581), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 881 is to set aside certain land in Texas, most of which is already owned by the United States, as the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument.

NEED

For 12,000 years or more the Alibates Flint Quarries were worked by Indians living in the panhandle area of Texas. From these quarries came the multicolored flint arrowheads and tools which were both used by the inhabitants of the locality and traded by them for goods supplied from far-distant sources. Flints from these quarries have been found as far north as Minnesota and Wisconsin, as far west as the Pacific coast, and as far south as the Gulf of Mexico. Professional archeologists regard the quarries as one of the outstanding remains of the prehistoric cultures of North America.

Toward the end of the period when the quarries were being worked the panhandle area was occupied by sedentary tribes which built large pueblo-type structures for their homes. Some of these structures housed as many as 60 to 100 families. They were constructed of limestone slabs and adobe and are regarded by archeologists as a blend of the types of structures used by the Indians of the Great Plains and by those of the arid Southwest.

The two areas in question—that of the quarries and that of the pueblos—are about 35 miles from Amarillo. They were rediscovered in the 1920's but have been only partially excavated. Such excavating work as has been done indicates that the quarries extend in a narrow band through an area about a mile long and a tenth of a mile wide. The pueblo area is believed to have occupied about 60 to 80 acres. Taken together and with surrounding protective land, the area involved in H.R. 881, then, may total as much as 230 acres.

Most of this land is already in the ownership of the United States. It was acquired by the Government in connection with its Sanford Reservoir, a feature of the Canadian River reclamation project (act of Dec. 29, 1950, 64 Stat. 1124) and the recreation area authorized in connection therewith (act of Aug. 31, 1946, 78 Stat. 744). Whether any more land needs to be acquired can be determined only after further field studies are completed. At most, however, it is believed that about 90 acres will be needed. A limitation on the amount authorized to be appropriated for future land acquisition has been written into the bill accordingly and the precise boundaries of the monument will be reported to the committee after they have been settled.

While it would be possible to administer the area proposed to be included in the national monument as a part of the authorized recreation area mentioned above without special recognition of its archeological value, setting it aside as a national monument will give it the superior recognition that it deserves without detracting from the education and enjoyment that it will give those who visit the recreation area and without adding to the costs which would, in any event, be incurred in connection with the latter.

COST

The cost of land and interests in land to be acquired hereafter for the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument is, as has been stated, not more than $5,000. The capital costs to be incurred for road parking areas, a visitor center, and the like have been estimated by the Interior Department to be $260,000.

The committee directs that the Park Service make every effort to secure a donation of the 90 acres of land authorized for acquisition. If this is not possible then a scenic easement should be acquired rather than fee title.

BILL PASSED OVER

The bill (H.R. 1044) to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands was announced as next in order.

Mr. LONG of Louisiana. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEGISLATIVE JURISDICTION EXERCISED BY THE UNITED STATES OVER LANDS WITHIN CAMP McCOY MILITARY RESERVATION, WIS.

The bill (H.R. 546) to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wis., was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 588), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for retrocession of legislative jurisdiction over such portions of Camp McCoy Military Reservation as are required at the present time and in the future. The immediate problem relates to traffic control over certain major highways which traverse the reservation.

BACKGROUND OF THE BILL

Camp McCoy, located in Monroe County, Wis., was originally established in 1908 on 14,000 acres of land, expanded during World War II, and now comprises approximately 60,000 acres of land owned in fee by the United States. This is a class I installation, and, although designated "inactive," it constitutes the major component training site for Reserve units from those States within the 5th Army area. The United States is vested with exclusive jurisdiction over a substantial portion of these lands by virtue of various acts of cession and the general statutes of the State of Wisconsin.

The camp is traversed by the three major public highways referred to in this bill, as introduced, Highways Nos. 16 and 21 having been in existence for many years, and I-90 being in the process of construction.

POLICE AUTHORITY

The retrocession of Federal jurisdiction over property within our camps, posts, and stations is made desirable, and even necessary, for a number of reasons which vary from place to place. For the most part, however, the particular difficulty which makes it necessary to place equal jurisdiction in the Federal Government and in the State is the matter of traffic control. Where the Federal Government has exclusive jurisdiction, military police, if deputized, do have authority to arrest civilian traffic violators but must bring the violators before a U.S. Commissioner. In many instances, the U.S. Commissioner is at a great distance, which entails the expenditure of both time and money from the military authorities. Where there is concurrent jurisdiction, military police can take appropriate action with respect to military personnel and the State can take similar action with respect to both civilian and military personnel.

Even where traffic control is not involved, exclusive jurisdiction in the United States can cause difficulties with respect to the attendance at public schools of children living within the area; divorce proceedings are sometimes impossible to initiate; and criminal prosecution, while possible, is rendered particularly difficult. In short, wholly unnecessary jurisdictional difficulties are encountered where exclusive jurisdiction rests in the United States.

MRS. A. E. HOUSLEY

The bill (S. 683) for the relief of Mrs. A. E. Housley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. A. E. Housley, of Annapolis, Maryland, the sum of $467.69 in full settlement of all her claims against the United States arising out of the failure of the Post Office Department to pay Mr. A. E. Housley at the overtime rate for services in excess of eight hours in a day during the period October 15, 1962, through March 27, 1963. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney an account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 590), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay to Mrs. A. E. Housley, of Annapolis, Md., the sum of $467.69 in full settlement of all her claims against the United States arising out of the failure of the Post Office Department to pay Mr. A. E. Housley at the overtime rate for services in excess of 8 hours in a day during the period October 15, 1962, through March 27, 1963.

CHILDREN OF MRS. ELIZABETH DOMBROWSKI

The bill (H.R. 1291) for the relief of the children of Mrs. Elizabeth A. Dombrowski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary

of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each child of Mrs. Elizabeth A. Dombrowski, of Parma, Ohio, widow of Victor E. Dombrowski, of Parma, Ohio, the amount which the Administrator of Veterans' Affairs certifies to him would have been payable to each such child under section 542 of title 38 of the United States Code for the period from July 1, 1960, to the date which each such child actually began receiving a pension under such section: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 591), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay the six children of the veteran, Victor E. Dombrowski, the amount of death pension which the Administrator of Veterans' Affairs certifies would have been payable to each such child from July 1, 1960, through March 27, 1962, had timely application therefor been filed.

LEWIS H. NELSON III

The bill (H.R. 4024) for the relief of Lewis H. Nelson III was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 592) explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize the Comptroller General to settle the claim of Lewis H. Nelson III, of Rome, N.Y., for compensation for services he rendered the Department of the Air Force at Griffiss Air Force Base after termination of his appointment on the basis of erroneous information that his appointment had been extended. The bill would authorize a payment of $255.33 in final settlement of the claim.

TERENCE J. O'DONNELL, THOMAS P. WILCOX, AND CLIFFORD M. SPRINGBERG

The bill (H.R. 4025) for the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 595), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The purpose of the proposed legislation is to pay three employees of the Federal Aviation Agency amounts found to be due them for personal property destroyed in a fire in Government quarters furnished in connection with their employment. The amounts authorized by the bill are as follows:

Terence J. O'Donnell	$435.83
Thomas P. Wilcox	3,138.20
Clifford M. Springberg	1,144.52

JOHN HENRY TAYLOR

The bill (H.R. 5819) for the relief of John Henry Taylor was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 593), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve John Henry Taylor, of Columbus, Ga., of liability to pay the United States the sum of $923.51, representing salary overpayments received by him from the Post Office Department in the periods of January 1, 1953, through November 30, 1957, and January 11, 1958, through September 15, 1962, due to administrative error in the certification of service for longevity credit and without fault on his part. The bill would authorize the refund of any amounts repaid or withheld because of the liability.

LT. SAMUEL R. RONDBERG, U.S. ARMY RESERVE

The Senate proceeded to consider the bill (S. 766) for the relief of Lt. Samuel R. Rondberg, U.S. Army Reserve, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the word "of", where it appears the second time, to strike out "$231.30" and insert "$240.30"; so as to make the bill read:

S. 766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Samuel R. Rondberg, United States Army Reserve, is hereby relieved of all liability for repayment to the United States of the sum of $240.30, representing the amount of overpayments of subsistence allowance received by the said Lieutenant Samuel R. Rondberg for the period from September 27, 1957, through June 10, 1958, while he was in the Reserve Officers' Training Corps serving at Washington University in the State of Missouri, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lieutenant Samuel R. Rondberg, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The amendment was agreed to.

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

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 596), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill, as amended, is to relieve Lt. Samuel R. Rondberg, U.S. Army Reserve, of all liability for repayment to the United States the sum of $240.30, representing the amount of overpayments of subsistence allowance received by the claimant for the period from September 27, 1957, through June 10, 1958, while serving in the Reserve Officers' Training Corps at Washington University in the State of Missouri, such overpayments having been made as a result of administrative error.

MRS. CLARA W. DOLLAR

The Senate proceeded to consider the bill (S. 1873) for the relief of Mrs. Clara W. Dollar which had been reported from the Committee on the Judiciary with amendments on page 1, line 11, after "GS-3", to insert "longevity"; in the same line, after "GS-4", to insert "longevity"; and on page 2, line 12, after the word "Act," to strike out "in excess of 10 per centum thereof"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Clara W. Dollar, of Atlanta, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $629.35, representing overpayments of compensation she received as an employee of the Federal National Mortgage Association for the period from March 25, 1956, through October 28, 1961, such overpayments having been made as a result of administrative error in establishing her salary rate when she was promoted from grade GS-3, longevity step 3, to grade GS-4, longevity step 2, in violation of the limitations prescribed in section 802 (b) of the Classification Act of 1949, as amended. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Mrs. Clara W. Dollar, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from

the report (No. 597), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve the claimant of liability to refund the sum of $629.35, representing overpayments of compensation she received as an employee of the Federal National Mortgage Association and to provide for the payment to the claimant of the sum of any amounts received or withheld from her on account of such overpayments.

Mr. LONG of Louisiana. Mr. President, I ask that further proceedings under the call of the calendar be discontinued at this time, so that we may determine whether there is objection to the remaining two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVEYANCE OF CERTAIN REAL PROPERTY TO BOARD OF PUBLIC INSTRUCTION, OKALOOSA COUNTY, FLA.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. Mr. President, H.R. 4905, Calendar No. 526, is a bill to provide for the conveyance of certain real property to the Board of Public Instruction, Okaloosa County, Fla.

I have been endeavoring since the middle of last week to contact the distinguished Senator from Oregon [Mr. MORSE] to discover whether or not he is opposed to the passage of that bill. I understand the Senate staff has been doing the same thing.

This measure is very important to our State. The area of the State where this land would be conveyed would be used as the site for a junior college, for which the State has put up $2 million for construction funds.

It is important that the bill be passed at the earliest possible time. I wonder if any progress has been made toward clearing this matter with the distinguished Senator from Oregon.

Mr. LONG of Louisiana. We hope to have information about the bill shortly. In any event, it will be scheduled.

Mr. HOLLAND. In the event there is objection by the distinguished Senator from Oregon, will the measure be scheduled for action without delay? It seems clear to me that this matter should come up at the earliest possible moment. The junior college is to be located on a part of the Eglin Field reserve which is not being used and is not intended for use. Already approximately 700 members of the families of the Armed Forces and civilian employees have registered in the junior college, and the little communities near the area have already made substantial contributions with respect to supplying and conditioning some 8 or 10 local buildings for the operation of the junior college this year.

I believe the Senate will pass the bill regardless of what the distinguished Senator from Oregon may think about it because its merits are so great.

I understand that the bill has been cleared by the leadership on the minority side so as to permit us to consider and pass it at the earliest possible time, because the $2 million already made available by the State agency which has jurisdiction must be committed by September 1.

More junior colleges are now in a formative condition in our State than we can supply with building funds at the same time. Because of the urgent need of a junior college in Okaloosa and Walton Counties to serve the local people, and also 15,000 to 18,000 personnel at Eglin Air Force Base, including uniformed and civilian employees, the bill is so important that it should have early clearance for passage.

Mr. DIRKSEN. We have approved the bill.

Mr. HOLLAND. I understand that is the case, and I understand the majority leader desires to assist us in having it passed. I am not criticizing anyone but I wish to have the Senate proceed at an early date either to pass this bill as an unobjected-to matter or to submit it to the conscience of the Senate for consideration.

At this time we would be bound by whatever expression the Senate might make. The measure has already been passed by the House.

Mr. LONG of Louisiana. Mr. President, I assure the Senator that the leadership on this side of the aisle is sympathetic to the problems of the Senator. We wish to assist in every way we can.

The majority leader is not present at this time. However, the majority leader does plan to schedule the bill soon. He hopes that the measure can be passed within the week.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator.

This bill has already passed the House unanimously as an unobjected-to measure. I believe that it should receive the same treatment at this end of the Capitol.

Mr. LONG of Louisiana. I hope that we can do that also.

DELAWARE WATER GAP NATIONAL RECREATION AREA

Mr. WILLIAMS of New Jersey. Mr. President, the passage of H.R. 89, which establishes the Delaware Water Gap National Recreation Area, will be of great benefit to many millions of people seeking outdoor recreation. The creation of this area will bring boating, swimming, and picnicking within easy reach of the crowded metropolitan areas of New Jersey, New York, and Pennsylvania. By our action today we are planning for the future. We are setting aside one of the most beautiful sections of the northeast to be retained in all its natural beauty.

The complex of the Delaware Water Gap and the new Delaware Water Gap National Recreation Area will preserve the heritage of our country. Natural features that have defied the onslaught of time will now be spared the further invasion of man's urbanization. This is a fine example of the way in which an area can cope with the problems of rapidly increasing population. This project will not only accommodate the people presently living within this area, but the scope of the recreational area is such that it will be able to adapt to the increases as they occur.

Moreover, this will be a complete recreational area. Plans call for good scenic roads throughout the area as well as competent access roads. Hiking trails will wind through the forest areas and move along streams, ponds, and waterfalls. The reservoir will provide facilities for boating and swimming. And all this within easy reach of over 30 million people.

Those who concentrated their efforts to make this project possible are to be commended for their farsightedness. We have provided for the future and I am sure that the people of the future will thank us for our efforts. I will be looking forward to the completion of this project so that our citizens will be able to enjoy the outstanding facilities that will be provided.

WILL ROGERS-WILEY POST MEMORIAL AIRPORT

Mr. BARTLETT. Mr. President, 30 years ago yesterday the world lost a great humorist and a great aviator.

They were killed when their single-engine plane crashed shortly after taking off from a river 15 miles south of Barrow, Alaska.

Word of the tragedy was slow to reach the outside world. An Eskimo ran to Point Barrow to advise authorities of the crash. An Army Signal Corps staff sergeant sped to the scene in a launch, and then reported in a cryptic radio message the deaths of Will Rogers and Wiley Post.

The plane went down in a shallow river running through desolate country. Barrow, the northernmost point on the North American Continent, consisted of an Army signal station, a Government school for Eskimo and Indian children, and a Presbyterian mission.

Barrow has grown since then. A sign of the times will be the dedication of the Will Rogers-Wiley Post Memorial Airport at Barrow tomorrow.

But if the times have changed in the last 30 years, the contributions Rogers and Post made to the world have not been diminished by the years.

Mr. Post overcame physical and financial handicaps to help lead the world into the age of air travel. His around-the-world flights were magnificent accomplishments and his trip from New York to Berlin in 1933 was described as the greatest and most accurate flight up to the time of his death.

Will Rogers, of course, made his contribution in another field, no less necessary to the well-being of mankind.

Will Rogers was revered throughout the world because he spoke for every man in ways that made points without creating rancor. He was the friend of the famous and of the unknown.

The epitaph he wrote for himself is often quoted. It says:

I joked about every prominent man of my time but I never met a man I didn't like.

Perhaps more indicative of the Rogers philosophy is the statement:

A comedian can only last till he either takes himself serious or his audience takes him serious.

The world could stand some Will Rogers' advice today.

If the feats of Wiley Post opened the door to a new age, Will Rogers' words were meant for all ages.

It is fitting that the tragic accident which took their lives will be commemorated by an airport named for the two men.

SAFE CAR EDUCATIONAL INSTITUTE

Mr. CASE. Mr. President, the junior Senator from Connecticut [Mr. RIBICOFF] has won national acclaim for his diligent efforts to stimulate public discussion and action to reduce the frightful death toll on our Nation's highways.

A new nonprofit organization is making what I consider a useful and interesting contribution to this campaign. The Safe Car Educational Institute, using the slogan, "You can't be safe in an unsafe car," is working to convince the public, particularly young people, of the need for continuous preventive maintenance in safe driving.

A guiding spirit behind the formation of the institute is Purolator Products, Inc., of my hometown of Rahway, N.J. Purolator originated the Safe Car Educational Institute and is its chief supporter. I ask unanimous consent to insert in the RECORD at this point an article from Petroleum Marketer for June 1965, which explains the work of the Safe Car Educational Institute.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW ORGANIZATION FORMED TO TEACH YOUTH THAT CAR SAFETY STARTS WITH CAR CARE

YOU CAN'T BE SAFE IN AN UNSAFE CAR

(By James B. Lightburn, president, Safe Car Educational Institute

The Safe Car Educational Institute is a nonprofit, completely independent and noncommercial organization supported by the Nation's automotive equipment manufacturers and oil companies.

It has been created to aid both educators and industry in the task of educating the Nation's drivers that proper safe care is vital in order to reduce the heavy toll of death and destruction on the Nation's highways.

To accomplish this the Safe Car Educational Institute is launching a nationwide program to provide educational material to schools, clubs, organizations, and industry on the maintenance and operation of motor vehicles.

The initial program of the institute is to provide the millions of high school students now taking driver education courses with a supplementary educational program on car care designed to establish dramatically and forcefully this single, important, and irrefutable fact:

HELP YOUR COMMUNITY

The SCEI has produced, in cooperation with Training Films, Inc., a series of 7 color slide films aimed at, and designed for the 2 million high school students currently taking driver education courses.

These films cover in detail the following subjects:

"Seeing for Safety"; "Tire Care for Safety;" "Good Brakes for Safety;" "Filtration for Safety"; "Tuneup for Safety"; "Electric Power for Safety"; and "Cooling for Safety."

These films have been created specifically to enhance the present 30 hours of classroom driver instruction recommended by the National Educational Association and are not intended to replace or supplant any existing car care program.

In a survey of some 17,000 schools, officials of 98 percent of the schools said "Yes" they would welcome the films and the program as prepared by the SCEI.

The seven films can be purchased for $50 from Safe Car Educational Institute, Butler, N.J., 07405. They will be ready for distribution in July. No product is identified by brand but you can identify your company as the donor on the package containing the films. It is estimated the films will not be obsolete for at least 5 years.

RACIAL RIOTING IN LOS ANGELES

Mr. TALMADGE. Mr. President, the entire Nation is shocked and horrified by the racial rioting in the city of Los Angeles. In the wake of this holocaust, in which more than 30 lives have been lost and which still rages in some parts of the Los Angeles area, various and sundry so-called explanations and excuses have been offered by experts in the fields of law enforcement, sociology, psychology, psychiatry, urban affairs, and economics.

Regardless of how learned the expert or how scholarly the presentation, I, for one, cannot comprehend how poverty, slum conditions, unemployment, cultural or economic need, or alleged discrimination—as deplorable as they are—can be justification for lawlessness and rioting. I, for one, Mr. President, have yet to be given an acceptable excuse for taking the law into one's own hands. In our country under the American system of government, there is no such excuse.

However, I believe the Washington Evening Star in an editorial last Saturday came close to the heart of the matter. The Star in my opinion put its finger on a dangerous trend in America at the present time which we have seen manifested in Los Angeles, Springfield, Mass., Chicago, Ill., New York City, Selma, Ala., Americus, Ga., and indeed throughout all parts of the United States.

The Star, calling attention to a growing contempt for law and the rights of law-abiding people, asked this very pertinent question:

What is the effect on respect for law when prominent members of the clergy announce they will not obey a law if they disagree with it? What is the effect when the Supreme Court, as well as lower Federal courts, overturn convictions for law violations on the flimsiest of bases, or, as in one instance, for one stated reason?

Does this sort of thing encourage the hoodlum type to think that respect for law is for the birds? We think so.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOS ANGELES RIOTS

The most baffling aspect of the savage rioting and looting which has swept Los Angeles is the utter senselessness of the thing.

It started Wednesday evening when a white policeman tried to arrest a Negro motorist on suspicion of drunken driving. And it really took off from there.

At least 16 people are dead, including a deputy sheriff and a fireman caught by a falling wall. Property losses will run high into the millions. The Negro rioters would set fire to buildings, and then stone and shoot at firemen responding to the calls. Also stoned were ambulances trying to aid the injured. Police cars were special targets, many being wrecked or burned. Finally, when the police conceded they could not control the mobs, National Guardsmen were called in last night and for the moment at least an uneasy peace prevailed.

To try to put this thing into some kind of perspective, Los Angeles has a Negro population of about 250,000, or roughly 12 percent of the total. The largest number of rioters at any one time is not believed to have exceeded 7,000. Thus, the hoodlums have constituted a relatively small minority. And there is probably much truth in the comment of a housewife who said: "It's the rowdy teenagers all gassed up on airplane glue and gin who provoke the trouble." The news photos indicate this is true. So does a report to the New York Times which stated that the Watts area of Los Angeles, where the trouble started, is not at all typical of the Negro city ghetto. There are some pockets of extreme blight. But, according to the dispatch, most of the Negroes "live in neighborhoods that would represent a dream of suburban bliss to Harlem Negroes."

So one must look behind the conventional excuses offered when something of this sort happens. What are the real reasons which touched off what a Los Angeles Negro official called an "inexcusable outbreak?"

One certainly is a hatred of all police, white or black, but especially white. Another is total contempt for law and the rights of law-abiding people. This latter is not peculiar to Los Angeles. It crops out in many places, although generally in less severe form.

In short, the rule of law, to which so much lipservice is paid, seems to be breaking down in Los Angeles and throughout the land. This is something which might properly concern the President's new Commission on Crime. What are the real reasons? Slums? Discrimination? Underprivileged? These doubtless are part of the story. We suggest, however, that the Commission examine other possibilities. What is the effect on respect for law when prominent members of the clergy announce they will not obey a law if they disagree with it? What is the effect when the Supreme Court, as well as lower Federal courts, overturn convictions for law violations on the flimsiest of bases, or, as in one instance, for no stated reason? Does this sort of thing encourage the hoodlum type to think that respect for law is for the birds? We think so.

At any rate, it has become clear in Los Angeles that the rioters will give way to nothing except superior force. And in that event the superior force must be applied—followed, one may hope, by severe punishment of those who may be found guilty of criminal activity.

SALES OF WHEAT TO RUSSIA

Mr. MONDALE. Mr. President, last week we learned that an eight-man Soviet Trade Mission had concluded negotiations with Canada for the sale of 5 million tons of wheat and wheat flour. We knew, in addition, that last week Argentina had sold 1.2 million tons of wheat to Russia. And the week before that Canada sold an additional 700,000 tons of wheat to Russia for a total of over

260 million bushels of wheat for delivery over an 11-month period through July of 1966. In the latest round alone, it is estimated that Canada sold $450 million worth of wheat in these sales.

This is more wheat than was grown in North Dakota last year—and nearly as much as was grown in the spring wheat States of North Dakota, South Dakota, Montana, and Minnesota.

Why did Russia avoid the United States in satisfying their domestic wheat needs?

In the last several months the Soviet Union has purchased substantial quantities of wheat from Canada, Australia, France, and other countries. The USDA Foreign Agricultural Service estimates that since July 1, 1965, Russia has bought a total of 6.3 million metric tons of wheat, and, when previous sales by Argentina and Australia to be shipped after July 1 are included, the Soviet purchases reach the amazing total of 9 million metric tons.

Not one single grain of wheat, however, has moved from the U.S. cash grain trade to the Russians or their East European neighbors during this same period. Why not.

Since July 1, 1964, the East European countries have purchased a total of 5¼ million tons of wheat from the world. But the U.S. share was a paltry 90,000 tons, or less than 2 percent of the total.

In the marketing year which closed July 1, 1965, Russia and Eastern Europe had bought from Canada, Argentina, Australia, France, and other countries a total of 7.56 million metric tons, or over 290 million bushels of wheat, or 1.3 percent of the total.

Why has not our share of the world market been greater?

Why have we not shared in a market potentially worth millions of dollars in support of our agricultural price structure and in foreign exchange?

In the fall of 1963, our Government declared wheat sales to the Soviet bloc to be in the national interest. We expected to sell to them grain in the neighborhood of 150 million bushels, but only through very aggressive salesmanship were we able to export even half of that amount to Russia and other East European nations, an amount far short of our expectations. In fact, the Soviet Union that year bought 10.05 million tons of wheat from the world, and we were able to market only 17 percent of that total.

Why again was our share so insignificant?

The answer is simply stated, but not easily understood.

An administrative ruling, first made in 1963, requires that 50 percent of any wheat or grains sold to the Soviet bloc countries—even though for cash on normal commercial terms—must be shipped in American-flag vessels.

This means that, since shipping charges of U.S.-flag vessels are considerably above world shipping rates, American wheat is priced out of foreign agricultural markets in the Soviet bloc nations.

Senator MCGOVERN has pointed out time and again that shipping rates today are about $18 per long ton on American ships and $9.25 on foreign-flag ships. This is 48 cents per bushel on American ships, and 25 cents per bushel under foreign flags, or a difference of about 23 cents. Since we have required that one-half of our grain be shipped in U.S. bottoms, our agricultural traders are forced to assume a handicap of about 11½ cents per bushel in a highly competitive world market in which fractions of a cent per bushel are determinative.

It is estimated that a bare 1-cent-a-bushel increase added to the Eastern European purchases last year would have cost them an additional $1.5 million, while an 11-cent differential would have meant $16.5 million more.

This, then, is the basic reason why the Soviets and their satellites no longer even visit the United States to discuss commercial grain transactions. They do not visit the United States even though our country has a 900 million bushel wheat stock on hand, millions of idle productive acres, and economically depressed wheat producers. An extra 11 cents per bushel made the difference.

The avowed purpose of this administrative interpretation is to advance the health and vitality of U.S. merchant shipping. It does not achieve that goal. Indeed, it has just the opposite effect. The regulation involved here has proved to be illogical and irrational. It is not merely an arrow that fell short of the target, but a boomerang returning to plague the thrower.

According to Under Secretary of Agriculture Charles S. Murphy, when this regulation was first established it was not intended to interfere with our 1963 sales of wheat to Russia. But, he said, it has not worked out at all the way it was intended. In a statement to the International Finance Subcommittee of the Banking and Currency Committee on March 16, he said the evidence was very clear that, except for this requirement, the sales to Russia in 1963–64 would have been approximately twice as large as they were. Mr. Murphy went on to say, and I quote:

> Thus, the actual effect of this requirement now is—not to provide additional business for the U.S. merchant marine—but to prevent U.S. longshoremen, U.S. exporters, and U.S. farmers from having employment and earnings that would otherwise accrue. The adverse effect of this one requirement on the U.S. balance of payments might well be in the range of $100 million a year.

The total effect is all very simple. No sales of wheat—no seafarers employed—no longshoremen employed in handling grain—no merchant marine vessels moving—no wheat being transported to ports—and millions of bushels of wheat going into Government storage. In effect, those who unrealistically advocate retention of the 50 percent requirement are realistically advocating retaining 50 percent of nothing. They continue their demands for 50 percent of nothing, even though tremendous cash markets are going by default to our wheat and grain-producing neighbors.

Mr. President, the Senate Banking and Currency Committee, of which I am a member, questioned Secretary of Commerce John Connor closely on the possibility of lifting the requirement of 50 percent domestic bottoms on cash sales in agricultural commodities, pointing out that this was not required for other cash exports in the nonstrategic field. We were assured that a committee was studying the requirement, and that we might expect action by the committee.

But just a little over 2 weeks ago, Secretary Connor again appeared before our committee, and I asked him when we might expect a report on these matters. He told the Subcommittee on International Finance that he had no estimate on when the Maritime Advisory Committee might be able to suggest a final resolution of this problem, even though not one American benefits by the regulation, and even though we are not able to sell our wheat for cash.

The Secretary told our subcommittee to expect dire consequences if the Government lifted the "bottoms" requirement, pointing out to us that this action could cause all the maritime unions as well as the longshoremen to join in the present strike, and thereby seriously cripple our foreign commerce and domestic economy. He told us, in effect, that although he agreed with the arguments for lifting the restriction, certain labor unions had tied his hands.

He said:

> Well, Senator MONDALE. I cannot disagree with your statements or your conclusions. I think the present situation is a highly unsatisfactory one. This whole question of cargo preference on private transactions is one of the many problems now under consideration through the Maritime Advisory Committee and internally within the Government through the medium of an intergovernmental task force chaired by Alan Boyd, the Under Secretary of Commerce for Transportation.
>
> It is true as you say that under the present policy there seem to be no advantages to anyone; the farmers and the grain dealers are not getting any business, and neither are the mariners, the seafaring people, and members of the maritime unions benefiting, because no wheat is moving from the United States.
>
> And there seems to be no security reason why we shouldn't sell wheat to Russia. And, in fact, in some of the recent committee reports, such as the Presidential Miller Committee and the CED report, there were recommendations and relatively strong recommendations that our trade with some of the Eastern European Communist countries in commodities of this kind could very well be increased to the benefit of all concerned.

Not all of my friends in the labor movement will understand my position on this. I am a strong supporter of the principles of unionism. I am sympathetic with the goals of the workingman, and the role that strong and vigorous unions have in helping him attain those goals.

But I cannot be sympathetic with a position that is not in the public interest, is not in the interest of the workingman, whether seafarer, longshoreman, or transportation worker. In addition, this position does harm to the American farmer, who can ill afford it.

For this is what we are losing. First, even though we have declared expanded trade with the Soviet bloc to be "in the national interest," we have defeated that

national policy and lost valuable opportunities to meet and deal with the Soviets on a peaceful, commercial basis. There can be no question of humiliating, punishing, or denying the Reds here, because they can and will buy grain elsewhere if we do not sell it to them.

Second, it is painfully clear that we have lost substantial opportunities to make cash grain sales for dollars, and in so doing, strengthen our economy and improve our balance of payments. Lastly, we have ignored the economic plight of thousands and thousands of American wheat and grain producers. We could have reduced Government-held surpluses, reduced Government storage costs, and could have increased income to our American wheat farmers.

My farmers and farm cooperatives in Minnesota cannot understand this. Nor can I. The 1965 estimated production of all kinds of wheat in Minnesota will be approximately 19.8 million bushels. My farmers cannot understand why they are denied the opportunity to sell this wheat in foreign markets on a competitive basis.

Minnesota will produce in 1965 an estimated 21 million bushels of barley, 2.2 million bushels of rye, and 150,234,000 bushels of oats. While not all of this will go into foreign markets, I think we should at least have the opportunity to compete in those markets.

This is not the time to recount the plight of the farmer. It is enough to say that his return on his investment of capital and labor is sadly below what it should be. Many of us have labored long hours on the Senate Agriculture Committee and elsewhere to be of help. We have tried to increase the farmers' income and reduce Government costs. We have sought to bring supply into balance with demand so that the normal forces of the market could be used to help our farm economy. We are fighting for every dime we can get for our farmers.

Cash grain sales in the international market are the classic response to these needs and the most effective method to secure these objectives.

To be denied several millions of dollars in grain sales, under the circumstances of this case, is not only injury but insult as well.

The President is undertaking an unprecedented effort to seek a better balance in our world trade. It must be done. Those of us who serve on the International Finance Subcommittee of the Banking and Currency Committee have been holding hearings for months seeking new ways to help. Our Government has asked business to reduce overseas investments in certain areas, foregoing or reducing profits. We have necessarily placed restrictions on the outflow of American capital, once again denying desired profits. We have made many other efforts to save a few dollars here and a few there.

Everyone agrees that export cash sales are the most desired source of improvement in our balance of payments. Why then do we deny ourselves the benefit of multimillion-dollar cash sales of U.S. grain? I cannot see the justification.

And, in exchange for the loss of a multi-million-dollar grain business, what benefits can we see?

Absolutely none. I have yet to learn of a single group or individual in the United States which benefits from present policy. In fact, the only people to benefit are our neighbors in Canada, Argentina, Australia, France, Mexico, and other grain-exporting nations.

As it is, we are only encourging the expansion of productive capacity in other countries. Canada and Australia between them, furnished 62 percent of all the wheat moving to the Communist world from 1961 through 1964. The Soviet bloc market unquestionably helped to stimulate increased wheat production in those two countries. Canada's land acreage in wheat last year was 30 percent above the 1955–59 level, and Australia's was 60 percent above that average.

Compared with the 62 percent furnished by Canada and Australia, the United States furnished a mere 19 percent of the 4-year 1961–64 total exports of 1.4 billion bushels.

I think we can do better.

Two weeks ago, Mr. President, I made my first major speech on the floor of the Senate. In that speech I asked that the American farmer be given the opportunity to do far more than he has been able to do in fighting the world hunger explosion. But what good will it do to ask that he produce substantial quantities of foodstuffs for Public Law 480 purposes, and deny him the opportunity to sell his products for cash?

One month ago, I spoke to a Norway Day gathering in Minneapolis, and told them of the fantastic agricultural story in the United States. We, in the United States, produce far more than we can consume, we have surplus stocks and millions of idle acres, we are participating in the largest program of foreign food assistance in the history of mankind, and American agriculture provides the largest single source of dollar earnings in world trade.

It is difficult—no, impossible—to explain to our people why we prevent cash sales of farm commodities and thereby consume more of our production, reduce our surplus stocks and idle acres, and increase our foreign exchange balances.

The time to act is now.

Trade experts have estimated that the Soviet Union will purchase an additional 2 to 3 million tons more wheat in this marketing year. It may yet be possible for us to share in these sales and in sales to Eastern Europe.

In short, Mr. President, our present policy is a bundle of incredible contradictions. We have declared sales to Russia and Eastern Europe in line with national policy, but have made those sales impossible.

We face a severe balance-of-payments problem, and we have adopted an unprecedented program of voluntary restraints on businessmen and bankers, but we are denying ourselves a market which could provide up to $100 million a year.

We have a continuing farm crisis, we are paying millions to store grain, but we close off a cash market which would reduce surpluses and the cost of programs for the farmer.

There must be better ways to support our merchant marine than by this contradictory, self-defeating policy.

In closing, Mr. President, it is arguable that this requirement is not only unwise but may even be illegal. The Cargo Preference Act, established by Public Law 664 in 1954, provides that Government-aided sales and Government-owned commodities should move by American shipping in international trade. It is questionable whether or not the 50-percent requirement, designed for one purpose, may be written into export licenses for cash sales required under an entirely different law, the Export Control Act of 1949.

However, even though it be quite legal, it cannot stand on policy grounds. I ask that it be rescinded.

I ask unanimous consent that material dealing with this subject be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREIGN AGRICULTURAL SERVICE,
Washington, D.C., August 12, 1965.

Hon. WALTER F. MONDALE,
U.S. Senate.

DEAR SENATOR MONDALE: This is to confirm information given your Mr. Destler regarding sales of wheat to the Soviet Union and exports by source to the U.S.S.R. and Eastern Europe in 1963–64 and 1964–65.

Our very preliminary estimate is that Eastern Europe may import about 5.5 million tons of wheat in 1965–66 compared to 5.25 million in 1964–65. If previous trade patterns are followed, some of the wheat sold to the Soviet Union may go to Eastern Europe.

Sincerely yours,
C. R. ESKILDSEN,
Associate Administrator.

Sales of wheat and flour to U.S.S.R. which are expected to be exported to U.S.S.R. and satellite countries, July 1965 to June 1966

[Million metric tons, wheat equivalent]

Sales since July 1, 1965:	
Canada	6.3
Argentina	1.2
France	.3
Subtotal	7.8
Estimated quantities from previous sales by Argentina and Australia to be shipped after July 1	1.2
Total	9.0

Wheat exports to U.S.S.R. and Eastern Europe, 1963–64 and 1964–65 [1]

[Million metric tons, wheat equivalent]

Source	U.S.S.R.		Eastern Europe	
	1963–64	1964–65	1963–64	1964–65
Argentina	0.01	0.19	0.07	0.06
Australia	1.54	.81	.04	-------
Canada	5.69	.90	.74	1.95
France	.15	.35	.48	1.07
West Germany	.40	-------	.21	.05
Sweden	-------	-------	.08	.02
United States	1.72	.01	1.44	.09
U.S.S.R.	-------	-------	.92	1.60
Others	.54	.05	.20	.41
Total	10.05	2.31	4.18	5.25

[1] Source: International Wheat Council.

[From the Minneapolis Tribune, Aug. 12, 1965]

RUSS BUY MORE CANADIAN WHEAT

(By Dick Youngblood)

Announcement Wednesday of two major wheat sales to Russia by Canada and Argentina sparked renewed protest from the U.S. grain trade against what it considers shortsighted Government policies on trade with the Communist bloc.

Nevertheless, most trade sources admitted that these policies likely will not be changed in time—if at all—to allow the United States to cash in on the apparently subpar wheat crop in Russia.

The Russians jumped into the world wheat market with a bang yesterday, taking 187 million bushels of wheat or flour-equivalent from Canada, and more than 40 million bushels from Argentina.

These transactions, seen as an indication of impending failure in Russia's spring wheat crop, came a week after the Russians had purchased 27 million bushels of wheat from Canada, bringing the total for the two cash sales to $450 million.

Earlier, the Russians had also picked up 40 million bushels from Argentina.

To Richard Goodman, who represents Great Plains Wheat, Inc., in Washington, D.C., they represented sales lost to the U.S. wheat industry "because of ridiculous Government trade policies."

These policies, demanded by the maritime unions and granted by the Kennedy administration at the time of the 1963–64 American wheat sales to Russia, require that 50 percent of all commodities sold to the Communists must be moved on American ships.

And because shipping costs on American vessels are more than twice the costs on foreign ships, Goodman said, Russia has gone elsewhere for its grain.

The American farmer has been cut out of the growing Russian market, he said, and the maritime industry has been left with "50 percent of nothing."

Goodman estimated that, except for the 50-percent requirement, the United States might have captured half to two-thirds of the sales picked up by Canada and Argentina.

Others, however, expressed doubt that the U.S. share would have been anywhere near that large, no matter what its trade policies were.

"The Canadians, after all, would still be stiff competition under any circumstances," said Burton Joseph, Minneapolis grain trader who played a key role in the negotiations that led to the Russian wheat sale 2 years ago.

But he admitted that, without the 50-percent requirement, the United States might well have garnered a significant share of the recent sales.

Pressure for a change in policy has been building for months, both in and out of government, and picked up a full head of steam with the announcement of the Canadian and Argentine sales yesterday.

But among both the Minneapolis grain trade and officials in the Department of Agriculture, there is little optimism that this will be seen very soon, for two reasons:

The maritime unions have been unswerving in opposition to a change in the 50-percent requirement, and there is doubt that the administration is willing to knock heads with labor while a big share of its legislative program is still to be acted upon.

And with "American blood being spilled in Vietnam," as one Minneapolis grain trader put it, it might be politically dangerous to push for liberalized trade with the Communists.

But to Goodman and others in the grain trade, this presents the ideal opportunity for the United States to drive the wedge still further between Russia and Red China.

"If we were willing to give the Russians a fair shake in their search for food," he said, "we might see a softening in their attitude on Vietnam."

It was an argument that some thought the President might listen to—although even they admitted it was a longshot.

Nevertheless, news of the Canadian and Argentine sales to Russia pushed wheat futures on the Chicago board of trade to their highest levels of the season.

As brokers saw the situation, the Russian sales have "booked" all available supplies in both countries, leaving the United States the only major exporter for other large-quantity buyers.

Most sources in the Twin Cities grain trade disagreed, however, saying that the brokers have reckoned without the bumper wheat crop now in the offing in Canada.

"The Canadians still have wheat to sell," said Joseph, "and they have the port capacity to handle it. They will certainly continue to service their established customers."

This, most observers agreed, would prevent the United States from picking up any large block of sales as a result of the Russian transactions yesterday.

But another factor, which also made itself felt on the wheat futures market yesterday, is the recently reported prospect of weather-reduced crop yields and quality in Western Europe, particularly France and West Germany.

The inability of these countries fully to supply other Common Market nations, as well as other traditional customers, would have far greater impact on U.S. wheat exports than the Canadian sales, trade sources said.

And even here, many agreed, the Canadians would still have the capacity to be an important competitor.

[From the New York Times, Aug. 12, 1965]

LOST OPPORTUNITIES IN WHEAT

The United States is the odd man out in the huge wheat purchases being made by the Soviet Union. Canada and Argentina have received windfalls largely because U.S. wheat is too costly as a result of the Government's discriminatory requirement that 50 percent of wheat exports to Soviet-bloc countries must be shipped in American vessels.

The U.S. exclusion is unfortunate on many counts. Sales from the Nation's surplus would have meant greater prosperity in farming districts. They would also have increased the trade surplus in the Nation's balance of payments. Beyond these economic gains, the sales would have given tangible expression to the Johnson administration's desire to improve relations with the Soviet Union.

Even so, the big Russian purchases are important to the West. For Canada they mean higher incomes in agriculture, the one area of her economy that has not been enjoying boom conditions, and a cut in the big deficit in the Canadian balance of payments. As far as Argentina is concerned, the inflow of scarce dollars will have an even more significant impact on her inflation-racked, capital-short economy.

The United States itself will reap benefits indirectly. If the Russians pay for a good portion of their purchases by selling gold in London, the Treasury will not have to supply as much gold from its own dwindling stock to meet the demands of private and official sellers of dollars. Thus the Russians will be helping to calm the nervousness that has threatened to curb international trade and investment.

The West also is bolstered by the continued demand for grains from the country that had once been the granary of Europe. The Soviet Union has made great advances in industrialization and technology, but it has utterly failed to match the revolution that has taken place in American agriculture. And because Russia has to depend on outside sources of food supply, its leaders must recognize the desirability of strengthening their relations with those who can meet their needs.

It is ironic that the United States, which is the champion of liberalized trade and which has wheat to sell, cannot participate in this trade with Russia because of the high cost of American shipping. Yet the very unions that have done most to make the American merchant marine uneconomic are the chief insisters on quota preference guarantees. Secretary of Commerce John T. Connor has accurately testified that, if the shipping restrictions were eliminated, the almost certain result would be a protest strike by dock and maritime unions.

A large part of the merchant fleet is already strikebound for reasons that are a compound of economics and interunion warfare. Political strikes are just one more of the factors that contribute to the demise of American shipping; they also undermine our prosperity and our foreign policy.

[From the New York Times, Aug. 12, 1965]

SOVIET PURCHASES CANADIAN WHEAT FOR $450 MILLION—SALE OF 187 MILLION BUSHELS RAISES TOTAL IN 2 WEEKS TO 214 MILLION BUSHELS—GAIN SEEN FOR OTTAWA—HUGE TRANSACTION EXPECTED TO EASE PAYMENTS WOES—ARGENTINA GETS ORDER

(By John M. Lee)

TORONTO, August 11.—The Soviet Union has made its second giant purchase of Canadian wheat and flour in less than 2 years.

The Canadian Wheat Board, a Government sales agency, announced today the sale of 187 million bushels for cash. Combined with a 27-million-bushel Soviet purchase last week, the total of 214 million bushels was valued at $450 million by Canadian officials.

In September 1963, the Soviet Union made a record single purchase of 239 million bushels of Canadian wheat and flour valued at about $500 million. There have been a number of subsequent small purchases.

Argentina announced the sale of 1.1 million tons of wheat to the Soviet Union. In Moscow, it was indicated the Soviet spring wheat harvest would be well below last year's crop. The wheat purchases may prompt a resumption of Russian gold sales in the West, according to officials in Washington.

Today's big sale is expected to stimulate an already-booming Canadian economy and brighten this country's clouded payments picture.

Political observers saw an advantage for Prime Minister Lester B. Pearson's Liberal Government among traditionally conservative prairie farmers.

SOVIET COMMENT

There was also speculation whether the Soviet Union would have to sell gold to finance the wheat purchase, as it was reported to have done following the 1963 deal.

The announcement was made at a packed press conference at the Wheat Board's offices in Winnipeg. Trade Minister Mitchell Sharp, Agriculture Minister Harry Hays and W. C. McNamara, Chief Commissioner of the Canadian Wheat Board, attended.

"The West will be going full blast," Mr. Hays predicted.

Mr. Sharp called for cooperation from producers, elevator companies, railways, grain handlers, longshoremen, port authorities, and shipping companies to move the massive order.

N. G. Osipov, a Soviet Deputy Minister of Foreign Trade, also attended the conference. He said that trade was a two-way street and that Russian sales to Canada must be increased.

"We help you to settle your trade imbalance with our big purchases," Mr. Osipov

said, "but in doing so we create a certain imbalance of our own." Mr. Osipov is heading a trade mission now visiting Canada.

The Dominion Bureau of Statistics estimates that Canada bought $2.8 million worth of goods, mostly furs, from Russia last year, and sold $315.9 million, mostly wheat.

Today's mammoth sale coincided with a prediction of a bumper wheat crop for Canada of 12 million bushels, compared with the record of 703 million bushels harvested by prairie farmers in 1963–64.

The National Grain Co., Ltd., of Winnipeg, predicted an average yield of 29.1 bushels an acre, compared with a long-term average of about 17 bushels.

The estimates were 529.4 million bushels for Saskatchewan, 190 million for Alberta and 92.6 million for Manitoba.

Other grain companies have been informally estimating a crop of about 700 million bushels for the crop year that began August 1.

The contract on today's sale calls for delivery to start this month and to be completed by the end of next July. Shipment will be entirely through St. Lawrence River and Atlantic ports.

No part of the new contract will be shipped through Vancouver, which has been tied up for weeks by a grain-handlers strike. However, Mr. Sharp said the tieup was not responsible for the routing of the new shipment.

He said Vancouver already had large shipping commitments, including a major part of last week's 27-million-bushel sale and could be considered "sold out" for the new-crop year.

TERMS OF SALE

The new sale is for 4.6 million tons of wheat and an additional 400,000 tons in the form of flour, for a total equivalent of 187 million bushels.

Last week's 27-million-bushel sale was for 700,000 tons of wheat and 20,000 tons of flour.

Combined with smaller quantities bought earlier this year for delivery after August 1, total Soviet purchases for delivery in the current crop year amount to about 222 million bushels.

The Soviet Union has become Canada's major wheat customer, far surpassing purchases by Britain, Communist China and Japan. Most Soviet-bloc countries are also customers for Canadian wheat. Sales of wheat are second only to newsprint in Canadian export earnings.

Mr. Sharp said the wheat board, in view of the large order, "has taken every care to insure that it will be able to supply our traditional markets with their normal requirements."

EXPORT TARGET SET

Minister Sharp said the sale meant an assured market for every bushel of wheat that could be moved through Canadian ports during the next 12 months.

He set an export target of 600 million bushels for the current crop year, which would, if realized, exceed the 1963–64 record of 595 million bushels shipped.

Exports of wheat only for the 1964–65 crop year, ended July 31, were 366.7 million bushels. Wheat flour has not yet been calculated, the wheat board said. The total is estimated at about 390 million bushels, just shy of a 400-million-bushel goal. Five years ago, 300 million bushels in exports was considered good.

The carryover of wheat on hand at July 31 was estimated at 500 million bushels. Domestic consumption is about 150 million bushels annually.

The sale to Russia gives a lift to Canadian trade figures. In the absence of large shipments to Russia, which increased export figures last year, Canada's trade balance through April showed a $30 million deficit against a $95.5 million surplus a year ago.

Lagging trade had led to predictions of a $1 billion deficit in trade in goods and services this year.

Canadian grain, milling and transportation securities reacted favorably to news of the sale. On the Toronto Stock Exchange, Maple Leaf Mills was up 1, to 16, the Canadian Pacific Railway was up ⅝, to 64⅛, and Massey-Ferguson, the farm-implement producer, was up 1⅜, to 30½.

[From the New York Times, Aug. 11, 1965]

SOVIET HARVEST SEEN DROPPING

Moscow, August 11.—The Soviet Union's spring-wheat harvest will be well below 40 million metric tons, a drop from the 1964 yield of 47.9 million, according to indications.

Winter wheat, now mostly harvested, looks promising but there are signs that the spring-wheat yield may sink as low as 30 million tons.

The average spring-wheat crop for 1958–62 was 42.7 million tons.

The harvest is not expected to be as disastrous as the one in 1963. In September of that year, the Soviet Union made a single record purchase of 239 million bushels of Canadian wheat and flour.

HOUSTON POST BACKS SENATE ACTION

Mr. YARBOROUGH. Mr. President, recently this legislative body rejected a proposal which would have permitted States to apportion representation in one chamber of a State legislature on factors other than on population.

The Houston Post on August 8, 1965, printed an editorial supporting the Senate's rejection of the reapportionment amendment, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DISTRICTING AMENDMENT BLOCKED

The country should be grateful to those Members of the U.S. Senate who joined in blocking, first in the Judiciary Committee and then on the floor, the proposed Dirksen amendment to the Federal Constitution.

The amendment, if submitted by Congress and ratified by the required number of State legislatures, would have legalized what the Supreme Court, in an historic ruling last year, said is unconstitutional. It would have permitted States by referendum vote to apportion representation in one chamber of a State legislature on factors other than population.

In its decision, the Court said that all State lawmakers must represent people rather than acres of land or something else and that representation must be substantially equal. This means that legislative districting must be on the basis of population alone.

In a country that is now predominantly urban, this means an end to the control that rural areas long have exercised over State governments and with it an end to the control maintained by vested interests that benefit from this violation of democratic principles.

The sponsor of the amendment, Senator EVERETT DIRKSEN of Illinois, says that he will try again at this session of Congress to get his proposed amendment submitted, and he probably will. Those long entrenched in power do not give up easily, and the Senator is particularly vulnerable to their pressure.

By its ruling, the Supreme Court said, in effect, that the country must return to the principle of democratic, representative government at the State level. To be representative, government must be responsive to the needs and wishes of a majority of the people, and this is unlikely, if not impossible, if State legislative districting is based on factors other than population.

It became necessary for the Federal courts to act only because the States themselves would not adjust to the changes that have taken place in the country during recent decades, one of them being the shift from a predominantly rural to a predominantly urban society.

It is worth noting that some of those who screamed the loudest about the Supreme Court's ruling and who were the most ardent supporters of the Dirksen amendment are those who shout the loudest about States rights and denounce most vigorously expansion of the Federal Government.

The fact is that much of this expansion of the Federal Government has come about because State governments are unwilling or unable to meet the needs of their people satisfactorily. State political leaders have resisted all efforts to modernize State governments and to make them responsive to the will of the people. Through inaction, they have made it necessary for the Federal Government to act in an increasing number of areas.

The net result of the Supreme Court's decision should be better and more effective State government, which in turn should tend to discourage the accretion of Federal power.

The Dirksen amendment represented an attempt to preserve State power arrangements that are not in the best interest of the people or the Nation. One can only hope that it also represents the last, dying gasp of those who really do not believe in the basic principles upon which the American system of Government is supposed to be built and who, while giving them lip service, attempt to block and frustrate their application in practice.

POVERTY PROGRAM PONDERED

Mr. SCOTT. Mr. President, some time ago, Vermont's former U.S. Senator Ralph E. Flanders, a friend to many of us, brought to my attention the work of one William D. Pardridge, with the suggestion that his views be given wide attention through the CONGRESSIONAL RECORD.

Like many Americans, Mr. Pardridge is concerned by this Nation's economy. But he is not like those who regard the economy much as they do the weather—as something everybody talks about but something nobody can do anything to change.

To the contrary, Mr. Pardridge is a man who believes in action. And so, he has left his graduate studies at the University of Chicago to launch on an ambitious project to write 50 articles examining what he calls economic inequities—inequities which seriously impair our national well-being. Eventually, after each of the articles has appeared in a leading newspaper in one of the 50 States, Mr. Pardridge plans to publish them in book form for the attention of professors, national advisers, and other economists who have the greatest influence on the Nation's economic direction. Hopefully, the inequities will be removed or, at least, efforts to eliminate them will be initiated.

As a part of his series, Mr. Pardridge focused on the war on poverty in an article carried on July 25, 1965, in the Pittsburgh Press. One need not agree

with every word to share the author's hope that he will stimulate the public's thinking. From careful thought, better solutions to our economic problems may emerge and, for this reason, I believe the provocative points raised are well worth the attention of all of us.

In his letter to me, our former colleague from Vermont wrote:

I have known Mr. Pardridge both professionally and personally for some 16 years, and I can vouch without reservation for his intellectual integrity and great dedication to the pursuit of economics * * *. I want men like you to know him and be known by him. Helping Bill Pardridge will be helping my own principles of intellectual manners and morals.

Mr. President, with this in mind, I ask unanimous consent that the article entitled "The Pill for Poverty Is Jobs," together with the editor's explanatory note, be printed, by request, at this point in the RECORD.

There being no objection, the editor's note and article were ordered to be printed in the RECORD, as follows:

[From the Pittsburgh (Pa.) Press, July 25, 1965]

ACCENTUATE THE POSITIVE: THE PILL FOR POVERTY IS JOBS

(By William D. Pardridge)

(EDITOR'S NOTE.—William D. Pardridge, whose hobby is economics, is a former national magazine editor and a Chicago University graduate student. He left Chicago a month ago to prepare a series of articles on what he calls the "Economic Inequities" in America today. Following is one he wrote for the Pittsburgh Press. It is an amusing and interesting critique in which he contradicts the basic philosophy underlying the Government's "poverty program" and pokes fun at the economic theory on which it depends.)

The poverty program is poverty stricken.

It also is upside down.

Almost all professional economists today were brainwashed in their formative years by the teaching of the glamorous Lord Keynes.

This con artist said that employment is caused by investment. From this simple pronouncement in 1936, which was born under an intellectual flatrock, a cult spread out of England and across Western economic thought.

The cart is clearly before the horse. Employment is not caused by investment; investment is induced by employment.

A man with money will invest in a new shoe factory only if he thinks he can sell shoes. And he knows he can sell shoes only to people who already have jobs.

IT'S SIMPLE

This is not complicated, but textbook-trained economists make it so.

To John Maynard Keynes, the idol of the dilettantes, everything is based on money. The real world, however, says that everything is based on goods. Money is simply a way of exchanging goods. It has no economic value in itself.

Long before money came along, people were trading goods. Money simply makes trading easier.

Even in the New York Stock Exchange, the moniest place in the world, the lingo is that brokers are trading stocks.

LOOKING AT POVERTY

Well, so it is with the poverty program.

Instead of money, everything is unemployment. Everything is poverty. The question is: Are you broke? Or how broke are you?

More energy is spent defining poverty for a family of four, or for a worker with two dependents, or for single women between the ages of 24 and 27, or for widows with one dependent—seriously—than is spent on constructive economic analysis.

Our census takers and our electronic computers (an evil team) can tell us right off just who needs help.

Everybody is analyzing poverty, which our intelligentsia suspect is caused by some unknown, highly complicated, and difficult theoretical condition known around town as being out of work.

Everybody is analyzing unemployment.

Nobody is analyzing employment.

THE ONLY WAY

No crystal ball is needed; just read your newspaper and you will see that all the reports coming out of Washington and the universities relate to who needs a job: or how much uneconomic Government money is needed to "do away" with poverty.

This is all for the birds.

There is only one way to decrease unemployment—without the Nation going broke, that is. The one and only way is to increase employment.

Now everybody knows this. But they don't.

The very concept of unemployment should be discarded as insidiously wasteful, and especially negative in attitude. Economists must analyze the elements of employment so that weak elements may be strengthened, and strong elements left alone.

IT DIFFERS

America is not like a quart of homogenized milk. The weak elements of employment in Pittsburgh may be completely unlike the weak elements in Denver.

Michigan may be strong in those elements in which Iowa is weak, and weak where Iowa is strong or plain average.

We should determine what are the elements of employment—not who is poor and how poor is he, anyway.

We don't need computers to tell us who is poor. And we don't need machines to tell us that poverty is going to be erased away by Government dole. Because it isn't.

In one fine American city substantial poverty program money is being used to increase relief checks. That money which actually is a claim on real economic wealth—goods and plant facilities—that money is being taken away from the taxpayers' pockets.

THE POCKETS

Now these taxpayers' pockets are the source of the life of the retail stores that keep the factories going, that create and maintain employment.

Forget unemployment. It's a dirty word.

Concentrate on employment.

Demand for goods, then, is an element of employment. In fact, it's the most important element there is.

What very little statistical analysis of this element has been done, in the back rooms, proves it every time.

Education is another element of employment. Statistical analysis also supports this element—but only when education is general education, not when it is vocational training or the much touted work-experience programing.

What good is work experience when there is no work?

SLOW CURE

It is the general level of education that is an important element of employment. And this general level varies from place to place in the United States. We can find those weak spots, and move in with public school construction, schoolbook grants, and, especially, substantial teacher-training grants.

This takes time. But our worrisome level of persistent low employment didn't come overnight. And the cure won't do the trick overnight.

MORE SCHOOLING

There is a side effect that could be an amazing boon in both the short and the long run.

Factory work hours have decreased steadily from the 70 or 80 hours a week of a century ago to the present 40-hour workweek. But nobody thinks of raising, quite in tune with fewer work hours due to advanced technology, the mandatory school age limit.

At once, this would reduce the number of people looking for jobs and strengthen considerably one of the basic elements of employment.

It doesn't cost any more money to be busy in a schoolroom than to be idle on the streets. Savings on police and court expenses would buy the books. This is a social orientation program that has been completely ignored.

There are natural school dropouts, of course, just as there are natural work idlers. We'll always have both. But to say that the teenage population of America is not mentally equipped to finish at least high school (and many intellectual snobs say it) is exactly the same as saying that America is a mentally retarded nation.

It may be, at that, from the looks of things.

OTHER FACTORS

Besides purchasing power and education, there are many more elements affecting employment, of course; like the price level, racial mixture, technological development, money stock, and so on. All are orphans of the big grab for huge research grants that scream for quick results.

This is veneer research. It isn't even research. It's an intellectual, white-tie, charity ball. The results are posted in the learned journals instead of in the hiring halls.

In America there is no advanced statistical analysis of the elements of employment. There is a "sophisticated" analysis of whether or not George is more or less poor than Fred.

What difference does it make who is poorer than whom? What these guys need are jobs, not labels.

WOLVERINE STANDS ITS GROUND

Mr. BARTLETT. Mr. President, we have all heard of the wolverine, known as one of the fiercest creatures inhabiting the northern latitudes. We have heard of his great strength despite his small size, his courage and we have heard, too, that many men consider him a predator who should be wiped off the face of the earth. Some men do not feel that way; they feel that the wolverine, limited in numbers, fighting a losing battle against human encroachment on his territory, is a marvelous creature that should not be shot at sight, should be left alone in most instances so that he can reproduce his kind and so that there always will be wolverines instead of merely books about a vanished animal.

However all of that may be, we do not hear too much about the wolverine. Even more seldom do we read about it. Now we can, for Howard Rock, editor and publisher of the Tundra Times published at Fairbanks, Alaska, has in the Times for July 26 written a thrilling account of how a wolverine stood his ground against four wolves. Speaking for myself, this is one of the best wildlife stories I have ever read and I ask unanimous consent to make it a part of my remarks now so that

others may have the pleasure of reading Howard Rock's story:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Fairbanks (Alaska) Tundra Times, July 26, 1965]

ARCTIC SURVIVAL: WOLVERINE KILLS CARIBOU, DEFENDS IT AGAINST PACK OF FOUR WOLVES

(By Howard Rock)

Uyatorna walked up a low ridge. He had been hunting caribou about 5 miles from his family's camp at the fishing grounds at Kukpuk River. The camp was some 35 river miles up from the village of Tikiqaq (Point Hope).

As he was about to reach the crest, he noticed a movement that surprised him from the corner of his eye to the left. He looked quickly to see what it was. What he saw made the hair on the nape of his neck stand on end and a shiver trickled down his spine causing goosepimples to appear on his body.

He ducked quickly to make sure he was not seen. He looked around to find a place where he could conceal himself. He saw a rock formation to his right. He backtracked, keeping himself as low as possible by ducking his body.

He took an arrow and carefully placed it on his bow for instant use if he had to. He made a curving turn and approached the rock formation from below making sure to be very quiet. He tiptoed to it. He was pleased that the rock was craggy and it would make a perfect place to hide.

He also felt fortunate the wind was blowing from the east, the direction he was going when he came upon the scene. It was a stiff wind and it had muffled the sounds of his footsteps.

He edged himself to the rock and looked through an aperture. It was a perfect vantage point from which to watch the drama that was about to unfold slightly below him and not 30 yards away. There was even a place for him to sit comfortably without exposing himself.

RISES EARLY

Uyatorna had risen early that morning to go hunting. His wife Amasuk had complained the night before that she was tired of eating ptarmigan and squirrel meat that had been their diet for many days.

"Uyatorna, we have been eating ptarmigan and squirrel meat for a long time now and it would be good to have some caribou meat for a change. We also need the skins for parkas for the coming winter," Amasuk had said.

When the hunter started, he went in the easterly direction across valleys and hills. The wind had already been blowing from the east. He hoped that he might be able to head off some caribou heading east against the wind that the animal always seem to do from which ever direction the wind might blow.

He saw a few of them a long distance to the northeast. They were heading east from the direction of Cape Lisburne to the north. He looked to the west but there was no caribou to be seen in that direction.

Ptarmigan was plentiful along the way and Uyatorna flushed many of them. He didn't bother to try to take any. He didn't want to load himself down while traveling away from his camp. He would get a few on the way back.

FORBIDDING CLOUDS

Uyatorna walked on. The velocity of the east wind increased and the clouds swelled into huge dark masses ahead of him.

"If the wind shifts to the south, it will rain," he thought.

He thought of turning back but a low ridge ahead intrigued him.

"I might see some caribou resting beyond it," he said aloud. "Amasuk was right. It would be good to have some caribou meat for a change."

The hunter was not optimistic about getting a caribou that day. He made up his mind that he would turn back after looking over the country beyond the low rise if he didn't see any animals.

He walked up the incline. The footing was good and hard. It was a rocky surface with a covering of moss. Since it was the middle of August, there were some moss flowers in bloom. The velocity of the wind increased as he neared the crest and he leaned against it.

WOLVES AND THEIR PREY

Uyatorna become alert as the country became visible beyond the ridge. He noticed a movement to his left which stopped him cold. The animal moved but a little but it was enough for him to notice. It was a wolf.

He made a momentary glance in the direction the wolf was looking. He saw three more. In the center of them was a wolverine circling around what appeared to be a dead caribou.

Uyatorna ducked and stealthily backtracked. The animals didn't appear to notice him. He made a half circle away from them and silently tiptoed to the rock formation to the right of him. He drew an arrow and adjusted it to his bow for instant use.

As he set himself on a ledge of the rock, the hunter looked through a crevice. From this perfect vantage point he nervously settled to watch this impending battle—a deadly drama that was about to unfold.

As he watched, a series of chills ran down his spine. The scene seemed deadlier than he realized. It was strangely silent—an ugly scene. The wolves slinked in what seemed to be carefully gaged movements. They were edging closer and closer to the wolverine.

Each of the wolves bared its fangs from time to time without sound. They seemed to be perfectly coordinated to the deadly task they were about to undertake. They kept baring their fangs, heads lowered—their ears pinned down against the back of their skulls. For all the hunter could tell, the wolves were evenly spaced and of equal distance to the perimeter of ground circled by the wolverine.

THE PREY

The wolverine kept circling the caribou carcass in ambling motions characteristic of its pudgy, short-legged body. His head moved from side to side in swift vigilance of the deadly enemies around him. He kept his wicked fangs bared much of the time. He looked pitifully small against the large gray wolves.

As he watched, Uyatorna concluded that the fate of the wolverine was a foregone conclusion. It was just a matter of time. How could a small animal like him ever hope to pit its small body, although powerful to be sure, against the great bulk of the savage wolves?

The hunter was amazed at the show of courage of the small animal. He was not about to cower away leaving the caribou he had claimed for himself. He had apparently killed it himself because of the apparent savagery of the attack. The throat of the caribou had all but been torn away.

THE TIGHTENING CIRCLE

Spellbound and with tingling expectancy, Uyatorna watched the ever-tightening circle of wolves around the hapless and courageous wolverine. It seemed to him that it was a maneuver designed to unnerve the doughty little animal.

The maneuver was deadly, calculated—that showed a latent and lethal ferocity. Uyatorna felt a pang of pity for the wolverine. Should he intervene? He decided against it. The animals were working themselves into a pitch of fury and if he revealed himself, there was a good chance that they would turn on him.

The wolverine no longer circled around the dead caribou. He settled on the side where the dead animal's legs lay sprawled. Each of the wolves were now about 15 feet from the object of their prey. They began to emit low, threatening growls, not all at once but by staggered turns. This forced the wolverine to turn its body in different directions in quick succession.

Still the wolves edged forward shrinking the deadly ring. Suddenly one of them, apparently the leader, snarled wickedly, baring its fangs. The others followed, again in staggered turns. The wolverine sprung around swiftly with hissing growls—fangs bared.

The series of snarls increased. The wolves were apparently trying to confuse their prey that was beginning to spin around to his left and right by turns. He was expecting attack from any quarter any moment.

THE DEADLY SCENE

Uyatorna watched in dreadful fascination. The scene below him was a deadly one where each animal would ask no quarter nor would it expect any. At least one of them would be dead. The hunter no longer doubted in his mind that one of the dead would be the wolverine.

"Amaqut makoa tuqutiqneagii munna qaveoraq." ("These wolves will surely kill the little wolverine") Uyatorna thought.

The snarls of the wolves continued. They began to make feinting moves toward the wolverine. Uyatorna was amazed at the little animal. He seemed to be aware of each feint. He showed great agility and he seemed ready to meet each one. What if the wolves attacked all at once in a mass of collective fury? What chance has he got?

THE ATTACK

Even as he wondered, one of the wolves attacked a split second before the others. The wolverine met it in a surprising and unorthodox manner. The little animal ducked and appeared to go under the wolf. At that instant there was a sickening, grinding snap of bone. In a lightning-fast counter, the wolverine had gone for the left hind leg of the attacker and closed his powerful jaws on the thigh and bone.

The victim yowled with pain and twisted violently in the air and fell down hard on the front quarters of one of the attacking wolves, confusing it. The wounded wolf's leg hung loosely—grotesquely—blood squirting from it in a series of jets.

The little brown and cream haired animal took advantage instantly and snapped its jaws on the small of the back of the momentarily confused animal and twisted its grip wickedly. The vicious attack apparently did a great damage, because the wolf tried to flee all but dragging its hind quarters.

The two remaining wolves made a savage attack on the wolverine, momentarily knocking him off balance. The little animal regained his footing while one wolf gripped him on the neck. The other one went for his flanks.

The powerful little carnivore, apparently worrying about his flanks, made a quick, twisting motion. An instant later his heavily muscled right foreleg whipped and caught the wolf at his flanks on the shoulder with his sharp nails and paw. An exposed flesh suddenly appeared as the skin flapped down from the wound.

The injured wolf backed away limping but the one at his neck held on tenaciously—wickedly. The wolverine was in trouble. He made a series of quick motions and suddenly there was a terrible crunch of bones. The little animal had caught his remaining

attacker by the knee of its right foot and crushed it with his powerful jaws.

The wolf let out a howling scream as it released its hold on the neck of the wolverine. This is what the latter wanted. He turned aggressor in an instant and snapped his powerful jaws on the neck of his enemy partly from under and side.

THE ENRAGED WOLVERINE

Working for a leverage, the enraged wolverine braced himself and made a pulling and twisting motion. The body of the huge wolf whipped partly in the air. Its neck snapped and it fell dead—its head in a gruesome and unnatural position.

THE CARNAGE

The little animal had emerged victorious against what seemed impossible odds. He looked around and then made a circle surveying the carnage and the evidence of it he had created. The terrible death-dealing look remained in his eyes. He bared his fangs from time to time as he emitted half hissing growls. There was froth at the corners of his mouth.

Except for his murderous eyes and wicked fangs, the wolverine looked anything but a lethal killer to Uyatorna. He ambled along clumsily as if he didn't possess any agility and strength. It was all there along with one of the most powerful jaws possessed by any animal.

The wolverine was apparently trying to locate the trail left by the wolf that had left the scene of the fray dragging its hind quarters. He seems to have picked up the scent and proceeded to trail it.

"AYIIYAA," shouted Uyatorna. "Little wolverine, you have done quite enough. I will kill that wolf for you."

As he shouted, the hunter revealed himself above the rock formation. The animal saw him instantly and bristled, baring his fangs. Man was another sort of an enemy and the wolverine instinctively withdrew and ambled away.

Uyatorna walked around the rock and began to pursue the wounded wolf. When he came upon it, he shot an arrow through its heart. He didn't bother to go after the one with a severed artery on its hind leg. It had gone over a low rise and disappeared.

"If he hasn't bled to death by now, he will in a short time," Uyatorna voiced his thought.

The one with the shoulder wound had run away with a bad limp and it was nowhere to be seen.

HEALTHY CARIBOU

Uyatorna went back to the dead caribou and the wolf. He was surprised that it was a yearling bull and a healthy one except for a recent injury to the right eye. It had been badly torn into uselessness. It had probably suffered an unexpected accident and fell behind a herd when the wolves apparently took pursuit.

The wolverine might have been in a lucky position and beaten the wolves to the attack. Uyatorna concluded that it had attacked the caribou from the blind side and this unexpected incident had created the deadly drama which the hunter witnessed in spellbound fascination.

The man skinned the caribou and cut out choice pieces of meat and wrapped them in the skin.

The wolverine had taken a position at a distance just beyond effective arrow range from the man. Uyatorna could have shot the animal if he wished because it had been within perfect range.

He didn't however, because he had come to admire the little animal's invincible courage under what seemed to be the most deadly and impossible odds. The wolverine was licking its wounds and watching Uyatorna as he worked around the carcass.

The hunter cut out a piece of caribou meat and walked part way toward the animal.

"Uvah, qaveoraq, tutumik neqeoraqin." ("Here, little wolverine, eat a piece of caribou meat,") he shouted. He threw the morsel toward the fierce little carnivore. As the hunter returned to the carcass, the animal edged toward the piece of meat and ate it.

THE WINDFALL

As he finished skinning the dead wolf, Uyatorna turned to the wolverine and shouted, "Little wolverine, now you can have all the caribou meat you want."

He skinned the one he had shot through the heart and then followed the bloody trail of the third one. He found it about a quarter of a mile where it had bled to death.

As he skinned it, Uyatorna observed, "These were young grown wolves and they were reckless. The one that got away will never forget the terrible lesson he learned today."

As he started home with the load of caribou meat and skin and three wolf pelts, Uyatorna chuckled:

"Amasuk will never believe me when I tell her how I got all these animals."

MINNESOTA POLL SUPPORTS PRESIDENT JOHNSON'S POLICIES IN VIETNAM

Mr. MONDALE. Mr. President, President Johnson's policies in Vietnam have brought forth loud criticism from a vocal minority, a minority which claims that these policies do not have the support of the American people. But I am proud to report that, according to a recent poll by the Minneapolis Tribune, a strong majority of Minnesotans do stand behind the President and the action he has taken in meeting this very difficult problem.

President Johnson has declared that we must support the people of Vietnam and their efforts to determine their own destiny in the face of Communist aggression. Fifty-eight percent of Minnesotans clearly support this policy, compared to only 21 percent who oppose it. An even greater majority, 77 percent, feel that the President's explanation of the reasons for our commitment is a convincing one. And 58 percent of the people of my State recognize the necessity of sending more American troops to Vietnam at this time.

Results of the poll also indicate strong support for the President's efforts to find an alternative to war, his efforts to reach a peaceful settlement through negotiations which our Communist adversaries still refuse to participate in.

Mr. President, I am proud that the people of my State are so clearly in support of President Johnson's policies in Vietnam. I ask unanimous consent that the Minnesota poll of August 8, 1965, be printed in its entirety in the RECORD.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

[From the Minneapolis (Minn.) Tribune, Aug. 8, 1965]

FIFTY-EIGHT PERCENT APPROVE SENDING OF TROOPS TO SOUTH VIETNAM

Most Minnesotans (58 percent) support U.S. policy of sending more troops to battle in South Vietnam, a statewide survey by the Minneapolis Tribune's Minnesota poll indicates.

Thirty-one percent of the men and women questioned in home interviews disapprove of enlarging the Nation's role in Vietnam, as is being done by the Johnson administration.

The rest of the people are undecided or have special opinions to offer.

Approval is based mainly on the feeling that "we have committed ourselves and have got to end the war as soon as possible" or that U.S. involvement in the war needs to be increased to stop communism.

Such endorsements often are expressed reluctantly in the survey. "I don't like the idea, but we have to do it," a Bloomington housewife said.

A farmer from Otter Tail County put it this way: "I guess we got to finish what we started, but we're not wanted over there. It's just like it was in Korea, all these boys killed and no real answer for it."

Frustration over the difficult war in southeast Asia and dismay over losing American lives there are the main factors which cause Minnesotans to disapprove of sending more troops.

What is expressed in the survey is a close approximation of how the general public in the State reacts. That's because the 600 people who were interviewed only 2 weeks ago are an accurate model of the adult population.

They reveal uncertainty about U.S. participation over a decade in the affairs of Vietnam, although a majority of people (58 percent) think our reasons for helping South Vietnam are sound.

The public is more in agreement when it comes to accepting President Johnson's explanation for the United States being in South Vietnam; 77 percent say a paraphrase of Mr. Johnson's remarks contain "good" reasoning.

People were asked early in their interviews:

"Let's consider southeast Asia for a moment. The United States has been helping South Vietnam since 1954. Do you think the reasons for our support are sound or not sound?"

The replies:	Percent
Reasons are sound	58
Reasons are not sound	21
Other answers	3
No opinion	18
Total	100

Interviewers then changed the subject and asked several questions on other topics, a conversational maneuver that was specified on their question forms.

That interlude afforded people a chance not to feel locked into their previous opinions when they were asked:

"President Johnson has said that the United States is in South Vietnam to help the people there secure their independence and to show the world we keep our promises to fight for freedom. Do you think those are good reasons or poor reasons for being in South Vietnam?"

The answers:	Percent
Good reasons	77
Poor reasons	14
Other answers	3
No opinion	6
Total	100

Almost half of the people (47 percent) who said on the earlier question that our participation in Vietnamese affairs was based on unsound principles thought the President's explanation was good.

Here is a comparison of the two sets of responses with the qualified answers and no opinion count not shown:

[In percent]

	U.S. participation		L.B.J.'s reasons	
	Sound	Not sound	Good	Poor
All adults	58	21	77	14
Men	62	24	75	16
Women	54	19	78	12
Adults with grade school training	44	29	71	16
High school	59	19	81	11
College	73	17	75	16
Democratic-Farmer-Laborites	63	19	83	11
Republicans	58	27	74	16
Independents	52	21	70	16

The next question was: "We now have 70,000 men in Vietnam. The U.S. ground forces will be increased to 150,000 troops, many of whom will be taking an active part in the fighting. Do you approve or disapprove of our playing a larger role in the Vietnam struggle?

[In percent]

	Approve	Disapprove	Other and no opinion
All adults	58	31	11
Men	67	25	8
Women	50	36	14
Grade school	54	31	15
High school	57	34	9
College	66	25	9
DFL'ers	67	26	7
Republicans	55	34	11
Independents	49	37	14

Each person who had an opinion was asked why they approved or disapproved. These are their answers, the percentages being expressed in terms of all people interviewed:

	Percent
Approval:	
We committed ourselves and have got to follow through, must end war as soon as possible	40
Must stop communism	16
Must keep promise to South Vietnam	4
Other answers	3
Disapproval:	
They don't want our help and we don't belong; United States can't win anyway	8
Nothing is accomplished, we have done enough there, should pull out or end it now	5
We are losing too many lives	5
Must be another solution, the U.N. should help	5
Other answers	11

As an example, the above table indicates that 40 percent of all the people interviewed approve of sending more troops to Vietnam because we have commitment to follow through. Many persons supplied more than one reason for their approval or disapproval.

CENTENNIAL OBSERVANCE OF KALAUPAPA SETTLEMENT

Mr. FONG. Mr. President, 100 years ago a tiny settlement was established on the island of Molokai in the Hawaiian Kingdom for the victims of leprosy, now known as Hansen's disease.

Last week a 3-day centennial observance was held at the isolated settlement. Guests from the outside world were invited by the nearly 200 active and inactive patients for a luau—Hawaiian feast—and a display of crafts made there.

It is difficult to imagine now the pathetic condition of those who were sent to the settlement at Kalaupapa in the early years. Into this valley of death and despair came Father Damien, who ministered to the afflicted until he himself succumbed to the disease.

The dramatic story of the Kalaupapa settlement and the heroic sacrifice of Father Damien has been retold on this centennial occasion in an article in the Honolulu Star-Bulletin of August 11, 1965. Ably written by Tom Kaser, the article describes the settlement as it was and as it is today.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KALAUPAPA MARKS A CENTURY OF ISOLATION

(By Tom Kaser)

KALAUPAPA, MOLOKAI.—You can't help but feel a little humble at this place, especially when you consider its geography and its history.

Kalaupapa, located on a peninsula at the foot of cliffs on Molokai's rugged north coast, is one of only three centers for the treatment of Hansen's disease (leprosy) in the United States today.

Hale Mohalu, in Pearl City, and a U.S. Public Health Service hospital in Carville, La., are the only other institutions in the country that exclusively treat communicable or "active" cases of Hansen's disease.

It is possible that leprosy, as it was known before 1874, was diagnosed in the Hawaiian Islands as early as 1823, when a Protestant missionary wrote in his journal that "cases of kokuas or helpers. Also included was a were on the increase.

The first officially recorded case of leprosy in Hawaii was in 1853, and by the late 1850's the disease had spread to almost epidemic proportions.

King Kamehameha V finally declared, in January 1865, that those afflicted with leprosy must be isolated, and the site chosen by the board of health was a peninsula on the north coast of Molokai.

For $1,800, the board bought most of the land on the peninsula, including from 15 to 20 houses and rights to use nearby Waikolu and Wainiha Valleys.

Nine men and three women were on the first boat that arrived at the peninsula, on January 6, 1866. Part of the group consisted of ophthalmic scrofula and elephantiasis" health department superintendent, but neither he nor several of his successors spoke Hawaiian.

The first settlement on Molokai was at Kalawao, 2½ miles across the base of the peninsula from Kalaupapa.

From January to October of 1866, 104 men and 38 women—some of them kokuas—were sent there. Contrary to popular belief today, there is no evidence that the lepers were dumped overboard near the shore, although rough seas at times may have made it necessary for them to be pulled ashore on ropes.

THERE WAS NO LAW DURING FIRST YEARS

The first superintendents at Kalawao encountered difficulties enforcing law and order. Instead of the stronger patients tilling the land and looking after the weaker, it was vice versa. Might made right, there was no law, the able refused to work, and drunkenness, rape, and pilferage were rampant.

Two years before this time, Joseph de Veuster, a Catholic brother in the Congregation of The Sacred Hearts (SS. CC.), arrived in the islands from Belgium to begin missionary work in place of his brother, who was too ill to come.

Brother Damien, as Joseph de Veuster was first known in religious life, was ordained a priest in Honolulu, and in June 1864—2 months after his arrival in the Islands—he went to the big island to begin 10 years of missionary work in Kohala and Hamakua, among other districts.

Meanwhile, in 1871, a Protestant church named Siloama (meaning "Church of the Healing Spring") was built at Kalawao and served by Hawaiian pastors, one of them a patient at the settlement.

The following year, Brother Victorin Bertrant of Honolulu went to Kalawao and stayed long enough to build a small wooden chapel less than a half-mile from Siloama, naming it St. Philomena's.

Later, after Father Damien arrived, he built the main part of the church.

King Lunalilo ascended the throne in 1873 and brought about changes that slightly improved conditions at the leper settlement on Molokai. A member of the Royal Hawaiian Guard, himself a victim of leprosy, was brought to the settlement and made superintendent; better food was sent to Kalawao; and a bonus system (granting pay and privileges) was established for those patients who worked.

But the health situation remained grave; of the 797 lepers who had been brought to Molokai as of the beginning of 1873, 311 had died.

Noting the concern of the Right Reverend Louis Maigret, SS. CC., Catholic bishop of the Islands, that there was no priest at Kalawao, Father Damien volunteered to come to the settlement.

Damien and Bishop Maigret arrived at the village at 11 a.m., May 10, 1873, aboard the SS *Kilauea*, which also contained about 50 lepers and some cattle.

FATHER DAMIEN'S VISIT PROLONGED

The intention was that Father Damien would stay at the settlement for 2 or 3 weeks, then return to the big island. A petition, signed by 200 patients and asking that a permanent priest be sent to Kalawao, was presented to Bishop Maigret and in the ensuing days Father Damien decided to stay.

Over the next 16 years, Damien administered physical and spiritual aid to the lepers in a remarkable number of ways. He helped them build homes, install an adequate water system, and he even spent much of his time building coffins for the lepers. The deaths averaged about one a day.

Doctors were occasionally sent to Kalawao and Kalaupapa, a smaller village on the western edge of the peninsula, but their visits were always brief. In 1884, a doctor returned to Honolulu and reported that "no one but Father Damien renders any help."

Because of the lack of doctors at the settlement, Damien spent much of his time being nurse, doctor, and even surgeon to the lepers. Using only soap, water, bandages, and sedatives, he occasionally found it necessary to amputate limbs.

The atmosphere for these and other ministrations was almost unbearable. In his official report to the president of the board of health in March 1866, he wrote:

"The smell of their filth, mixed with exhalation of their sores, was simply disgusting and unbearable to a newcomer. Many a time, in fulfilling my priestly duties at their domiciles, I have been compelled not only to close my nostrils but to run outside and breathe the fresh air.

"To protect my legs from a peculiar itching, which I usually experience every morning after visiting them (the lepers), I had to beg a friend of mine to send me a pair of heavy boots. As an antidote to counteract the bad smell, I made myself accustomed to the use of tobacco, whereupon the smell of the pipe preserved me somewhat from

carrying in my clothes the obnoxious odor of the lepers."

From time to time Father Damien made trips to Honolulu to consult with his religious superiors and make repeated requests to the board of health for supplies and equipment. But many times these requests took the form of demands, and Damien—whose temper often flared was known as a stubborn and argumentative character.

BITTERNESS MARKED HIS LAST YEARS

His last trip to Honolulu was made on July 10, 1886, when he visited a Dr. Goto to receive temporary treatment for what were plainly symptoms of leprosy. The last years of his life were unfortunately embittered by some of his religious superiors, who—according to historical documents—appear to have been jealous of his popularity.

One historian, Father Reginald Yzendoorn, SS. CC., notes that the correspondence between Damien and his religious superiors in Honolulu in the years 1886 and 1887 "is saturated with acrimony, and one wonders what misconduct may have provoked such evident hostility."

Partly because of his leprosy and partly, perhaps, because of bitterness, Father Damien was forbidden by his religious superiors to come to Honolulu.

But he continued his work on Molokai until March 28, 1889, when he took to bed. On April 15, at the age of 49, he died, leaving behind a layman, Ira Joseph Dutton, and sisters of the Third Order of St. Francis to continue his work.

It is possible that Father Damien had leprosy before he came to Molokai, for he worked with lepers while he was on the big island. The history of his affliction is detailed in a diagnostic report prepared by Dutton in March 1889, and signed by Father Damien before he died. Parts of the report read:

"Served as priest on the Island of Hawaii from 1864 till 1873. Occasionally heard confessions of lepers, ministered to them in their cabins sometimes, but he had not constant or very particular contact with them until he came here, to the leper settlement * * *.

"Is quite sure that when near to lepers, as at confession or in their cabins—before coming to the leper settlement—he felt on such occasion a peculiar sensation in the face; a sort of itching or burning, and he felt the same here, at the settlement, during the first 2 or 3 years; that he also felt it on the legs.

"Is confident that the germs were in his system, certainly within the first 3 years of his residence here; can trace it positively to 1876. Small dry spots appeared at that time, particularly on arms, some on back * * *.

"Finally, in 1877 and 1878, (they) assumed yellowish color and became larger. * * *

"In the autumn of 1881 he began to be badly troubled with severe pains in his feet, specially in the left one, and in 1882 sciatic nerve trouble came on, clearly defined all along the left leg.

"Then the right ear became swollen with tubercular enlargements, making the whole thing an immense affair. * * * The eyebrows began to fall out, the other ear became enlarged, and tubercular swellings took possession of the face, hands, etc. The knuckles and knees are in hard enlarged knobs, becoming suppurating sores. Many sores on hands and wrists, some about the neck; eyes weak and at times very much inflamed. * * *"

Since the latter part of last century, Hansen's disease has receded greatly—thanks especially to sulfone drugs, which were introduced at Kalaupapa in 1946.

Kalaupapa, which before the turn of the century started to become the center of activities on the peninsula, is today a sleepy little hamlet that looks as if it has been forgotten by time.

NOW ONLY ABOUT 60 COMMUNICABLE CASES

As of July, there were only about 60 communicable cases of Hansen's Disease at the settlement. Another 135 "temporary release" patients had recovered from the disease and were living at the settlement by choice—some as employees of the State health department.

The rest of the 251 people living on the peninsula consisted of medical (including one doctor) and administrative employees of the department of health, an airport employee of the department of transportation, two Coast Guardsmen to maintain the Molokai Lighthouse near the tip of the peninsula, a priest, and two wives of health department workers.

Included in the health department staff are six Catholic nuns, who have proved to be more permanent hospital workers than lay personnel.

Andrew Flying Service, based at Honolulu International Airport, is the only airline that maintains a flight schedule to Kalaupapa ($22 round trip), although other operations fly to the settlement on a charter basis. Last year, approximately 1,100 tourists visited the settlement.

Anyone planning to visit Kalaupapa must first obtain a health department permit, but this is a routine procedure that can be handled by any tour agency or Andrew Flying Service.

The purpose of the permits is to make sure all visitors understand the rules of the settlement: do not shake hands or otherwise come into personal contact with anyone, do not enter patients' homes or the wards of the hospital, and use only the three restroom facilities marked for visitors.

Children under 12 are prohibited by law from the settlement, and anyone under 20 is usually refused permission to visit. Because there are no restaurants, stores or overnight accommodations on the peninsula, visitors are advised to bring along a picnic lunch.

FORMER PATIENTS CONDUCT TOURS

Former patients meet each plane and offer personally conducted tours—at $5.50 per person—of the best scenic and historic spots on the peninsula. The tour, which takes approximately 2½ hours, is done between the morning and afternoon flights.

The only place you are likely to see more than two people together is at the village wharf, which is a popular fishing site. Once in May, once in July, and once in September a barge—loaded with heavy staples—lands here.

The superintendent of Kalaupapa is Edward Burlem; he has been at the settlement 12 years. His wife, Georgina, handles all nonpatient mail.

All outgoing patient mail is handled by the Kalaupapa postmaster, who is responsible for a unique duty: fumigating the mail. He must snip off the corners of all out-going mail so the gases can penetrate each piece of mail touched by or sealed with saliva from a patient.

The highlight of any visit to Kalaupapa is Kalawao. All that remains of the original settlement site are the two churches, Siloama and St. Philomena, both of which have been renovated and are open to visitors. Adjacent to St. Philomena is a graveyard containing many of Father Damien's assistants and successors, including Joseph Dutton.

The remains of Father Damien himself were once buried next to the church, but they were exhumed in 1936 and taken to Belgium, where they were entombed in a shrine at Louvain. In 1956 they were exhumed again by Catholic authorities as part of a process to declare him a Catholic saint. But a monument still stands over his original gravesite on Molokai.

The road to Kalawao extends a few hundred feet beyond St. Philomena Church and ends at Kalawao Park, a delightful picnic spot situated on a shady bluff above a cove. When the sea is rough, thunderous waves splash against the rocks and cliffs, creating mountainous water sprays. Offshore are two small islands, Mokapu and Okala.

Few places in Hawaii possess the bucolic reverence of Kalawao; few places recall such pathos.

IMMIGRATION LEGISLATION—TESTIMONY OF JOSEPH A. L. ERRIGO

Mr. BOGGS. Mr. President, a distinguished Wilmington, Del., lawyer, Joseph A. L. Errigo, testified last March before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary.

Mr. Errigo appeared in his capacity as grand venerable of the Grand Lodge of Delaware and national chairman of the Sons of Italy Committee on Immigration. I can also verify from long personal knowledge that he is an outstanding contributor to the civic life of his community and State.

His summation of the reasons why our present immigration laws need to be changed was brief and forceful. It is timely, in my opinion, to outline them again.

For that reason I ask unanimous consent that the opening statement Mr. Errigo made at the hearing be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. ERRIGO. Mr. Chairman and members of the Senate Judiciary Committee, I am Joseph A. L. Errigo, grand venerable of the Grand Lodge of Delaware and national chairman of the Sons of Italy Committee on Immigration. I have been a member of the Delaware bar since 1929. I am currently the senior member of Errigo, Biondi, Porter & Rubenstein, a law firm in Wilmington, Del., with offices at 1300 King Street. I deem it an honor and a privilege to appear before this distinguished committee, and I express my gratitude and appreciation for having been given this opportunity to do so.

We have many important problems facing our Nation today. Without detracting from the importance of other problems, I wish to state that one of our most important problems involves immigration, not only because it affects our national internal security, but also because it affects our relations with other nations of the world.

A distinguished Congressman from the great State of New York, Hon. EMANUEL CELLER, an expert on immigration law, gave a historical and elucidating statement on the immigration polls of our Nation in the House of Representatives on Tuesday, June 16, 1964. I incorporate his remarks in this statement by reference thereto, and with particular emphasis I quote the following paragraph:

"The present law perpetuates the principle of national origin, an antiquated immigration system, proven beyond peradventure of a doubt to be unworkable. It was devised way back in 1921, more than 40 years ago, in an atmosphere of fear bordering on hysteria, a direct result of the unsettled domestic and foreign conditions following World War I."

The New York Times has always fought for sound and reasonable immigration laws. A lead editorial in March 1959, typical of many similar expressions, deserves our attention. It could have been written yesterday. It reads in parts as follows:

"The real purpose of a good immigration law should be to permit the entry of those

who are desirable, and especially of those who need this place of refuge. It should not be designed to keep out as many as possible on one pretext or another. The harshness of some of the legislation in the past has been the product of some sort of national panic, some curious xenophobia in reverse, almost an inferiority complex that ill-becomes a great country that has been made great by its immigrants. All of us indeed belong to that classification the moment we begin to look back a bit. The thing that is most hurtful about harsh legislation, however, is that it puts us in a bad light in many parts of the world precisely at a time when we aspire to leadership and need prestige. We cannot accomplish our ends if others think that we are timid, selfish, overbearing, or superior. Our immigration laws reflect in many minds some of these attitudes."

The archbishop of Boston, His Eminence Richard Cardinal Cushing, has stated that discriminatory and undemocratic features of the McCarran-Walter law "are to my mind a grave potential threat to our domestic development and our international leadership."

President-elect Eisenhower said in a speech on October 17, 1952:

"A contest for world leadership, in fact for survival, exists between the Communist idea and the American ideal. That contest is being waged in the minds and hearts of human beings. We say and we sincerely believe that we are on the side of freedom, that we are on the side of humanity. We say and we know that the Communists are on the side of slavery, the side of inhumanity, yet the Czech, the Pole, or the Hungarian who takes his life in his hands and crosses the frontier tonight or to the Italian who goes to some American consulate, this ideal that beckoned him can be a mirage because of the McCarran Act."

President Truman's Commission on Immigration and Naturalization established on September 4, 1952, made a tremendous and terrific report to the President of the United States on January 1, 1953. I incorporate that report entitled "Whom We Shall Welcome," in this statement by reference thereto. In particular I wish to emphasize the following quote from that report:

"The Commission believes that we cannot be true to the democratic faith of our own Declaration of Independence in the equality of all men and at the same time pass immigration laws which discriminate among people because of national origin, race, color or creed. We cannot continue to bask in the glory of an ancient and honorable tradition of providing haven to the oppressed and belie that tradition by ignoble and ungenerous immigration laws. We cannot develop an effective foreign policy if our immigration laws negate our role of world leadership. We cannot defend civil rights in principle and deny them in our immigration laws and practice. We cannot boast of our magnificent system of law, and enact immigration laws which violate decent principles of legal protection. Nor can we ourselves really believe or persuade others to think that we believe that the United States is a dynamic expanding and prosperous country if our immigration law is based upon a fear of catastrophe rather than a promise and hope for great days ahead."

The stirring and inspiring message of President Johnson on immigration is still fresh in our minds. It follows as a natural sequence similar messages by President Kennedy. In his recent message President Johnson said:

"A change is needed in our laws dealing with immigration. Four Presidents have called attention to serious defects in this legislation. Action is long overdue."

I am here today to plead for the passage of the President's bill on immigration, S. 500, introduced by Senator HART and other Senators who have joined him as cosponsors. For over 40 years the Order Sons of Italy in America has pursued the long-range mission on immigration. We cannot and do not wish to return to an era of unrestricted immigration. Someone has well said, and I quote:

"There is a difference, however, between immigration restrictions and immigration discrimination. There is an ethical basis for the former, but none for the latter."

The Sons of Italy has always been interested in the improvement and modification of our existing immigration and naturalization laws. From time to time we have suggested and encouraged certain changes to meet world conditions. We have always been ready to support any program conducive to the improvement of cultural and economic relations between the United States and other peace-loving countries, so long as they advance the best interests of the United States. We have sponsored a number of private immigration bills. We fought for the Refugee Relief Act of 1953 that brought to these shores over 220,000 refugees outside of the quota systems. We were absolutely thrilled in August 1958 when Congressman FEIGHAN'S bill on immigration made it possible for more than 40,000 Hungarian refugees to establish permanent residence in this country. The inscription on the Statue of Liberty began to acquire a real significance.

In 1958 we welcomed the relief granted by Congress to the Portugese victims of the earthquake in the Azores, and the admission of the Dutch expelled from Indonesia; the Portuguese and Dutch quotas were woefully inadequate, and Congress wanted to help these unfortunate people. Other congressional acts made it possible for thousands of nonquota immigrants to enter our country. In 1962, 283,000 immigrants entered the United States. Of these, 90,000 were quota immigrants and 193,000 were nonquota. In 1963 the same situation developed. Approximately 306,000 immigrants entered our Nation; 103,000 were quota immigrants and 203,000 were nonquota. I cite these figures only to show you that it shouldn't be too difficult for you to abolish a system which is gradually becoming unpopular and inoperative.

As a matter of fact, it should be rather easy to accomplish this much-desired end when it can be done over a period of 5 years.

At several successive biennial conventions including the last convention held in Cleveland, Ohio in August 1963, the Order Sons of Italy in America promoted a seven-point program which continues to be our goal. It is as follows:

1. Amendment of the national origins quota system and in its place submit a more fair and humanitarian immigration policy based upon judgment of the individual merit of each applicant for admission and citizenship.

2. To adopt the 1960 census in lieu of the 1920 census to establish quotas.

3. To abolish mortgages on quotas and reallocate unused quotas to countries having oversubscribed quotas.

4. To grant more favorable preferences to relatives of U.S. citizens.

5. To equalize citizenship between native born and naturalized citizens.

6. To humanize the harsh provisions of the present immigration law relative to administration, exclusion and deportation of aliens.

7. To revise and extend the Refugee Act of 1953 and the Alien Orphans Act of 1957.

Our next national convention will take place in Baltimore, Md. in August of this year. It is to be hoped, gentlemen, that at that convention I shall be able to announce that Congress has approved the President's bill relating to immigration. If that is done, we will have taken a great step forward in the right direction. We do not ask for anything that is revolutionary. We do not suggest changes in the law that are unfair and unreasonable. This great Nation of ours had always believed in equal justice under law. As Americans we believe in equal opportunity based upon qualifications.

We ask for justice for all people. We ask that all potential immigrants be granted equal opportunity to prove their qualifications to enter this country. We have established military and naval bases in many countries to protect our American way of life. We are maintaining numerous Peace Corps units throughout the world to help others who are unable to help themselves. We have established and maintained for many years an excellent student exchange program that has helped to create a better understanding among the nations of the earth. We make vast contributions to the U.N., to NATO, to SEATO, and to other international organizations. We do these things and many others because we want to maintain world peace at any cost, making any sacrifice. But all these international activities will be nullified if we persist in continuing an immigration policy that should never have been born.

On the one hand, throughout our international activities we endeavor to prove to the world that we are a good neighbor, but on the other hand throughout our immigration policies we say to millions of people in many nations, "You are not fit to enter this country. We don't want you. Stay where you are."

Gentlemen, our ancestors came to these shores in different boats. The sons of the American refugees and the sons of Italy settled here for the same reasons. We are now in the same boat. We call that boat the ship of state. We cannot continue to rock that boat on wreaths of bigotry and prejudice lest all of us perish. If we are truly interested in peace at home and peace abroad, we will adopt without delay the President's bill on immigration, S. 500. In the words of President Johnson: "I urge the Congress to return the United States to an immigration policy which both serves the national interests and continues our traditional ideals. No move could more effectively reaffirm our fundamental belief that a man is to be judged exclusively on his worth as a human being."

Once again, gentlemen, I express my gratitude to you for permitting me to make this presentation on behalf of the Sons of Italy. It gives me the feeling that each one of us in endeavoring to serve our country.

TAX STRUCTURES HERE AND ABROAD

Mr. SYMINGTON. Mr. President, as the need for more money to handle Federal programs increases, an article by Miss Sylvia Porter, "Tax Structures Here and Abroad," would seem of some interest.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX STRUCTURES HERE AND ABROAD

(By Sylvia Porter)

Even if Congress votes another Federal income tax reduction in 1966, more than three-quarters of the revenues collected by Federal, State, and local governments still will be coming from incomes and property.

This is the highest percentage by any major nation on the incomes and wealth of its citizens. No other leading country depends as heavily as the United States on this form of taxation. No other industrialized country depends as little as we do on sales taxes, excise taxes, or taxes on consumption.

While Congress already has revised and reduced Federal income tax rates and more surely will be done, our tax structure appears odd next to the systems of European nations, Japan, and Canada.

DIFFERENCES LISTED

The following table, based on U.S. Treasury and United Nations statistics, covers the year 1961, because comparative percentages aren't available for more recent years. Tax laws passed since 1961, though, would alter the percentages in only a minor way. For instance, in this country the 1964–65 Federal income tax cuts have been partially offset by State income tax increases and the new Federal excise tax reductions are being at least partially offset by State and local excise tax increases. In short, the basic comparisons stand as indicated below:

[In percent]

Country	Income and property taxes	Sales, excise, and consumption taxes
United States	78	22
Sweden	66	34
Japan	66	34
England	65	35
West Germany	65	35
Canada	61	39
Italy	52	48
France	50	50

One implication of this table is that there is plenty of leeway here for a shift in emphasis from taxation on incomes and wealth to taxation on sales and consumption. Today, those urging this shift are in the minority; sales taxes are "regressive" because they hit the lowest-income family purchasing the taxed item to the same extent that they hit the highest-income family. Nevertheless, as the search intensifies at all levels of government for ways to finance essential public programs—ranging from health to education, from highway construction to reclamation of our resources—heavier reliance on sales, excise and consumption taxes seems inevitable.

SALES LEVY RESENTED

Another implication is that much as we resent sales taxes and detest their indiscriminate character, our tax levels in this sphere are far below Europe's. This month Sweden's general sales tax jumped to about 10 percent, more than double the rate of 4.2 percent when the general sales tax was originally imposed in 1960. A similar trend toward higher sales taxes is clearly apparent in other Scandinavian countries. France's 50–50 percentage speaks for itself. Some of France's sales taxes on luxury or scarce items range as high as 25 percent.

The aim of Federal income tax cuts in recent years has been to stimulate our economy. "Reform" has been shelved temporarily and, assuming the objective of a 1966 tax cut is also sustaining economic growth, reform again might be postponed.

But when we finally do get to a real overhaul of our system, just simplification of our crazyquilt Federal-State-local structure will demand serious consideration of a more equal relationship between income and sales taxes.

THE NEED FOR THE 1965 ANTIDUMPING ACT AMENDMENT: AN EXAMPLE

Mr. SCOTT. Mr. President, the recent statement given in this Chamber by my distinguished colleague from Indiana [Mr. HARTKE], the principal sponsor of S. 2045, the 1965 Antidumping Act Amendments struck a responsive chord for me. They appear on page 19642 of the RECORD of August 6. Senator HARTKE commented on the continuing concern of many segments of industry and labor about the unfair trade practice of injurious dumping in this country, and set forth the resolution of the National Association of Plumbing-Heating-Cooling Contractors.

A similar expression of concern was voiced earlier this year by the Chamber of Commerce of Allentown, Pa. In a resolution which was sent by the chamber to all members of the Pennsylvania congressional delegation, it stressed the specific concern of this organization and its members about the dumping problem, citing as an example the situation with which the cement industry is faced, particularly in the Lehigh Valley area, the birthplace of the portland cement industry in the United States. The observations set forth in the chamber's statement give an insight into how a local area can be affected by dumping and may be typical of experiences which other of my colleagues have had within their constituencies.

In an earnest request to each Member to introduce and lend his efforts on behalf of S. 2045, the resolution added two points of special importance which I should like to quote:

1. Many industries and labor organizations, in addition to the cement industry, have indicated their sponsorship of effective antidumping legislation.

2. The Chamber of Commerce of Allentown is not opposed to fair and desirable foreign trade, but we do believe that American industry should not be subjected to unfair foreign competition. * * *

Mr. President, I urge that these observations be taken to heart, and that we all remain aware of what is at stake in our own backyards when we talk of injurious dumping. I ask unanimous consent that portions of the resolution to which I have made reference be printed in the RECORD.

There being no objection, the excerpt from the resolution was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE OF ALLENTOWN,
Allentown, Pa., April 7, 1965.

To: All members of the Pennsylvania congressional delegation.

Subject: Proposed antidumping legislation.

Certainly this proposed amendment will serve the interests of all American industries and labor threatened by unfair competition from dumped imports. Particular reference to cement, which is locally manufactured, will help point up some of the problems created by dumping.

Pennsylvania, and in particular the Lehigh Valley area, is the birthplace of the portland cement industry in the United States. Sixteen companies, employing thousands of people, operate 20 portland cement producing plants within the Commonwealth of Pennsylvania. However, even during this decade of unparalleled prosperity, the portland cement industry has been operating at substantially less than its capacity; for 1964, the rate was only 75 percent.

Demand for cement is closely tied to the general level of construction activity. Price is often crucial in determining which supplier will fill the existing demand. For example, the U.S. Tariff Commission has explained that even a slight difference in price may well determine the identity of the seller, as the sale of cement in a given market is generally contingent upon its price not being higher than the price of like competitive cement. Similarly, some years ago, the Federal Trade Commission found that a difference in price of 1 cent per barrel (a barrel contains 376 pounds of cement) may divert business from one seller to another.

Because of this tight market situation, imports on only relatively small quantities of dumped cement may break the price in the local market and have a serious adverse economic impact on the producing plants selling in the area in which such imports are marketed. Low-priced imports accounting for only 6 to 7 percent of the particular market in which sold were found by the Tariff Commission not only to have taken sales away from the mills supplying such areas, but also to have caused such price breaks resulting in serious loss of revenues. In addition, cement prices unfairly depressed in one market readily spread to adjacent areas in a type of ripple effect. Within the past 7 years, four portland cement manufacturing plants in the Lehigh Valley section of eastern Pennsylvania have been permanently shut down, resulting in the elimination of some 900 jobs. Our area seeks to develop and grow, and when jobs of our fellow citizens are affected by unfair, unjust, and unequal foreign competition, the Chamber of Commerce of Allentown feels it should raise its voice in opposition.

We are mindful of the fact that Pennsylvania Senators SCOTT and CLARK, as well as a total of 15 Pennsylvania Representatives, introduced and supported antidumping legislation with similar objectives during the 88th Congress * * * we earnestly solicit each Member to introduce and lend his efforts on behalf of the proposed amendment.

Many industries and labor organizations, in addition to the cement industry, have indicated their sponsorship of effective antidumping legislation * * *. The Chamber of Commerce of Allentown is not opposed to fair and desirable foreign competition. Your continued guidance in the development of our State is appreciated, and we urge you to lend active support to the 1965 Antidumping Act Amendment.

By order of the legislation committee and board of directors.

ALFRED KRAMER,
President.

JEANNINE LYERLY DAY AT KENAI

Mr. BARTLETT. Mr. President, in the first few weeks of 1965 an important decision was made. That decision made possible the establishment of what we now know as Head Start projects in hundreds of communities in the United States.

We all realize that the full benefits of this year's program will not be realized until the children who participated in it have been in school a number of years. It is already apparent, however, that the program will have far-reaching and beneficial results.

Alaska has Head Start programs in nearly every community. The city of Kenia, on Alaska's fabled Kenai Peninsula, is no exception. The city was likewise no exception in recognizing the solid worth of the program, but city leaders expressed their view of the program in an unusual way. Mayor James G. Dye declared July 28 "Jeannine Lyerly Day" in honor of the person responsible for making a Head Start project possible in the community.

Jeannine Lyerly is due much praise for her work. Children are our most important resource and those who

contribute to their future deserve the thanks of all of us. I ask unanimous consent to have printed in the RECORD the text of the proclamation of the city of Kenai which Mayor Dye issued on July 26.

CITY OF KENAI—PROCLAMATION

Whereas Jeannine Lyerly has demonstrated a dedication beyond the ordinary call of duty to her position as an itinerant public health nurse by her involvement in civil activities in Kenai and all surrounding communities; and

Whereas the Project Head Start at Kenai would not be in existence except for the diligent preparations and supervision so generously donated by Jeannine Lyerly.

Therefore, by the authority vested in me as mayor of Kenai, I proclaim:

1. That Wednesday, July 28, 1965, shall be Jeannine Lyerly Day in Kenai, Alaska.

2. That this proclamation is a formal "thank you" of the community of Kenai for the civic action and dedicated efforts of Jeannine Lyerly as the motivating spirit behind the educational "Project Head Start."

3. That Jeannine Lyerly exemplifies the best in governmental service and established a standard of service deserving respect and imitation by all employees of the State of Alaska.

4. That involvement of Jeannine Lyerly in the civic life of the Kenai Peninsula has extended to service as a director of the Kenai Chamber of Commerce, as an active participant in Kenai Peninsula Concert Association and other civic organizations essential to the true vitality and life of a community.

5. That this expression of gratitude be distributed to Gov. William A. Egan of the State of Alaska and all interested persons and agencies.

Kenai, Alaska, 26th day of July 1965.

JAMES G. DYE,
Mayor.

Attest:

FRANCES TORKILSEN,
City Clerk.

CONSUMER CREDIT EDUCATION AND CONSUMER DEBT COUNSELING

Mr. MONDALE. Mr. President, I was most happy to note the amendment in section 205(a), of the Economic Opportunity Amendments of 1965, which provides authority for the Director to pay all or part of the costs of consumer education programs under community action projects, specially focused on the needs of low-income families. It specifically provides for "consumer credit education," and "consumer debt counseling," and gives concrete recognition to a problem in which I have long been interested.

This amendment will allow the Poverty Director to furnish education and counseling especially designed and geared to the needs of low-income families, in recognition of the fact that many of these families have subaverage educational achievements, and reading and comprehension levels around third and fourth grade level. For there is a special class of consumer among the low-income families and the poorly educated, whose particular needs require a specialized approach. A study was made recently of the buying practices of over 450 families living in low-rent public housing by Dr. David Caplovitz of Columbia University, in which Dr. Caplovitz found that the urban poor are confronted with a merchandising system quite unlike that which serves most Americans.

In addition, the panel on consumer education for persons with limited incomes, organized to advise the President's Committee on Consumer Interests, reported just this year that the poor pay more for comparable merchandise that people in middle-income areas, and that the poor are targets for not only devious merchandising practices, but also lack the basic knowledge and information to help them get the most for their money. For example, the poor could be taught to buy wherever possible for cash—and not on credit—that they would extend their shopping horizons, and compare the prices of merchandise and credit terms, that they would be educated on what to look for in making purchases—such as how to distinguish between new and used items, current and obsolete merchandise, and that which is solidly constructed as against that which is poorly built.

They could be advised on where to seek additional information on purchasing and merchandising from community agencies; such as the local legal aid society, the State attorneys general, the chambers of commerce, the better business bureaus, and the various agencies of the Federal Government.

Consumer education can play a very important part in overall poverty programs, and it should be included as an integral part of overall projects directed at the poor. Under past law, the Office of Economic Opportunity has been authorized to make consumer education eligible for funds under community action programs, and the director has urged communities throughout the Nation to take advantage of this opportunity. The people helped by the poverty program buy food, clothing, shelter, automobiles, appliances, and most of the other goods and services that our economy offers. If we can give them the awareness and sophistication that other consumers possess, it will supplement their incomes by making their hard-earned and difficult dollars stretch just a little bit further. It will prevent whatever increased earnings they may receive from being eroded by poor buying habits.

As former attorney general of the State of Minnesota, I know that there are a number of devious and sophisticated merchandising and sales practices that all too often deceive not only the low-income buyer, but also the intelligent and sophisticated middle and upper income purchaser. For example, the files of my consumer protection unit in the State of Minnesota, were filled with cases involving bait-switch advertising, referral selling practices, pyramid practices, misrepresentation of price and contract terms, and the use of fictitious selling prices. Many of these people are able to withstand the loss of tens or even hundreds of dollars. But the low-income families, earning less than $3,000, need every cent for rent, clothing, and food. They can ill afford the opportunity to learn in the school of hard knocks and a sad experience.

Mr. President, I ask unanimous consent that the report from Mrs. Peterson, Special Assistant to the President for Consumer Affairs, as well as an article from the August 13 New York Times be reprinted at this point.

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

PANEL ON CONSUMER EDUCATION FOR LOW-INCOME PERSONS REPORT TO MRS. PETERSON

The poor pay more for comparable merchandise than people in middle income areas, a Panel on Consumer Educations for Persons with Limited Incomes reported today.

The panel, appointed last year to advise the President's Committee on Consumer Interests on consumer education for the poor, included representatives from business, labor, community organizations, and government at all levels. In its report, it emphasized that it received no documentation to support the charge that businessmen and merchants deliberately charge more in low-income neighborhoods than they do in middle-income areas for the same or even inferior merchandise.

"No doubt there are some instances where such a situation occurs," the report states, but there is no documentation to indicate that this is a widespread practice on the part of business concerns." Nevertheless, the panel reports that stores which operate in poor neighborhoods only often charge their customers more and seldom have "one price" for high-cost items. The panel took special notice of a study of the buying practices of 464 families living in low-rent public housing made by David Caplovitz of Columbia University, in which he finds that the urban poor are victims of a merchandising system quite unlike the system that serves most Americans.

In his book, "The Poor Pay More," Caplovitz points out that in every city, some fringe operators profit by the special problems of the poor—their inability to obtain credit from conventional sources, their lack of knowledge and sophistication, and their eagerness to buy. Comparing the poorest families with those somewhat better off, Caplovitz points out that the poorest pay most for such commodities as TV sets, phonographs, and washing machines. This does not mean that they are buying better products, he says, it means they are paying more for what they buy.

In releasing the report, Mrs. Peterson praised the panel for shedding light on a relatively neglected subject. She emphasized the important part consumer education can play in overall poverty programs, and supported the panel's view that consumer education for the poor should be included as an integral part of overall projects directed toward the poor. She noted that the Office of Economic Opportunity has included consumer education as eligible for funds under the community action program, and urged that communities throughout the Nation take advantage of this opportunity.

"The massive efforts to sell the products and services of our economy," Mrs. Peterson said, "affect the poor as well as the affluent. In addition, the poor are often the objects of offbeat marketing techniques in their neighborhoods. Door-to-door peddlers, marginal retail operators, and loan dispensers extend credit—at high interest rates—to those who can't afford to get credit 'uptown.' The poor are often the targets of 'bait and switch' merchandising and other devious schemes. Lack of knowledge and information often leads them to accept poor quality merchandise at high prices."

Mrs. Peterson said that President Johnson, in his message on consumer interests on February 5, 1964, directed the President's Committee on Consumer Interests "to develop as promptly as possible effective ways

and means of reaching more homes and families—particularly low-income families—with information to help them get the most for their money."

"The work of the panel," Mrs. Peterson said, "should be considered a beginning, not by any means the last word on this challenging and difficult subject. It is our hope that the panel's report will stimulate further efforts in this field. Consumer education for the poor will be one of the high priority programs carried on by the President's Committee during the coming year."

Consumer education can help the poor get the most for what little money they have to spend, the report says. "Its object should be to subtract from poverty. On another level, it can help people understand the available choices, to balance preference against price and utility, and match quality against realistic expenditure. * * * The goal of consumer education is to achieve higher standards of living through more discriminating consumption."

The panel warns that consumer education should not be considered a panacea for poverty. "Consumer education cannot cure poverty," the report states, "it can only ease the pain."

Among the report's recommendations are the following:

Federal, State and local governments undertake factfinding studies to identify the problems encountered by the poor in the marketplace.

Communities and appropriate civic, professional, and service organizations include consumer education as an integral part of programs designed to deal with the problems of poverty.

Consumer education be included as a component part of Federal programs directed at the poor, especially elementary and secondary education, adult literacy, Job Corps, public housing, and public assistance.

Grants be made available by the Office of Economic Opportunity for the training of teachers in consumer education.

Demonstration grant by the Office of Economic Opportunity to a university or other nonprofitmaking organization, for the development of a clearinghouse for low-income consumer education materials and techniques.

The stimulation of research by public and private groups to develop more and better education materials and techniques for low-income families.

The strengthening of existing government information and protection programs specifically to deal with the problems of fraud and deception encountered by poor consumers.

Mrs. Peterson stressed that the poor comprise a significant and sizable market. She said that there are approximately 34 million individuals living in poverty in the United States. These people buy food, clothing, shelter, automobiles, appliances, and most of the other goods and services of our economy. "If consumer education is related to adult education, health and welfare programs, and other services," she said, "it will supplement the higher incomes these programs may bring about. It can also help prevent higher earnings from being eroded by poor buying habits, and help low incomes go a little further."

[From the New York Times, Aug. 12, 1965]

U.S. AGENCY PLANS TO INTENSIFY CONSUMER EDUCATION FOR POOR

WASHINGTON, August 12.—The Office of Economic Opportunity said today it was ready to finance a second front in the war on poverty.

Improving the earning power of the poor is not enough, according to Theodore Berry, the agency's Assistant Director for Community Action.

A second front, he said, would show the poor how to avoid hidden exploitation when they spend their meager earnings.

"Borrowing to buy coal and paying twice for it in interest is an example that can be multiplied a million times," Mr. Berry said, recalling his experiences as a lawyer for straitened consumers in Cincinnati.

His office has financed 17 consumer education projects at a cost of $893,000, compared with total antipoverty outlays of $113 million.

"We haven't begun to scratch the surface in this field," he said.

President Kennedy and President Johnson have voiced concern about consumer problems, but this is the first time that significant sums have been made available for consumer education.

Mr. Berry opened a 2-day consumer action conference sponsored by the Office of Economic Opportunity and the President's Committee on Consumer Interests.

Dr. Sanford Kravitz, chief of research and development for the Antipoverty Community Action Division, and Mrs. Esther Peterson, special assistant to the President for consumer affairs, are conducting the conference, which is attended by officials of community action programs, Government regulatory agencies, and consumer groups.

Dr. David Caplovitz of Columbia University, who wrote the book, "The Poor Pay More," said the marketplace for the poor is a commercial jungle in which exploitation and fraud are the norm rather than the exception."

Dr. Caplovitz described many of the gimmicks used by door-to-door salesmen and junk furniture stores to beguile the unsuspecting into signing contracts to pay twice as much money as they thought.

A store on East Harlem's furniture row, he said, offered three rooms of furniture for only $149 or only $199.

Investigation showed that these consisted of two flimsy bureaus and one bed frame, a fragile-looking sofa, and an unmatching chair. The spring and mattress were extra.

The unwary consumer, he said, ends up buying a $400 set for $600.

"Given their vulnerability to easy credit and the excessive burden of debt foisted upon by high-pressure salesmen," Dr. Caplovitz added, "it is not surprising that many of the poor find themselves overextended and unable to keep up the payments on their purchases. We found that one in every five families had experienced legal pressures because of missed payments."

ARMY CAPTAIN'S LETTER SUMMARIZES NEED FOR COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, recently I received a letter from an Army captain stationed in Hawaii, which told the story of the educational disadvantages of our men in uniform with words of great human feeling and understanding. Illustrating his arguments with the statistics of the men in his company, this captain presents a strong case for the cold war GI bill, as well as concern for the future of the men who serve under him. The men in service need this bill. The 5 million cold war veterans represent only about 40 percent of the draft eligible men during the cold war or draft period, but the percentage of unemployed among the cold war veterans is double the percentage on the same age nonveteran group.

To illustrate the convincing evidence presented by the Army captain, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. RALPH YARBOROUGH,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am writing to thank you for your sponsorship of the cold war GI bill. There is a definite need for a measure such as this. Your predecessors saw the need for this legislation in World War II and during the Korean conflict. The need for such a measure is even greater now.

I am a 1962 graduate of the U.S. Military Academy, having received my appointment from the then Senator Johnson. I am presently a company commander in the 25th Infantry Division in Hawaii.

There is certainly no disagreement that there is an increasing need for more education in today's technical society. Even a high school education is barely sufficient for the average worker. So many of the draftees and volunteers in my company have not completed their high school education for one reason or another. In my company, out of 150 men, 20 did not reach the ninth grade. An additional 20 did not complete high school. Another 10 men did not complete high school, but have received a diploma equivalent to a high school education from the U.S. Armed Forces Institute. This means that 50 out of 150 men have not completed a normal resident high school program. I feel that these statistics are valid on a wider level.

As you know, the Army is failing to retain between 75 and 80 percent of its first term volunteers and draftees. The administration and the Department of Defense seem to object to this bill because the bill would make it more difficult to retain personnel. To me, this line of reasoning belongs in the same category of illogic as that of paying a man only $78 per month because he is obligated to the service and cannot get out, or paying an officer $240 per month for the same reason.

In a statement to the House Armed Services Committee on June 16, 1965, Gen. Harold K. Johnson, in commenting on the failure of the Army to attract more than 82 of 5,500 Reserve officers invited to return to active duty said, in part, "It could also indicate that the Army needs to do a better job of describing the advantages of a military career, or it could mean that opportunities are inadequate in the Army. We simply do not know the answer." Certainly no one knows the complete answer. However, the Armed Forces needs to develop a more competitive attitude in attracting quality personnel. What better attraction; what better selling point would the Armed Forces have for attracting good people than the prospect of aiding their further education? This asset would far outweigh any adverse affect from loss of personnel.

As to this latter point, the threat of the loss of personnel due to the enactment of this bill—men make up their minds to stay in or get out of the service for far more fundamental reasons than this. The Armed Forces must begin to think positively about how to attract quality personnel and how to motivate them toward a career in the service. Positive steps must be taken. The service must be made attractive. The young man facing his service obligation should not look upon it as an unpleasant drudgery. It should appear as an opportunity to him. Failing to pass legislation similar to this prohibits the formation of that image which the service so desperately needs.

I do not believe that a limitation of service in combat areas should be placed on receipt of benefits under this bill. Every man in the service has the prospect of immediate deployment in a combat zone. Thousands

of men are serving away from their families. All servicemen work extra hours, and in the field much of the time. To limit the bill to those serving in a combat zone would be an acknowledgment of only one of the many hardships which the serviceman experiences.

Almost all major industries presently have tuition assistance or other similar programs in effect. Thus this bill would not create a program unlike that of many civilian companies. The steady deterioration of service fringe benefits and the increase of similar benefits in private industry is well documented before both the House and Senate committees. The enactment of this bill would do much to arrest this deterioration and begin to put the Armed Forces on equal footing with private industry.

From an economic standpoint, this bill will pay for itself many times over. The income of the Federal Government in taxes alone from the increased productivity of the people who have participated in the program should reimburse the Government for its cost. The benefit to the Nation as a whole is unquestionable. I also have strong feelings as to the inadequacy of the U.S. Armed Forces Institute program, and how there would be no duplicity of expenditure between this bill and the USAFI program. However, I will not go into that in detail at this time.

I would appreciate any information you might be able to give me on this bill—its present status and its prospects of passing this session. Also, who might I write in Congress to most influence the passage of this bill?

Thank you very much for your indulgence.

Sincerely,

_____.

RURAL POVERTY EMPHASIS URGED

Mr. NELSON. Mr. President, the Economic Opportunity Act, which we are considering today, has been aimed for the most part at the poor in urban areas. This is because it is relatively easy to wage a war on poverty in our cities, which have large concentrations of poor people and groups that can work together in a coordinated way.

But we also should recognize that many of the poor in our urban areas are there because they literally were starved out of their rural communities. For that reason it is just as important to fight poverty in rural areas and slow this movement of poor people to the cities.

It is disturbing to learn that of the 30 percent of our people living on farms or in small towns, about 46 percent have incomes of less than $3,000 a year. This means the proportion of poverty in rural areas is twice as high as in the cities.

Unless more assistance is provided, a large portion of these rural poor families will be forced to move. If they do, they will join the already large numbers in the most impoverished slums of our large cities.

There are a number of Federal programs, including the Economic Opportunity Act, that can help rural people who are most in need. Yet we find that these programs are used much less by rural people, partly because they are spread out over several hundred counties and thousands of small towns and partly because branch offices of Federal agencies administering these programs do not reach into each rural area.

In view of the long history of inadequate service to rural areas, I have been disappointed to learn that the poverty program passed last year has made little impact in rural areas. The figures show that only slightly more than 5 percent of the money for community action programs had gone into rural areas by the end of the 1965 fiscal year.

Because of cooperation between the Director of the Office of Economic Opportunity and the Secretary of Agriculture, I understand this percentage is being improved. But I think the emphasis on solving rural poverty problems must be dramatically increased if we are to make any real headway in slowing this movement of poor rural families into our urban areas.

I would urgently hope that Mr. Shriver will work more closely with Mr. Freeman during fiscal 1966, making it possible to draw more heavily on Department of Agriculture personnel well acquainted with rural problems and rural people. I would urge Mr. Shriver to use all the provisions of the law authorizing him to work with other agencies so he can delegate both responsibility and poverty funds to the Department of Agriculture. It is essential that we do more to make sure that the rural poor are treated equally under the poverty program.

DREAMS COME TRUE

Mr. BOGGS. Mr. President, it is a wonderful experience for a man to live to see accomplished some of the good works he fought for in earlier years.

Such a man is I. B. Finkelstein, who now lives in the community of Arden near Wilmington, Del.

He was fighting for slum clearance and urban renewal in Wilmington long before such efforts had achieved the general popularity they enjoy today.

Bill Frank, whose column in the Wilmington Morning News is an institution in Delaware, commented the other day on Mr. Finkelstein's reaction to what has now been done in one former slum of Wilmington.

In further recognition of Mr. Finkelstein's civic contributions, and in the interest of illustrating how good ideas eventually succeed, I ask unanimous consent that the column entitled "Dreams Come True" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wilmington Morning News, Aug. 9, 1965]

DREAMS COME TRUE

(By Bill Frank)

I. B. Finkelstein, 81 years old, went down to Compton Park Square on the East Side of Wilmington last Thursday and toured the newly built homes on Lombard Street, near sixth.

There were no tears in his eyes, but there were emotions within him.

In his own quiet way I. B. said, "It's very wonderful. It shows what can be done."

Only a few of us there at the time realized the full import of what I. B. said.

Cy Liberman, News-Journal reporter, was there. He knew what it meant to I. B. to tour these marvelous town houses, the real beachhead of urban renewal in Wilmington.

But there were many people who should have been there alongside I. B., people like Barbara Jones, Raymond Baker, Frank Norton, Mary E. Power, Thomas Herlihy, Jr., and Carolyn Weaver.

They were part of the small, valiant group who yapped and howled, exhorted and pleaded, cajoled and screamed that something be done about getting rid of slum houses and replacing them with decent houses.

But even before the people I've mentioned, I. B. was the great warrior in the cause of decent housing in town—just as he was also the great pioneering crusader for many ideas that are now commonplace.

Go back 30 years—or even further, if you please—and look at this businessman of Wilmington, known as I. B., who preached what seemed to be idealistic and utopian ideas:

More recreation for the workingman who was eventually to have shorter working hours.

Renovate Wilmington but do more than just paint up and clean up and fix up. Do a sound, permanent job.

Encourage business and industry to take more interest in art.

Develop our folk and musical cultures in and for the Wilmington area.

Link Delaware and New Jersey with a bridge and get rid of the slowpoke ferry out of New Castle.

Funnel traffic along limited access highways, but make it easy for people to get into the business areas.

I. B. was not born with a silver spoon, nor did he live on the right side of the tracks. He personally knew the problems of tight budgets and forced dropouts from school.

He also felt the barbs of being a member of a minority group and was well aware of the snickering that often went on behind his back in the old days. He despised any form of forced or even voluntary ghetto.

Better housing was one of his great dreams for Wilmington. For more than 10 years he was president and sparkplug of the Wilmington Housing Association in the days when its members were regarded as crackpots.

Well, the years have crept upon I. B. He lives a quiet life in a lovely home in Arden, surrounded by the superb paintings of his late wife and the furniture they collected years ago. The din of public battle is merely an echo to him now. Others have taken up the lances which he once kept bright and sharp.

But the wonderful thing is that he has lived to see so many of those utopian ideas blossom and come into fruit.

Compton Park Square and its homes now ready for occupancy and customers represent a great idea come true.

As he wandered through the houses, guided by Leon N. Weiner, a young man with imagination, I. B. recalled the days of battle to convince legislators, politicians, and people that all this could and should be accomplished.

I noticed that I. B. looked skyward the other day to see the shining silver domes of St. Mary's Church rising majestically above Compton Park Square. Almost 20 years ago, he remembered, these domes rose above some of the worst slums in Wilmington—particularly on the alley oddly named Lord Street.

If one is regarded as old at 81, then it can not be said I. B. is a lonely old man. He has

lived to be revered by those who caught the fervor of the causes he once espoused.

What greater satisfaction can a man have in his advanced years?

FAMILY PLANNING AND THE POVERTY PROGRAM

Mr. TYDINGS. Mr. President, the Economic Opportunity Act of 1964 lists various fields in which the community action programs may operate. A significant addition to that list is made by the bill pending before us. It specifically names the field of family planning as a possible target for a community action program.

It is true that specific reference to family planning will have no substantive effect on the scope of the poverty program. As presently written, the law allows family planning assistance to be given as part of a community action plan. Already 2 percent of the community action programs established under the law include family planning components.

Nonetheless, express statutory reference of family planning is a significant step. It marks the first time that legislation has authorized Federal funds for the express purpose of providing birth control information to the Nation's low-income families. At present the District of Columbia is the only area in the country which has received Federal funds explicitly for birth control assistance.

It is my hope that this reference to family planning will give communities the much-needed impetus to create centers for the dissemination of birth control information and devices.

Recognition of this need is long overdue. I cannot commend the senior Senator from Pennsylvania [Mr. CLARK] enough for sponsoring the family planning amendment in committee.

We can no longer ignore the all too obvious relation between poverty and unwanted children. A report of the National Academy of Sciences documents the case for family planning assistance. It states:

> The freedom to limit family size to the number of children wanted when they are wanted is, in our view, a basic human right.

Surveys show, however, that ignorance has prevented many of our Nation's poor from exercising this right. Planned Parenthood estimates that 9 out of every 10 impoverished women lack advice on "family planning." Moreover, many of them have wildly inaccurate notions of the conception process.

The result of this ignorance is that those who are already poor intensify their poverty by producing large families. Among married women between 40 and 44 years of age in 1960, the average number of children born was 2.6 per family, but in families with annual incomes of less than $2,000 the average was 3.4.

According to the available evidence, low-income families do not want more children than do higher income families. They simply have more because they lack the information or resources needed to limit family size. The fact that family planning assistance is desired by many for whom it is not now available is indicated by a survey made in a Chicago slum neighborhood. There, Planned Parenthood's intensive campaign to distribute birth control information led to a 25-percent decline in the birth rate from 1960 to 1964. Such results can be expected in other impoverished communities if and when family planning assistance becomes available.

Fortunately, our attitudes on birth control have changed markedly in recent years. Polls show that over 80 percent of all Americans think that birth control advice should be made available to anyone who wants it. Two years ago only 53 percent of the Catholics surveyed felt this way. Gallup reports that today 78 percent support this view.

The National Academy of Sciences has stated:

> No family should be fated through poverty or ignorance to have children they do not want and cannot care for.

I am in total agreement with this conclusion. Couples from the lower economic brackets should not be denied the ability to limit births if they desire to do so. The Poverty Program is the appropriate vehicle for making family planning assistance accessible to those who want it and who need it most.

POLICE AND HOSPITAL PROCEDURES IN PROCESSING RAPE VICTIMS IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, as chairman of the Subcommittee of Public Health, Education, Welfare, and Safety, of the Senate Committee on the District of Columbia, I announced in the Senate on July 28 that my subcommittee planned to conduct a thorough study of procedures of the Metropolitan Police Department and the District of Columbia General Hospital in connection with the processing of rape victims in the District of Columbia. We have completed that survey.

At the direction of the members of the subcommittee, the District of Columbia Committee staff has worked closely with the police department and the health department officials having direct responsibility in these areas, to help develop procedures that would correct the problems which have existed.

Several members of the Senate District Committee recently met with the chief of police to discuss the problems which have confronted the police department in this regard.

The Acting Director of the District of Columbia Health Department, Dr. Frederick Heath, has recommended to my subcommittee additional procedures for the handling of rape cases. I have studied these recommendations and believe that if they are promptly carried out, they will help solve the problems we have had in the past.

Chief of Police Layton advises me that the new procedures outlined by the District of Columbia Public Health Department, for handling of rape cases at District of Columbia General Hospital, have been reviewed by him and that he feels that from his standpoint, they are appropriate corrective measures.

As chairman of my subcommittee, I believe that the procedures outlined by the Public Health Department and the Police Department are adequate, provided the recommended procedures are, in fact, diligently carried out. I urge that the Director of Public Health and the Chief of Police watch the situation carefully to insure that the proposed procedures are put into effect at the earliest possible time and that employees of their Departments understand the procedures and carry them out in each instance.

I want to express my sincerest appreciation for the deep interest in this problem shown by my colleague, the Senator from Rhode Island [Mr. PELL], and my colleague, the Senator from New York [Mr. KENNEDY]; also the distinguished Senator from Vermont [Mr. PROUTY], as well as the members of the full Committee on the District of Columbia, particularly the Senator from Colorado [Mr. DOMINICK], and the chairman, the Senator from Nevada [Mr. BIBLE]. The men whom I have named worked closely with me in our conferences with the District of Columbia officials on this important matter. Every member of the Senate Committee on the District of Columbia gave to me unequivocal support in our mutual endeavor to devise some new procedures which would meet the problems which have concerned all of us in connection with rape cases in the past several weeks.

I also wish to express my appreciation for the fine cooperation my subcommittee received from Chief of Police Layton and the Director of the Department of Public Health, Dr. Frederick Heath. I now ask unanimous consent that there be printed at this point in the RECORD a letter addressed to be my Mr. John B. Layton, Chief of Police, dated August 6, 1965, concerning the problem.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> GOVERNMENT OF THE DISTRICT OF COLUMBIA, METROPOLITAN POLICE DEPARTMENT,
>
> *August 6, 1965.*
>
> HON. WAYNE MORSE,
> *Chairman, Public Health, Education, Welfare, and Safety, Subcommittee for the District of Columbia, Old Senate Office Building, Washington, D.C.*
>
> MY DEAR SENATOR MORSE: Permit me first of all to express my appreciation as Chief of Police for the interest in and concern with our police problems expressed by you and your colleagues in the informal meeting of this morning which was initiated as a result of the two most recent rape cases in the Georgetown area being two of a number of recent offenses which point up the shocking situation in the District of Columbia regarding heinous crimes in which bodily attacks are made on the victims.
>
> As I reported to the Senate Committee on the District of Columbia just recently, a look at the preliminary tabulation of serious offenses for the month of July indicates a sizable increase for this period in 1965 over that for 1964. I would point out, however,

that the category reflecting the sharpest increase is that of robbery, and while the offense of forcible rape is particularly atrocious, still in number of offenses we fortunately have not had a sharp increase in this category of crime and our success in clearing such cases by arrest has been above average. As indicated to you and your colleagues, our efforts in the current cases of this category goes on unabated, and in the Montrose Park case our personnel are working closely with the investigating officers of the U.S. Park Police in a determined effort to locate and identify the assailants.

The concern of you and your colleagues with the administrative procedures in the handling of sex offenses by the Metropolitan Police Department and the medical examination and treatment of victims is also appreciated. The new procedures outlined by the Department of Public Health for handling of such cases at District of Columbia General Hospital have been reviewed and appear to us to be appropriate corrective measures for the particular problems in which your committee expressed interest.

I concur in the need for expeditious handling of such cases and assure you that the Metropolitan Police Department will do all that we can to expedite presenting the victims in such cases to the District of Columbia General Hospital for examination and treatment.

While our rate of robbery cases for the month of July appears to be 50 percent above that of July 1964, I would want to point out that since the 235-man tactical force recently authorized by the Congress was activated on July 20, the average daily rate for the last 12 days of the month has been down 30 percent over the daily average for the first 19 days of the month in the area of patrol and an even greater effect has been noted during the hours when the tactical force has been patrolling. Another request made by the Department which has been authorized by the Congress will shortly be fruitful in the placing in service of additional scout cars in the precincts as well as additional vehicles for plainclothes investigating officers. I expect that as soon as these vehicles can be placed in service, the effect of this added patrol will be felt. One of our needs which has not yet been satisfied is that of a planning and development bureau looking to installation of data processing equipment and which I expect to urge on the Congress in a later budget request.

We are also working closely with staff agencies of the District government toward proposals which we hope will provide recruiting incentives to enable us to meet and maintain the strength of the force as authorized by the Congress.

The interest and concern of you and your colleagues, therefore, is much appreciated in our joint efforts to provide effective law enforcement in the District of Columbia for the full protection of its citizens.

Very truly yours,

JOHN B. LAYTON,
Chief of Police.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in my remarks a statement which I received from Dr. Frederick C. Heath, Acting Director of the Department of Public Health, section 2 of the memorandum sets forth the present procedures at District of Columbia General Hospital effective on July 28, 1965, section 3 sets forth Dr. Health's recommendations for additional procedures to be followed. I endorse them; the members of my committee endorse them. We commend Dr. Heath for his fine cooperation. We think that his recommendations are entitled to a trial.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SECTION 2. PRESENT PROCEDURES EFFECTIVE JULY 28, 1965

Present procedures for handling sex cases in the emergency and admitting service

1. The nurse is to be alerted to see that prompt processing and examination of sex cases are accomplished to the extent possible, depending upon other patients present with critical conditions at the time the sex case is registered.

2. Examine the patient as soon as possible after arrival. A representative of the Woman's Bureau will accompany the patient at all times.

3. During the general physical examination note the following: The emotional state of the patient, order of the breath, contusions, scratches, or lacerations on any part of the body. Note the appearance of the clothing, whether any article has blood stains or other secretions of suspicious nature which can be turned over to the Police Department for chemical analysis if necessary.

4. During the gynecologic examination note the following: Evidence of violence about the vulva, introitus, or inner aspect of the thigh. When the hymen is not intact pass a speculum to search for abnormalities. Make smears of the cervical and unrethral areas for laboratory examination. Describe carefully, all findings of speculum examination.

5. The examining doctor renders a concise statement, giving his opinion whether or not evidence exists of forceful entry, and other data which will be of medico-legal value. This information should appear on the medico-legal form and the emergency treatment record.

6. All specimens taken during this examination must be clearly labeled indicating the source, date and patient's name.

7. At the conclusion of the vaginal examination, the vaginal vault will be thoroughly swabbed with a germicidal solution. After the speculum is removed the perineum will be lavaged with a germicidal solution.

8. Treatment will be rendered as indicated in the normal manner, depending upon the injury. As an example; open wounds and lacerations are cleansed, treated and repaired as necessary. Fractures and dislocations would be reduced and treated as indicated.

9. Serum Test for Syphilis (STS) will be taken, to establish a base line for future reference.

10. Any therapy that the examiner deems necessary in rendering emotional support and assurance shall be given.

11. Every attempt will be made to examine the patient and give germicidal cleansing within 2 hours from the time of the alleged forceful sexual exposure. This is desirable as a prophylaxis against gonorrhea and syphilis.

NOTE.—Paragraphs 7, 9, and 11 are recent amendments.

WILLIAM J. BROWNLEE, M.D.,
Chief Medical Officer, Admitting and Emergency.

Approved July 28, 1965.

FREDERICK C. HEATH, M.D., M.P.H., F.C.H.,
Acting Director of Public Health.

SECTION 3. RECOMMENDED ADDITIONAL PROCEDURES

(a) Public health nursing followup and confidential register of sexually assulted patients. This is a rough draft of a proposal to initiate a followup service and study. The purposes of the followup will be:

1. To provide reassurance and support to the patient following treatment at the District of Columbia General Hospital.

2. To assist the patient who wants such assistance.

3. To refer the patient to a private physician or clinic as indicated, for further diagnosis or treatment.

4. To cooperate with the physician or clinic in getting the patient back for a revisit, if necessary.

5. To observe the patient for possible onset of gonorrhea, syphilis, or pregnancy.

6. To ascertain what happens to these patients from the mental, emotional, and physical points of view during the followup period and to ascertain the effectiveness of medical and nursing preventive services.

Procedure: The procedures will have to be worked out, particularly with the associate director for medical care and hospitals and with the Medical Director of the District of Columbia General Hospital and his representatives. It should be possible to put the procedure in operation in 1 month.

Referral of patient:

These may include all patients who have been sexually assaulted in the opinion of the medical officer in charge of the emergency service at the District of Columbia General Hospital. In other words, patients who have been raped and others where there has been only an attempt. If it is considered best, the latter group may be eliminated.

The referral will be made by telephone, preferably on the same day that the patient is seen in the emergency room. The referrals should be made by one person, preferably the nurse in charge of the emergency room (or this may be done by the medical officer in charge of the emergency room, or by the admitting officer). The followup will be done by one nurse, who will be in charge of the confidential register.

(b) Alleged sexually assaulted patients should be taken to the nearest participating hospital or family physician.

In order that the victims may be medicolegally examined and receive germicidal cleansing as quickly as possible (hopefully in less than 2 hours after the alleged exposure), it is recommended that the police take the patient to the nearest hospital agreeing to participate in the program, or to the private physician requested by the patient.

There is no law or regulation requiring the police to bring all sexually assaulted cases to District of Columbia General Hospital. In fact, victims with serious injuries in addition to the alleged sex assault, are taken to the nearest hospital.

The present practice of taking most of the victims to District of Columbia General Hospital was inaugurated in 1946 by the health officer in a letter to the chief of the Metropolitan Police Department.

(c) Authority for victims of a crime, where the police determine a felony has been committed, to be eligible to participate in the department's medical care program.

This recommendation is intended to be tentative at this time, since a detailed study must be made to determine its feasibility before a firm recommendation can be made.

Under present practices victims of crime are considered in the same manner as patients suffering from other types of accidents. Eligibility and payability are determined in accordance with the Commissioners' regulations governing eligibility for medical care. To my knowledge, no one has been denied emergency treatment at District of Columbia General Hospital, or at the voluntary contract hospitals. However, if the patient's income or modest financial resources are above the standards set by the Commissioners, payment for medical care must be made by the patient, the insurance carrier, if any, or an agency of the Health and Welfare Council. I do not feel a victim of a felonious act should be required to reduce his modest savings in order to pay for his medical care, since the medical bills for extensive injuries such as fractured skulls, deep knife or bullet wounds, are usually

quite expensive, and would probably wipe out modest financial resources. In addition, serious injury would disable the victim to the extent that he would not be able to work for a long time.

(Submitted by Dr. Frederick C. Heath, Acting Director, Department of Public Health.)

Mr. MORSE. In behalf of the Chief of Police, Layton and Dr. Heath, they have made very clear to me that they intend to watch very carefully the operation of the new procedures, and if they decide some additional improvements are needed, they assure me that they will be bringing forth new procedures as experience shows that they may be needed.

AMENDMENT OF BANK HOLDING COMPANY ACT OF 1956

Mr. MORSE. Mr. President, last Thursday I sent to the Press Gallery a bill and speech that I planned to make in respect to needed amendments to the Bank Holding Company Act. I was called away from the Senate on a very important emergency and was not able to get back to the Senate in time officially to file the bill and to make the speech, although the speech was in the Press Gallery and it was entirely proper for the press to release any comments that members of the press cared to make on the bill and the speech, which they did, because the press release showed that it was to be released on that day.

Mr. President, the time has come to improve and perfect one of the major pieces of reform legislation enacted during the Eisenhower era. I refer to the Bank Holding Company Act of 1956.

That law, as enacted, contains various special-privilege exemptions and exceptions. We regulated many bank holding companies but we left some of them out. In particular, two major bank holding companies—two giant financial-industrial combines—were left wholly free of the act's provisions. These billion-dollar combines are the Alfred I. du Pont Estate of Jacksonville, Fla., and Financial General Corp. of Washington, D.C.

The record will show, Mr. President, that during the debate on the bank holding company bill back in April of 1956, I warned the Senate that such special exemptions and exceptions in the bill would come back to haunt us. And so they have. They are haunting us now.

I might add that President Eisenhower expressed a similar view in this case. When signing the Bank Holding Company Act into law, he remarked that "the exemptions and other special provisions will require the further attention of Congress."

More than a year ago, Mr. President, I drew the attention of the Senate to certain grave abuses on the part of the Du Pont Estate down in Florida. I suggested that the Du Pont Estate's special-privilege exemption from the Bank Holding Company Act be ended, so as to curb its potential for abuse of power. Several other Senators expressed interest in the matter, but nothing was done last year.

Since then, under the leadership of a great legislator, the Honorable WRIGHT PATMAN, extensive hearings on this subject have been held in the other body. The House Banking and Currency Committee, by overwhelming bipartisan votes, has now reported out two bills. These bills would close a number of loopholes in the Bank Holding Company Act, including those used by the Du Pont Estate and Financial General Corp. Following my remarks today I shall introduce a bill that embodies the provisions of these two House committee bills. It is time we acted, Mr. President. It is long past time that we close these special privilege loopholes and exemptions in the Bank Holding Company Act.

I shall now briefly summarize the nature and purposes of that act. I shall then describe the Du Pont Estate and Financial General Corp. and how they came to be exempted from the act. And that is an interesting tale, Mr. President. There was trickery involved in it. Members of our Banking and Currency Committee—including the senior Senator from Oregon—were misled. Finally, I shall conclude by telling what my loophole closing bill would do.

Mr. President, the Bank Holding Company Act is an antimonopoly measure. It is a fine and salutary law. Its goal is to prevent abuses of power by one particular form of banking combination, the bank holding company. And here let me pay tribute to the distinguished Senator from Virginia [Mr. ROBERTSON]. This law is his handiwork, above all others. It took years of effort on his part to get the bank holding law on the books. I may have differed with the Senator from Virginia about allowing certain exemptions and exceptions into the law, but these were essentially differences on strategy. I never for one moment doubted his good faith. The Senator from Virginia wanted as tight a law as he could get. With so many powerful forces arrayed against him, he felt that certain exemptions and exceptions would have to be allowed. He so stated to us at the time. And he did get the bill through. For 9 years now, scores of bank holding companies—including the biggest of them all—have been regulated and limited by this law. In the climate of the 1950's, that was a remarkable achievement. When the definitive biography of the Senator from Virginia comes to be written, I predict the passage of this act will rank high among his notable achievements for the Nation.

The aim of the Bank Holding Company Act is stated concisely in its title. It is an act to define bank holding companies, control their future expansion, and require divestment of their nonbanking interests. The act requires bank holding companies to register with the Federal Reserve Board. They must obtain the Board's approval, based on certain public interest standards, before acquiring more banks. They must divest any control over nonbanking enterprises. They may not acquire banks across State lines unless the State law specifically allows this.

In general, the act places on bank holding companies some of the same restrictions placed on banks. As the Senator from Virginia stated when we were considering his bill back in 1956:

> Nothing is more fundamental in the Banking Act of 1933 than the principle that banks should be restricted to banking activities and not engage in other types of business. Since 1933 both State and national banks have been so limited, but this limitation has been evaded by the bank holding company device.

The Senator explained how his bill, which became the Bank Holding Company Act, would meet the problem. His bill, he noted:

> Not only would divorce bank holding companies from their industrial empires, but also would put any future expansion under the control of the Federal Reserve Board.

As enacted, however, the definitions section of the Bank Holding Company Act was drawn so that it exempts various kinds of enterprises which are in fact bank holding companies. The two largest enterprises now benefiting from these special-privilege exemptions are the Du Pont Estate and Financial General Corp.

The Du Pont Estate is a perpetual testamentary trust created under the will of the late Alfred I. du Pont. Mr. du Pont belonged to the well-known Delaware family, but his estate is not affiliated with the Du Pont Co.

The Du Pont Estate controls 31 banks in the State of Florida. This "Florida National" group has become the largest banking group in Florida, with over $785 million in assets at the end of 1964.

The Du Pont Estate also controls, through 75 percent ownership, a large paper manufacturing company, over a million acres of timberland, some valuable city real estate, a small railroad, and a small telephone company. The estate further controls a class I railroad, the Florida East Coast, where the longest strike in railroad history is still under way after 2½ years.

Beyond all this, the Du Pont Estate owns 764,280 shares of Du Pont Co. stock and 719,758 shares of General Motors stock. These two stockholdings alone are currently worth over $240 million. Altogether, the Du Pont Estate rules an empire of banks, industries, railroads, land, and stockholdings with a value of well over a billion dollars.

Turning now to Financial General Corp., its banking group at the end of 1964 included 26 banks with 104 main offices and branches in 6 States and the District of Columbia, with assets of more than $1.1 billion. A 27th bank was acquired early in 1965.

In addition to banks, Financial General also controls two life insurance companies with assets of $130 million at the end of 1964, plus three fire and casualty insurance companies with assets of $63 million. Financial General also controls an industrial holding company, a lease financing company and a mortgage company.

Here, too, as with the Du Pont Estate, we find a billion-dollar empire of banks, insurance companies and industries—an empire of the very kind that the Bank Holding Company Act aimed to split up and regulate. But Financial General and the Du Pont Estate have gone scot free of the act. We told the other bank holding companies: Without regulation, there is too much potential for abuse of power in your kind of operation. So we

will regulate you. If you want to keep your banks, we told them, you must get rid of your nonbank companies. If you want to buy more banks, you must first get permission from the Federal Reserve. And this was not done in a spirit of punishment. This is not a punitive law; it is a preventive law.

But we defined certain bank holding companies out of the act. They got, in effect, a special privilege. That is what happened with Financial General and the Du Pont Estate. How did it happen?

I said a while ago that Senators were misled on the matter. Members of the Banking and Currency Committee—and I was one of them at the time—were misled. To put it bluntly, we were deceived as to the facts. I do not think any member of any Senate committee appreciates having that happen to him.

Financial General Corp. has escaped from the Bank Holding Company Act through a so-called "investment company exemption." At the time our committee was considering the bank holding company bill in 1955 and early 1956, Financial General Corp. was known as Morris Plan Corp. of America. It was controlled at that time by a registered investment company called Equity Corp.

Mr. Ellery Huntington, chairman of the board of Equity Corp. and president of Morris Plan Corp., proposed the investment company exemption in 1955 to the Senate subcommittee. The substance of Mr. Huntington's proposal was later put into the bank holding company bill. Mr. Huntington explained that the chief aim of his proposal was to allow Equity Corp., the investment company, to keep its diversified investment holdings and to avoid double regulation under both the Investment Company Act and the proposed new Bank Holding Company Act. He stated that their bank holding company, the Morris Plan Corp.—now known as Financial General Corp.—would itself still be "registered and supervised" under the proposed new act. He further displayed a table purporting to show the "Results of Amendments Proposed by the Morris Plan Corp." The Morris Plan Corp. was labeled on Mr. Huntington's table as a "Registered Bank Holding Company." All this can be seen in the committee's printed hearings on the bill.

The wording of the investment company exemption did appear to bear out Mr. Huntington's assurance that the actual bank holding company would still be obliged to register as such. I myself so stated during the Senate debate. I had that impression at that time. I have no doubt this assurance was one of the major elements in our committee's favorable consideration of the amendment proposed by the Morris Plan Corp.

In fact, however, Financial General Corp.—which is the new name taken by the Morris Plan Corp. a few days before the Bank Holding Company Act became law—has never yet registered under the act. Financial General has evaded the act through the trick wording in the investment company exemption. That exemption applies to any investment company that registered with the SEC before May 15, 1955, or any affiliate of such a company, unless they control "directly" two or more banks. Note that word "directly." It does not appear in the rest of the act. The rest of the act deals with direct or indirect control. Only this special exemption speaks of "directly" controlling banks. Of course, the Financial General people took advantage of this.

To evade the act, Financial General has spawned a whole army of "shell" holding companies. These wholly owned shell companies in turn own Financial General's banks and other enterprises. Thus, Financial General controls "directly" no banks at all. For 9 years it has been free to acquire new banks, to hold and acquire outside industries, to cross State lines, without any of the restrictions imposed on other bank holding companies by the act. And Financial General has vigorously done just this. Financial General never registered under the act at all, despite Mr. Huntington's representations to the contrary.

Mr. President, turning now to the Du Pont estate, I regret to report that Senators were misled on that matter also during committee consideration of the bank holding company bill—though not in the same way as with Financial General. During those hearings the Senator from Illinois [Mr. DOUGLAS] raised the question of why the Du Point estate, with its great holdings, should be exempted from the bill. Other Senators assured him, as a reason for this exemption, that according to their information the Du Pont estate's money went wholly or predominantly for charitable purposes.

For myself, I do not consider that a valid reason for any exemption. The point of the Bank Holding Company Act is not who gets the money but who holds the power—and how that power shall be wielded. Nonetheless, some members of the committee clearly felt that the Du Pont estate's supposed charitable nature made a strong argument for exempting it from this law. Unfortunately, their information was incorrect. Someone had misled them. Since Mr. du Pont's death in 1935, nearly all the income from his estate has gone to his widow, Mrs. Jessie Ball du Pont. Of course, there is nothing whatever wrong with that. It is a fine thing to leave one's widow well provided for. And I am told Mrs. du Pont is a very gracious and generous lady. Apart from many other gifts, she has assigned 12 percent of the income due her from the estate to a charitable foundation. Eventually all of the estate's income will go to that same foundation.

The fact remains, however, that the Du Pont estate is not now and never has been a charitable enterprise. Since 1935, Mrs. du Pont has drawn a total of $108,731,491.56 in income from the estate. Her income from the estate last year year amounted to $9,208,128.90. These figures come from reports of the Du Pont estate's trustees.

Someone gave a wrong impression to members of our committee back in 1955 and 1956 about where the Du Pont estate's money has been going. I cannot say who spread that misleading information. The Du Pont estate's dominant trustee has been Mr. Edward Ball. Some weeks ago, when Mr. Ball appeared before the House committee, he was asked what role he played in connection with the Du Pont estate's exemption from the Bank Holding Company Act back then. Mr. Ball replied, "I do not think I ever conferred with a Member of the House in regard to the pending bank holding company legislation, and I am not sure that I conferred with Members of the Senate here in Washington." That is what he said: "I am not sure I conferred with Members of the Senate here in Washington."

Whoever it may be that spread the misleading information, there is no doubt in my mind that Members of the Senate were trifled with, as regards both the Du Pont estate situation and the Financial General situation.

Mr. President, I do not want to leave the impression that my bill—which is the same as the two House committee bills—would deal only with the Du Pont estate and Financial General situations. It would also deal with other bank holding company problem areas, as well as many potential situations that could arise if the act's present exemptions are left standing. My bill would close a whole spectrum of unjustified exemptions in the act.

And here let me say that the Federal Reserve Board has testified very strongly in favor of the two bills on the House side. The Federal Reserve Board is 100 percent behind this. The Independent Bankers Association is 100 percent behind it. The Chairman of the Securities and Exchange Commission also testified before the House committee and completely exploded the supposed excuse for the investment company exemption in the act, which my bill would remove. Extensive hearings were held before the committee of the other body, and members of the committee there are fully persuaded of the need to close these loopholes in the act. They reported out the first of their bills by 21 to 4. They reported out the second bill by 27 to 0. Those are the two bills that I have combined into one Senate bill.

My bill would do several things. First, it would remove the so-called investment company exemption from the Bank Holding Company Act. Financial General Corp. is the only bank holding company now using this exemption. But there are 275 investment companies that registered with the SEC before May 15, 1955, and the way the law now stands, any bank holding company could escape completely from the act simply by buying 5 percent of the stock of one of these 275 investment companies—thereby becoming an investment company affiliate—and by then setting up the kind of shell corporations that Financial General has done. In short, this investment company exemption is an open invitation to evade the act.

Second, my bill would cause long-term trusts that control two or more banks to register under the act as bank holding companies. The usual kind of trust, either testamentary or inter vivos, which terminates within 25 years or not later

than the death of a named beneficiary, and which is for the benefit of named individuals or for the benefit of identifiable individuals related by blood or marriage to the settlor, would continue wholly exempt from the act. My bill also contains a provision to prevent evasion of the act by the device of multiple trusts. Let me emphasize that both of these trust provisions are very carefully drawn. I recognize that the field of trusts is a complex one, but I believe these provisions of my bill will enable the purposes of the act to be fulfilled while not hampering any trusts or trust departments that should not be brought under the act.

Third, my bill would bring under the act any tax-exempt foundations or similar organizations that control two or more banks. This reform has long been urged by the Federal Reserve Board, which points out that "The dangers aimed at by the Holding Company Act are not absent simply because a holding company is operated for religious, charitable, or educational purposes." Likewise my bill would bring under the act any partnerships that control two or more banks.

These are the chief provisions of my bill. They are broad but not, I think, unreasonably broad. They aim not to punish but to regulate. They aim to provide neither special favors nor special hardships. They aim to treat all organizations as much as possible alike, insofar as those organizations are alike in their control of long-term banking industrial power.

Mr. President, I have spoken of the Bank Holding Company Act as an antimonopoly measure. That is what it is—and a good one. Looking back over the past hundred years, observing the rise of giant corporations in almost every field, I thank God we have enacted measures of regulation like this one into law. Our antitrust laws—our agencies and commissions to enforce competition or to supervise the monopolistic industries—are absolutely vital to a free and healthy economy. They are a vital part of our way of life. Not socialism—not unbridled capitalism—not cartelism—but a free competitive economy operating under strict but fair rules of the game: that is the American way. That is one of the prime secrets of the world's most productive economic system.

And yet, not one of our "rules of the game" laws has been fully adequate to begin with. It would be a miracle if they were. We all know the immense effort, the immense patience needed to achieve any kind of new regulatory law. That is why I paid tribute earlier to the Senator from Virginia. I can appreciate what he went through to get these pioneer bank holding company regulations enacted.

But we know also that the time arrives—it arrives with everyone of our "rules of the game" laws—when another forward step becomes both needed and feasible. On occasion, such forward steps involve a fight. My colleagues know I do not shun a fight when the bugle sounds. Here, however, I anticipate no major battle. The time has surely now arrived, after nearly 10 years, to improve and perfect the bank holding company law. These amendments I offer today would do the job about as well, I think, as it can presently be done. This represents no issue of liberals against conservatives. Rather, it is a simple question of justice and fairness. I have no doubt that a consensus will develop on this issue, both in the Banking and Currency Committee and among Senators generally.

I now introduce for appropriate reference a bill to amend the Bank Holding Company Act of 1956, and ask that it lie on the table for 3 days to give other Senators who may wish to do so a chance to join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oregon.

The bill (S. 2418) to amend the Bank Holding Company Act of 1956, introduced by Mr. MORSE (for himself, Mr. DOUGLAS, Mrs. NEUBERGER, Mr. LONG of Missouri, Mr. WILLIAMS of New Jersey, Mr. MONDALE, and Mr. MCINTYRE), was received, read twice by its title, and referred to the Committee on Banking and Currency.

IS THIS JUSTICE?

Mr. BARTLETT. Mr. President, with reluctance, but out of a sense of duty, I call the Senate's attention to a situation in one of the courts of the District of Columbia which has become, in the opinion of many persons familiar with our legal system, increasingly intolerable, odorous and downright disgraceful.

I am referring to the outrageous conduct of Judge John H. Burnett of the Domestic Relations Court for the District of Columbia.

This man time and time again has been called down by his superiors on the bench, among others, by no less than the chief judge of the U.S. Court of Appeals for the District of Columbia for conduct in the courtroom which is, to my mind, almost inconceivable.

Admittedly, the type of cases that come before a domestic relations judge for settlement—involving, as they do, tragic instances of bitterness and acrimony between married couples who seek to prove each other unfit parents of their small children—do not make for pleasant listening.

But this judge's repeated mistreatment of the principals who appear before him, of the witnesses called in these cases, his sarcasm, his intemperate manner and, above all, his salacious pursuit, his goatish preoccupation with dragging from the women who come into his court every erotic detail of their sexual lives; this conduct far, far exceeds the bounds of decency and ethical behavior, to say nothing of proper judicial inquiry.

The most recent criticism of this judge arose less than a month ago and it came—significantly, I think—from the Honorable David L. Bazelon, the Chief Judge of the U.S. Court of Appeals for the District of Columbia.

Judge Bazelon was commenting on a case which had come to his court from the District appellate court, and he noted the remarks of one of the lower appellate court judges that Judge Burnett seemed—and I quote—"preoccupied" with the subject of sexual relations.

Judge Bazelon also mentioned examples of what I can only describe as the "gutter language" used during the hearing by Judge Burnett in questioning the wife in this case.

It is language I hesitate to repeat to the Senate, but it is language such as I never imagined could be employed by a judge in any court in these United States.

Example after example in the same vein can be cited—have been cited to me—concerning the misconduct of this man who—unfortunately—sits in judgment of others.

Long before this latest instance of Judge Burnett's misconduct, I had heard, from many sources, complaints of his rudeness, of his apparent delight in harrying and harassing persons who came before him—lawyers, litigants, and witnesses alike—for no good reason.

It may be asked why a Senator from Alaska should have any interest in what goes on in a domestic relations court in the District of Columbia. Mr. President, my interest was aroused when I testified in a case on trial before Judge Burnett. At that time his rudeness to me—altogether uncalled for—not only angered me but aroused my curiosity as to why a judge should act in such a manner. During the same trial Judge Burnett demonstrated a like rudeness to the wife of my colleague in the Senate from Alaska. It was then that I started to inquire into this man's judicial conduct. It was then that I discovered the appalling facts which I place before the Senate today. This is not all, Mr. President. I could go on and on in a demonstration of this man's absolute unfitness to be where he is, but I do not propose at this time to burden the CONGRESSIONAL RECORD with quotations from trial transcripts where Judge Burnett has said things so absolutely unbecoming to one occupying such a high office that one is left to wonder. If it were not for the fact that sympathy must be confined almost altogether to those who have appeared before him and have been made the victims of his seemingly salacious interest in sex, one would have a large measure of pity for this man. My own opinion is that he needs help.

The judicial process is the very foundation upon which our society rests, and a respect for the law, and for those who administer it, and interpret it, is the crucible in which it has always been tested.

The Domestic Relations Court for the District of Columbia is a small crucible in the overall picture, to be sure.

But it is not small in the lives of those who come under it jurisdiction, and not small at all to those who enter the courtroom of Judge Burnett.

To those parents, bereft as they are of understanding of each other's problems and as concerned as they may or may not be with the ultimate welfare of their innocent children, this man's courtroom, it has become clear to me, is a witches' cauldron in which there is brewed that which is the most salacious, lecherous, libidinous, and prurient.

The record of his court is replete with instances of his microscopic obsession with sex.

Time after time he has badgered the woman in a case for the most intimate, step-by-step account of her sex life, forcing her, in some cases, to describe it to him much as a radio announcer broadcasts a prize fight.

I do not propose to offend the Senate with examples of some of this man's more lascivious cross-examinations of the women who have had the misfortune to appear in his courtroom, although let me assure Senators that they extend far beyond any bounds of decency.

But this is only one side of the nature of his courtroom conduct.

Judge Bazelon himself commented last month:

> Even more disturbing than the trial judge's conduct (of this case) is the absence of any inquiry concerning the best interests of the child.

It is almost impossible for me to believe that a man charged with the high responsibility to decide which parent will have the most regard for the best interests of his or her child could completely ignore the subject, but here we have the evidence that this is so from no less a jurist than the Chief Judge of the U.S. Court of Appeals.

I say it is almost impossible for me to believe. I should have said it would have been impossible for me to believe it had I not been made acquainted by research with this man's prurient obsession with sex, his seemingly pathological preoccupation with the details of other people's sexual experiences.

As I say, I do not intend to open this cesspool in the Senate of the United States.

Instead, let me cite one or two examples of what his peers have said about this man's judicial conduct or, rather, the lack of it.

Chief Judge Andrew M. Hood, of the District of Columbia Court of Appeals, commenting on an appeal by a young mother just last February:

> It is my opinion that appellant was denied a fair, impartial, and judicial hearing.
>
> Notwithstanding the free admission of her adulterous conduct, the trial judge seemed preoccupied with her sexual relations. The record discloses more than 20 occasions when the trial court asked questions concerning, or made reference to, "intercourse," "sleeping with," "having it," "laying up with."
>
> During the trial the judge lectured appellant respecting adultery * * *. He argued with appellant's counsel regarding the immorality of adultery, citing the Commandment "Thou shalt not commit adultery." At the conclusion of the case the court denounced appellant as "just one step above a prostitute," "a common, ordinary, everyday tramp" whose way of living was a "stinking situation," and stated: "I am so incensed by the way this common tramp acts that I could go down and do something to her myself."

Let me break into Judge Hood's comments here to remark on the striking similarity between the scene he has described and Somerset Maugham's play "Rain". Who can ever forget the fate of the self-righteous Reverend Davidson at the hands of Sadie Thompson?

There is, unfortunately, a frame of mind in which the possessor zealously guards the public morals by a compulsive wallowing in a moral cesspool, but I do not believe that the judicial bench is any seat for one so possessed.

But let me continue with Judge Hood's remarks:

> The questioning of appellant by the judge in a manner designed only to ridicule or humiliate her, the judge's moralizing, his denunciation of appellant, and his expression of personal animosity toward her, convince me that the judge's personal emotions and concepts were permitted to completely override his judicial views. I do not say appellant is entitled to custody of her child, but I do say she is entitled to a judicial hearing.

Judge Hood's remarks, I think, speak more eloquently than anything I might say.

But Judge Hood is not alone in his criticism of this man's conduct, or misconduct.

The U.S. Court of Appeals for the District of Columbia, in reversing a decision by Judge Burnett in another child custody case, referred to a comment by one of the lawyers—the lawyer, in fact, whose client was awarded custody of the children.

This is what the court of appeals said:

> On brief in this court counsel for the appellee with commendable candor felt bound to concede that he "had a personal aversion and professional aversion to the manner in which (the trial judge) had conducted proceedings in his court."

The lawyer who gave this opinion before the court of appeals is one of the most respected attorneys in Washington and, let me repeat, in this instance he had won his case before Judge Burnett.

The opposing attorneys before the U.S. Court of Appeals told the judges there that this same lawyer had stated to the lower appellate court that Judge Burnett's conduct "is a matter of shocking concern to every attorney who appears before that trial judge."

Their argument to the court of appeals also contains this statement, also attributed to the lawyer for the husband in the case:

He was quoted as having said in the lower appellate court:

> Judge Burnett cannot be accused of prejudice toward the wife because the trial judge treats everybody in the manner (she) complained of in the court below—

Judge Burnett, in other words—

> that the temper and personality traits of this particular trial judge were as well known before his appointment by the President and his confirmation by the Senate, as now, and therefore that must be what was wanted.

Let me say to the distinguished lawyer who made those remarks that "that" most certainly was not what was wanted, not by the Senate and certainly not by anybody concerned with the honor and fairness of our judicial system.

Let me say to the Senate that this man's term expires next year and that this Senator from Alaska is irrevocably committed to oppose any attempt by this man to seek another term on the bench of this or any other court.

His behavior, his inexcusable manner, his utter disregard for the interests of the children whose parents come before him—due apparently to his strange and pitiable obsession—make him unfit to wear the judicial robe.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

The PRESIDING OFFICER. Without objection, the Senate will resume consideration of the bill.

The Senate resumed consideration of the bill.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

Mr. YOUNG of Ohio. Mr. President——

The PRESIDING OFFICER. Will the Senator from Louisiana withhold his request?

Mr. LONG of Louisiana. Mr. President, I withhold my request.

UNTHINKABLE THAT THIS NATION WOULD DESTROY COMMUNIST CHINA'S NUCLEAR INSTALLATIONS

Mr. YOUNG of Ohio. Mr. President, I rise to comment on the statement made by the chairman of the Armed Services Committee of the House of Representatives in a speech he delivered recently in Connecticut. He asked a rhetorical question:

> Should we use our atomic power to wipe out Red China's atomic capability?

Then he added:

> We must get ready to do this very thing if we want to stop Red China. I will insist on victory in Vietnam. Anything short of that would be treasonable.

In this same speech the gentleman also stated:

> And even if we win the war in South Vietnam, I cannot help but think that we are merely postponing the final victory of Red China unless the Nation is prepared to risk the possible consequences of destroying her nuclear capability. And unless we make that decision, it is possible that all of our

fighting in South Vietnam will have been in vain.

In other words this Member of the other body really outdid some hard-nosed militarists in our Armed Forces who in the past have been advocating preemptive war against the Soviet Union and in recent months have raised their voices advocating a sneak attack or preemptive war on Red China to destroy the crude nuclear installations of the Red Chinese. The very suggestion of this is so un-American as to be abhorrent. Yet, here is a Member of the other body occupying the position as chairman of one of the most powerful committees in that body advocating this procedure.

Mr. President, the facts are that I am a fervent believer in the seniority system. It is one of the advantages of our Congress that under that system, men who have served long years in the Senate and in the House of Representatives attain promotions within the committees of which they are members, and finally some of them with long years of congressional service become chairmen of committees. By and large, chairmen of all the committees of the Senate and House of Representatives of the United States are eminently respected, are most knowledgeable, and deserve the promotion to chairmen by reason of the experience that they have acquired over the years.

Nevertheless, it is somewhat shattering to my faith in this seniority system to read of the chairman of the Committee on Armed Services of the House of Representatives advocating a suicidal policy on our part, and I feel obligated to speak out against this without delay lest in this country and overseas such a rhetorical question would be taken seriously.

That the person making this statement is chairman of the Committee on Armed Services of the other body causes me to fear that in Europe and Asia, among the heads of states, it might be regarded as authoritative and that his views are respected and might be followed. Were we as a nation to undertake any such course, we could gain nothing except, at most, a very temporary advantage and at a great price—loss of respect and degradation.

Now let us consider the facts. No matter what single location or several locations we might bomb and utterly destroy into ashes within the mainland of China, that nation—Communist China—with its great population, its far-flung geographic area, and its scientists and scholars would retain the capability of very soon again producing even more nuclear weapons and far better and more powerful than the first crude warheads produced there. We should realize that in this nuclear age of change and challenge even a small group of scientists are just as valuable or more valuable to any nation, to China and to this Nation, than any existing nuclear installations.

Assuming that we could destroy China's capability for producing nuclear weapons for a short time and that we did destroy all the existing nuclear installations, how could we possibly bar or prevent the access of the Chinese to the raw materials necessary for the production of fissionable nuclear charges? Assume we did hurl our air power over the Chinese mainland, as this gentleman suggests. Would we have our Air Force attempt to lay waste all of the factories that they beheld below them where they might suspect that some use was being made of raw materials to manufacture nuclear bombs? How could we do that anyway when it is readily possible for men of intelligence to disperse such installations and even locate them in cities in the midst of massive centers of population or underground in other sections of the country in such manner that our bombs could not destroy them?

Then, above everything else, it would not be possible for us with our missile power, air power, and land forces to kill all of those individuals who comprehend how atomic weapons are made. In other words, even now in a preemptive war in a day of infamy followed by other days of infamy, were we to destroy the lives of million of Chinese men, women, and children, we could not possibly kill off all the scientists.

I am mentioning this to state how foolhardy the gentleman's proposal is. Let us realize that China is a huge nation that has great diversity and a great quantity of natural resources; that there are 700 million men, women and children living within the borders of China; that China is a nation with a great history and its people have a tradition of being industrious. The Chinese are people of high intellectual attainments and business and scientific achievements. They have a great cultural background. It is obvious to all that China is now a great power and within 10 or 20 years it will be one of the three greatest powers on the earth.

We are proud of the American citizens we have in our midst, in Hawaii and elsewhere, men, women and children of Chinese descent. We have in this body as a U.S. Senator from the sovereign State of Hawaii HIRAM FONG, one of the ablest and most respected Members of this body, whose father and mother and all his ancestors were Chinese and lived in China.

I advert to that fact to indicate another facet and to indicate how foolhardy that suggestion or rhetorical question was.

Furthermore, there is nothing Representative RIVERS or anyone else can do to stop China's advance. Even the grossly inhumane use of atomic and bacteriological weapons could not do that. Let us hear no more about this rhetorical question. A proposal to do anything of this sort would be foreign to the American way of life, foreign to the great history and noble traditions of our country from colonial days to the present time. Furthermore, it would be so inhuman and so callous that we as a Nation would be downgraded before all of the world, even to a greater extent than was Adolph Hitler's Germany.

The distinguished Congressman who made this bombastic speech gave little or no thought to the fact that were we to bomb the nuclear installations within the Red Chinese mainland, immediately Communist China with its population of 700 million and with its tremendously powerful land army would go to war against the United States, overrunning southeast Asia, and in doing this killing many thousands of American GI's.

Any self-respecting nation attacked in such a manner as was proposed in this Connecticut speech made by the gentleman from the other body would have no other course open to it. Furthermore, as certain as sunrise follows the sunset, the Soviet Union, obligated by its commitment and alliance to Communist China, and despite the fact that its leaders and the Russian people seek friendship and not war with this Nation, would inevitably mobilize its forces and unleash its missiles, and the third world war—and this a war on annihilation—would begin.

Mr. President, this arm-chair militarist says:

> I will insist on victory in Vietnam. Anything short of that would be treasonable.

It would be difficult to find anywhere a more bombastic statement than that. Unfortunately, this particular arm-chair militarist has the title of chairman of a powerful committee.

The President, who is Commander in Chief of our Armed Forces, has repeatedly announced his desire and hope that representatives of the Vietcong and North Vietnam and other nations meet with us at a conference table, that we are glad to talk settlement and seek a ceasefire.

He has said time and time again—and that is our position at the present time, despite the bombast from the gentleman from the other body—that we should seek negotiations unconditionally, without any conditions whatsoever.

Our situation is bad in South Vietnam. It is far worse than it was a year ago or when President Eisenhower first committed our Armed Forces in South Vietnam. It is too late now for us to say a mistake was made, because we were committed in 1954 and we have been involved there since that time, and apparently things have gone from bad to worse.

Despite these statements that should never have been made—he said:

> I will insist on victory in Vietnam. Anything short of that would be treasonable.

We Americans seek and hope for a negotiated settlement involving major concessions by both sides which will offer the Communists and Vietcong a reasonable and attractive alternative to military victory.

We seek a ceasefire and seek the time when the neighbors to the North and certain people in South Vietnam will cease their aggression. Then we look forward to withdrawing our forces from southeast Asia.

Such a ceasefire or peace similar to that attained in South Korea is a consummation devoutly to be wished. Let us try to attain it.

I yield the floor.

UNIVERSITIES GROUP NOT IN COALITION

Mr. MILLER. Mr. President, on July 7, I inserted in the RECORD—page 15817—an article from the Des Moines Register which purported to describe a coalition of organizations working together for legislative and partisan political purposes.

In a letter to the editor of the Register, the National Association of State Universities and Land-Grant Colleges, one of the organizations included in the article, said the report as far as it was concerned was without foundation.

I ask unanimous consent that the letter, entitled "Universities Group Not in Coalition," from the Register of July 19, 1965, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Des Moines (Iowa) Register, July 19, 1965]

UNIVERSITIES GROUP NOT IN COALITION

TO THE EDITOR:

A July 6 news story by Nick Kotz [purported] to describe a "coalition" of interest groups "working quietly behind the scenes in Congress to reelect Democratic Congressmen and to lobby for Johnson administration legislation." The name of the National Association of State Universities and Land-Grant Colleges was included in the list of organizations which, Mr. Kotz says, have been "meeting regularly in Washington under the chairmanship of Donald Ellinger of the Democratic National Committee."

The article is completely without foundation as far as the National Association of State Universities and Land-Grant Colleges is concerned. The association has not, does not, and will not participate in partisan political activity of any kind * * *.

With respect to education legislation, it has long been customary for organizations interested in this area to meet together with or without representatives of the administration currently in office * * *. At no time have I or members of my staff participated in meetings of this kind at which there was discussion of or plans for support of or opposition to candidates for public office, or of proposed legislation in partisan terms.

RUSSELL I. THACKREY,
Executive Secretary, National Association of State Universities and Land Grant Colleges, Washington. D.C.

ORDER OF BUSINESS

Mr. MILLER. Mr. President, I ask unanimous consent that I may be permitted to proceed on another subject.

The PRESIDING OFFICER. Without objection——

Mr. LONG of Louisiana. Mr. President, reserving the right to object, has the Senator in charge of the bill agreed to this?

Mr. MILLER. Yes.

Mr. LONG of Louisiana. Then I shall not object.

VIETNAM—THE REAL MEANING OF "UNCONDITIONAL NEGOTIATIONS"

Mr. MILLER. Mr. President, ever since President Johnson's speech at Johns Hopkins University in Baltimore on April 7, all kinds of interpretations have been made of the meaning of "unconditional negotiations"—the phrase which appeared in his address.

All peace-loving people are prayerful that there will be a prompt end to the war in Vietnam and that peace will come to that area. But few peace-loving people will tolerate an end to the war at the price of freedom or the profit for aggression. The national interest of the United States and South Vietnam—indeed the national interest of all nations, large and small, whose people live in freedom—repudiates a policy of peace at any price. There is a price to be paid for peace and it is only with a clear understanding of what that price is that those who speak of "negotiations" can speak meaningfully.

The President has emphasized on several occasions that the United States will take such action as is necessary to achieve our objectives in Vietnam. These objectives, he has pointed out, are to persuade the North Vietnamese to leave their neighbor, South Vietnam, alone—to cease and desist from directing, controlling, and supplying war materiel and manpower to the Vietcong military forces in South Vietnam; further, to assist the South Vietnamese in ending the attacks of the Vietcong so that the people can live in peace and freedom. This is the price of peace in South Vietnam.

These objectives could be achieved through peaceful negotiations—if the leaders in Hanoi were willing to pay this price. They understand very clearly that this is the price and they have to date been unwilling to pay it. They have chosen, instead, to pay a higher price by forcing South Vietnam and her allies to achieve these objectives in a war.

The President has said that "We do not intend to be defeated." This is another way of saying that we do not intend to fail in our military efforts to achieve our objectives.

The President has also stated a "win" policy for our war effort when he declared on June 1:

> In the future I will call upon our people to make further sacrifices because this is a good program, and the starts we are making are good starts. This is the only way that I know in which we can really win, not only the military battle against aggression, but the wider war for the freedom and progress of all men.

Winning the military battle would naturally mean attaining our objectives.

I might point out that earlier this year Secretary of State Rusk stated that we are going to help the South Vietnamese win the war.

There are some who say that no one ever wins a war. While it is true that war brings great hardship and suffering, it is not true that the objectives stated by the President of the United States cannot be won. They are moral objectives and completely in character for the people of the United States, whose history bears testimony to those moral principles.

It is not responsive to say, as some do, that there is no military solution to the problems of South Vietnam. Everyone knows this. What must be recognized, however, is that because of the intransigence of the leaders in Hanoi, military victory is essential to lay the foundation for the political, economic, and psychological solutions to these problems.

Again in his address at Johns Hopkins University, the President firmly declared:

> We will not withdraw, either openly or under the cloak of a meaningless agreement.

And what are the essentials of a meaningful agreement?

Quite obviously these are the minimal objectives which the President has many times clearly stated and to which I have previously referred. Indeed, in the very same speech he said:

> Such peace demands an independent South Vietnam, securely guaranteed and able to shape its own relationships to all others, free from outside interference, tied to no alliance, a military base for no other country. These are the essentials of any final settlement.

The interpretation of "unconditional negotiations" can be accurately made only in light of these statements by the President. The President could hardly clearly and succinctly state our minimal objectives and disdain a "meaningless agreement" in one part of his address and then impliedly repudiate his position by agreeing to negotiations which could lead to a "meaningless agreement."

For all their faults, the leaders in Hanoi were quick to understand this. What is so remarkable is that many leaders of other nations, political analysts, and news commentators apparently failed to understand it. Possibly in their zeal to end the hostilities in Vietnam, they have taken the phrase "unconditional negotiations" at its face value, standing by itself, without realizing that to do so would lift the words out of context of the full text of the Johns Hopkins address and attach a meaning which would undercut the integrity of the President's clearly stated objectives.

What the leaders in Hanoi understand and what others should understand is that any negotiations which lead to something less than the achievement of the minimal objectives stated by the President would be meaningless, and that only with respect to matters beyond these objectives can the negotiations be unconditional. There are many possibilities here. For example, the degree to which the leaders in Hanoi and the leaders of the Vietcong will be brought to trial and punished for war crimes, including the slaughter of South Vietnamese civilians and the murder of prisoners of war would be subject to negotiations, as would be the subject of reparations for damages to South Vietnam. The degree to which economic assistance would be extended to North Vietnam would be subject to negotiations. But our minimal objectives for South Vietnam cannot be subject to negotiation any more than, as the late President Kennedy said on July 25, 1961:

> The freedom of that city [Berlin] is not negotiable.

There is another way of considering the meaning of the phrase "unconditional negotiations" and that is in light of the minimal demands by Hanoi, name-

ly: First, American withdrawal from South Vietnam; second, temporary neutralization; third, communization of South Vietnam by the so-called Vietnam National Liberation Front; and fourth, reunification of North and South Vietnam. Obviously to the extent that these points undercut our minimal objectives, they cannot be the subject of negotiation. Bitter history has taught us that neutralization to the Communists does not carry the same meaning as it does to us. A neutralist government containing militant Communists sooner or later ends up being subverted by the Communists who consider such a status as merely an opportunity for the communization of the government and the people. Accordingly, it is difficult to see how any of these points could be the subject of negotiations. Of course, withdrawal of American forces would follow upon achievement of our minimal objectives for South Vietnam, and to this extent such withdrawal would be readily agreed to and would not even have to be negotiated.

Theoretically, perhaps, reunification of North and South Vietnam might be the subject of negotiations. I say "theoretically" because of the difficulties in assuring elections that are truly free which would be the only possible basis for such reunification. Here, again, is where the Communists interpret the phrase "free elections" differently than we do. Their interpretation would permit the use of terrorist and coercive activities as a means of persuading the people to vote "freely" for a Communist government. The world has witnessed for a long time the distorted meaning of "free elections" as practiced in the Soviet Union.

It is for this reason that overemphasis has been placed on the words of President Johnson in his news conference of July 28, when he said:

> We do not seek the destruction of any government, nor do we covet a foot of any territory, but we insist and we will always insist that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all Vietnam under international supervision, and they shall not have any government imposed upon them by force and terror so long as we can prevent it.

The President would, of course, like to see truly free elections, and I am sure, he would like to see some kind of international machinery which would guarantee such free elections. But he is just as familiar with the distorted concept of free elections held by the Communists as anyone else, and he is equally aware of the impossibility of establishing the international machinery needed to guarantee truly free elections throughout North and South Vietnam in the foreseeable future. That is why I believe there has been an overemphasis in some quarters on his words "or throughout all Vietnam under international supervision", as contrasted with his words in the Johns Hopkins speech:

> Such peace demands an independent South Vietnam.

Obviously such an independent South Vietnam would have to precede free elections throughout all Vietnam in the short range period of attainability.

Perhaps it would have been well for the President to have made this point clear instead of leaving it for logical inference from his earlier statements.

William R. Frye, writing in the Des Moines Register of August 3, said the United States has significantly modified its Vietnam peace terms in what he called "a major effort to negotiate its way out of the war." He went on to say:

> The change in the American position consists essentially of three parts:
>
> 1. Washington now is prepared to envisage reunification of Vietnam by internationally supervised elections, as called for in the Geneva accords of 1954, even though, as many diplomats believe, this could lead to a Communist takeover.
>
> Reunification has long been North Vietnam's objective. The United States has held out for partition, with guaranteed security and independence for South Vietnam.
>
> 2. The United States now is willing to regard Hanoi's oft-cited four points, which include an American withdrawal from Vietnam, as part of the agenda for negotiation—though not the exclusive agenda nor as a precondition for a parley.
>
> This is regarded as a major concession. Previously, although President Johnson had offered to take part in "unconditional discussion," the four points had been considered an unnegotiable demand for surrender.
>
> Third. The United States is willing to find some face-saving formula for including the Vietcong—National Liberation Front—at a peace table. Previously Washington had been unwilling to negotiate with the Vietcong, except as part of the North Vietnamese delegation.

And Mr. Frye concludes that the American peace drive has two facets:

> Private overtures, through U Thant and other intermediaries, offering to scale down the American asking price for peace; and public gestures, primarily to the U.N., inviting action by Thant and the U.N. Security Council.
>
> These are provocative words by a perceptive writer. They lend credence to the report in the Des Moines Register of August 8 that the Johnson administration last fall rejected a proposal for peace talks which had been accepted without conditions by North Vietnam.

Let me quote from that report:

> The proposal * * * did not set any conditions, but the Johnson administration rejected it, it is said, for two reasons:
>
> 1. Mr. Johnson was engaged in the election battle with former Senator Barry Goldwater, who was advocating stronger U.S. military action in the Vietnam war. If word of peace talks had leaked out, Goldwater might have capitalized on it as a sign of weakness and damaged the Democratic campaign.
>
> 2. The South Vietnamese Government was in turmoil. Opposition to the military regime of Premier Nyguyen Khanh was growing and Washington believed that negotiation with the Communists might cause the government to fall.

It is for this reason that I hope the President will not leave to conjecture any interpretation of the policy objectives which he has heretofore so firmly set forth. His every word is being scrutinized most carefully by writers, columnists, commentators, those who have been critical of his policies, those who have, as I have, been supporting his policy in Vietnam, and, most particularly, the Communist leaders in Hanoi, Peiping, and Moscow. The slightest deviation from our minimal objectives will be seized upon as a sign of weakness by the Communist World.

In evaluating any agreement to enter into negotiations, I believe it would be prudent to take note of a memorandum from Red China's Mao Tse-tung to the Soviet Union in March of 1953. It appears on pages 5707–5708 of the CONGRESSIONAL RECORD of April 29, 1954, volume 100, part 5, 83d Congress, 2d session. This memorandum should be read and studied by everyone and particularly by our policymakers in the State Department and by those who would, in effect, have us bargain away the peace and freedom of South Vietnam and southeast Asia.

The memorandum is a blueprint of conquest of Asia by the Communists.

It outlines a program which has succeeded all too well, even though parts of the timetable have been thrown off to some degree. Though Mao's timing has been off—because the United States unexpectedly intervened and because of the Red China-Soviet Union dispute over how best to further Communist imperialism—the memorandum serves as a Mein Kampf of Communist conquest and domination.

It should be emphasized that Mao anticipated that most of the gains are to be made through armistices and negotiations.

First of all, Mao declared:

> It appears that time has come that we have to look upon Asia as our immediate goal. In Asia—

He said—

> tactics of internal revolution, infiltration or intimidation into inaction or submission will yield an abundant harvest.

Pointing to the weakness within the Communist World, Mao wrote:

> Consequently, we have to, until we are certain of victory, take a course which will not lead to war.
>
> One course—

He continued—

> is to isolate the United States by all possible means.
>
> Then Britain must be placated by being convinced that there is a possibility of settling the major issues between the East and the West and that the Communists and the capitalist countries can live in peace. Opportunities for trade will have a great influence on the British mind.

Listen to what Mao had to say about France:

> In the case of France, her war weariness and fear of Germany must be thoroughly exploited. She must be made to feel a sense of greater security in cooperating with us than with the Western countries.

And on Japan:

> Japan must be convinced that rearmament endangers instead of guaranteeing her national security and that, in case of war, the American forces distributed all over the world cannot spare sufficient strength for the defense of Japan. Rearmament is, therefore, an expression of hostility toward her potential friends. Her desire to trade will offer great possibilities for steering Japan away from the United States.

Before I turn to specific areas of conquest set out in the blueprint, let me quote the section on military preparedness:

As a final goal, there should be in east and southeast Asia (after these areas are liberated) 25 million well-trained men who can be immediately mobilized. These men are to be held in readiness for emergency. They will achieve two purposes. On the one hand they will force the capitalist countries to keep on increasing defense expenses until economic collapse overtakes them. On the other hand, a mere show of force, when time is ripe, will bring about the capitulation of the ruling cliques of the countries to be liberated.

Note the emphasis of liberation. The idea of a "war of liberation" is the chief propaganda weapon in the hands of the aggressors in Vietnam today.

Mao also had some comments on the Korean war, which was raging at the time his memorandum was written.

He said:

The important reason that we cannot win decisive victory in Korea is our lack of naval strength. Without naval support, we have to confine our operations to frontal attacks along a line limited by sea. Such actions always entail great losses and are seldom capable of destroying the enemy. In March 1951, I suggested to Comrade Stalin to make use of the Soviet submarines in Asia under some arrangement that the Soviet Union would not be apparently involved in the war. Comrade Stalin preferred to be cautious lest it might give the capitalist imperialism the pretext of expanding the war to the continent. I agreed with his point of view.

Until we are better equipped for victory, it is to our advantage to accept agreeable terms for an armistice.

Here is what Mao had to say about Formosa:

Formosa must be incorporated into the People's Republic of China because of the government's commitment to the people. If seizure by force is to be avoided for the time being, the entry of the Chinese People's Government into the United Nations may help solve this problem. If there should be serious obstacles to the immediate transfer of Formosa to the control of the People's Government, a United Nations trusteeship over Formosa as an intermediary step could be taken into consideration.

This should serve as a warning to those who advocate that Red China be admitted to the United Nations regardless of the fact that she does not qualify for admission under the Charter of the United Nations.

Now let us examine Mao's pronouncements on Indochina. It should be remembered that at the time the memorandum was prepared France was still fighting to maintain her colonial interests there. And those who talk of "free elections" in Vietnam would do well to keep his words in mind:

We shall give the maximum assistance to our comrades and friends in Indochina. The experiences we have had in Korea should enrich their knowledge in fighting for liberation. The case of Indochina cannot be compared with that of China. In Indochina, as in Korea, there is serious intervention of the capitalist bloc, while in China there was nothing so direct and vigorous. The experiences in Korea tell us that so long as there is foreign intervention and so long as we have no naval support, military operations alone cannot achieve the objective of liberation.

The military operations in Indochina should be carried out to such an extent as to make the war extremely unpopular among the French people and to make the French and Americans extremely hateful among the Indochinese people. The object is to force the French to back out of Indochina preferably through the face-saving means of an armistice. Once foreign intervention is out of the picture, vigorous propaganda, infiltration, forming united fronts with the progressive elements in and outside the reactionary regimes will accelerate the process of liberation. A final stroke of force will accomplish the task. Two years may be needed for this work.

Two years later France was out of Indochina.

But Mao's blueprint for complete domination of what was formerly Indochina was stalled when the United States decided that freedom for the people and the peace of southeast Asia required our assistance.

To those who maintain that South Vietnam is of little importance to us strategically, that we have no business there, that the Communists would settle for "that one little piece of ground," Mao's own words supply the answer:

After the liberation of Indochina, Burma will fall in line as good foundation has already been laid there. The then reactionary ruling clique in Thailand will capitulate and the country will be in the hands of the people. The liberation of Indonesia, which will fall to the Communist camp as a ripe fruit, will complete the circle around the Malay Peninsula.

The British will realize, under these circumstances, the hopelessness of putting up a fight and will withdraw as quickly as they can.

If war can be averted, the success of our plan of peaceful penetration for the other parts of Asia is almost assured.

Even then Mao considered Indonesia ripe picking. And who can say he was in error when one considers the actions of Indonesia's Sukarno, who continues to castigate the United States and act like a puppet of Red China? That is why our continuation of aid to Indonesia makes so little sense. And it makes even less sense that the United States has paid Indonesia $350,000 to assist that nation to operate a small atomic research reactor, as reported in the Washington Post of August 7. The funds were provided only last month.

The second secession of Singapore from the Malaysia Federation could signal the start of another period of chaos in southeast Asia, as one commentator put it, with serious consequences for the struggle to resist communism there.

Finally, the memorandum states that India should not bear the brunt of hostile actions, that only peaceful means should be adopted. Why?

Because—

Said Mao—

any employment of force will alienate ourselves from the Arabic countries and Africa, because India is considered to be our friend.

Mr. President, these are the main points of the memorandum of 12 years ago from the one who was then and who now is the leader of Red China. He was not writing for literary effect. He meant what he said.

With so much talk about negotiations today, I view with misgivings that our Ambassador W. Averell Harriman and Gen. Maxwell Taylor, as reported in the Washington Post on August 9, suggested that Hanoi is not a likely target of American air attacks against North Vietnam.

According to the report, General Taylor argued against bombing the North Vietnamese capital because "we need the leadership in Hanoi to be intact to make those essential decisions we hope they will make at some time."

This seems to contradict Secretary of State Rusk's statement that there will be no privileged sanctuary for supporters of the Vietcong insurgency.

And it recalls that there were no privileged sanctuaries for Adolf Hitler and his leaders during World War II. Nevertheless, the Nazi leaders were sufficiently "intact" to make the essential decisions to end the war.

It is not helpful to our cause to give comfort to those who promote aggression. If our leaders intend to pursue a policy of firmness, they should avoid any statements which might be construed as a sign of deviation from that policy.

I am concerned over suggestions, which seemingly appear as trial balloons, that we may settle for less than what the President has stated to be our minimal objectives. I am concerned also that the President's critics—some from within his own party—appear to look only at Vietnam without considering the whole picture so carefully considered by Mao Tse-tung. They ignore the Communist objectives in Thailand, in Laos, in Cambodia, in Burma, in Japan, in the Phillippines, in India, and even in Australia.

That is why it is time for all to understand the true meaning of the phrase "unconditional negotiations."

Mr. President, I ask unanimous consent that the memorandum to which I referred in my speech, and which appears in the CONGRESSIONAL RECORD, volume 100, part 5, pages 5707, 5708, be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AN OUTLINE OF MAO TSE-TUNG'S MEMORANDUM ON NEW PROGRAM FOR WORLD REVOLUTION

(Carried to Moscow by Chou En-lai in March 1953)

1. ASIA TO BE THE IMMEDIATE GOAL

Due to the profound leadership of Comrade Stalin, amazing achievements have been made in the great task of world revolution. The success that has been attained both in Europe and in Asia after World War II is entirely attributable to Comrade Stalin's able and correct guidance and direction. May his wisdom still guide us.

It appears that time has come that we have to look upon Asia as our immediate goal. Under the present circumstances, any vigorous action in Europe such as internal revolution, effective infiltration, or intimidation into inaction, or submission is now impossible (Communist terminology is different, this represents what it really means) more forcible measures may bring about a war. In Asia, on the contrary, such tactics will yield an abundant harvest.

2. WORLD WAR TO BE TEMPORARILIY AVOIDED

There is no assurance of victory because of the higher rate of industrial production and larger stockpile of atomic weapons on the

part of the capitalist countries, incompletion of antiatomic defenses of the industrial areas and oil installations in the Soviet Union, and immaturity of China's agricultural and industrial developments. Consequently, we have to, until we are certain of victory, take a course which will not lead to war.

3. DIPLOMATIC OFFENSIVE

The United States must be isolated by all possible means.

Britain must be placated by being convinced that there is possibility of settling the major issues between the East and the West and that the Communists and the capitalist countries can live in peace. Opportunities for trade will have a great influence on the British mind.

In the case of France, her war weariness and fear of Germany must be thoroughly exploited. She must be made to feel a sense of greater security in cooperating with us than with the Western countries.

Japan must be convinced that rearmament endangers instead of guaranteeing her national security and that, in case of war, the American forces distributed all over the world cannot spare sufficient strength for the defense of Japan. Rearmament is, therefore, an expression of hostility toward her potential friends. Her desire to trade will offer great possibilities for steering Japan away from the United States.

4. MILITARY PREPAREDNESS

As a final goal, there should be in east and southeast Asia (after these areas are liberated) 25 million well-trained men who can be immediately mobilized. These men are to be held in readiness for emergency. They will achieve two purposes. On the one hand they will force the capitalist countries to keep on increasing defense expenses until economic collapse overtakes them. On the other hand, a mere show of force, when time is ripe, will bring about the capitulation of the ruling cliques of the countries to be liberated.

5. THE KOREAN WAR

The important reason that we cannot win decisive victory in Korea is our lack of naval strength. Without naval support, we have to confine our operations to frontal attacks along a line limited by sea. Such actions always entail great losses and are seldom capable of destroying the enemy. In March 1951 I suggested to Comrade Stalin to make use of the Soviet submarines in Asia under some arrangement that the Soviet Union would not be apparently involved in the war. Comrade Stalin preferred to be cautious lest it might give the capitalist imperialism the pretext of expanding the war to the Continent. I agreed with his point of view.

Until we are better equipped for victory, it is to our advantage to accept agreeable terms for an armistice.

6. FORMOSA

Formosa must be incorporated into the People's Republic of China because of the Government's commitment to the people. If seizure by force is to be avoided for the time being, the entry of the Chinese People's Government into the United Nations may help solve this problem. If there should be serious obstacles to the immediate transfer of Formosa to the control of the People's Government, a United Nations trusteeship over Formosa as an intermediary step could be taken into consideration.

7. INDOCHINA

We shall give the maximum assistance to our comrades and friends in Indochina. The experiences we have had in Korea should enrich their knowledge in fighting for liberation. The case of Indochina cannot be compared with that of China. In Indochina, as in Korea, there is serious intervention of the capitalist bloc, while in China there was nothing so direct and vigorous. The experiences in Korea tell us that so long as there is foreign intervention and so long as we have no naval support, military operations alone cannot achieve the objective of liberation.

The military operations in Indochina should be carried out to such an extent as to make the war extremely unpopular among the French people and to make the French and Americans extremely hateful among the Indochinese people. The object is to force the French to back out of Indochina preferably through the face-saving means of an armistice. Once foreign intervention is out of the picture, vigorous propaganda, infiltration, forming united fronts with the progressive elements in and outside the reactionary regimes will accelerate the process of liberation. A final stroke of force will accomplish the task. Two years may be needed for this work.

8. BURMA, THAILAND, INDONESIA, AND MALAY PENINSULA

After the liberation of Indochina, Burma will fall in line as good foundation has already been laid there. The then reactionary ruling clique in Thailand will capitulate and the country will be in the hands of the people. The liberation of Indochina, which will fall to Communist camp as a ripe fruit, will complete the circle around the Malay Peninsula.

The British will realize, under these circumstances, the hopelessness of putting up a fight and will withdraw as quickly as they can. We expect that the whole process will be completed in or before 1960.

9. JAPAN AND INDIA

By 1960 China's military, economic and industrial power will be so developed that with a mere show of force by the Soviet Union and China, the ruling clique of Japan will capitulate and a peaceful revolution will take place. We must be on guard against the possibility that the United States will choose to have war at this moment. She may even want the war earlier. The defensive and offensive preparations of the Soviet Union and China must, therefore, be completed before 1960. Whether we can prevent the United States from starting the war depends upon how much success we have in isolating her and how effective is our peace offensive. If the war can be averted, the success of our plan of peaceful penetration for the other parts of Asia is almost assured.

In the case of India, only peaceful means should be adopted. Any employment of force will alienate ourselves from the Arabic countries and Africa, because India is considered to be our friend.

10. ARABIC COUNTRIES AND AFRICA

After India has been won over, the problems of the Philippines and the Arabic countries can be easily solved by economic cooperation, alliances, united fronts, and coalitions. This task may be completed in 1965. Then a wave of revolution will sweep over the whole continent of Africa and the imperialists and the colonizationists will be quickly driven into the sea. In fact this powerful movement may have been underway much earlier.

With Asia and Africa disconnected with the capitalist countries in Europe, there will be a total economic collapse in Western Europe. There capitulation will be a matter of course.

11. THE UNITED STATES

Crushing economic collapse and industrial breakdown will follow the European crisis. Canada and South America will find themselves in the same hopeless and defenseless condition. Twenty years from now, world revolution will be an accomplished fact. If the United States should ever start a war, she would do so before the liberation of Japan, the Philippines, and India. The courses of action in that event are outlined in the memorandum on military aid.

Mr. MILLER. Mr. President, I ask unanimous consent that at this point in the RECORD there be printed an article entitled "The Big If," by the distinguished columnist, Mr. Joseph Alsop, dated August 6; an article entitled "Major U.S. Modification of Viet Peace Terms," by Mr. William R. Frye, in the August 3 issue of the Des Moines Register; an article entitled "Johnson Throws Support to Thant," by Max Freedman, published in the Washington Evening Star on August 5; an article entitled "Report U.S. Rejected Peace Bid Last Fall," by Darius S. Jhabvala, published in the August 8 issue of the Des Moines Register; an article entitled "Hanoi Seen as Unlikely Air Target," by Frank C. Porter, published in the Washington Post on August 9; and finally, an article entitled "United States Gave $350,000 for Indonesia Reactor," by Richard Halloran, published in the August 7 issue of the Washington Post.

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

THE BIG IF

(By Joseph Alsop)

The history of the American role in the war in Vietnam has thus far been stamped all over, in large letters, "Too Little and Too Late."

A good illustration is President Kennedy's 1961 decision to make an important increase in the American contribution.

The people who were trying for Brownie points by carrying on a personal vendetta against the late President Ngo Dinh Diem elaborately pooh-poohed the results of this decision by President Kennedy. General Harkins and Secretary of Defense Robert S. McNamara were bitterly denounced for overoptimistic estimates of the war situation in 1962.

By now, however, prisoner interrogations and other undoubted intelligence have revealed that the Vietcong came fairly close to defeat at that time. The modern weapons that the United States supplied to the South Vietnamese Army, and the major step-up in South Vietnamese fighting power, knocked the Communists temporarily but rather completely off balance.

Instead of being criticized for overoptimism, in fact, Secretary McNamara should have been attacked on another point—the failure to act on one of the 1961 recommendations, to backup the South Vietnamese army with American tactical airpower.

Very few people are aware of it, but the fact is that the most important part of President Johnson's Pleiku decision last winter was not the order to bomb North Vietnamese targets. As the decision was implemented, the bombing sorties against the north were more for show than effect for many months on end. But President Johnson's simultaneous removal of all wraps from the use of American tactical airpower in South Vietnam had a profound effect.

Without this other, much less publicized step, the war might well have been lost by now. And if this same step had been taken when the American contribution was increased in 1961, the war might well have been won in the period when the Vietcong were so badly knocked off balance.

These facts are relevant at the moment, because the increase in U.S. troop strength in Vietnam, which President Johnson announced last week, is currently being denounced as "too little and too late." For

once in a way, however, this appears not to be true.

In brief, the U.S. field commander, General Westmoreland, was given quite literally everything he asked for. The armed services were not, however, given all that they asked for as soon as General Westmoreland's requests were in. Thus the callup of Reserves was deferred, for instance.

In these circumstances, the really disquieting aspect of the President's news conference was the interminable and effusive discussion of negotiations with the North Vietnamese. This has left the impression, in the country and throughout the world, that the United States is prepared to stop fighting the next morning after being asked to begin talking.

The big "if," of course, is whether enough progress can be made in Vietnam to force the Communists to ask for negotiations. If that happens, one may be quite certain the circumstances will broadly resemble those in Korea in June-July 1951, when the Chinese Communists asked for negotiations.

The reason for the Chinese request was simple. The United States and South Korean armies had made a superb recovery in the months since the disaster on the Yalu. In June-July 1951, a powerful offensive threatened the whole Chinese and North Korean front. That was why the Chinese were ready to begin talking.

Unhappily, the offensive was stopped dead in its tracks when talks were requested. The Chinese got a respite. Two more bitter years of fighting followed before the signature of the unsatisfactory peace. The war in Vietnam is a direct sequel and result.

It is a serious matter, therefore, if the impression is conveyed that the United States is again ready to commit the same silly folly that was committed in Korea in the summer of 1951.

In reality, this impression that President Johnson conveyed is almost certainly misleading. He talks of unconditional negotiations because the intention is to keep the pressure on the enemy until an acceptable settlement is agreed upon. But the President will still be wise to remove the false impression, for there are plenty of people who have forgotten the Korean folly and will howl like banshees for a repetition of it, unless the President clears the air in advance.

MAJOR U.S. MODIFICATION OF VIET PEACE TERMS

(By William R. Frye)

NEW YORK, N.Y.—The United States has significantly modified its Vietnam peace terms in a major effort to negotiate its way out of the war, it has been learned here.

Chief U.S. Delegate Arthur J. Goldberg informed U.N. Secretary General U Thant of the new stand on Wednesday. Thant, who thereupon publicly vowed to redouble his peace efforts, is expected to relay the proposals to Hanoi and Peiping promptly.

The change in the American position consists essentially of three parts:

1. Washington now is prepared to envisage reunification of Vietnam by internationally supervised elections, as called for in the Geneva accords of 1954, even though, as many diplomats believe, this could lead to a Communist takeover.

Reunification has long been North Vietnam's objective. The United States has held out for partition, with guaranteed security and independence for South Vietnam.

2. The United States now is willing to regard Hanoi's oft-cited "four points," which include an American withdrawal from Vietnam, as part of the agenda for negotiation—though not the exclusive agenda nor as a precondition for a parley.

This is regarded as a major concession. Previously, although President Johnson had offered to take part in "unconditional discussions," the four points had been considered an unnegotiable demand for surrender. The points involve (a) American withdrawal; (b) temporary neutralization; (c) communization of South Vietnam; (d) then reunification.

3. The United States is willing to find some face-saving formula for including the Vietcong (National Liberation Front) at a peace table. Previously, Washington had been unwilling to negotiate with the Vietcong except as part of the North Vietnamese delegation.

This large-scale United States "peace offensive" has placed Hanoi and Peiping under significant new pressure to negotiate an end to the Vietnam war, U.N. diplomats believe.

PRIVATE AND PUBLIC MOVES

The American peace drive has two facets: Private overtures, through U Thant and other intermediaries, offering to scale down the American asking price for peace; and public gestures, primarily to the U.N., inviting action by Thant and the U.N. Security Council.

U.N. diplomats and observers are more impressed by the private moves than by the public gestures, though they believe both contribute to useful pressure on the Communists.

In offering to negotiate the reunification of Vietnam under internationally supervised elections the United States has offered, in effect, to reverse its 10-year effort at partition, provided only that the elections are genuinely free, and certified as such by an international authority.

SOMETHING TO WORK WITH

It was never clear in the 1950's that the Communists would let the elections be free, even though many observers believed they could win them. They wanted victory to be not merely probable, but certain. This point could easily prove once again to be a major stumbling block. But if so, the United States will be in a strong moral and propaganda position, U.N. people believe.

The Secretary General is represented as feeling he now has something negotiable to work on. But whether the Vietcong having believed themselves on the verge of military victory, will agree to negotiate on any basis for any purpose is considered problematical. Strenuous efforts will be made to persuade them to do so.

It is presumed here, without firm knowledge, that Presidential roving Ambassador W. Averell Harriman went to Moscow hoping to induce Moscow to join in this pressure on Hanoi.

DOESN'T WANT U.N. DEBATE

If after a reasonable period—the word "reasonable" has not been made precise—the Communists still refuse to negotiate, even on a basis which includes their own proposals, the United States is expected to plunge into the war on a major scale.

The public phase of the American "peace offensive" is regarded here as useful but less meaningful.

The U.N. does not believe the United States really expects, or even wants, a public debate on Vietnam in the U.N. Security Council at this stage, despite an invitation to Council members Friday by Delegate Goldberg to "somehow find the means to respond effectively" to the southeast Asia "challenge."

A public debate would virtually oblige the Soviet Union to take a violent public posture critical of the United States, it is pointed out, at a time when efforts are being made to cushion the damaging impact of Vietnam on Soviet-American relations and avoid a future confrontation.

Moscow, too, is said to be opposed to a Vietnam debate in the U.N. Neither the United States nor any other country has formally moved for one.

Repeated statements by Washington that the United States is willing are taken as gestures to American domestic critics, who want the U.N. to help make peace, perhaps without fully realizing what U.N. intervention would mean at this stage.

JOHNSON THROWS SUPPORT TO THANT

(By Max Freedman)

The effect on the United Nations of President Johnson's new initiatives on Vietnam can be summarized in two sentences. Up to now Secretary General U Thant has been following his own instincts, working often at haphazard, and always barren of results. Now he is supported by the full authority of the United States, the whole world knows it, and he can act with new confidence and assurance. In a situation filled with uncertainty and danger his new bargaining power is at least one small hope for peace.

In the past there has been rather savage criticism of the Secretary General in the American press. He has been accused of being so impartial that he has seen no difference between Communist subversion and the resistance offered by the United States.

This press criticism has received no support from the Johnson administration. As a matter of deliberate and far-sighted policy, Ambassador Adlai Stevenson and Secretary of State Dean Rusk and the President all wanted to preserve the Secretary General's undamaged authority. They knew the time might come when the Secretary General could be very useful in bringing the problems of Vietnam to the conference table. Perhaps that time has not yet arrived but at least he has begun to move in that direction.

It has often been said that the Secretary General has no mandate to do anything in this dispute since neither North Vietnam nor China belongs to the United Nations. That is not correct. Under the charter he has a general mandate to bring to the attention of the United Nations any problem disturbing the peace. He is now able to use the powers of his office not only as they were defined in the charter but as they were interpreted and expanded by the late Secretary General Dag Hammarskjold.

Beyond all question any hope of a negotiated settlement rests on the Secretary General. Any effort made by an individual government to promote a settlement will be coordinated with the work of the Secretariat even if nothing is said of this cooperation in public. Thus, the United Nations always will be in the background and its authority can be used at the right moment.

When he was asked if the United States would support an immediate cease-fire, Ambassador Arthur Goldberg replied that a cease-fire is without meaning unless it leads to a negotiated settlement of the dispute. There is another answer that is equally important. The United States must be very skeptical of any arrangement that seems to give the Vietcong the title to the land that they are holding at the time of the cease-fire. Any such formula would weaken and dismember South Vietnam and make its survival as an independent political entity completely impossible.

This explains why the rulers of South Vietnam are being so cautious about the role of the United Nations. They want to know what the United Nations can do to guarantee that South Vietnam will in fact have a free choice in a supervised election to chart its own political course. The United States is pledged to respect the freedom of South Vietnam while being willing to accept the unity of all Vietnam. This is a pleasant and ingenious formula, so long as it does not have to be tested, but it enshrines a contradiction and may fall apart under the pull of events.

By every token, the Secretary General knows better than officials in Washington

how fragile and contradictory this principle really is. He has asked for urgent studies to be made on the problems of supervised elections so that South Vietnam's freedom of choice will be a reality rather than an illusion. He also has made it clear that the conference room must be a place for genuine negotiations instead of being a place where the military gains of the Communist forces are ratified and accepted.

These two principles, deeply held at the United Nations, should reassure South Vietnam that no one is contemplating a diplomatic sellout in the abused name of peace.

In these early stages it is impossible to know what the Soviet Union will do. If she is ready to minimize the risks of war, she will not use her veto or organize resistance to the United Nations effort. It all depends on how far the Soviet Union wishes to go in widening her quarrel with Communist China and in reducing her influence in North Vietnam. The Secretary General is now trying to find the answer to these questions by delicate personal diplomacy.

Even China may hesitate before she rebukes and defies the United Nations. Yet the Secretary General, even if his present efforts should fail, would have provided another and conclusive proof of the desire of the United States to find an honorable end to the war in Vietnam.

REPORT UNITED STATES REJECTED PEACE BID LAST FALL

(By Darius S. Jhabvala)

UNITED NATIONS, N.Y.—The Johnson administration last fall rejected a proposal for Vietnam peace talks that had been accepted without conditions by Communist North Vietnam, it was learned Saturday.

This information, from reliable sources, is in direct conflict with President Johnson's statement at his July 28 press conference that "we are ready now, as we have always been, to move from the battlefield to the conference table."

The opportunity for a private and unpublicized discussion with representatives of the Hanoi regime occurred early last fall, at the height of the U.S. presidential election campaign.

NO CONDITIONS

The proposal, made by a non-Communist Asian diplomat, was accepted by Hanoi, which did not set forth any conditions.

But the Johnson administration rejected it, is is said, for two reasons:

Mr. Johnson was engaged in the election battle with former Senator Barry Goldwater, who was advocating stronger U.S. military action in the Vietnam war. If word of peace talks had leaked out, Goldwater might have capitalized on it as a sign of weakness and damaged the Democratic campaign.

The South Vietnamese Government was in turmoil. Opposition to the military regime of Premier Nguyen Kanh was growing, and Washington believed that negotiations with the Communists might cause the government to fall (it did fall later).

Saturday, an informed State Department source, asked about the story, replied, "The President was never involved in that one." He said it was one of many contacts over a long period of time. "There were contacts going on almost every other week."

ABOUT PROCEDURE

But, he said, this particular contact concerned only the procedure for a meeting and there was no hint that anything would come from it.

He said "the election did not have anything to do with it."

The effort to initiate direct talks was made shortly after the August 1964 Gulf of Tonkin crisis, in which the United States conducted its first two air strikes against North Vietnam in retaliation for PT boat attacks on American warships in the gulf.

That was 6 months before the present U.S. air offensive against North Vietnam began last February 7.

Not long before it accepted the proposal for direct talks, Hanoi had rejected an invitation by the United Nations Security Council to participate in a debate on the Gulf of Tonkin crisis with the comment that only the signers of the 1954 Geneva accords were competent to study "the war acts committed by the United States." The United States was not a signatory.

AT RANGOON

The proposal, suggesting Rangoon, Burma, as a meeting place, was discussed at the U.N. and then relayed to Hanoi by an emissary of the Soviet foreign ministry. There were hints of such a proposal at that time, but its fate was never made public.

Later proposals for peace talks were turned down by Hanoi, and the sources said Saturday they believed the U.S. rejection of the Rangoon talks caused Hanoi to stiffen its resistance to negotiations and to intensify its support of the Vietcong guerrilla war against South Vietnam.

U.S. officials have said several times that on no occasion has Hanoi shown a willingness to talk.

The sources pointed out Saturday that last fall's U.S. rejection and Hanoi acceptance of a negotiation proposal is now a footnote in history. They maintained, however, that had a meeting taken place, a road to peace in Vietnam might have been mapped out.

HANOI SEEN AS UNLIKELY AIR TARGET—HARRIMAN, TAYLOR HINT STRONGLY THAT CITY WON'T BE HIT

(By Frank C. Porter)

W. Averell Harriman and Gen. Maxwell D. Taylor both suggested yesterday that Hanoi is not a likely target in American air attacks against North Vietnam.

"Although there has been no assurance that we won't bomb Hanoi," Harriman said, "we are a long ways from it at the present time."

Taylor argued against bombing the North Vietnamese capital on grounds that "we need the leadership in Hanoi to be intact to make those essential decisions we hope they will make at some time." He would not say categorically, however, that the city is ruled out as a future target.

RUSK'S WARNING

Although the Johnson administration has repeatedly said it has no present plans to strike Hanoi, Secretary of State Dean Rusk has warned there will be no privileged sanctuary for supporters of the Vietcong insurgency.

But Harriman and Taylor appeared to throw out strong hints that Hanoi may be indefinitely exempted.

And Harriman, U.S. Ambassador-at-Large who recently returned from talks with Russian Premier Alexei N. Kosygin and four other chiefs of state, went out of his way to calm American fears of further escalation of the Vietnamese conflict.

Asked about a serious military confrontation with Communist China, Harriman said, "I see no reason we should stir up the public to believing that is the danger. I do not believe it is a danger."

But should such a confrontation with China occur, Harriman told a panel on "Face the Nation" (CBS, WTOP), "we would have to count upon Moscow standing with Communist allies."

At the same time, Harriman said he came back from Moscow "with a very strong feeling that Mr. Kosygin and his colleagues are as anxious as we are to prevent escalation."

MOSCOW'S STAND STATED

He stressed that the Soviet Union cannot play an overt role as peacemaker because of its competition with Peiping for leadership of world communsim. "They may be able to do things privately they are not able to do publicly," he added.

And although Moscow supports North Vietnam and liberation movements generally as the trend of the future, Harriman said Kosygin told him the Russians "believe in the 17th parallel (the dividing line between North and South Vietnam), indicating that there should be recognition of the rights of the South Vietnamese people."

In the same vein, Harriman said President Tito of Yugoslavia made it plain to him that South Vietnam should be allowed to have its independence and that Tito regards China as an aggressor nation and a dangerous one.

"And I wouldn't be surprised if that was not only his view but also the Soviet view," Harriman added.

Taylor, former U.S. Ambassador to Saigon, was interviewed on Meet the Press (NBC-TV-WRC).

He said he would expect additional American forces to follow the buildup to 125,000 men announced by the administration. Asked if he thought a commitment of 300,000 to 400,000 might be needed later, Taylor said he did not think such a large force will be required.

He also was asked how long it might take to end the U.S. involvement in Vietnam.

"I wouldn't expect anything less than 1 to 2 years," Taylor said.

General Taylor was reminded that in 1962 he and Defense Secretary Robert S. McNamara had said the United States might be able to wind up its involvement by Christmas of that year.

"At that time we had not had the political turbulence," Taylor said, referring to the subsequent overthrow of the Diem government and the long series of Saigon coups that followed.

The lack of governmental stability and of sufficient trained military manpower are the two most pressing problems in South Vietnam today, said Taylor.

But "the new and broadened U.S. commitment" to fill that manpower gap has given an "enormous lift" to South Vietnamese and Americans alike, he explained.

American air attacks north of the 17th parallel, Taylor said at another point, have had "a very clear depressant effect" on infiltration from the north.

UNITED STATES GAVE $350,000 FOR INDONESIA REACTOR

(By Richard Halloran)

The United States has paid Indonesia $350,000 to assist the southeast Asian nation to operate a small atomic research reactor.

A State Department spokesman said yesterday that the sum was paid to fulfill an atoms-for-peace agreement made in 1960.

The reactor, situated at the Technical Institute of Bandung, was purchased from General Dynamics and went into operation last spring with uranium fuel leased from the United States.

Under terms of the agreement, the United States granted the $350,000 after Indonesia got the facility running. The funds were given to Indonesia last month.

The United States must now decide whether to renew the 5-year agreement, which expires September 20. In light of Indonesian President Sukarno's pointed anti-American stance recently, the decision has strong political overtones.

No negotiations for renewing the agreement have been started with the Indonesian Government. The decision to go ahead or not will be made by Secretary of State Dean Rusk and may go to President Johnson for approval.

If the United States decides not to renew the agreement, a problem in getting Indonesia to return the fuel may arise. Indonesia so far has observed the inspection and safety

aspects of the agreement. But Sukarno's reaction to an adverse decision is unpredictable.

A second consideration is Sukarno's recent claims that Indonesia will soon have an atomic bomb. Informed sources say that the atoms-for-peace reactor cannot technically be used to build a military weapon.

The Bandung reactor is the only one known to be operating in Indonesia. A Russian-built subcritical reactor stopped running in 1963 when the Russians did not replenish the fuel.

Another Soviet reactor is under construction but not operating.

American assistance to Indonesia's atomic program has been criticized at home and abroad.

In Kuala Lumpur Thursday, Reuters reported Malaysian Prime Minister Tunku Abdul Rahman said:

"Although America says the reactor is only meant for peaceful purposes, what guarantee is there that Sukarno will not use it for destruction purposes?"

Sukarno has vowed that Indonesia will "crush" Malaysia, which he considers a neocolonial federation.

Earlier this week, Representative WILLIAM S. BROOMFIELD, Republican, of Michigan, was critical of American assistance to Indonesian atomic research.

THROWING AWAY MARKETS—AND FARMERS

Mr. McGOVERN. Mr. President, Al Capp, who is famed for his Lil Abner comic strip, recently conjured up little beings he designated as "Kigmies."

"Kigmies" in the cartoon world, ushered in an era of improved human relations because they enjoyed nothing more than a well-planted foot in the posterior. Angry and frustrated human beings could get relief from their frustrations and anger by kicking a Kigmie.

I mention this because of efforts to make real life Kigmies out of the wheat producers of the United States.

American wheat producers have just lost a share in the sale of 6.9 million tons of wheat to Russia and Eastern Europe within the past 2 weeks because of an unbelievably foolish policy, demanded by maritime unions and maintained by our Government, of requiring 50 percent of any wheat sold for dollars to Soviet bloc countries to be carried in American ships at nearly twice what it would cost to move the wheat in foreign vessels.

The news last week told of Canadian sales to a Russian trade delegation of 27.7 million bushels of wheat for shipment from western Canada, and another 187 million bushels for shipment from eastern Canada, including wheat equivalent of 400,000 tons of flour. A sale of 7 million bushels to Czechoslovakia was arranged during the week, and an independent purchase of 1.1 million tons was made from Argentina.

The delivered cost of this wheat will be about $500 million. The Canadian wheat producers will receive in excess of $300 million.

Russia is going to need even more wheat.

Dr. Richard Goodman of the Great Plains Wheat Council advises me that the best available information indicates the Russian crop this year will be 40 to 41 million tons.

Between 1959 and 1963, the Russian crop has averaged 60 million tons.

Russia's requirements are 55 million tons for domestic consumption and 3 million tons for export to satellites.

Assuming a 41-million-ton crop and 7 million tons of purchases to date, Russia is still 7 million tons short of a normal supply for domestic use and 10 million tons of wheat short if her exports are calculated. Russia still needs wheat which we might sell if our unwise shipping rules were rescinded.

According to press reports, Izvestia has started indicating to the Russian people that corn is a fine cereal.

There are indications that Mr. Kosygin is conditioning his people for the news that they must tighten their belts on wheat consumption in the year ahead. She has booked just about all the wheat Canada can spare until she is certain of yields from the bumper crop that appears sure to be harvested in the western provinces. Argentina and Australia are out of the market at least until they know the size of their 1966 crop. And Russia has made one thing clear in the past: she will not pay more for American products than other purchasers from the United States have to pay, which is one effect of our 50 percent U.S. shipping requirement.

We are denying American wheat farmers access to a profitable commercial market by our self-defeating shipping requirement. We are asking Soviet purchasers to pay 11 to 12 cents per bushel more for wheat than other countries are asked to pay—because of the requirement that 50 percent must be shipped in U.S. ships. As a consequence, we are not selling a single bushel of wheat to the Russians or Eastern Europeans and there is every indication that they will continue to buy from our competitors or substitute corn as a cereal, before they will patronize us at extra cost, even as a residual demand supplier.

The shipping regulation, designed to placate two or three maritime unions, is helping no one at all. It is giving them 50 percent of nothing. It is depriving the United States of an opportunity to improve its balance of payments position by hundreds of millions of dollars.

While Canadian farmers are experiencing an economic boom and going into all out production, our wheat farmers are suffering from inadequate markets and from drastically curtailed production. While we develop a farm program paying people not to produce, the Canadians are forging ahead, increasing wheat acreage.

Mr. President, there is absolutely no reasonable justification for this self-defeating shipping restriction. It helps no one. It hurts virtually everybody. If anyone draws any satisfaction from the false hope that this silly shipping restriction is hurting the Russians and the East Europeans he should simply take a look at the Russian purchase missions which are securing grain from our competitors all over the world. All we are doing is sticking our heads in the sand at a cost of several hundred million dollars a year to ourselves while we invite our competitors to develop a monopoly in the Russian and East European wheat markets.

It is hard for me to understand how the same labor leaders who ask us to vote for the repeal of section 14(b) of the Taft-Hartley law on the ground that it hurts the economy can now stand in the way of removing a much more damaging restriction on our economy. There are many more compelling reasons for removing the irrational restriction on American wheat sales than there are for repealing section 14(b). I for one have very little enthusiasm for a crusade against 14(b) at a time when top labor leaders are insisting on pointless restrictions on the shipment of American wheat.

Mr. President, I ask unanimous consent to have appear in the RECORD at this point two editorials from the Minneapolis Tribune. The first appeared Sunday, August 8, and calls for termination of the 50-percent shipping requirement. The second appeared Saturday, August 14, as a reply to an article by David Lawrence, appearing in the same paper, in regard to wheat sales.

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

[From the Minneapolis (Minn.) Tribune, Aug. 8, 1965]

LET'S SELL MORE U.S. WHEAT ABROAD

Senator GEORGE MCGOVERN, Democrat, of South Dakota, has asked that America drop the requirement that 50 percent of cash sales to the Soviet bloc be shipped in U.S. vessels. The regulation boosts the price of U.S. wheat by 11 to 15 cents a bushel and exports have dropped to almost nothing.

Yet a Russian delegation is in Canada right now negotiating for wheat. The United States clamps acreage controls on wheat-growing and has a carryover of 800 million bushels. Canada and Australia have virtually no carryover, thanks largely to sales to Communist countries, and they are encouraging farmers to grow more wheat. Canada's wheat acreage last year was up 30 percent from the 1955–59 average, Australia's 60 percent.

The U.S. maritime industry, and particularly its labor force, exacted the 50-percent promise from President Kennedy when American wheat went to Russia in 1963–64. But the uproar then, and the consequent higher price for U.S. wheat because U.S. ships charge higher rates, has turned away Russian buyers and there are no shipments. Thus Senator MCGOVERN sensibly called for giving up the 50-percent-or-nothing regulation.

A big share of Canadian and Australian wheat exports go to Red China. In part the wheat replaces more expensive rice which the Chinese sell abroad for hard currency. The United States is not presently interested in trading with Communist China, but certainly American agriculture would benefit from more farm product sales to the Soviet bloc in Europe.

It's time to talk turkey to maritime management and labor.

[From the Minneapolis (Minn.) Tribune, Aug. 14, 1965]

END EMBARGO ON U.S. WHEAT TO RUSSIA

David Lawrence implies in his column on this page that the sale of American wheat to the Soviet Union would undermine our war effort in Vietnam. That's a highly questionable argument.

First of all, we aren't selling any wheat to Russia. Our Commerce Department won't issue export licenses unless the U.S. sellers promise to send half the wheat in U.S. ships. That boosts the costs so high that U.S.

wheat can't compete with Canadian, Australian or Argentine wheat, which is sent in cheaper foreign vessels.

We send the Soviet Union soybean oil, tallow and just about every other farm commodity without export licenses. But maritime unions and some shipping lines raised a fuss 2 years ago about wheat going to Russia in foreign bottoms. President Kennedy, to appease the unions, said half of future shipments would go in U.S. craft.

The Commerce Department enforces the arrangement by requiring export licenses for wheat. The Department of Agriculture has asked the Commerce Department to rescind the wheat license requirement. The White House has said that farm exports to the Soviet bloc are in the national interest. It therefore seems time for President Johnson to tell Commerce to end its arrangement with the maritime unions.

Labor isn't getting anything out of the present deal, since there are no wheat shipments. But the taxpayer may get soaked. As U.S. wheat surpluses pile up it may be necessary to pay farmers to retire more wheat acres. The storage costs on Government-held wheat are enormous. But Canada and Australia have no wheat surpluses. They are selling vast amounts to the Soviet Union.

Russia is sending little or no wheat to Red China. The U.S.S.R. has a short crop this year, far less than it needs at home. And relations between Moscow and Peking continue strained. Rather than U.S. wheat sales to Russia circumventing our efforts in Vietnam, they might help us indirectly there.

Mr. McGOVERN. Mr. President, I ask unanimous consent to place in the RECORD an editorial from the New York Times of August 13, deploring our loss of a share of the Eastern wheat trade and condemning political strikes by the maritime unions.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOST OPPORTUNITIES IN WHEAT

The United States is the odd man out in the huge wheat purchases being made by the Soviet Union. Canada and Argentina have received windfalls largely because U.S. wheat is too costly as a result of the Government's discriminatory requirement that 50 percent of wheat exports to Soviet-bloc countries must be shipped in American vessels.

The United States exclusion is unfortunate on many counts. Sales from the Nation's surplus would have meant greater prosperity in farming districts. They would also have increased the trade surplus in the Nation's balance of payments. Beyond these economic gains, the sales would have given tangible expression to the Johnson administration's desire to improve relations with the Soviet Union.

Even so, the big Russian purchases are important to the West. For Canada they mean higher incomes in agriculture, the one area of her economy that has not been enjoying boom conditions, and a cut in the big deficit in the Canadian balance of payments. As far as Argentina is concerned, the inflow of scarce dollars will have an even more significant impact on her inflation-racked, capital-short economy.

The United States itself will reap benefits indirectly. If the Russians pay for a good portion of their purchases by selling gold in London, the Treasury will not have to supply as much gold from its own dwindling stock to meet the demands of private and official sellers of dollars. Thus the Russians will be helping to calm the nervousness that has threatened to curb international trade and investment.

The West also is bolstered by the continued demand for grains from the country that had once been the granary of Europe. The Soviet Union has made great advances in industrialization and technology. but it has utterly failed to match the revolution that has taken place in American agriculture. And because Russia has to depend on outside sources of food supply, its leaders must recognize the desirability of strengthening their relations with those who can meet their needs.

It is ironic that the United States, which is the champion of liberalized trade and which has wheat to sell, cannot participate in this trade with Russia because of the high cost of American shipping. Yet the very unions that have done most to make the American merchant marine uneconomic are the chief insisters on quota preference guarantees. Secretary of Commerce John T. Connor has accurately testified that, if the shipping restrictions were eliminated, the almost certain result would be a protest strike by dock and maritime unions.

A large part of the merchant fleet is already strike-bound for reasons that are a compound of economics and interunion warfare. Political strikes are just one more of the factors that contribute to the demise of American shipping; they also undermine our prosperity and our foreign policy.

Mr. McGOVERN. Mr. President, I also ask unanimous consent that an editorial from the Washington Star, urging that we sell wheat to Russia on the same terms as anyone else, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHEAT FOR RUSSIA

Considering the hullabaloo raised in rigid anti-Communist circles by Canada's wheat sale to Russia 2 years ago, it is encouraging that the announcement of a new whopping 214-million bushel deal has aroused hardly a murmur of criticism.

In fact it is a good deal from everyone's point of view. The Canadians of course are delighted to find such a ready market for what promises to be a record wheat harvest this year. For the Russians the purchase is a necessity forced on them by the still glaring deficiencies of their agricultural program. For the rest of the world it is a hopeful sign of growing maturity and reasonableness in dealings between the Soviet Union and the West.

From an economic standpoint there is nothing in this transaction which favors Russia in a competitive way. Leaders of the Soviet trade mission in Toronto have made it clear that they hope to increase their exports to Canada to cover some of the $450 million cost of the wheat purchases. In the meantime, however, there is a lively possibility that they will be forced to dispose of a fairly hefty chunk of Russia's dwindling gold reserves to foot the Canadian bill.

From a political point of view the West has no more interest in keeping Russians on short rations than the Soviet Government has. Liberalization of trade between the two blocs is, indeed, an essential feature of the interpenetration of goods, people, and ideas, along with decreasing antagonism which is the announced policy of virtually every Western government.

There are still some, to be sure, who feel that any "traffic with the enemy," in wheat or anything else, is little short of treason. But fortunately this adamatine brand of anticommunism is a good deal less fashionable today than it used to be. And dogmatic rigidities on both sides of the Iron Curtain are beginning to give way.

Mr. McGOVERN. Mr. President, finally, I ask unanimous consent to place in the RECORD a release by Great Plains Wheat, Inc., reporting a telegram sent by the association to the President and the other indicating that the United States might have had half of the Russian wheat business which amounts to 1,260 trainloads of wheat—359,785 truckloads, and about 25 million bushels more wheat than is produced in South Dakota, North Dakota, and Colorado combined.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

PRESS RELEASE BY GREAT PLAINS WHEAT, INC.

KANSAS CITY, KANS.—The announcement today that Russia has just completed the purchase of 6.9 million metric tons of wheat from Canada and Argentina has prompted an urgent request by Howard W. Hardy, president of Great Plains Wheat, Inc. to President Lyndon Johnson.

In the telegram to President Johnson, Hardy urged that every effort be made to lift the restriction of the 50 percent U.S.-flag requirement on shipping of U.S. wheat to the Soviet bloc. "Much of the business that has gone to Canada could have been ours had it not been for this shipping requirement," Hardy said. "Additional wheat export business with Russia as well as a large amount for Eastern Europe is yet to be contracted and the United States can still realize most of this business if the shipping requirement is lifted."

Of the 6.9 million tons sold to Russia, 700,000 metric tons were purchased from Canada via Vancouver last week, 1,200,000 metric tons from Argentina late Tuesday and 5 million metric tons from Canada via the St. Lawrence Seaway Wednesday.

According to Hardy, more than one-half of this sale would have been purchased from the United States had there been no 50 percent shipping requirement. In explaining the U.S. shipping barrier the grain marketing association's president said the Government's requirement that a full 50 percent of wheat cargoes to Russian bloc countries move on U.S.-flag merchant ships is a major deterrent in American marketing programs.

"The requirement is understandable in terms of foreign aid cargoes," Hardy said, "but makes little sense when applied to purely commercial dollar sales."

Hardy pointed out that the 50-percent requirement is only an administrative ruling and could be removed by the stroke of a pen.

"The effect of this recent wheat sale to Russia by Canada and Argentina is a tremendous loss to the economy of the American wheat farmer. The 6.9 million metric tons of wheat is equivalent to 251,850,000 bushels of wheat or a total acreage of 8,930,000. This represents 17.9 percent of all acres planted in the United States, including all classes of wheat," Hardy said.

"The American wheat farmer is by no means the only segment of our economy affected by this recent Russian wheat sale," he said. "Railroads, trucking firms, and steamship lines, and the thousands of men and women employed by them have suffered a great loss.

"The Russian sales represent 125,925 railroad boxcar loadings or 1,260 trainloads.

"The sale represents 359,785 truckloadings.

"The sale represents 460 steamship loadings figuring 15,000 metric tons per load.

"Another aspect of this sale to Russia shows that the purchase represents 25½ million bushels of wheat more than the total production of all classes of wheat from the States of North Dakota, South Dakota, and Colorado.

"This figure is nearly the entire anticipated wheat production of Kansas for 1965 and is 111,751,000 bushels more than the total production this year in the State of Oklahoma.

"On the average price of $70 per ton, this Russian wheat sale represents a staggering $483-million volume loss to the United States," Hardy said.

DOMESTIC WHEAT BATTLE

Mr. McGOVERN. Mr. President, I would like to turn to what is happening to wheat producers on the domestic market scene.

The House of Representatives will vote tomorrow or the next day on an omnibus farm bill. The bill contains a provision that U.S. producers who limit their production shall receive certificates assuring them 100 percent of parity return for wheat used for food in this country.

Two bakery unions and two dozen baking companies, including giant concerns which have pleaded nolle contendere to price fixing, have organized a wheat users committee to oppose the higher certificate value.

The higher certificate value would increase the cost of wheat in a 1-pound bakery product by 7 mills—seven-tenths of a penny. It would thus increase the cost of bread from 21.6 cents per pound loaf to 22.3 cents if passed on to the consumer.

In 1948, Mr. President, a loaf of bread cost 13½ cents.

The farmer got 2.7 cents for the wheat in it.

Today the farmer gets only 2.5 cents for the wheat in a loaf of bread—less than in 1948.

But the price of the bread has gone from 13½ to 21.6 cents to pay higher wages, increased transportation costs, and increased bakery returns.

When the bakery workers go for higher wages and increase the cost of bread to consumers, nothing is said of a bread tax by the labor unions. When transportation rates go up, nothing is said of a bread tax. When the giant bakery concerns stretch out their returns a bit, they do not accuse themselves of levying a bread tax.

But let it be proposed to give the farmers of America a fair return for the product of their labor and capital, and it becomes a bread tax.

When wheat prices look as if they might go down, the bakeries and their allies regard wheat price as an inconsequential part of the cost of bread, which have little or no effect on price.

In May 1963, after the wheat producers had voted "No" in a referendum on compulsory acreage controls, and it looked as if the price of wheat would drop 75 cents a bushel, the immediate response from the baking industry was that there would be no effect on bread prices.

The New York Times of May 22, 1963, quoted a baker as saying that the price of bread would not be affected by the wheat price decline because wheat is too small a part of the cost of bread, adding:

As long as the customer wants a fresh, wholesome loaf of bread produced by a decently paid bakery employee in an extremely competitive market, we will have to spend the money on preservative chemicals, vitamins and other additives, packaging, salaries, and other things, of which flour is the least important factor.

The National Grange has suggested that perhaps Congress should take a look at the bakery companies which have jointly announced that an increase of seven-tenths of a penny in wheat cost would cause bread prices to rise 2 cents a loaf. It is a different story when wheat prices are going up—entirely different. Then wheat becomes a big factor in price.

On Friday, August 13, the Grange called on Attorney General Katzenbach to "take prompt and vigorous action to protect consumers from the illegitimate trust."

The Grange names members of the Wheat Users Committee, now threatening the Nation with a rise in bread prices of nearly 300 percent of the proposed increase in wheat value, in their effort to defeat the proposal to pay wheat farmers a decent return.

Mr. President, I ask unanimous consent to place the Grange statement in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FOR RELEASE BY THE NATIONAL GRANGE

WASHINGTON, D.C., August 13.—The National Grange today protested the antitrust activities of the bread bakery industry.

In a telegram to U.S. Attorney General Nicholas deB. Katzenbach, the Grange called for "prompt and vigorous action to protect consumers from the illegitimate trust."

The trust involves American Bakeries, of Chicago, Ill., and Ward Baking Co., of New York, N.Y., both recently enjoined by Federal court in Jacksonville, Fla. A third member is General Baking Co., which has an interlocking directorate with Ward. Others operating under Federal restraining orders are Derst Baking Co., of Savannah, Ga.; Flowers Baking Co., of Thomasville, Ga.; Southern Bakeries Co., of Atlanta, Ga.; and the Nations largest—Continental Baking Co.

In the telegram, the Grange praised the U.S. Department of Justice for its July 29 consent judgment which forbids the companies to engage in anticompetitive activities.

"The judgment," National Grange Legislative Representative Harry L. Graham said, "applies to civilian consumers only in Florida and Georgia." He pointed out it does not restrain the companies from price fixing in the other States in which they operate.

According to their last annual reports, American, General, and Ward bakeries operate 131 bakeries, with 206 distribution centers including subsidiaries and affiliates.

"The three," Graham said, "represent the largest sales and second largest earnings in the bread bakery business."

Mr. McGOVERN. Mr. President, it has been extremely gratifying to me that many leading newspapers have supported the proposed increase in domestic wheat certificate values.

The Des Moines Register and Tribune, in an editorial June 29, called the bread tax argument being made by the bakeries and the bakery unions, a "phony" argument.

The St. Louis Post-Dispatch calls the bread tax charge an exaggerated argument and suggests that one way or another, additional returns must be provided "if the Great Society is ever to incorporate its diminishing rural population."

I ask unanimous consent, Mr. President, to include the two editorials in the RECORD.

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

[From the Des Moines (Iowa) Register, June 29, 1965]

BREAD TAX CHARGE

The attack against the wheat acreage diversion and price support program as a bread tax on consumers is one of the more cynical pieces of political demagogy to be practiced lately. This program requires domestic processors of wheat to buy certificates worth 75 cents a bushel and exporters to buy certificates worth 30 cents a bushel. The certificates are given to farmers as a part of their payment for complying with acreage restrictions.

Since the certificate program began, the price support loan on wheat has been reduced from $2 a bushel to $1.25. The average "blend" certificate value, which depends on the ratio of domestic to export sales, last year was 43 cents and this year is to be 44 cents. The total support price to wheat growers this year will average $1.69 per bushel, as compared with $2 in 1962.

The domestic miller will pay about the same for wheat this year as in 1962, since the market price plus the certificate will cost about $2 per bushel.

The "bread tax" charge is based on the fact that part of the price support cost now is paid by the public as consumers instead of taxpayers. The flour millers pass on the cost of the certificates in the price of flour.

The bread tax charge is cynical because everyone knows the price of bread is only slightly related to the price of wheat. The cost of wheat makes up less than 20 percent of the retail price of bread and other bakery products. About 80 percent of the price is made up of processing and marketing costs.

The total cost of wheat to flour millers is no higher than it was 3 years ago and is lower than it was in the early 1950's when price supports were higher. Yet the prices of bread and other wheat products are considerably higher because of increased labor and other manufacturing costs.

The price of white bread has risen every year since 1950 but not because the price of wheat went up. If the wheat program is extended by Congress and the administration recommendations are approved, the wheat certificates will be increased in value. Since the cost of wheat in a loaf of bread is around 2 cents, raising the certificate value to $1.25 (a 20-percent increase in the total cost of wheat to the miller) could not justify as much as a 1-cent increase in the price of bread.

If this part of the subsidy is paid in the form of a charge on consumers instead of taxpayers, it cannot affect low-income consumers perceptibly.

Whether it is a good idea to raise the returns to wheat growers by any method is a separate question. But the method of a higher certificate value should not be discarded on such phony ground as the bread tax argument.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 10, 1965]

A RURAL RESCUE ACT

If the Johnson administration could apply the same consensus strategy to farm policy that it has so successfully applied to several major new bills, the result would be a bold new farm program. But there is no consensus on farm policy.

Consequently Congress faces a fight over the administration bill reported by the House Agriculture Committee. The fight pits what Secretary of Agriculture Freeman calls the

Bread Trust against what his opponents term a bread tax.

These charges focus public attention on only one aspect of the farm bill: the wheat provision. It would require wheat processors to buy certificates at $1.25 a bushel, instead of 75 cents. The 50-cent increase, plus regular price supports at $1.25, would give the farmer $2.50 a bushel—or nearly parity.

No doubt the processors would pass the increased certificates charge on to consumers. So the processors, joined by the American Farm Bureau Federation, speak of a bread tax. It is an exaggerated charge. The Agriculture Committee majority doubts that the new costs to processors would add as much as a penny to their costs on a loaf of bread. The farmer receives only about 3 cents for the wheat in one loaf, and though the retail price has gone up 8 cents in recent years, the farmer has not had any share of the rise.

Secretary Freeman bases his counterattack partly on the fact that five major processors among 3,500 baking firms enjoyed 57 percent of the baking industry's profits (after taxes). His exaggerated talk of a bread trust does not prove, however, that a few companies set the price of bread. It does suggest the irony of such industrial giants suddenly rushing to the defense of the poor farmer and the poor consumer.

In all this flamboyant propaganda there is the question of the extent to which the burden of farm subsidies should be transferred from the taxpayer to the consumer. In theory, tax-supported subsidies are fairer. In practice, if the House committee and Mr. Freeman are right, the consumer should pay very little more for bread—while the Government saves more than $150 million a year and raises wheat farmers' income by as much.

This will be a neat trick if it works, and it is worth a trial. It is worth a trial because the alternatives of no farm bill or of continued high Federal costs are unacceptable, and because a slight shift in the cost of food to the people who buy it makes some sense.

Primarily it is worth a trial because rural America lives increasingly close to poverty and needs help. Only 400,000 of 3 million farmers earn anything near parity income despite the flight from farm to city. We would prefer to see a farm program with payments graduated to individual need, but surely the Nation's food costs must be graduated to the needs of its food producers.

Today 8 percent of the population produces food for all the population. Despite this record of general efficiency, farm prices have dropped 15 percent in 17 years while living costs have increased 35 percent. America spends less on food, proportionately, than any other country, but farmers as a whole do not enjoy a proportionate share of the prosperity they have helped to create.

Well-fed Americans can afford to pay a little more for food. One way or another they will have to do so, if the Great Society is ever to incorporate its diminishing rural population.

Mr. McGOVERN. Mr. President, if America wants to continue to enjoy abundant food at the lowest real cost any nation ever enjoyed—less than 18½ percent of income—some consideration is going to have to be shown for the producers of that food.

The producers are not Kigmies.

If they continue to be treated as such, the day will not be far off that a few huge corporations will control agricultural production, as they now control the bulk of baking, and food prices will, in my opinion, begin to rise substantially.

The Nation will then know what bread taxes and food taxes, assessed by a monopolistic food production industry, really are.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Economic Opportunity Amendments of 1965".

AMENDMENTS TO TITLE I—YOUTH PROGRAMS

Job Corps—Cuban refugees

SEC. 2. Section 104(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following: "For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States."

Job Corps—Enrollee affidavits

SEC. 3. Section 104(d) of the Economic Opportunity Act of 1964 is amended to read as follows: "(d) Each enrollee (other than an enrollee who is a native and citizen of Cuba described in section 104(a) of this Act) must take and subscribe to an oath or affirmation in the following form: 'I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic'. The provisions of section 1001 of title 18, United States Code, shall be applicable to the oath or affirmation required under this subsection."

Job Corps—Application of Federal Employees' Compensation Act

SEC. 4. Section 106(c)(2)(A) of the Economic Opportunity Act of 1964 is amended retroactive to January 1, 1965, to read as follows:

"(A) The term 'performance of duty' in the Federal Employees' Compensation Act shall not include any act of an enrollee while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Corps."

Job Corps—Enrollee work activities

SEC. 5. Section 110 of the Economic Opportunity Act of 1964 is amended by inserting the word "male" before the word "enrollees" in the first sentence.

SEC. 6. Section 114(a) of the Economic Opportunity Act is amended by adding a new unnumbered paragraph following the end of subsection (a), as follows:

"For the purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States."

Work training programs—Limitations on Federal assistance

SEC. 7. The first sentence of section 115 of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out ", or June 30, 1966, whichever is later,".

Work-study programs—Limitations on Federal assistance

SEC. 8. Section 124(f) of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out "or June 30, 1966, whichever is later,".

AMENDMENTS TO TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

Community action programs—Public information

SEC. 9. Section 202(a) of the Economic Opportunity Act of 1964 is amended by striking out "and" at the end of paragraph (3), by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(5) which includes provision for feasible access of the public to information including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups, and reasonable public access to books and records of the agency or agencies engaged in the development, conduct, and administration of the program, in accordance with procedures approved by the Director."

SEC. 10. Section 205(a) of the Economic Opportunity Act is amended as follows:

Between the words "including" and "employment" in the last sentence of subsection (a), insert the words: "but not limited to".

Between the words "management," and "welfare" in the last sentence of subsection (a), insert the words: "family planning, consumer credit education, consumer debt counseling,".

Special programs for the chronically unemployed poor

SEC. 11. Section 205 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (f) and adding after subsection (c) a new subsection (d) as follows:

"(d) The Director is authorized to make grants under this section for special programs (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment."

General community action programs—Self-help housing rehabilitation

SEC. 12. Section 205 of the Economic Opportunity Act of 1964 is amended by adding the following new subsection:

"(e) In extending assistance under this section the Director shall also give special consideration to programs which will, through self-help, rehabilitate substandard housing and provide instruction in basic skills associated with such rehabilitation: *Provided*, That such programs will not result in the displacement of employed workers."

General community action programs—Limitions on Federal assistance

SEC. 13 (a) The first sentence of section 208(a) of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out ", or June 30, 1966, whichever is later,".

(b) Section 208 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting a new subsection (b) as follows:

"(b) The Director is authorized to prescribe regulations establishing objective criteria pursuant to which assistance may be reduced below 90 per centum for such community action programs or components as have received assistance under section 205 for a period prescribed in such regulations."

(c) Section 208(c) of such Act (as so redesignated by subsection (b) of this section) is amended by adding at the end thereof a new sentence as follows: "The requirement imposed by the preceding sentence shall be subject to such regulations as the Director may adopt and promulgate establishing objective criteria for determinations covering situations where a literal application of such requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes sought to be achieved."

Participation of State activities

SEC. 14. Section 209(a) of the Economic Opportunity Act of 1964 is amended by inserting before the period the following: "including, but not limited to, continuing consultation with appropriate State agencies on the development, conduct, and administration of such programs".

Disapproval of plans

SEC. 15. Section 209(c) of the Economic Opportunity Act of 1964 is repealed. Subsection "(d)" is redesignated "(c)".

Notices

SEC. 16. Section 209 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

"(d) When the Director receives an application from a private nonprofit agency for a community action program to be carried on in a community in which there is a community action agency carrying on a number of component programs, he shall, within five days, give notice to such community action agency of the receipt of such application. When the Director determines that a separate contract or grant is desirable and practical and that special cause has been shown, he is authorized to make a grant directly to, or to contract directly with, such agency.

SEC. 17. Section 211 of the Economic Opportunity Act of 1964 is retitled to include the words "POLITICAL ACTIVITIES AND" preceding the word "PREFERENCE".

Section 211 of such Act is further amended by inserting a new subsection (a), as follows, and redesignating existing section 211 as subsection "(b)";

"(a) Any person who is employed by any agency administering or conducting a community action program receiving assistance under this part and whose salary is paid in principal part from funds appropriated pursuant to this part, shall be deemed to be an officer or employee of a State or local agency for the purposes and within the meaning of the Act entitled 'An Act to prevent pernicious political activities', approved August 2, 1939 (53 Stat. 1147), as amended."

Adult basic education programs—Payments; Federal share

SEC. 18. Section 216(b) of the Economic Opportunity Act of 1964 is amended by striking out "and the fiscal year ending June 30, 1966," and inserting in lieu thereof "and each of the two succeeding fiscal years,".

Adult basic education programs—Teacher training

SEC. 19. Part B of title II of the Economic Opportunity Act of 1964 is amended—

(1) by striking out "From the sums appropriated to carry out this title" in section 213(a) and inserting in lieu thereof "From so much of the sums appropriated or allocated to carry out this part as is not reserved pursuant to section 218"; and

(2) by redesignating section 218 as section 219 and inserting immediately after section 217 the following new section 218:

"Teacher training projects

"SEC. 218. Not to exceed 5 per centum of the sums appropriated or allocated to carry out this part for any fiscal year may be reserved and used by the Director to provide (directly or by contract), or to make grants to colleges and universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide training to persons engaged or preparing to engage as instructors for individuals described in section 212, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Director may by or pursuant to regulation determine."

Voluntary assistance program for needy children

SEC. 20. Title II of the Economic Opportunity Act of 1964 is amended by striking out part C thereof, and by redesignating part D as part C and section 221 as section 220.

AMENDMENTS TO TITLE III—SPECIAL PROGRAM TO COMBAT POVERTY IN RURAL AREAS

SEC. 21. In title III of the Economic Opportunity Act of 1964 in the heading "PART A—AUTHORITY TO MAKE GRANTS AND LOANS", delete the words "GRANTS AND" and the dash after the word "make" in the first subsequent sentence and the subsequent number "(1)".

Cooperative associations—Prohibition of loans to assist manufacturing

SEC. 22. Section 305(f) of the Economic Opportunity Act of 1964 is amended by inserting immediately before the period at the end thereof the following proviso: ": *Provided,* That packing, canning, cooking, freezing, or other processing used in preparing or marketing edible farm products, including dairy products, shall not be regarded as manufacturing merely by reason of the fact that it results in the creation of a new or different substance."

Assistance for migrant and seasonally employed agricultural employees

SEC. 23. Section 311 of the Economic Opportunity Act of 1964 is amended to read as follows:

"Migrants and seasonally employed agricultural employees

"SEC. 311. The Director is authorized to develop and implement a program of loans, loan guarantees, and grants to assist State and local agencies, private nonprofit institutions, and cooperatives in establishing, administering, and operating programs which will meet, or substantially and primarily contribute to meeting, the special needs of migratory workers and seasonal farm laborers and their families in the fields of housing, sanitation, education, and day care of children."

SEC. 24. Section 331(c) of the Economic Opportunity Act is amended by striking the words "January 31, 1965" and inserting in lieu thereof the words "June 30, 1966".

AMENDMENT TO TITLE V—WORK EXPERIENCE PROGRAM

SEC. 25. Section 502 of the Economic Opportunity Act of 1964 is amended (1) by inserting after the first sentence thereof the following new sentence: "Workers in farm families with less than $1,200 net family income shall be considered unemployed for the purposes of this title.", and (2) by striking out of the last sentence the following: "for the fiscal year ending June 30, 1965,".

AMENDMENTS TO TITLE VI—ADMINISTRATION AND COORDINATION

Vista volunteers—Assignment; application of other provisions and Federal laws

SEC. 26. (a) Subsection (a) of section 603 of the Economic Opportunity Act of 1964 is amended by striking out everything in paragraph (2) following the clause designation "(C)" and inserting in lieu thereof "in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act."

(b) Subsection (d) of such section is amended to read as follows:

"(d)(1) Each volunteer shall take and subscribe to an oath or affirmation in the form prescribed by section 104(d) of this Act, and the provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such oath or affirmation; but, except as provided in paragraphs (2) and (3) of this subsection, volunteers shall not be deemed to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, and Federal employee benefits.

"(2) All volunteers during training and such volunteers as are assigned pursuant to paragraph (2) of subsection (a) shall be deemed Federal employees to the same extent as enrollees of the Job Corps under section 106 (b), (c), and (d) of this Act, except that for purposes of the computation described in paragraph (2)(B) of section 106(c) the monthly pay of a volunteer shall be deemed to be that received under the entrance salary for GS-7 under the Classification Act of 1949.

"(3) For the purposes of the Act entitled 'An Act to prevent pernicious political activities', approved August 2, 1939 (53 Stat. 1147), a volunteer under this section shall be deemed to be a person employed in the executive branch of the Federal Government."

National Advisory Council

SEC. 27. Section 605 of the Economic Opportunity Act of 1964 is amended to read as follows:

"SEC. 605. (a) The President shall, during 1965, appoint a National Advisory Council on Economic Opportunity (hereinafter referred to as the "Advisory Council") for the purpose of reviewing the administration and operation of programs under this Act, evaluating their effectiveness in furthering the purposes of this Act, and making recommendations for the improvement of such programs, administration, and operation, including proposals for changes in this Act.

"(b) The Advisory Council shall be appointed by the President without regard to the civil service laws and shall consist of twenty-one persons who shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. From among the members of the Advisory Council the President shall designate a Chairman, who shall not be a regular full-time employee of the United States. The Advisory Council shall meet at the call of the Chairman but not less often than twice a year. The Director shall be an ex officio member of the Advisory Council.

"(c) The Advisory Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Director shall, in addition, make available to the Advisory Council such secretarial, clerical, and other assistance and such perti-

nent data prepared by the Office of Economic Opportunity as it may require to carry out such functions.

"(d) The Advisory Council shall make an annual report of its findings and recommendations to the President not later than March 31 of each calendar year beginning with the calendar year 1966. The President shall transmit each such report to the Congress together with his comments and recommendations."

Programs for the elderly poor

SEC. 28. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"Programs for the elderly poor

"SEC. 610. It is the intention of the Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act."

Affidavits

SEC. 29. Title VI of the Economic Opportunity Act of 1964 is amended by striking out section 616 thereof and substituting a new section 616, as follows:

"Transfer of funds

"SEC. 616. Notwithstanding any limitation on appropriations under any title of this Act, not to exceed 10 per centum of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out programs or activities under such title may be transferred and used by the Director for the purpose of carrying out programs or activities under any other such title; but no such transfer shall result in increasing the amounts otherwise available under any title by more than 10 per centum."

Authorization of appropriations

SEC. 30. (a)(1) The first sentence of section 131 of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $412,500,000 for the fiscal year ending June 30, 1965, and the sum of $535,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(b)(1) The first sentence of section 220 of such Act (as so redesignated by section 14 of this Act) is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $340,000,000 for the fiscal year ending June 30, 1965, and the sum of $880,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law; $150,000,000 of the funds appropriated for the fiscal year 1966 for the purpose of carrying out the provisions of this title may be used for the purposes of section 205(d)."

(c)(1) The first sentence of section 321 is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $35,000,000 for the fiscal year ending June 30, 1965, and the sum of $55,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(d)(1) The first sentence of section 503 of such Act is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $150,000,000 for the fiscal year ending June 30, 1965, and the sum of $150,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorized by law."

(e)(1) The first sentence of section 615 of such Act is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title (other than for purposes of making credits to the revolving fund established by section 606(a)), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1965, and the sum of $30,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

AMENDMENT TO NATIONAL DEFENSE EDUCATION ACT—MORATORIUM ON STUDENT LOANS TO VISTA VOLUNTEERS

SEC. 31. (a) Paragraph (2)(A) of section 205(b) of the National Defense Education Act of 1958 (20 U.S.C. 425(b)(2)(A)) is amended by striking out "or" before "(iii)" and by inserting before the proviso and after "Peace Corps Act" the following: ", or (iv) not in excess of three years during which the borrower is in service as a volunteer under section 603 of the Economic Opportunity Act of 1964".

(b) The amendments made by this section shall not apply to any loan outstanding on the effective date of this Act without the consent of the then obligee institution.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll

Mr. McNAMARA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McNAMARA. Mr. President, only a year ago President Johnson signed the Economic Opportunity Act into law, and the war on poverty was officially declared.

When we began this endeavor to lift one-fifth of our Nation from the depths of poverty, we knew that success would not come quickly or be easily attained.

Yet we have made a beginning on an enterprise that is probably as difficult as any peacetime program this Government has ever undertaken.

Taking both the good and the bad, it is, I believe, a beginning that holds solid promise for the future.

The bill we now consider, H.R. 8283, does not greatly increase the scope of the legislation under which we are waging this war.

Nor does it make any major changes in the character or direction of existing programs.

It does, however, sustain the effort we have begun, and it reaffirms this Nation's commitment to prosecute the war on poverty with maximum effectiveness.

From a purely statistical point of view, the record of the first 9 months of operation under the Economic Opportunity Act is an impressive one.

It is a record that includes the establishment, from scratch, of 47 operating Job Corps centers with 10,000 assigned enrollees; the inauguration of 639 Neighborhood Youth Corps projects to provide work and training for close to 300,000 young men and women; the initiation of work-study programs for 54,000 low-income students in 648 colleges and universities during the first spring semester of operation; the making of 771 separate community action grants, and nearly 2,400 grants of Project Head Start for over half a million 4- and 5-year-olds who are receiving special attention in 13,000 child development centers all across the country; the provision of basic rudimentary education for nearly 43,372 functionally illiterate, poor adults; the making of low-interest loans to 11,000 low-income rural families to improve their farms or to inaugurate or expand nonagricultural enterprises; the extension of housing, sanitation, day care, and education assistance to 75,000 migrant agricultural workers under 53 separate grants; the provision of constructive work training and other assistance to unemployed fathers and other needy persons through 164 separate projects serving 88,700 participants with 276,000 dependents.

These accomplishments, it seems to me, are even more impressive when one considers that in the short time this war on poverty has been underway, the Office of Economic Opportunity also had the task of recruiting and organizing a staff, of formulating these programs, and of developing the regulations and procedures for their administration.

Obviously, these accomplishments do not show ultimate success. The record does, however, show progress.

I am sure there have been mistakes. I am sure there have been administrative mishaps that occur even in well-established agencies, much less one that has been in existence only a few months.

But it is important that criticisms of the Economic Opportunity Act—and its administration—is placed in the proper perspective.

We cannot let sniping at the program overshadow the fact that, here at last, is a determined, concentrated attack on one of civilized man's oldest enemies—poverty.

To permit that would be to officially ignore the millions who live under poverty conditions and refuse to tackle the barriers that keep them and their children from enjoying our unprecedented prosperity.

Rather, we must constructively assist OEO in meeting the objectives set for it by the President and the Congress.

The record to date suggests that, if there are many problems still to be met

and considered, there are also a good many hard problems that are now behind us.

The bill before us is framed in this context.

The new authorizations that it would provide are generally somewhat below the amounts contained in the House passed bill, but essentially consistent with what the President has recommended as necessary to permit sound and prudent operations over fiscal year 1966.

In this respect, the bill is neither reckless, nor restrictive.

It is consistent neither with the view of those who contend that all of our present efforts are so small as to be insignificant, nor with the argument that because the road ahead is difficult we should stop short, turn back, and start over.

It is not designed to make speed an overriding goal. But it is designed to build upon and take advantage of what has already been accomplished.

Apart from providing new authorizations, the bill makes a number of changes in the existing provisions of the Economic Opportunity Act.

Most of these are essentially technical or perfecting amendments, and I shall touch upon most of them only briefly.

The bill includes the various amendments recommended by the administration.

One would extend, for 1 additional year, the authority for 90-percent Federal funding of the work-training, work-study, and adult-basic education programs.

Another would expand authority to assign VISTA volunteers so that these unusually dedicated Americans could be employed and their talents used in support of any activity eligible for assistance under the Economic Opportunity Act.

Another amendment would provide Job Corps enrollees with Federal Employees' Compensation Act protection while they are on authorized pass or traveling to or from a Job Corps site, and provide more adequate benefits under that same act to VISTA volunteers as well.

An amendment would clarify the Director's authority to carry out effective programs to aid migrants and seasonally employed agricultural employees, and permit limited use of funds for the training of teachers or instructors in techniques of working with adults under the adult basic education program.

The bill also generally includes the several program amendments adopted by the House.

These would, for example, enable Cuban refugees to enroll in the Job Corps and Neighborhood Youth Corps and assure that workers in very low-income farm families will not be excluded from work-experience projects under title V of the act.

In addition, the bill includes several amendments adopted by the Committee on Labor and Public Welfare which merit special comment.

One of these authorizes special projects directed to the needs of chronically unemployed persons who have poor employment prospects.

These would be persons who, because of age or other reasons, are unable to secure employment or training under other programs.

They would work on projects contributing to such things as the management, conservation, or development of natural resources, recreational areas, parks, highways, and other lands.

These special projects would, of course, have to be conducted in accordance with standards which will assure that they are in the public interest and consistent with the labor policies applied in connection with other programs under the act.

The committee believed that a substantial attack on the employment problems of these otherwise unemployable poor should be mounted as soon as possible. The bill accordingly contemplates that $150 million will be used for this purpose during the first year.

The committee also deemed it advisable to remove from the act the present provisions giving State Governors the authority to veto local community action programs, adult basic education, and Neighborhood Youth Corps projects.

This does not reflect any belief that State governments, through appropriate State agencies, do not have an important role to play in the development and conduct of many antipoverty programs.

Obviously, many State agencies do have a proper and legitimate interest in these programs.

The committee did not believe, however, that such an interest is served by a provision that has no real precedent in any other legislation, which cuts across established governmental patterns at the State and local levels, and which confers upon Governors control over projects and activities for which they have no legal responsibility.

Such a provision, in the view of the committee, serves no program purpose and, in fact, does more to impede than foster the harmonious intergovernmental relations.

Finally, the committee has added an amendment which reflects its concern over the millions of elderly people who are living in poverty, and for whom poverty is especially difficult to overcome.

The plight of these elderly poor clearly deserves particular attention, and an amendment has been added to assure that the problems of the elderly poor shall be considered, whenever feasible, in the development of any program under this act that can contribute to meeting their needs.

It is the committee's belief that the bill before us will give the Office of Economic Opportunity the funds and other tools it needs to carry on the war against poverty.

I certainly urge its adoption.

PRIVILEGE OF THE FLOOR

Mr. President, I ask unanimous consent that such additional staff members of the Committee on Labor and Public Welfare as it may be found necessary to have present in the Chamber may be authorized to have the privilege of the floor during this consideration of the bill, H.R. 8283.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. CARLSON. Mr. President, I have listened with great interest to the statement made by the distinguished Senator from Michigan [Mr. McNamara] in regard to the program on economic opportunity.

There is a need for this type of work. I have a very high regard for the Administrator of this national program.

I want to know if the distinguished chairman of the committee went into the possibility of obtaining closer local cooperation. I have had some contact with the matter. I have followed it with some interest.

I find that groups of private citizens, who have taken an interest in this field in various communities, seem to be ignored at the present time.

Has the chairman any suggestion on that?

Mr. McNAMARA. No, I do not have any suggestion as to how it might be improved. It has been the experience of the committee, through the hearings we conducted, that while there has been some competition among local groups for leadership in the program, there was no charge that local people did not have an opportunity to participate. I do not know where that situation prevails; therefore, I have no suggestion.

Mr. CARLSON. I am not criticizing the way the bill has been set up to carry out the program. My point is that we have citizens who for years have been interested in welfare programs. They know the conditions in their communities better than anyone else, and they should be allowed to participate.

Mr. McNAMARA. If the Senator will yield, the proposed act provides for participation of local groups. There is every indication that in the implementation of the act they have been consulted with respect to the program.

Mr. CARLSON. I thank the Senator for that information. I sincerely hope they will be. These people have been interested in the welfare of their communities and are still interested. That does not mean that there is nothing else that needs to be done, but I hope that those people will be tied into the program.

Mr. McNAMARA. I could not agree more with the distinguished Senator from Kansas.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. McNAMARA. Mr. President, I know there are amendments at the desk. I know of none on the majority side. I suggest the absence of a quorum. I hope the staff will contact minority Members.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNAMARA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment is open to amendment.

CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may discuss a subject not immediately germane to the matter pending before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, on August 10 there was filed with the Senate a dissenting opinion concerning the wisdom of adopting the Consular Convention With the Soviet Union. This Consular Convention contains a provision that is unprecedented in the history of our country. The convention that is to be approved between the Soviet Union and the United States contains a provision granting complete immunity from criminal prosecution to consular agents of Soviet Russia in the United States and those of the United States in Soviet Russia.

The general practice has been that immunity from criminal prosecution is granted to consular agents only in regard to misdemeanors.

This convention goes beyond that and it, in effect, declares that no criminal prosecution shall be brought against a consular agent of Red Russia in the United States, even though he has committed a felony. It means that if proof is existent concerning espionage by a consular agent, let us say in Chicago or San Francisco, that agent is granted immunity from prosecution.

I repeat that it will be the first time we have ever entered into such an agreement. In the past the immunity has been limited against prosecutions for misdemeanors.

The minority views are signed by the senior Senator from Ohio [Mr. LAUSCHE], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Delaware [Mr. WILLIAMS], and the Senator from South Dakota [Mr. MUNDT].

It was the intention of the Senator from Kansas [Mr. CARLSON] that he would also be a signatory to the minority views. Inadvertently the name of the Senator from Kansas was omitted.

I ask unanimous consent that the minority views be printed in the RECORD, and that the name of the Senator from Kansas [Mr. CARLSON] be added as one of the participants in the minority views expressed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

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

CONSULAR CONVENTION WITH THE SOVIET UNION—MINORITY VIEWS

We do not concur with the recommendation of the Committee on Foreign Relations that the Senate give its advice and consent to ratification of the Consular Convention With the Union of Soviet Socialist Republics. We believe that the disadvantages of the convention for the United States are sufficiently grave to outweigh the advantages which are claimed for it.

Our concern relates principally to the provisions in the convention under which consular officers and employees of the sending state are given immunity from the criminal jurisdiction of the receiving state. This convention is the first to which the United States has been a party which provides for unlimited exemption from criminal jurisdiction for consular personnel. Previous consular conventions have provided for immunity from criminal jurisdiction for consular personnel with respect only to misdemeanors but not to felonies. We believe that if the provisions regarding immunity had not been included in the convention, the Soviet Union would not have agreed to it and that, in fact, these provisions were a principal Soviet objective. The testimony of witnesses from the Department of State has been contradictory on the question of whether the Soviet Union or the United States first proposed including these immunity provisions in the convention.

In any case, we believe that the extension of immunity to include felonies would open the way to espionage and other forms of subversion on the part of Soviet consular personnel. If this convention is ratified, and if the Soviet Union then establishes a consulate or consulates in the United States, the officers and employees of these consulates would be able to engage in espionage and subversion knowing that they will not be liable to prosecution but only to expulsion.

It is true that the establishment of a Soviet consulate or consulates would mean only a small increase in the number of Soviet officials with immunity from criminal jurisdiction (as of July 1, 1965, there were 249 Soviet officials and 150 dependents who enjoyed diplomatic immunity). We are convinced, however, that there is a predisposition on the part of Soviet officials to engage in espionage and subversive activities, a predisposition which is an important consideration regardless of the numbers involved. In this connection, it is important to recall the testimony of J. Edgar Hoover, Director of the Federal Bureau of Investigation, before a subcommittee of the Committee on Appropriations of the House of Representatives on March 4, 1965. In a statement inserted in the record justifying the appropriations being requested for the Federal Bureau of Investigations, Mr. Hoover said:

"In regard to the Communist-bloc espionage attack against this country, there has been no letup whatsoever. Historically, the Soviet intelligence services have appropriated the great bulk of official representation and diplomatic establishments in other countries as bases from which to carry on their epionage operations. Over the years, the number of such official personnel assigned to the United States has steadily increased."

In testimony relating to this statement during the March 4 hearing Mr. Hoover stated that "our Government is about to allow them [the Soviet Union] to establish consulates in many parts of the country which, of course, will make our work more difficult." Mr. Hoover then inserted in the record of the hearing several other brief statements. The first read, in part, as follows:

"The methods used to collect data sought by the Communist-bloc intelligence services are almost as varied as the types of data which they endeavor to collect. One of their mainstays is the collection of information—classified and otherwise—through espionage operations involving personnel legally assigned to official Soviet and satellite establishments in the United States. The focal points of these operations continue to be the United Nations and the Communist embassies, legations, consulates, and news or commercial agencies in our country. Such gathering of information is conducted by the Communist representatives using the legal cover of their diplomatic or other official status to cloak their spying activities.

"Historically, the Soviet intelligence services have appropriated the great bulk of official positions abroad, primarily using their official representatives and diplomatic establishments in other countries as bases from which to carry on their espionage operations."

A second statement related specifically to the question of new Soviet consulates. It read as follows:

"Long seeking greater official representation in the United States which would be more widely spread over the country, a cherished goal of the Soviet intelligence services was realized when the United States signed an agreement with the Soviet Union on June 1, 1964, providing for the reciprocal establishment of consulates in our respective countries.

"One Soviet intelligence officer in commenting on the agreement spoke of the wonderful opportunity this presented his service and that it would enable the Soviets to enhance their intelligence operations.

"In involving the great bulk of their official personnel in intelligence activity in one way or another, the Soviets utilize to the fullest extent possible any and all official means such as the United Nations, trade delegations, and the like, as transmission belts to carry additional intelligence personnel into this country."

More recently, on July 14, 1965, Mr. Hoover, reviewing the major phases of the operations of the Federal Bureau of Investigation during the past fiscal year, stated:

"The great majority of the 800 Communist bloc official personnel stationed in the United States, protected by the privilege of diplomatic immunity, have engaged in intelligence assignments and are a dangerous threat to the security of the United States."

We believe that these statements of the chief investigative officer of the United States should be given serious consideration. It is also worth looking at the record of the activities of Soviet officials in the United States. According to information supplied by the Department of State, since 1946, 27 Soviet Embassy and consular officers and personnel in the United States have been arrested or expelled for intelligence activity. These 27 included personnel assigned to the Soviet Embassy in Washington, the Soviet consulate general in New York (which was closed in 1948), the Soviet mission to the United Nations, and the United Nations Secretariat. In the same period, 13 diplomatic, consular, and international organization officials from Czechoslovakia, Hungary, and Rumania were expelled from the United States for intelligence activities.

There is another grave aspect to these immunity provisions, and that is the chain reaction that will be set off if this convention is ratified. The provisions regarding immunity will then apply not only to Soviet consular personnel but may also apply to consular personnel of the 27 other countries with which the United States has consular conventions or agreements which contain a most-favored-nation clause. These 27 countries include 2 other Communist countries: Rumania and Yugoslavia. As a practical matter, as there are no Rumanian consulates in the United States at present, there would not be any immediate increase in the number of Rumanian official personnel enjoying complete immunity from criminal prosecution. If any Rumanian consulates were established in the United States in the future, however, their consular personnel would enjoy such immunity.

We are thus opposed to the convention because we consider the provisions granting unrestricted immunity from criminal jurisdiction to Soviet consular personnel to be unwise. We believe that these immunity provisions will encourage Soviet subversion

by placing Soviet consular personnel outside the criminal jurisdiction of the United States. We also believe that it is not in the interests of the United States to extend this immunity to several hundred, perhaps as many as 400, persons which would be the case given the fact that most-favored-nation clauses are found in consular conventions and agreements the United States has with 27 other countries.

FRANK J. LAUSCHE,
BOURKE HICKENLOOPER,
JOHN J. WILLIAMS,
KARL E. MUNDT.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. DOMINICK. Mr. President, I send an amendment to the desk and ask that the clerk report it, but what I should like to do is to have the amendment printed so that it will be available tomorrow for voting. I shall discuss it today, but I send the amendment to the desk for information at this time.

The PRESIDING OFFICER. The Senator does not wish the amendment stated at this time?

Mr. DOMINICK. That is correct. I send it to the desk for information.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment to the committee amendment will be printed in the RECORD.

The amendment to the amendment is as follows:

On page 28, line 24, strike out "$535,000,000" and insert in lieu thereof "$412,500,000".

On page 29, line 10, strike out "$880,000,000" and insert in lieu thereof "$490,000,000".

On page 29, line 23, strike out "$55,000,000" and insert in lieu thereof "$35,000,000".

On page 30, line 22 strike out "$30,000,000" and insert in lieu thereof "$10,000,000".

Mr. DOMINICK. Mr. President, inasmuch as I have the floor, I believe that I should say something about the amendment.

This amendment is similar to the one I offered in committee. It would control the spending on a program which is beset with difficulties, a program in which more was authorized last year than was appropriated, a program which has not been clarified so far as the administration and the good it is doing for the poor are concerned. Therefore, my amendment is designed to bring back to last year's authorization the proposed figures in this year's bill. In other words, I will be cutting back on the extension of the authorization from double last year's authorization to the same amount as last year's authorization.

I believe that I can do this in figures, for the information of Senators, by the chart which was before us during the executive committee hearings, showing what last year's authorization and appropriations were.

Mr. President, I hold this chart in my hand, and it shows that last year, for example, there was authorized for fiscal 1965, $947.5 million. When the bill was studied by the Appropriations Committee, however, for last year, the total appropriation was $793 million, or a total of approximately $150 million less than was authorized by Congress.

Ordinarily, this would be considered normal in the first year of a program. Then I would say that in the second year of a program, as we start working out problems and trying to solve the unforeseen difficulties involved in a new program, we would probably add a little more money to it.

My purpose would be to bring the authorization for this fiscal year up to the same authorization as last year, plus an additional $150 million which is called for under the so-called Nelson amendment.

Instead of the $947.5 million, the committee reported a proposal which is $1,650 million—more than $700 million over what was spent last year when the appropriation was not as much as the authorization.

To me, it seems absolute nonsense to take a program which is so beset from the beginning to the end with problems on a nationwide basis, and say that we are going to double the amount of money involved in it.

Accordingly, my amendment, when it is reported and brought up for a vote—and I hope that it will be brought up for a vote—will have the purpose of cutting back the total authorization to $947.5 million plus $150 million for the Nelson amendment, which brings it to just slightly over $1 billion, or at least $600 million less than what was called for in the program.

Mr. President, I should like to be able to support H.R. 8283 because along with every other Senator in this body, regardless of political party, we share a sense of responsibility to the poor of America, and would like to do something which would enable us to provide a mechanism by which the poor themselves could get on their feet, regain their self-respect, and enjoy an economic livelihood. I cannot think of anything better than to be able to participate in the enactment of a bill which would begin a true war on poverty.

However, so long as the Great Society's efforts against poverty continue to be so blatantly political and so fraught with blunders, I cannot support a bill which would serve only to compound the errors and exacerbate the weaknesses of the existing laws. I am speaking particularly about the poverty program in this respect.

In order to implement debate and the functions of the antipoverty program in the Office of Economic Opportunity, I wish to review briefly some of the troubles of the poverty program in my own State of Colorado.

Colorado has been fortunate in that the poverty war programs in the State have not been hit by such horrible scandals as have occurred in Florida, Indiana, and elsewhere.

In that connection, I believe I should say at this point that the minority views detail the scandals. I believe that it is worthwhile, for the purpose of making the record, to recite them once again.

On page 61 of the report, in the minority views, we state:

One of the best demonstrations of what can happen under the shoddy mismanagement of OEO is the fiasco that occurred in the St. Petersburg, Fla., Women's Job Corps Center. The troubles began when OEO picked as a site for the center a resort hotel in a quiet residential district. Residents of the area experienced some difficulty in adjusting to what an OEO spokesman described as "the animal spirits of the young."

Let me say at this point that what the residents described it as was a far cry from the innocuous statement of the OEO spokesman.

Continuing reading:

The enrollees, however, did not object to the hotel, remodeled for them at a cost of $40,000, nor to the welcome they received from the 122 staffers employed to care for a student complement of 237. Even with this degree of supervision, trouble with the enrollees soon began. Eight girls were expelled for drinking, and one was described as an alcoholic. Another girl disappeared after writing that she was leaving the center because some girls were using narcotics and staying out overnight with male companions. As a result of the whole mess—

And this is the Florida situation, in St. Petersburg—

the local school board, which was under contract to help in administering the center, voted to terminate its contract with OEO as soon as possible.

Similarly, criticism has been voiced of a men's Job Corps training center in Indiana. A Columbus, Ind., newspaper reported that some of the trainees had attempted to purchase guns while on leave. Seven of the trainees were arrested for a sexual assault on a 17-year-old boy, but at least some of the seven were promptly bailed out and returned to the center. Following these incidents a military discipline was imposed on the boys, and they now are made to stand at military attention at 6:30 in the morning. Serious trouble also arose at a Job Corps camp near Astoria, Oreg. After a number of fist fights occurred at the camp, the U.S. marshal for the State of Oregon considered deputizing State and local police officers to control further outbreaks of violence.

This is only a part of the additional minority views that we have expressed, which show what has happened in some of these camps. I am sure that the proponents of the bill, those who are supporting the administration's policy, will say that these are isolated examples, and, therefore, we cannot criticize the whole management because of these examples. However, these are graphic examples of some of the problems that are occurring in the war on poverty.

What has happened in Colorado?

The problem in Colorado has been one of local dissatisfaction and opposition to the establishment of programs as well as an overall sense of frustration at the lack of results accomplished by the war on poverty.

In Denver, the capital and largest city in my State, there has arisen a consensus of opinion to the effect that little, if anything, has been done in the way of actual combat against poverty.

The Denver Post recently reported that 10 of the community action programs proposed for Denver had been lost

in the shuffle of OEO in Washington. The newspapers said that much of the blame was due to Denver personnel, but added that "OEO's dealings with Denver have done very little to sustain the reputation of OEO Director Sargent Shriver as a man who can cut redtape, minimize delay, and get swift action."

As a result of the lack of progress of the antipoverty effort in Denver, there has developed within the poverty program a struggle to fire the present director, a former Democratic State legislator. I served with him while I was a member of the State legislature. This dispute has served to further check the efforts of antipoverty shock troops.

Mr. President, I ask unanimous consent to have placed in the RECORD at this point several articles from Denver newspapers which document this situation. In the process of doing this I should like to read a few headings:

Denver "Losing" War on Poverty.
Mayor Wants New Chief for Poverty War.
Valdez Favored To Head City's Poverty War.

That is another indication of the fight I was talking about with reference to who is to operate the program. Apparently Mr. Allen, the former State legislator, is about to be fired, even though I know his own heartsick attitude and his efforts in trying to do something for this program.

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

[From the Denver (Colo.) Post, June 20, 1965]

DENVER LOSING WAR ON POVERTY

For several months, this newspaper has been making a careful study of the problems of Denver's war on poverty, an organization which was formed nearly a year ago at the initiative of Mayor Currigan.

We have been attempting to find out why this organization, which was one of the first to start in the Nation, has had so little success in bringing the benefits of the Federal antipoverty program to the assistance of the poor in the Denver area.

As of this writing, none of the 10 community action projects proposed by Denver's war on poverty has yet won the approval of the Federal antipoverty agency, the Office of Economic Opportunity in Washington.

Most of these project proposals, involving about $1.5 million, have been sent back to Denver for revision—some of them several times—and the revised versions are still stalled at various levels of the administrative machinery in Washington.

In addition, the Federal administrative grant, which has financed the operation of Denver's war on poverty to this point, is about to run out and the organization has not sent in its application for more funds in time to meet the deadline.

Only extraordinary action by the Office of Economic Opportunity can save the Denver organization from having to close down altogether for lack of funds.

The blame for Denver's poor progress in the poverty war, as this newspaper is able to appraise it, has to be shared by Washington and Denver, with Denver itself bearing the larger share.

The delays and confusion in the handling of Denver's proposals by OEO in Washington are, to some extent, understandable in a new agency just getting organized and determined to exercise caution in the expenditure of hundreds of millions of dollars.

But, at the same time, OEO's dealings with Denver have done very little to sustain the reputation of OEO Director Sargent Shriver as a man who can cut redtape, minimize delay, and get swift action.

The major trouble, however, has rested in Denver. The staff of Denver's war on poverty has been slow and inefficient. Its relations with the war on poverty board, and its chairman, have been unsatisfactory.

Project proposals have been poorly prepared and budgetary and administrative details have not been properly attended to. The work of the office has been poorly organized, and deadlines and priorities have been neglected.

This newspaper takes no pleasure in criticizing the hard-working and dedicated individuals who have labored unsatisfactorily in the poverty program to this date.

But we do fear that the poor of Denver will continue to be shortchanged unless the program can be put on a more efficient basis. Whatever the faults in Washington, the faults in Denver are badly in need of correction.

We believe the responsibility for getting the Denver poverty war back on the track rests with Mayor Currigan, whose alertness and enterprise brought Denver into the poverty field, in the first place, far ahead of other cities.

It is not the mayor's fault if the organization he brought into being has failed to do the job. But it will be mayor's fault if the existing inefficiency is allowed to continue and Denver's poor do not get the help they need.

[From the Rocky Mountain News, July 24, 1965]

MAYOR WANTS NEW CHIEF FOR POVERTY WAR

(By Del W. Harding)

Mayor Currigan believes Robert E. Allen should be replaced as executive director of Denver's War on Poverty Inc. (DWOP).

Currigan was out of town Friday but his administrative assistant, Bill Miller, said "The mayor feels in 7½ months the program hasn't moved as it should."

Miller said Currigan believes problems with Washington, D.C., redtape also have slowed the local program, but said the mayor believes Allen's leadership at the local level has been indecisive.

Allen, 41, a former Democratic State senator, was named to the $12,000-a-year post last December 15. The appointment was made by the DWOP board of directors, headed by Dr. James Galvin.

The board reportedly will meet soon to consider whether Allen should be retained. The mayor is on the 35-member board.

Miller said the mayor has suggested loaning Denver Welfare Manager Bernard Valdez to DWOP to act as temporary director if Allen resigns.

Allen said neither the mayor nor any other board member told him they are dissatisfied with his work.

He confirmed, however, that there has been friction between himself and Dr. Galvin.

He said he doesn't believe Dr. Galvin has given the time to the chairmanship post that he should, and that the local program has suffered as a result.

[From the Denver (Colo.) Post, July 23, 1965]

VALDEZ FAVORED TO HEAD CITY'S POVERTY WAR

Mayor Tom Currigan said Friday he will propose that Bernard Valdez, director of the Denver Welfare Board, be named to replace Robert E. Allen as executive director of War on Poverty, Inc.

Currigan said he would be willing to lend WOP the services of Valdez for no more than 60 days until the 35-member board of directors can find a new executive director.

Allen said he will not give up his post without a fight.

Allen, 41, said he has allies on the WOP board to defend him against the attempted ouster.

One of his allies, he said, is Herrick S. Roth, president of the Colorado Labor Council.

Roth, said Allen, has prepared a letter for distribution among the board members saying that "our actions should not be based on the recommendation of the mayor or his citizen chairman (Dr. James Galvin)."

Roth was not available for comment on the letter which Allen claimed was given to him by Roth for his information.

"I am not at this moment of the opinion," Allen quoted Roth as stating in his letter, "that Bob Allen has been given the proper administrative opportunity to determine whether or not he can fulfill the responsibility of executive director."

DR. GALVIN BLAMED

Roth was quoted by Allen as urging the board members to "avoid political maneuvering" and instead "act on the basis of our own judgments."

There was no doubt that Allen blamed Dr. Galvin for instigating the move to remove him as executive director.

He said Dr. Galvin had never contacted him to notify him of any "dissatisfaction with my work."

The Denver Post also had been unable to contact Dr. Galvin. Attempts to reach him Thursday, when rumors of the movement to remove Allen became known, and again Friday, failed.

COULDN'T BE REACHED

"He's out of the city," a spokesman at the Job Opportunity Center, 1360 Speer Boulevard, said Friday when the second attempt was made to reach him.

Reports that Dr. Galvin would step down as board chairman accompanied those that Allen's ouster would be sought.

Allen claimed Friday that "dissatisfaction" with Dr. Galvin as chairman dated back to before he (Allen) became executive director last December.

He said Dr. Galvin, a Denver psychiatrist, had not given as much time to his job as he should because of "conflicting activities."

Dr. Galvin, in addition to conducting his private medical practice, also is a Currigan-appointed member of the Denver Board of Health and Hospitals.

"I believe it is up to the War on Poverty board to name a chairman who can give adequate time and leadership to the job," Allen said. "That leadership has been lacking."

Mrs. E. Ray Campbell, a member of the board, said she believed a stronger leadership is needed in the WOP staff—leadership to pull together the various elements in the community.

However, she said she was opposed to hasty action by the board in obtaining this goal.

One report that Allen had failed to communicate successfully with minority groups in formalizing WOP projects was denied by Rudolph (Corky) Gonzales, a member of the board and a spokesman for Denver's Spanish-American population.

HEAR BOTH SIDES

But Gonzales, like Mrs. Campbell, refused to take sides in the dispute.

"I want to hear both sides of the story before I make any comment," he said. "His administration capacity appears to me to be the only issue."

The move to seek the removal of Allen, the Post learned, began last Tuesday when Dr. Galvin and other members of the eight-member executive board called a meeting of the full board for Thursday night.

The board was to be asked to remove Allen and replace him with Valdez. However, the meeting was canceled after a check of the bylaws showed 7 days' notice was required, it was learned.

Mr. DOMINICK. Mr. President, I should now like to turn to some other problems Coloradans have had with OEO and the poverty program. I have received a great deal of mail from my constituents complaining of the bungling in many phases of the war on poverty. A resident of Boulder, Colo., wrote to tell me that he had applied for work on a Job Corps conservation camp in September of last year. On January 14 of this year I asked the Office of Economic Opportunity to inform me what action was taken on the application. On April 8, 1965, after I had again written demanding an answer, I received a letter with a one-sentence rejection of my constituent's application. I do not understand why someone applying for a simple staff position with the Job Corps should have to wait 7 months for the mere courtesy of a reply.

I have also received a number of letters vehemently opposing the establishment of Job Corps training centers in several communities in Colorado. Many residents of these cities and towns have read of the violence and immorality that have occurred in other Job Corps centers and so have put pen to paper to state their opposition to establishment of Job Corps centers. Many have done so even before there was any real movement underway to put such centers in their communities. They were afraid that the centers would move in whether they wanted them or not.

These letters thus point to the danger that, with the undesirable notoriety of the camps noted in the minority views, we may well find such widespread opposition to the Job Corps that no community will consent to the establishment of a center nearby.

As a final example of the problems that have arisen from the operation of the war on poverty by OEO, I should like to call Senators' attention to a letter written by a resident of Denver, Colo. She is well qualified to speak on the subject, for she was a member of VISTA, the domestic peace corps, until she resigned from the program in protest over the mismanagement. She gives a detailed and lucid account of the waste of enrollee's time and taxpayers' money in the operation of VISTA. These letters, written by a former frontline combatant in the war on poverty, should be read by all who have the responsibility of passing legislation on the war on poverty.

I ask that these letters be entered into the RECORD for all to read.

Mr. President, before doing so, I believe it would be interesting to read a few excerpts from these letters. The first one is dated July 2, 1965, and reads:

DEAR SIR: This may be a little different letter than you are used to getting, or again it may be often and gain nothing.

I'm wondering just how this war on poverty and the VISTA programs are supposed to be helping the war on poverty.

You see my experience is not just hearsay, I've been a part of both programs.

Denver's war on poverty is only a setup for a few high paid people to keep doing better for themselves both monetarily and politically, these 50 who were to get training to take jobs that never materialized, while just the money they were paid was enough to have kept a family for quite awhile. The big people of the program didn't give a darn whether it worked or not, in fact, to cite an instance, the first night of class I told Dr. Hyman for a couple of weeks I'd probably have to miss a couple of nights. His reply, "It really makes no difference to me. I'm an employee of the university."

The letter goes on in that style. When she went to Chicago to go into training she received the same sort of treatment. The letter is signed by Miss Dorothy Lindsay. I do not know her. I wrote Miss Lindsay and asked her whether I could use her letter publicly in the debate. She replied on July 20, 1965:

Mr. DOMINICK: Thank you for your letter of July 13. By all means use my letter. I am so tired of people griping about things as they happen but when they are given the opportunity to try and do something about it they lose interest, so please use it any way you think it can be of help.

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

DENVER, COLO.,
July 2, 1965.

DEAR SIR: This may be a little different letter than you are used to getting or again it may be often and again nothing.

I am wondering just how this war on poverty and the VISTA programs are supposed to be helping the war on poverty.

You see my experience is not just hearsay, I have been a part of both programs.

Denver's war on poverty is only a setup for a few high paid people to keep doing better for themselves, both monetarily and politically, these 50 who were to get training to take jobs that never materialized, while just the money they were paid was enough to have kept a family for quite awhile. The big people of the program did not give a darn whether it worked or not, in fact to cite an instance, the first night of class I told Dr. Hyman for a couple of weeks I'd probably have to miss a couple of nights, his reply "It really makes no difference to me. I am an employee of the university."

Then there is VISTA, my—the money wasted. I am wondering how some of the group I was with in Chicago answered their applications. When I arrived there was such a lack of communication I missed a part of the first meeting. The desk clerk told me what room to go to, I went; the receptionist told me the room wouldn't be ready for an hour and I could wait in the lounge, there I sat about 45 minutes, then a group came out of a room, I noticed a VISTA folder, I asked if they were in VISTA. "Ha, ha" the little gal said, "We are VISTA," so I joined the group. Sixty people, one man 77, myself 41, the other 58 college kids, boy—they are having a ball in Chicago.

Assignments? You go around and talk to people, you draw a map. My assignment was a little different, I actually had a schedule 5 days a week. I did five different things, always being told to build friendships with these disadvantaged people. How, may I ask, do you build friendships or even good will when you have been told to find out what these people need, write out your report, then you are told to "just put it in the drawer." Well, I know enough about the disadvantaged to know if there is anything they do not need it is more stupid, hollow promises.

Thursday in our group discussions I was finally able to get a straight answer from our group leader. I asked if all this mixup was lack of communication. "Yes," she said, "I think you've hit it on the head, the Friday before you all came we were told we'd have 8 people, then Saturday we were told 45, then finally we ended up with 60, so really we weren't ready for so many." Now maybe I don't know enough about Government spending but it seems to me it would have been much more efficient to have notified those volunteers to postpone their coming for a week or two to give the people in Chicago time to sufficiently prepare for them, than to set us up for the planning period.

I couldn't stand the inefficiency any longer, I asked to be relieved, I came home, others have the same idea. If there are 15 people who stick out their year I'll be very much surprised.

Now when I get back to Denver, I read in the paper the war on poverty heads are getting big raises, guess I'll go down Tuesday and try and get on the gravy train, if they ask for my credentials I'll tell them I have no conscience on accepting Government money.

Sincerely,

DOROTHY LINDSAY.

P.S.—I am sending copies of this letter to several people who I hope are interested enough to read it.

DENVER, COLO.,
July 20, 1965.

MR. DOMINICK: Thank you for your letter of July 13. By all means use my letter. I'm so tired of people griping about things as they happen but when they are given the opportunity to try and do something about it they lose interest, so please use it any way you think it can be of help.

I thought you might be interested in a paragraph from a letter I received from the OEO Office written by Gary L. Price:

"I am sorry that you found the training so disappointing and regret you did not stay on for the full 6 weeks. Often at the beginning of a program trainees are skeptical of the benefits to be derived. From my experience, however, I have found once training is completed the individual has a better perspective from which to evaluate the program. It is usually at this point that the benefits become clear."

Suppose I would have stayed, that would have been $252 more of the Government money I could have spent, suppose 10 people drop out at the end of the 6 weeks, see what amount this would be. Of course $2,000 or $3,000 is really just a drop in the bucket to what is being spent on this program.

One girl was sent home from Chicago the end of the first week, out drinking every night and one night came in and vomited all over the elevator pilot.

I sent a copy of the first letter to Mayor Tom Currigan, parts of his letter in reply: "Your letter of July 3 was quite disturbing. I have taken the liberty of referring it to the board of directors of Denver's war on poverty. I have suggested to the chairman of the board, Dr. James Galvin, that perhaps the board would like to invite you to a meeting to see if there is not a solution to some of the shortcomings that you mentioned. I have great hopes for the war on poverty program. There is a great need in America today for the type of assistance available through war on poverty funds. Like you, however, I don't wish to see funds wasted. I am sorry you have become disillusioned with the program and I hope that our board of directors can help clear up some of the misunderstandings you have."

Mayor Currigan's letter was dated July 12 and as yet I have heard nothing from Dr. Galvin or the board of directors.

I am anxious for Denver's medical proposal to be funded, this is the one I became interested in during the training program here in Denver. I personally think this project will help more on this war on poverty. You and I both know when a person is getting the medical attention they need they are more able to face up to their problems.

I hope some day in some way these things can be worked out and that people who want to do better for themselves will be able to do so.

Sincerely,

DOROTHY LINDSAY.

Mr. DOMINICK. Mr. President, I believe this can be of great help in showing the problems of administration inherent in this program. It should be noted that the problems to which I have referred in my discussion today are by no means unique.

As I mentioned earlier, Colorado has been lucky enough not to have such difficulties as occurred in St. Petersburg, in Indiana, and in Oregon. The minority views submitted with the report on the bill point out some of the problems. The speeches in this and in the other Chamber in Congress further detailed them.

The great tragedy of this situation is that many of these problems could have been avoided when Congress first created the war on poverty or when the Office of Economic Opportunity first established the programs. These problems are not ones that will always be with us—they can be avoided.

A great deal could be accomplished merely by putting the structure of the OEO in some sort of order. Confusion in the ranks is to be expected when the $1 billion war on poverty is directed by a part-time general. Again, as we said in our minority views, we are speaking of a program which is operated by a part-time general with a colossal number of brass hats, and with very few Indians to operate the program, with no tactical or visible successes, and with very little ammunition with which to shoot.

It seems incredible to me that we should have an organization in which the ratio of supervisors to workers is 1 to 18. In the Department of Agriculture the ratio is 1 to 500; in the Defense Department it is 1 to 1,000. But in the program about which we are speaking there is a ratio of 1 to 18. So, as I have said, there are more brass hats than Indians with which to fight the war.

Adding to the confusion is the large number of supergrade positions combined with a comparatively small staff. It is easy to see why the antipoverty program has run into trouble when we consider that a large part of the day-to-day work is done not by regular employees, but by highly paid consultants who are brought in to handle the burdens that the supergrade poverty czars seem too busy to handle.

I shall have a little more to say about the consultants at a later date. It is my recollection that there was one in the State of New Jersey who was being paid a consultant's fee of approximately $100 a day while he was holding down two public service jobs for which he was receiving a salary. I shall document that case at a later date when I have the material again. I do not have it in front of me.

Speaking about New Jersey, while I am at it—and I do not mean to be kicking all the States around; what I am doing is talking about the OEO administration of programs within the States—the minority views, again on page 59, point out the following:

In New Jersey the State director of the Office of Economic Opportunity receives $25,000 a year, a higher salary than is paid to any member of the New Jersey Governor's cabinet. One county in New Jersey received a grant of $67,000, but unfortunately the poor did not benefit greatly from the grant. All but $15,000 of the grant was earmarked for salaries and administrative expense.

So here we have a grant of $67,000, $52,000 of which goes for administrative expenses and salaries. It strikes me that if anyone could ever say that there is a program administratively designed to trickle down funds to the poor, the program about which we are speaking is certainly one of those.

Again the minority views state:

In Indiana OEO paid salaries 25 percent higher than those paid by the State for comparable positions in public schools. One final comparison should be drawn. One of two brothers from an Indiana community graduated first in his high school class. He is now serving under enemy fire in Vietnam for $78 per month. The other brother dropped out of school, taking the occasion to beat up his mother and his teacher. He is now being paid $200 monthly by the Job Corps for running a power mower.

I submit that that is a peculiar way in which to wage a war on poverty. In one case there is a young man who has done a fine job. He has gone through school and is now serving his country in Vietnam as an enlsited man, receiving $78 a month. At the same time the Government pays to a dropout $200 a month for the privilege of operating a powermower. If there is anything more inconceivable than saying that this type of program will cure poverty, I do not know what it is. What it really does is to provide an incentive for young people to drop out of school and do similar things, so that the dropout can get money under the program.

Many of these problems could have been avoided if only OEO had applied a little old fashioned commonsense. But I suppose it is difficult to ask OEO to use commonsense when Congress, at least in its committee work, has not displayed very much of it in dealing with H.R. 8283.

The action of the House of Representatives in providing for overriding the Governors' veto provision was very unfortunate. What the House did was to say that we are going to eliminate the Governors' veto. We will not eliminate it entirely. A Governor could veto the action of OEO, but the action would be only illusory because the Director could override the veto.

The Senate committee was not satisfied with that provision. The committee went further and eliminated entirely the provision for a Governor's veto. We cut it out. That action makes no sense. It was carried out in the face of a resolution adopted, with only one dissenting vote, at the Governors' Conference in Minneapolis, providing that the provision for a veto by the Governors as it was in the original law be left untouched.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. LAUSCHE. Normally, the Governors' Conference, which the Senator has mentioned, is attended by practically all the Governors of the 50 States. Is that correct?

Mr. DOMINICK. The Senator is correct.

Mr. LAUSCHE. Do I correctly understand the Senator from Colorado to say that there came before the recent convention of Governors, made up of Republicans and Democrats, the issue as to whether or not the Economic Opportunity Act should contain a provision which would give the Governors the right to veto a program?

Mr. DOMINICK. The Senator is correct.

Mr. LAUSCHE. What was the judgment of those Governors?

Mr. DOMINICK. If I may interpolate, what was done was to have a resolution submitted to the Governors urging Congress to retain the veto right which was in the bill before it was amended by the House, and before our committee worked on it. The judgment of the Governors, in assembly at Minneapolis, with only one dissenting vote, was that the original right of veto by the Governors should be retained. A copy of the telegram reporting the action was submitted to our committee, but the majority of the committee chose not to follow that recommendation.

Mr. LAUSCHE. Does the Senator from Colorado remember what the relative proportion of the political affiliation of the Governors of our Nation is at the present time?

Mr. DOMINICK. Speaking as a Republican, I am afraid that the proportion is heavier on the Democratic side than it is on the Republican side. The resolution was submitted by Governor Sawyer, who was, I believe, Chairman of the Governor's Conference. He is the Governor of the State of Nevada, and a Democrat.

Mr. LAUSCHE. My belief is that the overwhelming preponderance of Governors is on the side of the Democrats at the present time.

Mr. DOMINICK. I believe that is correct.

Mr. LAUSCHE. But whether they are Republicans or Democrats, all but one voted for the retention of the power to veto a program in the Governors.

Mr. DOMINICK. That is the information we have received by wire from Governor Smylie of Idaho.

Mr. LAUSCHE. My recollection is that it has always been felt by the Governors that programs of Federal aid are not to circumvent the duly selected governmental authority of a State, but should be channelized through the States. Can the Senator from Colorado tell me the reasoning that has been advanced for the retention of the veto power in the Governors?

Mr. DOMINICK. I believe that with accuracy, I can tell the Senator from Ohio, who is a distinguished friend, that the main impetus of the proposal was the result of a fight between a particular Senator and a particular Governor.

The Senator and the Governor were from the same State. But the other

argument that was raised, other than that, was that a Governor should not have any right to determine whether a Federal program should operate within his State.

This was the basis upon which the committee acted, I presume.

For the knowledge of the Senator and because it will add to the force of this debate, I shall read the resolution which was presented to the Governors' Conference and the telegram which was received by the Senator from New York [Mr. JAVITS] as the ranking minority member of the Committee on Labor and Public Welfare. The telegram came from Governor Smylie, of Idaho.

The resolution reads as follows:

ECONOMIC OPPORTUNITY ACT

Whereas under the Economic Opportunity Act of 1964, although a number of antipoverty programs and projects bypass the State level, a substantial portion of such programs and projects require clearance through a Governor's office and are subject to the Governor's veto; and

Whereas the gubernatorial clearance and power to veto provide a measure of coordination and orderliness in the administration of those programs to which they apply; and

Whereas with respect to those programs and projects not requiring clearance through a Governor's office and not subject to his veto, negotiations and contracts are between the Office of Economic Opportunity or a delegate Federal agency and the local applicant, which may be a nongovernmental agency, thus producing conditions of chaos; and

Whereas legislation has been approved by the U.S. House of Representatives to permit the Director of the Office of Economic Opportunity to override a Governor's veto disapproving a program or project to be undertaken in his State by any public agency or private organization with respect to the Neighborhood Youth Corps program, the community action program and the adult basic education program, to all of which programs the veto presently applies, if, in the opinion of the Director, the application for the program is consistent with the law and would further the purposes of the act: Now, therefore, be it

Resolved, That the National Governor's Conference express its firm opposition to any diminution of the power of a Governor to veto proposed projects and programs under the Economic Opportunity Act and respectfully request the Congress to preserve intact the relevant provisions of the current law; and be it further

Resolved, That copies of this resolution be sent to all Members of Congress.

We then received a telegram dated July 29, 1965, which reads as follows:

MINNEAPOLIS, MINN.,
July 29, 1965.

Senator JACOB JAVITS,
Senate Office Building,
Washington, D.C.:

Governors Conference at Minneapolis adopted resolution by Governor Sawyer, of Nevada, expressing firm opposition to any proposal reducing the power of the Governor in acting on antipoverty programs.

There was only one dissenting vote.

Regards,

ROBERT E. SMYLIE,
Governor of Idaho.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. DOMINICK. I am happy to yield.

Mr. LAUSCHE. At the Governors' Conference, which I attended for 10 years, although not 10 consecutive years, the principle was constantly followed that as to Federal-aid programs the circumvention of a Governor or other State officer ought not to be tolerated.

The argument was that channeling the program through the State executive office would prevent duplication; that it would keep the central office informed and would prevent confusion.

That was the principle, and constantly the argument was made that the Governor should insist that the programs clear through the State office.

I observe that in the telegram it is pointed out—and it is a fact—that this program can be given to and directed by nongovernmental agencies.

Mr. DOMINICK. The Senator is correct.

Mr. LAUSCHE. It can be given to municipalities and counties. Does it include also the States directly? I assume it does.

Mr. DOMINICK. The States do not operate directly in this field.

Mr. LAUSCHE. But the significant aspect is that it can go to existing nongovernmental agencies and even new ones formed to implement the program.

Mr. DOMINICK. That is exactly correct.

Mr. LAUSCHE. The telegram that was sent and the resolution that was adopted by the Governors point that out.

Mr. DOMINICK. That is true. Two factors make that clear.

The distinguished Governor of New York, Hon. Nelson A. Rockefeller, had to threaten to veto some of the programs in order to be able to have any voice whatsoever in determining how the program would be organized and how it would affect neighborhoods and communities within his State.

The same thing happened with respect to the distinguished Governor of Texas, Hon. John Connally. He, too, had to threaten a veto to maintain control of the program, so that it would have coordination and not be turned into a blatant political move. In many cases this is exactly what happened.

It will be noticed by reading the minority views that many Democratic mayors of cities have asked, "How are we supposed to run our cities when all these people are recommending to the poor that they should march on city hall?"

They wanted to prepare a resolution.

Mr. SCOTT. Mr. President, will the Senator yield on that point?

Mr. DOMINICK. I yield.

Mr. SCOTT. We have had a somewhat similar experience in Pennsylvania. Some of the officials or other persons connected with the poverty program, including Mr. Charles W. Bowser, executive director of Philadelphia's Antipoverty Action Committee apparently felt it to be a part of their responsibility to exert pressure and organize a big march on the Governor of our State, whose record for progressive legislation in the public interest is as high as that of any other Governor in the Nation.

As an article in today's Washington Post points out, Mr. Bowser, whom I respect personally, not long ago was extremely active in leading a band of petitioners to Harrisburg to object to the Governor's veto of two items in a welfare bill.

In Pennsylvania the Governor may exercise an item veto; that is, he has the right to veto separate items in an appropriation bill without invalidating the entire bill.

Mr. Bowser went to Harrisburg with many other people in buses, allegedly paid for out of antipoverty program funds, although that is denied by Mr. Sargent Shriver.

They held a caucus in the Democratic caucus room of the house of representatives in the State capitol. They prepared their protest there and, still politically motivated, moved in on the Governor, demanding, "Show your face," so as to create the impression that the Governor refused to see them. Actually the Governor had not even been asked to see them. He did agree to see representatives of the group, including Mr. Bowser, and saw them.

Their complaint was that the Governor had vetoed items providing $10 million and $7 million in the public assistance and child welfare areas, in which the Governor's program is and has been as generous as the constitutional limits allowed.

Under the Pennsylvania constitution, appropriations in excess of the constitutional bar of deficit spending are of doubtful legality, so the Governor felt obliged to veto those items.

As the Governor pointed out:

If I had the money for these programs, you could come back and talk about them.

I question whether or not the attempt to say that the buses were not paid out of poverty funds really holds water, because the way these activities are conducted is to advance the money from the poverty program. Funds are advanced on expense accounts to officials of the antipoverty program. Then, they can pay for the buses out of the expense account.

This may have been one way in which they did it. However, what they did was to confuse their responsibility under the poverty program with their political desire to embarrass the Governor of Pennsylvania. The difficulties that we have had with the program—and I have supported the program—is the problem of getting the money to the poor.

Under the Poverty Act, in effect the money goes to the poor by way of the politicians. Anybody knows that, if it is a program to help the poor by way of the politicians, the politicians will scrape as much of the cream off it as they can. Anybody holding a job, that I know of—and I do not know them all—is holding his job under the program at a considerable increase in the amount of money over what he received in his previous job. They are all politicians.

I stated to a labor meeting today, "You supply the assistance to the Democrats in Philadelphia, particularly by your votes. However, when the poverty program comes along, do you get the first, second, third, fourth, fifth, or sixth jobs?" No, Mr. President, the jobs are given to political hacks, except for the top man,

Charles Bowser. Mr. Bowser is doing a good job. However, he should not have gone up to Harrisburg to embarrass the Governor of the State and confuse his poverty program responsibilities and his political desires.

The poverty program does not require that one be a Democrat or Republican. It requires that one be poor.

Mr. DOMINICK. Mr. President, the people who are supposed to get the jobs do not get them. I appreciate the contribution that the Senator has made to the discussion today.

The minority report again points out, as I mentioned before, and want to verify, that:

Time and again we have heard protests that the Office of Economic Opportunity was bypassing either local governments of the poor in establishing local programs. Early in June of this year a group of big city mayors attempted to get the U.S. Conference of Mayors to approve a resolution highly critical of OEO. The proposed resolution would have accused OEO of "trying to wreck local government by setting the poor against city hall." The resolution, drafted by two Democratic mayors of big cities, was stopped at the last minute at the urging of the administration. The mayor of Syracuse pointed out that in addition to his other problems the poor in that city were being "urged to storm city hall."

These are some of the problems that we are facing. I believe that what the Senator just said with respect to the head man in Philadelphia is applicable to what has been going on in Denver.

We had in charge of the program there, as I said earlier, a former State legislator, a Democrat. I know him quite well. He is a highly dedicated man for this type of work. However, with all the people he has working with him, he has not been able to put together a single program that has been worth a hoot. They are yelling for his head. He is the one who will be kicked out.

Mr. SCOTT. Mr. President, I agree with the Senator. The purpose of the antipoverty program is to help the poor. One of the ways to help the poor is to make jobs available to them. Another way is to work with the city, the county, and the State administrations in administering other programs of assistance.

The provision for turning over the administration of the program to local, nongovernmental agencies is having the effect of freeing those agencies from any responsibility to governmental units. They are deciding, with some irresponsibility, I believe, to use that freedom from responsibility to storm city hall, to storm State legislatures, and to storm the Governor's office in each State with a politically conceived protest march that may be suggested to them.

They are harming the poverty program. They are showing the whole country that they are more interested in political advantage and political jobs for political hacks than in carrying out the responsibilities under the program.

When I support a program in a State, I support it in the belief that it will be honestly implemented and fairly administered, and that it will be done without political overtones. That has not been the activity pursued in the poverty program. I am raising a warning signal at this time.

If the distinguished Senator from Colorado would permit me, I should like to make a unanimous-consent request at this time.

Mr. DOMINICK. That is perfectly agreeable.

POVERTY AND POLITICS

Mr. SCOTT. Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD the article to which I alluded earlier entitled "Inside Report: Poverty and Politics," written by Rowland Evans and Robert Novak and published in this morning's Washington Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INSIDE REPORT: POVERTY AND POLITICS

(By Rowland Evans and Robert Novak)

Just how antipoverty funds can find their way into partisan political action can be seen in a seemingly trivial incident recently outside the office of Gov. William Scranton in Harrisburg, Pa.

While the legislature debated a motion to override the Governor's veto of an appropriation in an adjoining wing of the capitol, 200 demonstrators supporting the bill were stationed at the door of the Governor's office chanting: "Show your face, show your face."

What makes this demonstration far from trivial in importance is the fact that the leader of the demonstrators (all of whom had bussed their way to Harrisburg from Philadelphia) was Charles Bowser—the aggressive head of the Philadelphia antipoverty committee.

Poverty officials in Washington had no knowledge whatever that Federal poverty funds were used to pay for the buses. But in Harrisburg, several of the demonstrators openly admitted that the Philadelphia antipoverty committee financed the political expedition.

Strangely enough, the target of this particular lobbying expedition was the "item veto" by the Governor of an issue that had no connection whatever with the Federal antipoverty program. The two items vetoed by the Governor, adhering to a constitutional ban on deficit spending, were $10 million for public assistance and $7 million for child welfare.

For months the Governor and Democratic State legislators had jockeyed back and forth over these and other appropriations. The Democrats stayed up nights seeking some way to embarrass Scranton politically and make him look like an ivy league scrooge.

When Scranton confronted the Democrats with his veto, the antipoverty fighters in Philadelphia organized their excursion to Harrisburg to coincide with the legislative debate to override the veto.

Significantly, the demonstrators' first stop in the capitol was not the Governor's office but the Democratic caucus room. They held a rally there and heard Democratic representative Joshua Eilberg, the house majority leader, deliver an emotional attack on Scranton.

The demonstrators next moved into the ornate, mahogany corridor outside the Governor's office and began chanting, "Show your face."

In due course, Bowser and a couple of other demonstrators were invited into Scranton's office (actually they never had asked for an appointment). Scranton again explained the constitutional reasons why he had to veto the two items. Whereupon the buses were loaded and returned to Philadelphia.

Sargent Shriver, the antipoverty chief, knew nothing about this until he received a telegraphed complaint on August 3 (the day of the demonstration) from Pennsylvania's secretary of state, John K. Tabor.

Acting on Scranton's orders, Tabor declared:

"We fully support the right and duty of the people, rich or poor, to support or oppose any State action, but we strongly object to antipoverty personnel, paid with Federal funds, mobilizing and leading such an effort."

Tabor noted that Shriver's own regulation No. 23 prohibits the use of poverty funds, "for any partisan political activity or to further the election or defeat of any candidate to public office."

Shriver's answer to Harrisburg, sent last Tuesday (August 10), denied that antipoverty funds financed the bus trip. Poverty dollars had been requested for the buses, his telegram said. This was rejected, he continued. Shriver stated strongly that he never would condone such use of poverty money.

But his reply skirted the question of Bowser's leadership in the demonstration. Bowser (who gets $17,000 a year) clearly was violating Shriver's regulation No. 23. (Bowser said privately later he felt it was his duty to lobby against the veto.)

Shriver, of course, cannot be held responsible for every infraction of regulation No. 23 in hundreds of projects in progress all over the country.

That's just the point. Both in the congressional act authorizing the program and in the administrative policy of Shriver's office, the dogma of "local control" is enshrined. Local leaders, sagacious or not, are given a free hand in dispensing a major Federal program. The ludicrous political expedition from Philadelphia to Harrisburg once again shows the danger of this policy.

Mr. DOMINICK. Mr. President, I thank the Senator from Pennsylvania who has added a great deal to the colloquy.

For the benefit of our colleagues, I hope that they will study with some care the serious problem that we have outlined. I have tried to be as dispassionate as I can. I may say to the Senator from Pennsylvania that, in discussing some of these things, I have tried not to make any accusations that have not been documented by something in my file. However, I shall say something that has not been documented as yet.

I was told on the telephone that the mayor of the city of Los Angeles has indicated that a part of the problem involved in their perfectly ghastly riot at the present time has been generated in part by activities of this nature under the program.

I shall try to obtain some verification of the mayor's accusation before I am through.

Many Governors have said that they must have the veto power in order to force the OEO to consult with appropriate State agencies before going ahead with these programs. They felt that the provision for the veto was the only means to obtain cooperation between the OEO and State agencies.

This phase of the argument concerning the veto was also brought up before the committee, but it was apparently overruled.

There is no reason why the veto power should be eliminated. The vast majority of the Governors want it. It is said that it is necessary in order to coordinate the program. There is objection to the action that has been taken by the House

in overruling their right to a veto. Now, we have eliminated it entirely despite the wishes of the Governors of the 50 States of the United States.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SCOTT. Mr. President, I should think that the administrators and the sponsors of this program would want to provide for the intervention at some point of some responsible persons—in this case, the Governors—to keep such a program on the track. If I were among those responsible for this program, I should be very much afraid that the scandals and the marches and protest demonstrations which have occurred so far would cast such discredit on the program that it might have difficulty in being approved substantially in the form which the administration desires. This program is loaded with further possibilities for scandal. I predict that in the rest of this year and the coming year throughout the United States, in many large cities especially, there will be revelations of the most scandalous ineptitude, or worse, in the administration of this program.

Senators who are in charge of managing the bill ought to be very much concerned about having some right on the part of State Governors, or at least some agency, to step in and say, "Let us be very careful with what we are about to do." If that is not done, the poor will be set against the politicians. That is the last thing politicians want, because if the poor are set against them, the politicians will stop getting rakeoffs. As Montaigne said, "I speak truth, not so much as I could, but as much as I dare; and I dare more as I grow older."

We all know, as statesmen and politicians, if I may use the word in a reasonable sense, what is happening to the antipoverty program. Our warnings and cautions will be remembered next year as scandal after scandal will be written about on the front pages of newspapers, where, in this city or that city, all sorts of collusion, racketeering, high salaries paid, patronage feeding, and the promotion of hacks and incompetents, are going to lead the persons responsible for this program along a very stormy path. I promised Sargent Shriver, whom I know, that I would help with the program if it were made certain that politicians would be prevented from being put in the way of the poor. I plead with him, if he wants my help, to stop the headlong charges that people who criticize aspects of the program are necessarily obstructionists or that they do not have to pay attention to them.

Numbers are not so important, but there will be a time when they will be greater than some wish, and at that time the opportunity for correction in behalf of the people may have passed. I make these suggestions, not as one who is against the program, but as one who supports it.

The Senator from Colorado is right in pleading for the right of Governors to have the right of veto.

Mr. DOMINICK. I thank the Senator.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. COOPER. I have listened to the Senator's speech with interest. It has been highly informative.

I voted for the Economic Opportunity Act because I believed as I believe now, that such a program is necessary to train and educate the young, and those who are older, to enable them to break from the cycle of poverty.

I shall vote to extend the program, but I will vote to amend the bill so that it will be more effective.

The Senator has detailed abuses. There have been failures in administration and some gross abuses. I do not believe we have experienced in Kentucky the type of abuse which has occurred in other States referred to by the Senator from Pennsylvania, and the Senator from Colorado. There has been complaint in Kentucky about the establishment of so many offices and the selection of too many officials at high salaries. Also, the establishment of inflated wage levels by the Department of Labor is not good for recipients or the communities. It could remain in the programs, instead of moving into productive employment, and it could work hardships on community organizations wishing to participate and meet local needs.

The purpose of the program is good. What is needed is a willingness on the part of the administration to correct abuses and waste.

I would like to say to my colleagues on the other side of the aisle that they should recognize mistakes and help to correct them.

If the President, the Congress, and Mr. Shriver do not make every effort to make these corrections, it will be tragic, in terms of waste of money. But most tragic will be the loss of a great opportunity for thousands of people, young and old, to break out of the awful cycle of poverty into the full stream of life.

Mr. DOMINICK. The Nelson amendment, which adds $150 million to title II, is designed to take those who are chronically unemployed and put them to work in gardening and landscape work not only in their local communities, as nearly as possible, but also to give them an opportunity to move outside. This is a program which I do not happen to be opposing in my amendment. The proposal deals with a part of the program which the Senator was discussing but it did not provide for any particular training. The Senator from Kentucky may have read, as I have, the recent article in Life magazine, in which industry itself has been having people from the welfare and unemployment rolls put through a training course for work in which they can engage as a result of their previous experience and degree of education, to try to give those people a motivation to support themselves and their families. They have not been completely successful, but, particularly in the Berkeley area of California, they have done a good job. It has been tried. This makes sense to me. It is not a program in which we are going to put $1,650 million of the taxpayers' money into programs that have been discredited in many places.

Mr. COOPER. I have read the Nelson amendment. It needs to be discussed. We need more information. But it is a public works amendment, as I see it.

Mr. DOMINICK. Yes.

Mr. COOPER. The Senator has discussed ably some of the defects in the program. I would like to have the Senator's judgment about the programs themselves—whether he considers them good programs, in substance and objectives, as I believe them to be.

For example, I refer to the community programs providing preparation for education for younger students, the work study program for students in college, and especially the work training program for high school students in their areas of residence.

Mr. DOMINICK. It is an excellent program, but I have some doubt about paying for it out of Federal funds. If it is designed to help the children continue their education, it is difficult for me to see why jobs should be made on campuses by way of picking up sticks, which is a part of the program, or cleaning latrines, which is another part of it, and paying them a dollar and a quarter an hour, as requested by the Department of Labor, and then requiring the schools to falsify their records submitted to the Government.

What they say now is, "You must pay $1.25 an hour for the work they are doing, but when you publicize what you are doing, include within it the number of hours when they are actually training and not being paid for work, and then you will reduce the total pay, so that it will come down to about 90 cents an hour, which is what you are paying ordinarily, and then you will not be driving out the people hired at that level."

Mr. COOPER. I am familiar with the practice. I raised the question with the Department of Labor, and was informed about the arrangement, which does not settle the problem and is not a faithful representation of the facts.

Mr. DOMINICK. I think it is plainly deceitful, and I said so.

Mr. COOPER. To go back to the programs, let me refer to the Head Start program, the work training program, and the work study program. The first is designed to help a child with no training at all—who is not prepared—to start school under equal circumstances. The work training and work study programs give young men and women an opportunity to stay in school or college. I do not see anything wrong with these programs. I believe they are good.

Mr. DOMINICK. Let me tell the Senator what happened on the Head Start program in my own county in Colorado. Since no one had initiated any program, the county commissioners and the public school authorities got together and sent in an application for Head Start program work in the county.

Almost immediately, the Democratic district attorney, the only Democratic officeholder in my county, filed an application with someone else who was willing to come in on it with him, also a Democrat, not an officeholder but with some

influence in the community. Because of filing this conflicting application, no money of any kind is going into our county for this Head Start program. This is one of the problems I am talking about in the way of administration.

Mr. COOPER. I know. As to the substance of these programs, if properly administered, does the Senator not believe them to be helpful?

Mr. DOMINICK. Certainly I do.

Mr. COOPER. I believe they can be of great value.

Mr. DOMINICK. The Senator is correct.

Mr. COOPER. I should like to have the Senator's judgment as to the Job Corps.

Mr. DOMINICK. I cannot say that the Job Corps is a good program. I feel this way about the Job Corps and I am speaking frankly to my friend the Senator from Kentucky: I do not see how we can take a person who has problems because of his local environment and his educational ability and move him into a camp, train him for 6 months on how to saw wood, how to live in the open air, how to make trails through the forest, and then, when he returns to his home, expect him, by virtue of those 6 months or a year in the camp, to be able to pull himself up. I do not believe this is solving the problem.

Mr. COOPER. I am sure that the Senator remembers the Works Progress Administration program and the old CCC camps.

Mr. DOMINICK. Indeed, I do.

Mr. COOPER. I was a local official in Kentucky at that time, and during the depression, I had the opportunity to observe the CCC program. Many boys went to the camps and came back interested in finding gainful employment and being good citizens. It seems to me that if the Job Corps program were followed by the other training programs taking boys and girls from the Job Corps who had been rehabilitated, and had developed incentive, the first stage in the Job Corps would then have valuable purpose and effect. I do not know whether an effort is made to follow through with boys and girls when they complete the course at the Job Corps centers. It is a little bit too early, probably. I doubt that many have completed their Job Corps enrollment at this time.

Mr. DOMINICK. Not very many, but the Senator has read examples in the minority report, and heard some of the things I mentioned in my talk today. The difficulty and the difference between this program and the CCC camps is that the latter were started when there was a massive unemployment situation and had a great number of young men and women who were perfectly fine persons, and educated, but who were simply unable to find a job. They were getting some training and some discipline and some motivation behind them.

At the present time, what we are dealing with is not a case of massive unemployment all over the country. I believe the Labor Department stated that we had the lowest unemployment rate, or the highest employment rate—I have forgotten which—in a long time; so we are dealing with a group which is of a somewhat different caliber from those who went to the CCC camps.

Mr. COOPER. That is correct. I believe that the situation today is that some of those out of work are not prepared for work, either because of lack of education or character traits and that a program like this, properly administered, is necessary and can be very helpful; but it seems to me, that from this discussion—and the Senator from Colorado has rendered a fine service in provoking this debate—we have agreed that it demands better administration and a correction of abuses.

Mr. DOMINICK. I sincerely appreciate the contribution made by the highly distinguished Senator from Kentucky. It will be most helpful, I know, in general action on the amendments that will be proposed from time to time.

I do wish to point out quite clearly that in my amendment which I have sent to the desk, I have not tried to "gut" the program in any way whatsoever. What I have proposed is to hold the amount to last year's authorization for another year, before we again increase it, and to try to correct some of the problems while we are doing it. Last year's authorization still being $150 million more than what the actual appropriation was. Thus, we have much room to try and keep the program growing, even if the amendment should be adopted.

Mr. COOPER. I was very much interested in reading in the report, and also noted in the bill, the amendment which had been proposed, I believe by the Senator from Vermont, which was accepted by the committee, to create the advisory committee. The chairman would not be connected with the poverty administration, but would be an independent chairman, and would continuously oversee the program. I assume that one of those functions would be to discover abuses in administration, and also to determine whether it was actually working well or not. I see hope in that amendment, if it is finally accepted, and I hope very much that it will be.

Mr. DOMINICK. I would hope so, too. I was happy to support it. I may have another amendment, which would be most useful. I suspect that it will be presented by a member of the minority, in which, again, the effort will be to try to make the director of the program a full-time instead of a half-time director; namely, to have Mr. Shriver be either the head of the Peace Corps or the poverty program, but not both.

Mr. PROUTY. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield to the Senator from Vermont.

Mr. PROUTY. I am glad that the distinguished Senator from Kentucky made reference to the Advisory Council. I speak as a friend of the program. I wish it to succeed. I wished it to succeed last year. I expect to support it again. However, there are many examples of maladministration. The program is being used primarily for political purposes in many areas of the country. Some of us who support the program in principle wish to bring an end to this kind of administration. That is what we are trying to do.

Sometimes the suggestion is made that if we were to appropriate $2 billion instead of $1 billion, we would be able to do twice as good a job; and that if we were to appropriate $3 billion, it would be three times as good. Obviously, that is not true. The program has not been underway long enough to eliminate many of the "bugs" in administration. Thus, there is justification for restricting the funds to a level which can be spent efficiently.

Let me read from the last issue of the U.S. News & World Report, a quotation by a spokesman for the Illinois Farmers Union, which administers the antipoverty summer work facilities in 32 Illinois counties.

This spokesman said:

> A spokesman for the Illinois Farmers Union, which administers the antipoverty summer-work programs in 32 Illinois counties, said on August 10:
>
> "We definitely tried to go too fast on the thing. We put too many to work too fast. We put far too many to work in some places. There definitely was a misunderstanding on the local level."
>
> Said J. M. Watson, Illinois coordinator of the Neighborhood Youth Corps:
>
> "There was some political favoritism."
>
> The youths were being paid $1.25 an hour for 32 hours of work a week, the national rate in the Youth Corps.
>
> * * * * *
>
> A prominent Negro educator, Lester B. Granger, of Dillard University, New Orleans, called the antipoverty program a "slaphappy, sloppy, wasteful procedure." Mr. Granger told the National Urban League convention:
>
> "The fat should be taken out of it. We are going to waste two-thirds of the funds going into it, just like the New Deal. This doesn't mean I don't support it. If we get even one-third out of it, it would help."

Obviously these people are interested in making this program a success. I believe every Member of Congress should take that approach. Those of us who offer amendments are not trying to destroy the program. We are trying to strengthen it and make it work in order that it may achieve the objectives for which it is designed.

Mr. DOMINICK. I appreciate the contribution of the Senator from Vermont, who has put in a great deal of study and effort on this program and who, I know, will be offering some amendments in an effort to accomplish what he has referred to. Originally we were discussing the veto power. I should like to say a few words on that subject.

Despite the vote of a majority of the committee to eliminate the veto power on the ground that this was necessary, the fact is that the veto power has been used only four times in the lifetime of the war on poverty, and on two of those four occasions the veto was used to prevent the achievement of programs under contract with the National Farmers Union.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. GORE. The able Senator is citing the infrequency of the use of the veto power granted the Governors as a justification for its retention.

Mr. DOMINICK. The Senator is correct. I was trying to show that the veto power has not been used by the Governors for the purpose of hampering the administration of the program, but has been used by the Governors, or the threat of the veto has been used in their efforts at coordination of existing local and State programs with the Federal program.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. DOMINICK. I yield.

Mr. GORE. Rather than using the number of times that the veto has been threatened to thus coerce action, or the number of times it has been actually used, would not a better measure of its advisability be the soundness in principle of granting to the Governor of a State a power heretofore unprecedented, of vetoing a project of the Government of the United States within that State? It seems to me that the latter test is the proper one.

Mr. DOMINICK. One difficulty with that argument—and I said that was the basis used in committee, or at least I thought it was one of the basis, because there were others—is that this would be true if there were a Federal program with Federal direction all the way through. We are not dealing with that situation. We are dealing with local community groups, in many instances creating their own organization, and then obtaining Federal funds directly to support themselves. It seems to me that it is necessary to have some power by which a coordination of these programs can be required. If we do not have that there will be even more chaos than we have at the present time.

I hope the Senate will stand up for the principle of doing something to strengthen local-State government in this country.

We have been for far too long going in exactly the opposite direction. We are centralizing the Government in Washington and eliminating the State function. For instance, if someone wishes to get help on a sewage problem, he can go directly to the Cabinet officer instead of going to the local counsel. That is absolute nonsense.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. RANDOLPH. I regret that our committee circumscribed the veto power of the Governors of the States. The Senator from Colorado presents at least in part my feeling on this subject. He will recall that we voted together on this issue.

Mr. DOMINICK. We are very happy to have the Senator's support.

Mr. RANDOLPH. I feel just as strongly today as I did during the consideration of the bill within the committee, that the exercise of the veto by a Governor in the administration of this program, which I endorse, is important to the cooperative and coordinated effort in this Federal-State effort to provide worthwhile work projects and to provide employment for needy persons. It is my belief that in the Senate we should have an opportunity to vote again on that matter, just as we did in the past and recently in the Committee on Labor and Public Welfare.

Mr. DOMINICK. I appreciate the help and support that we had on this matter from the Senator.

Mr. President, this bill has reached the floor of the Senate with a somewhat less than distinguished record of careful consideration by the Congress. The House hearings were only a farce. Only 1 out of the 10 antipoverty programs created by the Economic Opportunity Act of 1964 was discussed at any length. Moreover, in the hearings on this one program many accusations of confusion and political favoritism were brought up, whereupon the hearings were abruptly ended. The minority views submitted in the House summed the situation up in this way:

> The hearings were abruptly halted—over the protests of the minority members—on the grounds that time was of the essence. The chairman then proceeded with all deliberate speed to postpone executive sessions twice, presumably while conferring privately with the czar of all the impoverished. It was the publicly announced position of the chairman that drastic changes were required in the act.
>
> These changes were not forthcoming. Instead, the chairman received two letters from Mr. Sargent Shriver outlining administrative procedures to be followed by OEO which allegedly would give the poor adequate representation on the political-social committees which run community action programs and restrict excessive salaries. Presto chango—no changes need to be made now in the act; we have encountered the newest wrinkle in Great Society government: legislation by letter.
>
> The sorry truth is that a great congressional committee has betrayed the legislative process and in doing so has turned its back upon Americans who have been led to hope that a determined and imaginative war on poverty would be waged.

The Senate record is little better. The bill was reported on the Senate floor at noon on Friday last. On Friday afternoon it was made the pending business of the Senate. The committee print of the bill was not available until Saturday morning, or almost a day after the bill became pending business. The committee report, with its somewhat extensive minority, individual, and supplemental views, was not even made available to Senators until this morning. This is a highly important and controversial bill, and I fail to see why Senators should not be given an opportunity to review the bill and its report in order to prepare remarks and amendments.

This is the reason why I am glad to have had the discussion, because it has given us an opportunity to bring out many facts. I am not criticizing the chairman of the committee. I am somewhat disturbed over the speed with which the measure was reported and made the pending business before we had the bill or the report to read.

The U.S. Senate has been called the greatest deliberative body in the world. Its Members should at least be given the opportunity to see H.R. 8283 and its report in order that they be sufficiently informed to conduct the careful and extensive debate that this bill should receive.

The war on poverty has also been hidden behind a veil of bureaucratic secrecy. When we have tried to get anything done to improve the administration of the program, many of us have been derided as being in favor of downgrading the poor. It would be easy to sit back on this side of the aisle and rest easy while we put the proposed legislation through. It would be easy to sit back and wait, as my distinguished friend from Pennsylvania said, while the increasing scandal and political influence charges are brought up in the daily newspapers and the magazines. It would be easy to do nothing now and to reap political benefits when the poverty program blows up, as it inevitably will, unless there are changes in the program. But on our side, we believe in the fulfillment of our responsibility as legislators, and we shall propose a number of amendments to correct defects noted in the minority views. I hope that the majority will give the amendments the consideration which they deserve and will adopt some of them.

The dangers involved in continuing the poverty war in its present form are so great that the country can expect no less than full and careful review of the program and deliberate efforts made to try to improve on it.

One of the things that I cannot see is why in the world the Congress of the United States should double the amount of money involved in a program which is under attack from all corners, from Republicans and Democrats alike. If my amendment should be adopted, we would provide $150 million more than was authorized last year. I am sure I shall be accused of trying to gut the program. What I am saying is "Do not spend $1,650 million; spend $1,100 million. Cut half a billion off the program until we can have these problems ironed out."

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DOMINICK. I now yield to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Colorado. I should like to ask him several questions.

First, will the Senator tell us the amount of the appropriation for the Office of Economic Opportunity for the current year?

Mr. DOMINICK. The appropriation was $793 million for fiscal 1965.

Mr. MILLER. Will the Senator tell us the amount recommended by the administration early this year in its budget?

Mr. DOMINICK. I believe it was $1,500 million.

Mr. MILLER. I understand that that is absolutely correct.

In what amount is the proposed authorization now pending before the Senate?

Mr. DOMINICK. It is $1,650 million.

Mr. MILLER. So not only does the bill before the Senate propose to authorize even more than the administration asked for at the time the budget was submitted to the Congress early this year, but more than twice as much as the program authorized for the current year. Is that correct?

Mr. DOMINICK. The amount is more than twice as much as was appropriated for fiscal 1965.

Mr. MILLER. But we are talking about money that was actually appropriated for the current program.

Mr. DOMINICK. That is correct.

Mr. MILLER. Compared with that, the bill before the Senate would not only authorize more than the administration asked for last year but twice as much as was appropriated this year.

Mr. DOMINICK. That is absolutely correct.

Mr. MILLER. Much has taken place since the administration submitted its budget. For one thing, the war in Vietnam has become worse, and the administration has been forced to come to Congress and ask for additional money.

Only the other day, following the President's decision to call up 50,000 more troops to go into South Vietnam, Congress was asked for an additional $1.7 billion for the war in Vietnam.

It seems to me that, of all times, this is the worst time to come before Congress and persist in increasing the amount presently appropriated for this activity. If anything, the program should be cut back; but failing in that, the program should be left where it is, and money that would go to this program would be used to provide proper equipment and support for our troops in Vietnam. Does not the Senator from Colorado agree with that?

Mr. DOMINICK. I certainly do. The amendment I sent to the desk would do just that. It would reduce the amount to last year's authorization—not the appropriation, but last year's authorization.

This would save $600 million that could be used to buy equipment which the Secretary of Defense has failed to supply up to now, in terms not only of our situation in Vietnam but of other sensitive spots around the world.

Mr. MILLER. I am pleased to learn of the amendment of the Senator from Colorado, and I shall support it.

I wish to reemphasize that I believe it is about time for Members of this body, if not the administration, to recognize that if we want to provide the morale and equipment and war materiel for our troops in South Vietnam to carry out successfully their very miserable undertaking, it would mean a great deal to them to know that we are giving priority to them, as distinguished from priority to an increase in what is being spent for this domestic program.

It is about time for us to recognize that we cannot fight a war in Vietnam and at the same time have all the other programs, let alone increase them, if we are to be successful in either case.

I hope the amendment of the Senator from Colorado will be offered; and I shall support it.

I thank the Senator for yielding.

Mr. DOMINICK. I appreciate the helpful comments of the Senator from Iowa. He has done much work in a review of the difficult monetary situation that exists in this country.

I was interested in the comment of the Senator from Iowa on the Vietnamese situation. The minority views, on page 60—I referred to this in my earlier remarks—tell of one boy who finished first in his class at high school and is new serving in Vietnam for $78 a month. His brother, who was apparently a different breed of cat, beat up his mother and his teacher, dropped out of school, and is now in the Neighborhood Youth Corps, getting $200 a month. This is the most ridiculous thing of which I could possibly conceive. It is not only ridiculous; it makes me boil to think of it.

Mr. MILLER. That type of example has been repeated in newspaper columns in the past several months. This is another way in which the program will have an adverse impact on the morale of members of the armed services.

It is bad enough when they realize that they will have to leave their loved ones at home and subject themselves to imminent death, fighting a war far away from our shores—and it is a war in every sense of the word. Nevertheless, it is difficult for them to understand how the people back home, who were supposed to be supporting them, can tolerate such a program as will lead to an example such as the Senator has referred to.

But quite apart from that, assuming that the program was operated in a way in which there would be no waste, no extravagance, and no adverse impact on the morale of our Armed Forces because of the disparity between the pay received by them in Vietnam and the salaries of some of those who participate in this program, the fact remains that we cannot adequately support the military forces in South Vietnam and at the same time conduct programs like this.

I believe it would be a strong shot in the arm for our boys in South Vietnam if Congress were to decide that we are going to keep the poverty program where it is until the war in South Vietnam is over, and that then and only then would we properly consider increasing it along the lines of the bill now befor the Senate proposed.

Mr. DOMINICK. I thank the Senator from Iowa. Since I was talking a while ago about objections in Colorado to the poverty program, I thought the Senator from Michigan might be interested in a letter from the publisher of the Denver Blade, the largest Negro newspaper in Colorado. Mr. Joe Brown, the publisher, wrote the letter to President Johnson, Representative POWELL, Councilman Caldwell, Mayor Currigan, Attorney Moore, four State legislators, both U.S. Senators, Representative ROGERS of Colorado, and State Senator George Broun. The letter is dated August 12 and reads:

THE DENVER BLADE,
Denver, Colo., August 12, 1965.

To President L. B. JOHNSON, Hon. ADAM C. POWELL, Councilman ELVIN CALDWELL, Mayor TOM CURRIGAN, Attorney ISAAC MOORE, Hon. PALMER BURCH, Hon. EUGENE FOLEY, Hon. DAN GROVER, Hon. JOHN A. LOVE, Hon. GORDON ALLOTT, Hon. BYRON ROGERS, Hon. PETER H. DOMINICK, Senator GEORGE BROWN.

GENTLEMEN: Please rescue us from this Denver war on poverty. We, the Greater East Denver merchants, submitted a proposal for a small business development center over 2 months ago. We met on several occasions with Mr. Charles Bishop, who helped us rewrite the proposal. We have sat down with Mr. Clifford Rucker, of SBA, on two or more occasions. We are now told that both the board chairman, Dr. Gelvin and the Denver director of the program are either asked to resign or are going to be fired but won't quit, or that no one knows what to do.

We can't find either of them regardless of what time of day we call. The office under Mr. Allen is a maze of confused office help, all of which sounds like anything but efficiency.

Someone, somewhere please let us exercise some type of legal benefit from this program. My people represent the most depressed business area of the city. We are now told that the Denver war on poverty is holding our proposals, perplexed.

If you ask me, we shocked the city by taking the initiative. Can we have relief? Help. Help. Give us a way out.

Very sincerely,

J. BROWN,
Publisher.

On August 8, Mr. Brown wrote an editorial. In sending the editorial to us, he wrote in large handwriting, at the top of the page, "Help." The editorial is entitled "Woes of Poverty," and reads as follows:

WOES OF POVERTY

In the last couple of months we have heard cries of "Hang the mayor" coming from the Denver Democratic camp. We have read criticism of the poverty program, we have even read a dynamic absurd account of the program's progress in a local newspaper, and it appears to us that surely there must be something wrong when everybody is in a state of crossfire and different opinions about the program.

We have tended to criticize not only the program, but we go further, we don't even like the way the program is progressing. Never before have so few faked out so many and gotten away scot free. The citizens of Greater East Denver in an attempt to take the business initiative, submitted a SBDC proposal, a plan for the erection and functioning of a superbusiness, that in time would make all East Denver businesses successful. Not only has the program never reached Washington, the best comment on the subject has the proposal downtown in the Denver war on poverty director's desk, 2 months after the law said that the program had to be in Washington. We have cried for this program, we have written over 20 letters to Washington to everybody who has even a tinge of responsibility about their public life, yet nothing has happened; the mayor can't even fire the director. There is a limit to this phoney "pork barrel" and we think that the mayor is going entirely too far in allowing the "ole crowd" to gain control of the destiny of his political career again.

We say, "oust Allen" as director, clean that Denver war on poverty office out and do it now. And if someone else is really the mayor, just give us his name and we will make the same recommendation to him. Can't we get the plain and simple message through the heads of these Democratic poverty chiefs downtown, that there is a new order in our community and we will decide what is to happen to our progress.

Any attempt to steal our plans and install a "stupid politician" in the small business development center will be met with a protest and we mean a protest led by this institution. We think the mayor should oust the whole crowd and put the war on poverty in the hands of people for whom it was intended. Hell, the East Denver community can't even take the initiative. There are no

other SBDC proposals in the western region, what are we waiting for, war on poverty, someone else to develop one?

I state to the chairman of the committee, with all due respect, that this is the type of reaction the war on poverty is receiving in our State. This concerns the most depressed area in our city-county government.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. Mr. President, to make the record complete, on page 38 of the report on the hearings, there is a recitation of the cost per person of teaching men and women in the Job Corps.

I should like to ask the Senator from Colorado whether it is his understanding that, for a 9-month period, the cost to teach each student in a conservation center is $4,482.65.

I am reading from a paper which was submitted to the committee by the officials of the Economic Opportunity Administration.

Mr. DOMINICK. That is my understanding. I have been exaggerating the figure. I have been saying that the figure is $4,500, which is $18 more than the amount discussed, I believe.

Mr. LAUSCHE. Mr. President, the cost to teach one male student at an urban center is $4,377.95.

Mr. DOMINICK. The Senator is correct. In most colleges we can send a student for 4 years for that amount of money.

Mr. LAUSCHE. The cost to teach a woman in an urban center is $4,483.37.

Mr. DOMINICK. Mr. President, I am grateful to the Senator for bringing these points up. This is a part of what I was trying to say to the Senator from Kentucky when he asked me whether I was in favor of these programs. I kept trying to say to him that I like the principle of the programs, but I do not like in any way the manner in which they are being operated. There is no excuse, evident to me, for obtaining that kind of a result from the expenditure of that much money.

Mr. LAUSCHE. Mr. President, I have had a tabulation prepared of the cost of teaching a student in various Ohio colleges.

This tabulation covers Antioch, Ashland, Baldwin-Wallace, Bluffton, Bowling Green, Capital, Case, Central State, St. Mary's, Wooster, Defiance, Dennison, Fenn, Heidelberg, Hiram, Kent State, Kenyon, Mount Union, Muskingum, Oberlin, Ohio Wesleyan, Otterbein, Western University for Women, and Western Reserve.

It is shocking to see that we can send a student to one of these universities in Ohio at a cost, I should say, on an average of 50 percent of what it would cost to send a dropout to a job center.

Antioch College is rather widely known throughout the country. The cost of tuition there is $1,400. Board is $288. Room is $228. Books and supplies amount to $350. Extras amount to $56. I have not added those figures, but they would amount to approximately $2,300.

I shall take samples of the cost of each, and I shall mention those institutions of Ohio higher learning that are rather widely known throughout the country.

I mentioned Ohio Wesleyan, which is at Delaware, Ohio.

At Ohio Wesleyan, the tuition is $1,300. Board and room amounts to $800. Books and supplies amount to $75. That is a total cost of $2,200 to be taught at one of the outstanding colleges in the United States.

The cost at Kenyon, an institution that is probably 130 years old, and known for the excellence of its teaching and its facilities, is $1,400 for tuition, $510 for board, $320 for room, and $100 for books and supplies, and $100 for extras, making a total of $2,430.

I wish also to mention Oberlin College, which is considered one of the five best in the United States; at least, it is one of the five best in Ohio. The tuition is $1,350; board, $500; room, $400.

I shall not go through all the others except to mention Western Reserve University, which is nationally known. The tuition there is $1,050. Board is $510. Room is $340; books and supplies, $75.

Mr. President, back in April of this year, I made a statement of the costs of sending a girl to Radcliffe, compared to the cost of sending a dropout to one of the job centers. My figures were challenged by Sargent Shriver. I also mentioned the costs at Harvard. The result was a dispute, in which a statement was made by Harvard spokesman William Pinkerton. He challenged Shriver's figures. I read:

> After a bit of detective work he reported that the tuition for a year at Harvard is $1,760, room and board $1,130. Personal expenses could add another $460. This total would be way below Shriver's claim that the cost of sending a student to Harvard was $6,410.
>
> Pinkerton of Harvard made it clear, however, that Harvard wants no quarrel with Shriver, whose famous brothers-in-law, named Kennedy, are distinguished alumni.

My point is that the cost of sending a girl to Radcliffe or a boy to Harvard falls far below what it costs the taxpayers of the United States to manage and administer one job at one of these Job Corps centers.

Mr. President, I ask unanimous consent that the tabulation of Ohio colleges, together with a recitation of figures dealing with Mount Hollyoke, Radcliffe, Harvard, Wellesley, and Vassar be included in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

	Tuition	Board	Room	Books and supplies	Extras	Total
Antioch	$1,400	$288	$228	$350	$56	
Ashland	992	750		100	80	
Baldwin Wallace	1,056	420	270	75	75	
Bluffton	770	370	240	100	54	
Bowling Green	400	700		100	25	
Capital	900	450	270	80	50	
Case	1,400	600	300	50		
Central State	70	426	300			
St. Mary's	600	550	250	100	80	
Wooster	1,320	500	340	80		
Defiance	915	432	[1] 180	80		
Denison	1,200	440	330	75	150	
Fenn	980	510	288	30	45	
Heidelberg	1,100	445	325			
Hiram	1,090	445	360	100	155	
Kent State	336	420	234	[1] 75		
Kenyon	1,400	510	320	100	100	$2,430
Mount Union	1,125	450	300	80		
Muskingum	1,090	510	220	100	70	
Oberlin	1,350	500	400	100	92	
Ohio Wesleyan	1,300	800		75		
Otterbein	850	450	250	40	110	
Western (Women)	1,375	1,100		[1] 150	25	
Western Reserve	1,050	510	340	75	59	+400-500
Harvard	1,520	620	475	100		2,715
Mount Holyoke	2,750	Included	Included		400	3,150
Radcliffe	1,760	1,170	Included	100	115	3,145
Wellesley	2,800	Included	Included		400-800	3,600
Vassar	1,500	1,300	Included	100	50	2,950

[1] And up.

Mr. DOMINICK. Mr. President, let me say to the distinguished Senator from Ohio that perhaps the reason why Mr. Shriver quoted Harvard as being that high is that he went to Yale Law School at the same time I did. I know him very well. He is a highly distinguished man.

I also point out to the Senator from Ohio that one of the highest costs in college is in medical school. The cost at a public medical school is $3,200. At a private medical school it is $3,981—well below what it would cost to send a youngster to the Job Corps. It still does not make any sense to me to have to pay so much money, so disproportionate to the result.

Mr. LAUSCHE. I think it can be said that it costs the taxpayers about $4,400 a year to teach one of the dropouts in the job centers for 9 months, as embraced in the bill. That sum would, of course, be shocking to the ordinary citizen—$4,400 to teach a dropout is unbelieveable.

PUBLICATION OF NAMES OF OWNERS OF RENTAL PROPERTIES UNDER TITLE I OF THE HOUSING ACT OF 1949

Mr. DOMINICK. Mr. President, before I yield the floor, I send a bill to the desk for proper referral which has some bearing on the subject we are dealing with now. It is a thought which I have had in mind for some time. It is a bill which, if adopted, will require that the names of those who own property for

rent in slum areas must be published at least once a year in a public newspaper before they are entitled to any funds under title I of the Housing Act. I believe it is a good bill. It will encourage improvement in slum housing by making public the names of the landlords responsible for these horrible conditions. Up to the present time, the promotion of more effective building codes and code enforcement, as well as various tax reform studies, have been the primary weapons employed against urban blight. I support these measures, but I believe that the fear of widespread public notoriety will provide tremendous further impetus toward the goal of eradication of both urban and rural slum housing conditions.

Slum housing is sapping the strength of this country as a result of its impact on juvenile delinquency, discontent, racial strife, and social disintegration. Because of the low tax base in these areas, many communities are hard pressed to provide adequate utilities, streets, parks, schools, playgrounds, and other services. It is a national disgrace, and the landlords who are getting rich at the expense of literally millions of helpless tenants must be brought to the light of public scrutiny. According to the 1960 census of housing, there were about 4¾ million substandard housing units occupied by renters, and over 3 million of these units were occupied by families with incomes of less than $3,000 a year. These people simply do not have the resources or facilities to overcome this problem alone; and despite the millions of dollars spent by the Office of Economic Opportunity and other agencies in the ill-managed and ill-considered war on poverty, not much of a dent has been made in the elimination of slums. My bill, by publicizing the names of the persons responsible, would bring to bear the full weight and pressure of the entire community against the offending landlords. These owners and landlords themselves, have a responsibility to improve their properties so that they meet the standard of the law as well as the standard of normal decency that the community at large expects and demands.

Many landlords have neglected to meet their responsibilities simply because they knew that they were safely hidden from the public's eye. No one would know that the filthy, rat-infested tenement or shack over on the other side of the tracks belonged to one of the pillars of the community, or perhaps to a respected officeholder.

My bill provides that a locality must require that the names of all owners of rental properties used for residential purposes be published at least annually in a local newspaper before that locality would be eligible for a loan or grant under title I of the Housing Act of 1949. This would include the names of owners of both legal and equitable interests; the officers and directors of corporations which own such properties, as well as any person owning 15 percent or more of the stock of such corporations; both the trustees and beneficiaries where the owner is a trust; and the names of all partners, general and limited, where the owner is a partnership. There is no doubt that my bill would have a salutary effect in many of the problem areas of our communities. I sincerely urge prompt consideration and passage to help out on the problem with which we are faced, and which we are dealing with in this and another bill.

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

The bill (S. 2419) to make assistance to localities under title I of the Housing Act of 1949 contingent upon the publication of the names of the owners of rental properties in such localities which are used for residential purposes, introduced by Mr. DOMINICK, was received, read twice by its title, and referred to the Committee on Banikng and Currency.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1648) to provided grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Public Works and Economic Development Act of 1965".

STATEMENT OF PURPOSE

SEC. 2. The Congress declares that the maintenance of the national economy at a high level is vital to the best interests of the United States, but that some of our regions, counties, and communities are suffering substantial and persistent unemployment and underemployment; that such unemployment and underemployment cause hardship to many individuals and their families, and waste invaluable human resources; that to overcome this problem the Federal Government, in cooperation with the States, should help areas and regions of substantial and persistent unemployment and underemployment to take effective steps in planning and financing their public works and economic development; that Federal financial assistance, including grants for public works and development facilities to communities, industries, enterprises, and individuals in areas needing development should enable such areas to help themselves achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies and improved local conditions, provided that such assistance is preceded by and consistent with sound, long-range economic planning; and that under the provisions of this Act new employment opportunities should be created by developing and expanding new and existing public works and other facilities and resources rather than by merely transferring jobs from one area of the United States to another.

TITLE I—GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES

SEC. 101. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary of Commerce (hereinafter referred to as the Secretary) is authorized—

(1) to make direct grants for the acquisition or development of land and improvements for public works, public service, or development facility usage, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

(A) the project for which financial assistance is sought will directly or indirectly (i) tend to improve the opportunities, in the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities, (ii) otherwise assist in the creation of additional long-term employment opportunities for such area, or (iii) primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

(B) the project for which a grant is requested will fulfill a pressing need of the area, or part thereof, in which it is, or will be, located; and

(C) the area for which a project is to be undertaken has an approved overall economic development program as provided in section 202(b)(10) and such project is consistent with such program;

(2) to make supplementary grants in order to enable the States and other entities within redevelopment areas to take maximum advantage of designated Federal grant-in-aid programs (as hereinafter defined), direct grants-in-aid authorized under this section, and Federal grant-in-aid programs authorized by the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended), and the eleven watersheds authorized by the Flood Control Act of December 22, 1944, as amended and supplemented (58 Stat. 887), for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share.

(b) Subject to subsection (c) hereof, the amount of any direct grant under this section for any project shall not exceed 50 per centum of the cost of such project.

(c) The amount of any supplementary grant under this section for any project shall not exceed the applicable percentage established by regulations promulgated by the Secretary, but in no event shall the non-Federal share of the aggregate cost of any such project (including assumptions of debt) be less than 20 per centum of such cost. Supplementary grants shall be made by the Secretary, in accordance with such regulations as he shall prescribe, by increasing the amounts of direct grants authorized under this section or by the payment of funds appropriated under this Act to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of the applicable Federal programs. Notwithstanding any requirement as to the amount or sources of non-Federal funds that may otherwise be applicable to the Federal program involved, funds provided under this subsection shall be used for the sole purpose of increasing the Federal contribution to specific projects in redevelopment areas under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. The term "designated Federal grant-in-aid programs," as used in this subsection, means such existing or future Federal grant-in-aid programs assisting in the construction or equipping of facilities as the Secretary may, in furtherance of the purposes of this Act, designate as eligible for allocation of funds under this section. In determining the amount of any supplementary grant available

to any project under this section, the Secretary shall take into consideration the relative needs of the area, the nature of the project to be assisted, and the amount of such fair user charges or other revenues as the project may reasonably be expected to generate in excess of those which would amortize the local share of initial costs and provide for its successful operation and maintenance (including depreciation).

(d) The Secretary shall prescribe rules, regulations, and procedures to carry out this section which will assure that adequate consideration is given to the relative needs of eligible areas. In prescribing such rules, regulations, and procedures the Secretary shall consider among other relevant factors (1) the severity of the rates of unemployment in the eligible areas and the duration of such unemployment and (2) the income levels of families and the extent of underemployment in eligible areas.

(e) Except for projects specifically authorized by Congress, no financial assistance shall be extended under this section with respect to any public service or development facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the area to be served by the facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

(f) The Secretary shall prescribe regulations which will assure that appropriate local governmental authorities have been given a reasonable opportunity to review and comment upon proposed projects under this section.

SEC. 102. (a) In addition to the assistance otherwise authorized, the Secretary is authorized to make grants in accordance with the provisions of this title to those areas which the Secretary of Labor determines, on the basis of average annual available unemployment statistics, were areas of substantial unemployment during the preceding calendar year.

(b) Areas designated under the authority of this section shall be subject to an annual review of eligibility in accordance with section 402, and to all of the rules, regulations, and procedures applicable to redevelopment areas except as the Secretary may otherwise prescribe by regulation.

SEC. 103. Not more than 15 per centum of the appropriations made pursuant to this title may be expended in any one State.

SEC. 104. No part of any appropriations made pursuant to this title may be expended for any project in any area which is within the "Appalachian region" (as that term is defined in section 403 of the Appalachian Regional Development Act of 1965) which is approved for assistance under the Appalachian Regional Development Act of 1965.

SEC. 105. There is hereby authorized to be appropriated to carry out this title not to exceed $500,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1969.

Financial assistance for sewer facilities

SEC. 106. No financial assistance, through grants, loans, guarantees, or otherwise, shall be made under this Act to be used directly or indirectly for sewer or other waste disposal facilities unless the Secretary of Health, Education, and Welfare certifies to the Secretary that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway so as to meet applicable Federal, State, interstate, or local water quality standards.

TITLE II—OTHER FINANCIAL ASSISTANCE

Public works and development facility loans

SEC. 201. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary is authorized to purchase evidence of indebtedness and to make loans to assist in financing the purchase or development of land and improvements for public works, public service, or development facility usage, including public works, public service, and development facility usage, to be provided by agencies of the Federal Government pursuant to legislation requiring that non-Federal entities bear some part of the cost thereof, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

(1) the project for which financial assistance is sought will directly or indirectly—

(A) tend to improve the opportunities, in the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities,

(B) otherwise assist in the creation of additional long-term employment opportunities for such area, or

(C) primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

(2) the funds requested for such project are not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Secretary will permit the accomplishment of the project;

(3) the amount of the loan plus the amount of other available funds for such project are adequate to insure the completion thereof;

(4) there is a reasonable expectation of repayment; and

(5) such area has an approved overall economic development program as provided in section 202(b)(10) and the project for which financial assistance is sought is consistent with such program.

(b) Subject to section 701(5), no loan, including renewals or extensions thereof, shall be made under this section for a period exceeding forty years, and no evidence of indebtedness maturing more than forty years from the date of purchase shall be purchased under this section. Such loans shall bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed one-half of 1 per centum per annum.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section and section 202: *Provided,* That annual appropriations for the purpose of purchasing evidences of indebtedness, making and participating in loans, and guaranteeing loans shall not exceed $170,000,000, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970.

(d) Except for projects specifically authorized by Congress, no financial assistance shall be extended under this section with respect to any public service or development facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the area to be served by the facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

(e) The Secretary shall prescribe regulations which will assure that appropriate local governmental authorities have been given a reasonable opportunity to review and comment upon proposed projects under this section.

Loans and guarantees

SEC. 202. (a) The Secretary is authorized (1) to purchase evidences of indebtedness and to make loans (which for purposes of this section shall include participations in loans) to aid in financing any project within a redevelopment area for the purchase or development of land and facilities (including machinery and equipment) for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings; and (2) to guarantee loans for working capital made to private borrowers by private lending institutions in connection with projections in redevelopment areas assisted under subsection (a)(1) hereof, upon application of such institution and upon such terms and conditions as the Secretary may prescribe: *Provided, however,* That no such guarantee shall at any time exceed 90 per centum of the amount of the outstanding unpaid balance of such loan.

(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

(1) Such financial assistance shall not be extended to assist establishments relocating from one area to another or to assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them: *Provided, however,* That such limitation shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment of the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

(2) Such assistance shall be extended only to applicants, both private and public (including Indian tribes), which have been approved for such assistance by any agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision.

(3) The project for which financial assistance is sought must be reasonably calculated to provide more than a temporary alleviation of unemployment or underemployment within the redevelopment area wherein it is or will be located.

(4) No loan or guarantee shall be extended hereunder unless the financial assistance applied for is not otherwise available from private lenders or from other Federal agen-

cies on terms which in the opinion of the Secretary will permit the accomplishment of the project.

(5) The Secretary shall not make any loan without a participation unless he determines that the loan cannot be made on a participation basis.

(6) No evidences of indebtedness shall be purchased and no loans shall be made or guaranteed unless it is determined that there is reasonable assurance of repayment.

(7) Subject to section 701(5) of this Act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding twenty-five years and no evidences of indebtedness maturing more than twenty-five years from date of purchase may be purchased hereunder: *Provided,* That the foregoing restrictions on maturities shall not apply to securities or obligations received by the Secretary as a claimant in bankruptcy or equitable reorganization or as a creditor in other proceedings attendant upon insolvency of the obligor.

(8) Loans made and evidences of indebtedness purchased under this section shall bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose.

(9) Loan assistance shall not exceed 65 per centum of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project, and shall, among others, be on the condition that—

(A) other funds are available in an amount which, together with the assistance provided hereunder, shall be sufficient to pay such aggregate cost;

(B) not less than 15 per centum of such aggregate cost be supplied as equity capital or as a loan repayable in no shorter period of time and at no faster an amortization rate than the Federal financial assistance extended under this section is being repaid, and if such a loan is secured, its security shall be subordinate and inferior to the lien or liens securing such Federal financial assistance: *Provided, however,* That, except in projects involving financial participation by Indian tribes, not less than 5 per centum of such aggregate cost shall be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by a community or area organization which is nongovernmental in character, unless the Secretary shall determine in accordance with objective standards promulgated by regulation that all or part of such funds are not reasonably available to the project because of the economic distress of the area or for other good cause, in which case he may waive the requirement of this provision to the extent of such unavailability, and allow the funds required by this subsection to be supplied by the applicant or by such other non-Federal source as may reasonably be available to the project;

(C) to the extent that the Secretary finds such action necessary to encourage financial participation in a particular project by other lenders and investors, and except as otherwise provided in subparagraph (B), any Federal financial assistance extended under this section may be repayable only after other loans made in connection with such project have been repaid in full, and the security, if any, for such Federal financial assistance may be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

(10) No such assistance shall be extended unless there shall be submitted to and approved by the Secretary an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program: *Provided,* That nothing in this Act shall authorize financial assistance for any project prohibited by laws of the State or local political subdivision in which the project would be located, nor prevent the Secretary from requiring such periodic revisions of previously approved overall economic development programs as he may deem appropriate.

Economic development revolving fund

SEC. 203. Funds obtained by the Secretary under section 201, loan funds obtained under section 403, and collections and repayments received under this Act, shall be deposited in an economic development revolving fund (hereinafter referred to as the "fund"), which is hereby established in the Treasury of the United States, and which shall be available to the Secretary for the purpose of extending financial assistance under sections 201, 202, and 403, and for the payment of all obligations and expenditures arising in connection therewith. There shall also be credited to the fund such funds as have been paid into the area redevelopment fund or may be received from obligations outstanding under the Area Redevelopment Act. The fund shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the amount of loans outstanding under this Act computed in such manner and at such rate as may be determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made.

TITLE III—TECHNICAL ASSISTANCE, RESEARCH AND INFORMATION

SEC. 301. (a) In carrying out his duties under this Act the Secretary is authorized to provide technical assistance which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment (1) to areas which he has designated as redevelopment areas under this Act, and (2) to other areas which he finds have substantial need for such assistance. Such assistance shall include project planning and feasibility studies, management and operational assistance, and studies evaluating the needs of, and developing potentialities for, economic growth of such areas. Such assistance may be provided by the Secretary through members of his staff, through the payment of funds authorized for this section to other departments or agencies of the Federal Government, through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to appropriate public or private nonprofit State, area, district, or local organizations. The Secretary, in his discretion, may require the repayment of assistance provided under this subsection and prescribe the terms and conditions of such repayment.

(b) The Secretary is authorized to make grants to defray not to exceed 75 per centum of the administrative expenses of organizations which he determines to be qualified to receive grants-in-aid under subsection (a) hereof. In determining the amount of the non-Federal share of such costs or expenses, the Secretary shall give due consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equpment, and services. Where practicable, grants-in-aid authorized under this subsection shall be used in conjunction with other available planning grants, such as urban planning grants authorized under the Housing Act of 1954, as amended, and highway planning and research grants authorized under the Federal Aid Highway Act of 1962, to assure adequate and effective planning and economical use of funds.

(c) To assist in the long-range accomplishment of the purposes of this Act, the Secretary, in cooperation with other agencies having similar functions, shall establish and conduct a continuing program of study, training, and research to (A) assist in determining the causes of unemployment, underemployment, underdevelopment, and chronic depression in the various areas and regions of the Nation, (B) assist in the formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions, and (C) assist in providing the personnel needed to conduct such programs. The program of study, training, and research may be conducted by the Secretary through members of this staff, through payment of funds authorized for this section to other departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants to such individuals, organizations, or institutions, or through conferences and similar meetings organized for such purposes. The Secretary shall make available to interested individuals and organizations the results of such research. The Secretary shall include in his annual report under section 707 a detailed statement concerning the study and research conducted under this section together with his findings resulting therefrom and his recommendations for legislative and other action.

(d) The Secretary shall aid redevelopment areas and other areas by furnishing to interested individuals, communities, industries, and enterprises within such areas any assistance, technical information, market research, or other forms of assistance, information, or advice which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment within such areas. The Secretary may furnish the procurement divisions of the various departments, agencies, and other instrumentalities of the Federal Government wtih a list containing the names and addresses of business firms which are located in redevelopment areas and which are desirous of obtaining Government contracts for the furnishing of supplies or services, and designating the supplies and services such firms are engaged in providing.

(e) The Secretary shall establish an independent study board consisting of governmental and nongovernmental experts to investigate the effects of Government procurement, scientific, technical, and other related policies upon, regional economic development. Any Federal officer or employee may, with the consent of the head of the department or agency in which he is employed, serve as a member of such board, but shall receive no additional compensation for such service. Other members of such board may be compensated in accordance with the provisions of section 701(10). The board shall report its findings, together with recommendations for the better coordination of such policies, to the Secretary, who shall transmit the report to the Congress not later than 2 years after the enactment of this Act.

SEC. 302. There is hereby authorized to be appropriated $25,000,000 annually for the purposes of this title, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970.

TITLE IV—AREA AND DISTRICT ELIGIBILITY

Part A—Redevelopment areas

Area Eligibility

SEC. 401. (a) The Secretary shall designate as "redevelopment areas"—

(1) those areas in which he determines, upon the basis of standards generally comparable with those set forth in paragraphs (A) and (B), that there has existed substantial and persistent unemployment for an extended period of time and those areas in which he determines there has been a substantial loss of population due to lack of employment opportunity. There shall be included among the areas so designated any area—

(A) where the Secretary of Labor finds that the current rate of unemployment, as determined by appropriate annual statistics for the most recent available calendar year, is 6 per centum or more and has averaged at least 6 per centum for the qualifying time periods specified in paragraph (B); and

(B) where the Secretary of Labor finds that the annual average rate of unemployment has been at least—

(i) 50 per centum above the national average for three of the preceding four calendar years, or

(ii) 75 per centum above the national average for two of the preceding three calendar years, or

(iii) 100 per centum above the national average for one of the preceding two calendar years.

The Secretary of Labor shall find the facts and provide the data to be used by the Secretary in making the determinations required by this subsection;

(2) those additional areas which have a median family income not in excess of 40 per centum of the national median, as determined by the most recent available statistics for such areas;

(3) those additional Federal or State Indian reservations or trust or restricted Indian-owned land areas which the Secretary, after consultation with the Secretary of the Interior or an appropriate State agency, determines manifest the greatest degree of economic distress on the basis of unemployment and income statistics and other appropriate evidence of economic underdevelopment;

(4) upon request of such areas, those additional areas in which the Secretary determines that the loss, removal, curtailment, or closing of a major source of employment has caused within three years prior to, or threatens to cause within three years after, the date of the request an unusual and abrupt rise in unemployment of such magnitude that the unemployment rate for the area at the time of the request exceeds the national average, or can reasonably be expected to exceed the national average, by 50 per centum or more unless assistance is provided. Notwithstanding any provision of subsection 401(b) to the contrary, an area designated under the authority of this paragraph may be given a reasonable time after designation in which to submit the overall economic development program required by subsection 202(b)(10) of this Act;

(5) notwithstanding any provision of this section to the contrary, those additional areas which were designated redevelopment areas under the Area Redevelopment Act on or after March 1, 1965: *Provided, however,* That the continued eligibility of such areas after the first annual review of eligibility conducted in accordance with section 402 of this Act shall be dependent on their qualification for designation under the standards of economic need set forth in subsections (a)(1) through (a)(4) of this section.

(b) The size and boundaries of redevelopment areas shall be as determined by the Secretary: *Provided, however,* That—

(1) no area shall be designated until it has an approved overall economic development program in accordance with subsection 202(b)(10) of this Act;

(2) any area which does not submit an acceptable overall economic development program in accordance with subsection 202(b)(10) of this Act within a reasonable time after notification of eligibility for designation, shall not thereafter be designated prior to the next annual review of eligibility in accordance with section 402 of this Act;

(3) no area shall be designated which does not have a population of at least one thousand five hundred persons, except for areas designated under subsection 401(a)(3), which shall have a population of not less than one thousand persons; and

(4) except for areas designated under subsections (a)(3) and (a)(4) hereof, no area shall be designated which is smaller than a "labor area" (as defined by the Secretary of Labor), a county, or a municipality with a population of over two hundred and fifty thousand, whichever in the opinion of the Secretary is appropriate.

(c) Upon the request of the Secretary, the Secretary of Labor, the Secretary of Agriculture, the Secretary of the Interior, and such other heads of agencies as may be appropriate are authorized to conduct such special studies, obtain such information, and compile and furnish to the Secretary such data as the Secretary may deem necessary or proper to enable him to make the determinations provided for in this section. The Secretary shall reimburse when appropriate, out of any funds appropriated to carry out the purposes of this Act, the foregoing officers for any expenditures incurred by them under this section.

(d) If a State has no area designated under the preceding subsections of this section as a redevelopment area, the Secretary shall designate as a redevelopment area that area in such State which in his opinion most nearly qualifies under such preceding subsections. An area so designated shall have its eligibility terminated in accordance with the provisions of section 402 if any other area within the same State subsequently has become qualified or been designated under any other subsection of this section as of the time of the annual review prescribed by section 402: *Provided,* That the Secretary shall not terminate any designation of an area in a State as a redevelopment area if to do so would result in such State having no redevelopment area.

(e) As used in this Act, the term "redevelopment area" refers to any area within the United States which has been designated by the Secretary as a redevelopment area.

Annual Review of Area Eligibility

SEC. 402. The Secretary shall conduct an annual review of all areas designated in accordance with section 401 of this Act, and on the basis thereof shall terminate or modify the designations of such areas in accordance with objective standards which he shall prescribe by regulation. No area previously designated shall retain its designated status unless it maintains a currently approved overall economic development program in accordance with subsection 202(b)(10). No termination of eligibility shall (1) be made without thirty days' prior notification to the area concerned, (2) affect the validity of any application filed, or contract or undertaking entered into, with respect to such area pursuant to this Act prior to such termination, (3) prevent any such area from again being designated a redevelopment area under section 401 of this Act if the Secretary determines it to be eligible under such section, or (4) be made in the case of any designated area where the Secretary determines that an improvement in the unemployment rate of a designated area is primarily the result of increased employment in occupations not likely to be permanent. The Secretary shall keep the departments and agencies of the Federal Government, and interested State or local agencies, advised at all times of any changes made hereunder with respect to the classification of any area.

Part B—Economic development districts

SEC. 403. (a) In order that economic development projects of broader geographical significance may be planned and carried out, the Secretary is authorized—

(1) to designate appropriate "economic development districts" within the United States with the concurrence of the States in which such districts will be wholly or partially located, if—

(A) the proposed district is of sufficient size or population, and contains sufficient resources, to foster economic development on a scale involving more than a single redevelopment area;

(B) the proposed district contains two or more redevelopment areas;

(C) the proposed district contains one or more redevelopment areas or economic development centers identified in an approved district overall economic development program as having sufficient size and potential to foster the economic growth activities necessary to alleviate the distress of the redevelopment areas within the district; and

(D) the proposed district has a district overall economic development program which includes adequate land use and transportation planning and contains a specific program for district cooperation, self-help, and public investment and is approved by the State or States affected and by the Secretary;

(2) to designate as "economic development centers," in accordance with such regulations as he shall prescribe, such areas as he may deem appropriate, if—

(A) the proposed center has been identified and included in an approved district overall economic development program and recommended by the State or States affected for such special designation;

(B) the proposed center is geographically and economically so related to the district that its economic growth may reasonably be expected to contribute significantly to the alleviation of distress in the redevelopment areas of the district; and

(C) the proposed center does not have a population in excess of two hundred and fifty thousand according to the last preceding Federal census.

(3) to provide financial assistance in accordance with the criteria of sections 101, 201, and 202 of this Act, except as may be herein otherwise provided, for projects in economic development centers designated under subsection (a)(2) above, if—

(A) the project will further the objectives of the overall economic development program of the district in which it is to be located;

(B) the project will enhance the economic growth potential of the district or result in additional long-term employment opportunities commensurate with the amount of Federal financial assistance requested; and

(C) the amount of Federal financial assistance requested is reasonably related to the size, population, and economic needs of the district;

(4) subject to the 20 per centum non-Federal share required for any project by subsection 101(c) of this Act, to increase the amount of grant assistance authorized by section 101 for projects within redevelopment areas (designated under section 401), by an amount not to exceed 10 per centum of the aggregate cost of any such project, in

accordance with such regulations as he shall prescribe if—

(A) the redevelopment area is situated within a designated economic development district and is actively participating in the economic development activities of the district; and

(B) the project is consistent with an approved district overall economic development program.

(b) In designating economic development districts and approving district overall economic development programs under subsection (a) of this section, the Secretary is authorized, under regulations prescribed by him—

(1) to invite the several States to draw up proposed district boundaries and to identify potential economic development centers;

(2) to cooperate with the several States—

(A) in sponsoring and assisting district economic planning and development groups, and

(B) in assisting such district groups to formulate district overall economic development programs;

(3) to encourage participation by appropriate local governmental authorities in such economic development districts.

(c) The Secretary shall by regulation prescribe standards for the termination or modification of economic development districts and economic development centers designated under the authority of this section.

(d) As used in this Act, the term "economic development district" refers to any area within the United States composed of cooperating redevelopment areas and, where appropriate, designated economic development centers and neighboring counties or communities, which has been designated by the Secretary as an economic development district.

(e) As used in this Act, the term "economic development center" refers to any area within the United States which has been identified as an economic development center in an approved district overall economic development program and which has been designated by the Secretary as eligible for financial assistance under sections 101, 201, and 202 of this Act in accordance with the provisions of this section.

(f) For the purpose of this Act the term "local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(g) There is hereby authorized to be appropriated not to exceed $50,000,000 for the fiscal year ending June 30, 1967, and for each fiscal year thereafter through the fiscal year ending June 30, 1970, for financial assistance extended under the provisions of subsection (a)(3) and (a)(4) hereof.

(h) In order to allow time for adequate and careful district planning, subsection (g) of this section shall not be effective until one year from the date of enactment.

TITLE V—REGIONAL ACTION PLANNING COMMISSIONS

Establishment of regions

SEC. 501. The Secretary is authorized to designate appropriate "economic development regions" within the United States with the concurrence of the States in which such regions will be wholly or partially located if he finds (A) that there is a relationship between the areas within such region geographically, culturally, historically, and economically, (B) that with the exception of Alaska and Hawaii, the region is within contiguous States, and (C) upon consideration of the following matters, among others, that the region has lagged behind the whole Nation in economic development:

(1) the rate of unemployment is substantially above the national rate;

(2) the median level of family income is significantly below the national median;

(3) the level of housing, health, and educational facilities is substantially below the national level;

(4) the economy of the area has traditionally been dominated by only one or two industries, which are in a state of long-term decline;

(5) the rate of outmigration of labor or capital or both is substantial;

(6) the area is adversely affected by changing industrial technology;

(7) the area is adversely affected by changes in national defense facilities or production; and

(8) indices of regional production indicate a growth rate substantially below the national average.

Regional commissions

SEC. 502. (a) Upon designation of development regions, the Secretary shall invite and encourage the States wholly or partially located within such regions to establish appropriate multistate regional commissions.

(b) Each such commission shall be composed of one Federal member, hereinafter referred to as the "Federal cochairman", appointed by the President by and with the advice and consent of the Senate, and one member from each participating State in the region. Each State member may be the Governor, or his designee, or such other person as may be provided by the law of the State which he represents. The State members of the commission shall elect a cochairman of the commission from among their number.

(c) Decisions by a regional commission shall require the affirmative vote of the Federal cochairman and of a majority, or at least one if only two, of the State members. In matters coming before a regional commission, the Federal cochairman shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

(d) Each State member of a regional commission shall have an alternate, appointed by the Governor or as otherwise may be provided by the law of the State which he represents. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal cochairman of each regional commission. An alternate shall vote in the event of absence, death, disability, removal, or resignation of the State or Federal cochairman for which he is an alternate.

(e) The Federal cochairman to a regional commission shall be compensated by the Federal Government from funds authorized by this Act up to level IV of the Federal Executive Salary Schedule. His alternate shall be compensated by the Federal Government from funds authorized by this Act at not to exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended, and when not actively serving as an alternate for the Federal cochairman shall perform such functions and duties as are delegated to him by the Federal cochairman. Each State member and his alternate shall be compensated by the State which they represent at the rate established by the law of such State.

(f) If the Secretary finds that the State of Alaska or the State of Hawaii meet the requirements for an economic development region, he may establish a Commission for either State in a manner agreeable to him and to the Governor of the affected State.

Functions of Commission

SEC. 503. (a) In carrying out the purposes of this Act, each Commission shall with respect to its region—

(1) advise and assist the Secretary in the identification of optimum boundaries for multistate economic development regions;

(2) initiate and coordinate the preparation of long-range overall economic development programs for such regions;

(3) foster surveys and studies to provide data required for the preparation of specific plans and programs for the development of such regions;

(4) advise and assist the Secretary and the States concerned in the initiation and coordination of economic development districts, in order to promote maximum benefits from the expenditure of Federal, State, and local funds;

(5) promote increased private investment in such regions;

(6) prepare legislative and other recommendations with respect to both short-range and long-range programs and projects for Federal, State, and local agencies;

(7) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish priorities thereunder, giving due consideration to other Federal, State, and local planning in the region;

(8) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the resources of the region, and, in cooperation with Federal, State, and local agencies, sponsor demonstration projects designed to foster regional productivity and growth;

(9) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(10) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation; and

(11) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences.

(b) The Secretary shall present such plans and proposals of the commissions as may be transmitted and recommended to him (but are not authorized by any other section of this Act) first for review by the Federal agencies primarily interested in such plans and proposals and then, together with the recommendations of such agencies, to the President for such action as he may deem desirable.

(c) The Secretary shall provide effective and continuing liaison between the Federal Government and each regional commission.

(d) Each Federal agency shall, consonant with law and within the limits of available funds, cooperate with such commissions as may be established in order to assist them in carrying out their functions under this section.

(e) Each regional commission may, from time to time, make additional recommendations to the Secretary and recommendations to the State Governors and appropriate local officials, with respect to—

(1) the expenditure of funds by Federal, State, and local departments and agencies in its region in the fields of natural resources, agriculture, education, training, health and welfare, transportation, and other fields related to the purposes of this Act; and

(2) such additional Federal, State, and local legislation or administrative actions as the commission deems necessary to further the purposes of this Act.

Program development criteria

SEC. 504. In developing recommendations for programs and projects for future regional economic development, and in establishing within those recommendations a priority ranking for such programs and projects, the Secretary shall encourage each regional commission to follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State to have a significant potential for growth;

(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;

(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

(5) the prospects that the project, on a continuing rather than a temporary basis, will improve the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

Regional technical and planning assistance

SEC. 505. (a) The Secretary is authorized to provide to the commissions technical assistance which would be useful in adding the commissions to carry out their functions under this Act and to develop recommendations and programs. Such assistance shall include studies and plans evaluating the needs of, and developing potentialities for, economic growth of such region, and research on improving the conservation and utilization of the human and natural resources of the region. Such assistance may be provided by the Secretary through members of his staff, through the payment of funds authorized for this section to other departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to the commissions. The Secretary, in his discretion, may require the repayment of assistance provided under this subsection and prescribe the terms and conditions of such repayment.

(b) For the period ending on June 30 of the second full Federal fiscal year following the date of establishment of a commission, the administrative expenses of each commission as approved by the Secretary shall be paid by the Federal Government. Thereafter, not to exceed 50 per centum of such expenses may be paid by the Federal Government. In determining the amount of the non-Federal share of such costs or expenses, the Secretary shall give due consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services.

(c) There is hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970, for the purposes of this section.

Administrative powers of regional commissions

SEC. 506. To carry out its duties under this Act, each regional commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions;

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the commission to carry out its functions, except that such compensation shall not exceed the salary of the alternate to the Federal cochairman on the commission and no member, alternate, officer, or employee of such commission, other than the Federal cochairman on the commission and his staff and his alternate, and Federal employees detailed to the commission under clause (3), shall be deemed a Federal employee for any purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the commission such personnel within his administrative jurisdiction as the commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status;

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency;

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel, and the Civil Service Commission of the United States is authorized to contract with such commission for continued coverage of commission employees, who at date of commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government;

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible;

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation;

(8) maintain an office in the District of Columbia and establish field offices at such other places as it may deem appropriate; and

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

Information

SEC. 507. In order to obtain information needed to carry out its duties, each regional commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a cochairman of such commission, or any member of the commission designated by the commission for the purpose, being hereby authorized to administer oaths when it is determined by the commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized, to the extent not otherwise prohibited by law) to furnish to such commission such information as may be available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection.

Personal financial interests

SEC. 508. (a) Except as permitted by subsection (b) hereof, no State member or alternate and no officer or employee of a regional commission shall participate personally and substantially as member, alternate, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply if the State member, alternate, officer, or employee first advises the regional commission involved of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the commission may expect from such State member, alternate, officer, or employee.

(c) No State member of a regional commission, or his alternate, shall receive any salary, or any contribution to or supplementation of salary for his services on such commission from any source other than his State. No person detailed to serve a regional commission under authority of clause (4) of section 506 shall receive any salary or any contribution to or supplementation of salary for his services on such commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from such commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

(d) Notwithstanding any other subsection of this section, the Federal cochairman and his alternate on a regional commission and any Federal officers or employees detailed to duty with it pursuant to clause (3) of section 10 shall not be subject to any such subsection but shall remain subject to sections 202 through 209 of title 18, United States Code.

(e) A regional commission may, in its discretion, declare void and rescind any contract or other agreement pursuant to the Act in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

Annual reports

SEC. 509. Each regional commission established pursuant to this Act shall make a comprehensive and detailed annual report each fiscal year to the Congress with respect to such commission's activities and recommendations for programs. The first such report shall be made for the first fiscal year in which such commission is in existence for more than three months. Such reports shall be printed and transmitted to the Congress not later than January 31 of the calendar year following the fiscal year with respect to which the report is made.

TITLE VI—ADMINISTRATION

SEC. 601. (a) The Secretary shall administer this Act and, with the assistance of an Assistant Secretary of Commerce, in addition to those already provided for, shall supervise and direct the Administrator created herein, and coordinate the Federal cochairmen appointed heretofore or subsequent to this Act. The Assistant Secretary created by this section shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate provided for level IV of the Federal Executive Salary Schedule. Such Assistant Secretary shall perform such functions as the Secretary may prescribe. There shall be appointed by the President, by and with the advice and consent of the Senate, an Administrator for Economic Development who shall be compensated at the rate provided for level V of the Federal Executive Salary Schedule who shall perform such duties as are assigned by the Secretary.

(b) Paragraph (12) of subsection (d) of section 303 of the Federal Executive Salary Act of 1964 is amended by striking out "(4)" and inserting in lieu thereof "(5)".

(c) Subsection (e) of section 303 of the Federal Executive Salary Act of 1964 is amended by adding at the end thereof the following new paragraph:

"(100) Administrator for Economic Development."

Advisory Committee on Regional Economic Development

SEC. 602. The Secretary shall appoint a National Public Advisory Committee on Regional Economic Development which shall consist of twenty-five members and shall be composed of representatives of labor, management, agriculture, State and local governments, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

Consultation with other persons and agencies

SEC. 603. (a) The Secretary is authorized from time to time to call together and confer with any persons, including representatives of labor, management, agriculture, and government, who can assist in meeting the problems of area and regional unemployment or underemployment.

(b) The Secretary may make provision for such consultation with interested departments and agencies as he may deem appropriate in the performance of the functions vested in him by this Act.

TITLE VII—MISCELLANEOUS

Powers of Secretary

SEC. 701. In performing his duties under this Act, the Secretary is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this Act; and each department, bureau, agency, board, commission, office, establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary;

(4) under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as he shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with loans made or evidences of indebtedness purchased under this Act, and collect or compromise all obligations assigned to or held by him in connection with such loans or evidences of indebtedness until such time as such obligations may be referred to the Attorney General for suit or collection;

(5) further extend the maturity of or renew any loan made or evidence of indebtedness purchased under this Act, beyond the periods stated in such loan or evidence of indebtedness or in this Act, for additional periods not to exceed ten years, if such extension or renewal will aid in the orderly liquidation of such loan or evidence of indebtedness;

(6) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, upon such terms and conditions and for such consideration as he shall determine to be reasonable, any real or personal property conveyed to, or otherwise acquired by, him in connection with loans made or evidence of indebtedness purchased under this Act;

(7) pursue to final collection, by way of compromise or other administrative action, prior to reference to the Attorney General, all claims against third parties assigned to him in connection with loans made or evidences of indebtedness purchased under this Act. This shall include authority to obtain deficiency judgments or otherwise in the case of mortgages assigned to the Secretary. Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Secretary as a result of loans made or evidences of indebtedness purchased under this Act if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute, in the name of the Secretary, deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real or personal property or any interest therein acquired by the Secretary pursuant to the provisions of this Act may be exercised by the Secretary or by any officer or agent appointed by him for that purpose without the execution of any express delegation of power or power of attorney;

(8) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in sections 201, 202, 301, 403, and 503 of this Act;

(9) in addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, purchasing, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with or realizing on loans made or evidences of indebtedness purchased under this Act;

(10) employ experts and consultants or organizations therefor as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed: *Provided*, however, That contracts for such employment may be renewed annually;

(11) sue and be sued in any court of record of a State having general jurisdiction or in any United States district court, and jurisdiction is conferred upon such district court to determine which controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Secretary or his property. Nothing herein shall be construed to except the activities under this Act from the application of sections 507(b) and 2679 of title 28, United States Code, and of section 367 of the Revised Statutes (5 U.S.C. 316); and

(12) establish such rules, regulations, and procedures as he may deem appropriate in carrying out the provisions of this Act.

Prevention of unfair competition

SEC. 702. No financial assistance under this Act shall be extended to any project when the result would be to increase the production of goods, materials, or commodities, or the availability of services or facilities, when there is not sufficient demand for such goods, material, commodities, services, or facilities, to employ the efficient capacity of existing competitive commercial or industrial enterprises.

Saving provisions

SEC. 703. (a) No suit, action, or other proceeding lawfully commenced by or against the Administrator or any other officer of the Area Redevelopment Administration in his official capacity or in relation to the discharge of his official duties under the Area Redevelopment Act, shall abate by reason of the taking effect of the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such taking effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the Secretary or the Administrator or such other officer of the Department of Commerce as may be appropriate.

(b) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties under the Area Redevelopment Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer of the Department of Commerce as, in accordance with applicable law, may be appropriate.

Transfer of functions, effective date, and limitations on assistance

SEC. 704. (a) The functions, powers, duties, and authorities and the assets, funds, contracts, loans, liabilities, commitments, authorizations, allocations, and records which are vested in or authorized to be transferred to the Secretary of the Treasury under section 29(b) of the Area Redevelopment Act, and all functions, powers, duties, and authorities under section 29(c) of the Area Redevelopment Act are hereby vested in the Secretary.

(b) The President may designate a person to act as Administrator under this Act until the office is filled as provided in this Act or until the expiration of the first period of sixty days following the effective date of this Act, whichever shall first occur. While so acting such person shall receive compensation at the rate provided by this Act for such office.

(c) The provisions of this Act shall take effect upon enactment unless herein explicitly otherwise provided.

(d) Notwithstanding any requirements of this Act relating to the eligibility of areas, projects for which applications are pending before the Area Redevelopment Administration on the effective date of this Act shall for a period of one year thereafter be eligible for consideration by the Secretary for such assistance under the provisions of this Act as he may determine to be appropriate.

(e) No financial assistance authorized under this Act shall be used to finance the cost of facilities for the generation, transmission, or distribution of electric energy, except on projects specifically authorized by the Congress, or to finance the cost of facilities for the production or transmission of gas (natural, manufactured, or mixed).

Separability

SEC. 705. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act or the application thereof to any persons or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall

not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act or the application thereof to the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

Application of Act

SEC. 706. As used in this Act, the terms "State", "States", and "United States" include the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

Annual report

SEC. 707. The Secretary shall make a comprehensive and detailed annual report to the Congress of his operations under this Act for each fiscal year beginning with the fiscal year ending June 30, 1966. Such report shall be printed and shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made.

Use of other facilities

SEC. 708. (a) The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the Secretary's functions, powers, and duties under this Act as he may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

(c) Funds authorized to be appropriated under this Act may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

Appropriation

SEC. 709. There are hereby authorized to be appropriated such sums as may be necessary to carry out those provisions of the Act for which specific authority for appropriations is not otherwise provided in this Act. Appropriations authorized under this Act shall remain available until expended unless otherwise provided by appropriations Acts.

Penalties

SEC. 710. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any financial assistance under section 101, 201, 202, or 403 or any extension thereof by renewal, deferment or action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Secretary, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

(b) Whoever, being connected in any capacity with the Secretary, in the administration of this Act (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to him or pledged or otherwise entrusted to him, or (2) with intent to defraud the Secretary or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner, makes any false entry in any book, report, or statement of or to the Secretary, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates or shares in or receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, grant, commission, contract, or any other act of the Secretary, or (4) gives any unauthorized information concerning any future action or plan of the Secretary which might affect the value of securities, or having such knowledge invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans, grants, or other assistance from the Secretary, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

Employment of expediters and administrative employees

SEC. 711. No financial assistance shall be extended by the Secretary under section 101, 201, 202, or 403 to any business enterprise unless the owners, partners, or officers of such business enterprise (1) certify to the Secretary the names of any attorneys, agents, and other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Secretary for assistance of any sort, under this Act, and the fees paid or to be paid to any such person; and (2) execute an agreement binding such business enterprise, for a period of two years after such assistance is rendered by the Secretary to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date such assistance or any part thereof was rendered, or within one year prior thereto, shall have served as an officer, attorney, agent, or employee, occupying a position or engaging in activities which the Secretary shall have determined involve discretion with respect to the granting of assistance under this Act.

Prevailing rate of wage and forty-hour week

SEC. 712. All laborers and mechanics employed by contractors or subcontractors on projects assisted by the Secretary under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary shall not extend any financial assistance under section 101, 201, 202, or 403 for such a project without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Record of applications

SEC. 713. The Secretary shall maintain as a permanent part of the records of the Department of Commerce a list of applications approved for financial assistance under section 101, 201, 202, or 403, which shall be kept available for public inspection during the regular business hours of the Department of Commerce. The following information shall be posted in such list as soon as each application is approved; (1) the name of the applicant and, in the case of corporate applications, the names of the officers and directors thereof, (2) the amount and duration of the loan or grant for which application is made, (3) the purposes for which the proceeds of the loan or grant are to be used, and (4) a general description of the security offered in the cause of a loan.

Records and audit

SEC. 714. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

Conforming amendment

SEC. 715. All benefits heretofore specifically made available (and not subsequently revoked) under other Federal programs to persons or to public or private organizations, corporations, or entities in areas designated by the Secretary as "redevelopment areas" under section 5 of the Area Redevelopment Act, are hereby also extended, insofar as practicable, to such areas as may be designated as "redevelopment areas" or "economic development centers" under the authority of section 401 or 403 of this Act: *Provided, however*, That this section shall not be construed as limiting such administrative discretion as may have been conferred under any other law.

SEC. 716. All financial and technical assistance authorized under this Act shall be in addition to any Federal assistance previously authorized, and no provision hereof shall be construed as authorizing or permitting any reduction or diminution in the proportional amount of Federal assistance to which any State or other entity eligible under this Act would otherwise be entitled under the provisions of any other Act.

Mr. McNAMARA. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

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, without amendment, the bill (S. 1309) to authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the Houses on the amendments of the Senate to the bill (H.R. 7765) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 23, 41, 47, 49, and 50 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 1 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H.R. 8639) making appropriations for the Departments of State, Justice, and Commerce, the

Judiciary, and related agencies for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROONEY of New York, Mr. SIKES, Mr. SLACK, Mr. SMITH of Iowa, Mr. FLYNT, Mr. JOELSON, Mr. MAHON, Mr. BOW, Mr. LIPSCOMB, and Mr. CEDERBERG were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 9947) to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes.

U.S. POSITION IN REGARD TO ENFORCING ARTICLE 19 OF THE UNITED NATIONS CHARTER

Mr. AIKEN. Mr. President, this afternoon, Ambassador Goldberg presented to the Committee of 33 at the United Nations a statement setting forth the position of the United States in regard to enforcing article 19 of the United Nations Charter.

This article provides that when a member becomes 2 years in arrears on assessments it shall lose its vote in the General Assembly.

The Ambassador's statement says, in effect, that we will not attempt to force a vote on France and Russia for their refusal to pay assessments levied for the purpose of maintaining a police force in the Congo, an operation to which both nations objected.

The fact is, it is doubtful whether the United States could force a direct vote on this issue, but, if we could, it is quite certain that our effort would be heavily defeated with many of our closest allies voting against us.

It should furthermore be understood that should article 19 be literally enforced, France and Russia would lose only their vote in the U.N. General Assembly, a body of 114 members.

Neither country would lose its seat in the General Assembly nor in the United Nations.

Neither country would lose its place on the Security Council nor its veto power in the Council.

It must also be recognized that if the United Nations should attempt to assess us for the cost of maintaining armed force in the Western Hemisphere, we would probably refuse to pay.

Since the prospect of either collecting these assessments from France and Russia or of punishing them for a violation of the charter is virtually nil, the United States was put in the position of either facing certain defeat in the General Assembly or accepting the fact that from now on the United Nations will be largely financed on a voluntary basis for, if action cannot be taken against Russia and France for nonpayment of assessments, it certainly should not be taken against the smaller, poorer nations.

The question is whether the United Nations is worth keeping as an international organization.

It is obvious that it cannot continue under rules to be observed by part of the membership and ignored by the rest.

Therefore, in announcing that the United States would no longer be bound to observe the provisions of article 19, Ambassador Goldberg took the only practicable course left open; the alternative would be to withdraw completely from this world organization.

It was not an easy decision to make. It does not by itself guarantee the effectiveness of the United Nations in the future.

It will be found thoroughly unsatisfactory and will be condemned by many people, some of whom are opposed to international organizations in principle.

It does, however, offer an alternative and perhaps the only alternative to a growing world crisis which could conceivably end in human disaster.

Mr. President, I appreciate very much that the Senator from Colorado [Mr. DOMINICK] yielded to me in order to make these remarks.

ECONOMIC OPPORTUNITY AMENDENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

Mr. McNAMARA. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I am glad to yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, numerous complaints have been stated as to the administration of the program by OEO. Much of the criticism is directed toward specific incidents of alleged maladministration. It would not be possible, nor in my opinion appropriate, for me to attempt to answer these statements. However, I should like to point out that this is a new agency in operation less than a year, designed to meet a gigantic problem—that of reducing poverty in the United States. To expect that there would not be problems in administration would be unreasonable. During the hearings, the Director, Sargent Shriver, and other OEO officials, gave us every assurance that this problem is recognized and every effort will be made to correct it.

Although I do not intend to minimize these statements, it does seem to me we should look to the achievements of the new agency, which was funded less than a year ago.

I thank the Senator from Colorado for yielding to me.

Mr. DOMINICK. Mr. President, on behalf of the Senator from Wyoming [Mr. SIMPSON] and myself—and the Senator from Wyoming is necessarily absent today—I send to the desk for reference and printing an amendment that we intend to offer to the pending bill.

The amendment merely reaffirms and strengthens the provision in title 1 of the bill, which would prohibit activities of the Job Corps when the effect would be to displace employed people or take over services which were being accomplished by private enterprise firms.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, in 1919, the late President Franklin D. Roosevelt said:

> Every one of us would like to see a state of perfection on earth; but we know that every great reform takes time and good judgment, and that too great haste often defeats its own ends.

Seventeen months ago the President of the United States announced a program to eradicate poverty in America. One year ago Congress passed the Economic Opportunity Act of 1964 to put that program into operation. Now, after the expenditure of nearly $800 million, Congress should pause to take stock of its creation.

The basic underlying principle of the war on poverty is sound—and it is in the best tradition of the American people. It is not the principle of charity, nor of patronizing benevolence. It is not the principle of the freeload and the dole. It is the principle that it is right—and wise—for Americans to help their fellow Americans to help themselves.

President Johnson recognized this when he said, in his initial message to Congress:

> The war on poverty is not a struggle simply to support people, to make them dependent on the generosity of others. It is a struggle to give people a chance. It is an effort to allow them to develop and use their capacities, as we have used ours, so that they can share, as others share, in the promise of this Nation.

Walter Heller, then Chairman of the Council of Economic Advisers, put it this way:

> The essence of the President's attack on poverty is the creation of new economic opportunities, a chance for the poor who are able to do so to earn their way out of poverty.

There is scarcely an American today so callous, so ruthless, so flinthearted, as to repudiate this principle embedded so deeply within us as a people.

The great national debate on the poverty program today is not a debate on the merits of its fundamental principle. As so often occurs in American society, the debate rages over the means by which those in power seek to translate that principle into action. The issue before the Congress today is, simply, this: In view of the magnitude of the poverty problem in America, and in view of the resources committed to overcome it, has the war on poverty been a success?

Any attempt to answer this query must necessarily result in a balancing of positive and negative accomplishments. The administration and the Office of Economic Opportunity have emphasized the

positive achievements of the war on poverty, and their arguments are not without merit. Because of the war on poverty, for example, 561,000 young Americans are being introduced to the world of learning through Project Head Start. Eighty thousand young men and women have had the opportunity to earn the money they need to stay in college. Nearly 90,000 unemployed heads of families have received work training and experience that will help them to become producers instead of public charges. Ten thousand men and women in rural areas have received loans that will give them a new incentive to improve their incomes and standards of living.

Nor has the Office of Economic Opportunity rejected every criticism that has been made of the program. Commendably, the Office has candidly admitted that in some areas serious difficulties have developed. In view of the magnitude of the poverty problem in America, in view of the depths of its roots and persistence of its causes, some failures were inevitable. The Congress has no right to expect perfection from the administrators of its programs.

Yet, when all this is said and done, when every reasonable allowance has been made for extenuating circumstances, when the benefit of many doubts has been generously granted, the fact remains that this so-called war on poverty has exhibited classic examples of administrative bungling, haphazard haste and costly waste, shoddy coordination, bureacuratic secrecy, excessively high salaries, heavy-landed dictation, ugly politics and—worst of all—botched opportunity.

Let us examine the various charges brought against the operation of the war on poverty:

THE POVERTY ARMY IS LED BY A PART-TIME GENERAL

There is scarcely a position in Government more demanding of full-time attention than that of Director of the Office of Economic Opportunity. Yet, the present Director must devote part of his time and energy to the task of running the Peace Corps. In view of the present administration's predilection for appointing four where two could serve, it is truly surprising that here it has appointed only one to do what is admittedly the job of two. The sooner the Office of Economic Opportunity and the Peace Corps get separate, full-time Directors, the better it will be for both.

A. COMPARISON OF PREDICTION AND THE RESULTS SHOW A SIGNIFICANT PERFORMANCE GAP

When the poverty legislation was before the Congress last year, we were told how many people the various programs were to benefit in the first fiscal year of operation. In one program—the Neighborhood Youth Corps—the stated goal of 200,000 has been exceeded, with 277,000 young people employed. In view of the simple nature of this program, its success in reaching its numerical goal is not surprising.

Other programs, however, have been less successful. Last year it was estimated that 140,000 youths would benefit from the college work study provisions. At the close of the fiscal year the actual number was around 80,000. Even doubling the spring semester recipients to account for the fall semester of 1964, when the program was not yet in operation, the total would be only 114,000, far below the goal.

Last year it was estimated that 130,000 persons would be enrolled in the work experience programs under title V. At the close of the fiscal year 88,700 had been enrolled.

Last year it was estimated that 40,000 Job Corps men would be in the program by the first year. The actual number at the close of the fiscal year was only about 10,000.

Last year it was estimated that 1,000 VISTA volunteers would be in the field at the end of the fiscal year, provided only that enough young men and women stepped forward to enroll. Fifteen thousand did step forward to enroll—and as of June 30 a total of 202 were actually in service.

And even some of these OEO figures are open to question. Jack Steele of the Scripps Howard Newspaper Alliance gave a progress report on the war on poverty as of the end of its first fiscal year.

Mr. President, I ask unanimous consent that excerpts from an article entitled, "Troubles, Delays, and Confusions—Poverty War Ends Year of Crisis," written by Jack Steele in the Washington Daily News of July 1, 1965, be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

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

[Excerpts from Washington Daily News, July 1, 1965]

TROUBLES, DELAYS, AND CONFUSIONS—POVERTY WAR ENDS YEAR OF CRISIS

(By Jack Steele)

Bitter political warfare—still largely unsettled—has stymied the community action program in most of the Nation's big cities. This program is the keystone of the antipoverty war since it will provide the machinery for helping the poor. In rural areas, lack of community initiative has delayed the CAP program even more.

VISTA, the so-called Domestic Peace Corps, was originally supposed to enroll 5,000 volunteers to help the poor by June 30. As of yesterday it actually had 203 such volunteers working in the field and 842 more in training.

The Job Corps, which Mr. Shriver told Congress last autumn would have 30,000 to 40,000 teenage dropouts in some 75 camps by June 30, actually had 8,345 in 48 camps as of Tuesday. And more than 15 percent of those sent to Youth Corps camps had already quit the camps.

GLOSS OVER

Mr. Shriver and his battery of public relations experts have managed to gloss over most such lags and failures in the antipoverty program. Here's how they've done it.

In recent weeks, OEO officials have worked day and night to allocate funds for antipoverty projects and thus use up all the $793 million Congress appropriated last year for the program and clear the way for passage of this year's $1.5 billion fund request. Much of this money won't be spent—or the projects even started—for months.

Mr. Shriver listed 265,000 enrollees in the Neighborhood Youth Corps. But the 100,000th enrollee was inducted at a White House ceremony on June 11, less than 3 weeks ago. And Neighborhood Youth Corps officials, after whirling their computers, came up yesterday with a top enrollment estimate of 175,000—including 70,000 in a special summer "leaf-raking" project. The first-year goal for this program was 200,000.

Mr. Shriver's list included 88,000 in a so-called work experience program run by the Health, Education, and Welfare Department. But HEW officials yesterday reported the program had 15,240 actual enrollees in 59 projects now in operation.

The OEO Director also listed 600,000 direct beneficiaries of community action programs. Yet most of the CAP projects approved thus far are so-called planning or demonstration grants which provide help or employment to relatively few of the poor. And only a few of these are yet off the ground.

Mr. PROUTY. Mr. President, a striking exception to the performance gap is the administrative costs of the program. The OEO Director said last year that his administrative budget would be about $3.5 million and that he would employ 300 to 700 people. As of June 30, 1965, the amount obligated for administrative expenses of the Office was over $6.1 million, and the number of employees was hovering around the thousand mark.

What has caused this gap between prediction and performance? Two answers suggest themselves: A lack of clear understanding of the complexities of creating these new programs, resulting in euphoric election-year predictions unrelated to reality; or administrative confusion and chaos in the implementation. The true answer is probably a combination of the two.

THE ADMINISTRATIVE RECORD OF THE OFFICE OF ECONOMIC OPPORTUNITY HAS BEEN A SORRY STORY OF DELAY AND BUNGLING

The war on poverty has been a godsend to those mild mannered little fellows who take secret satisfaction watching the high and mighty goof up the works. Not even OEO has yet paid any one to add up the inches of newspaper lineage that have been used to describe the fumbling and bumbling of the poverty administrators, but it is said that around Washington one can get 3 to 1 that the stories laid end to end would reach from the White House Rose Garden to Catoctin, Md., and part way back.

In my own State the local Democrat in charge of the poverty program at the State level has assailed OEO for "inexcusable delays." He told how the Washington poverty warriors put on the heat to get all program applications submitted before the fiscal year deadline—then were unable to tell him the status of the projects thereafter. "There is no person or place we can go to get a reading on the status of our own programs," he said.

Just the other day, testifying before the Senate Government Operations Subcommittee, Dr. Murray Grant, Health Director of the District of Columbia, stated that the District had applied for public welfare funds about 9 months ago, but the application was still pending. He went on to say that the District government had made repeated inquiries since that time as to when the money might be forthcoming, apparently with

no success. There is now a 2-month backlog of cases. Space, and perhaps the resources of the Government Printing Office, do not permit a complete listing of all such interesting examples, but the man so rash as to suggest these instances are uncommon has not yet stepped forward.

If unprocessed applications were negotiable, like bank drafts, I would advocate putting a strict security guard around the Washington poverty headquarters; for within those walls reposes what is probably the most massive collection of ignored, forgotten, and bogged-down applications known to the Western World since the halcyon days of the great South Seas bubble.

An otherwise sympathetic observer, Eve Edstrom of the Washington Post, characterized this abysmal situation succinctly when she reported:

> The confusion caused by the law itself has been compounded by the turmoil that exists at the Office of Economic Opportunity. "We operate from crisis to crisis," one Federal antipoverty worker said "We're always in perpetual motion but I'm not sure where we're going."

HEAVYHANDED DICTATION FROM WASHINGTON STIFLES LOCAL FLEXIBILITY AND INITIATIVE

One of the great virtues of the antipoverty program, as conceived a year ago, was that it was designed to allow maximum latitude for experimentation at local levels. True, there has been a great deal of experimentation—one Mississippi Head Start center has experimented with eliminating bookkeeping controls on a $1.2 million project, and the Memphis Neighborhood Youth Corps has experimented in requiring kickbacks from corpsmen to pay unauthorized supervisors. But in many cases the bureaucrats on top have squashed local initiative by laying down impossible requirements and meddling with even the smallest details.

Typical of this malady is the situation at that boon to antipoverty critics, the St. Petersburg Women's Job Corps Center. At this establishment, so I am told, no officer may talk to the press without reporting by long-distance telephone to Washington the substance of the conversation. These phone calls probably add up to quite a sum, since Washington may have a hard time getting the message over the rumbling of hot rod exhausts, the continuous rock-and-roll parties, the omnipresent police sirens that rise to a crescendo whenever an inmate makes a break for it, and, more recently, the angry mutterings of the local citizens. Pinellas County's assistant school superintendent, struggling to make this center less of a disaster, says:

> We were so deluged by so many people from Washington giving us information and advice on community relations, public health, and home and family living that it was just plain confusing.

In my own State of Vermont, the acting State director of economic opportunity has had occasion to state that local volunteer agencies have "done everything but stand on their heads. They've formed programs, then changed them or scrapped them to meet the Federal suggestions."

And yet, at the time of his statement, the applications were bogged down somewhere in OEO.

It is always necessary in a Federal grant program for the administrators to stay close enough to the various situations to see that proper procedures are carried out, and that Federal funds are not expended without justification. But this sort of intelligent supervision, in the hands of a zealous bureaucrat, can easily shade into the tyranny of centralized direction that stifles local programs. Happily, the European Communist world is learning this, and is decentralizing all but the most basic economic decisions. One hesitates to say that OEO should profit from this trend in the Communist world, but the point should be clear.

HASTE AND WASTE—THE ROMULUS AND REMUS OF OEO

According to legend, the great empire of Rome had its beginning in the birth of the brothers Romulus and Remus, suckled by a she-wolf on the banks of the Tiber. The analogous allegory for the economic opportunity empire would have to be "haste and waste," suckled to a sleek corpulence by the American taxpayer.

Haste holds sway whenever a well-intentioned project flounders due to inadequate preparation. The deft touch of haste appears behind the screening procedures that send a girl 5 months pregnant to the Women's Job Corps, accompanied by another who was emotionally ill, 2 who refused to heed curfews and no-drinking rules, and 20 who did not much care about the whole project.

Waste rears its ugly head when seamstresses are hired to remake clothes for Job Corps girls who are supposed to be learning to sew, maids are hired to make the beds of Job Corps girls who are supposed to be learning practical homemaking, and construction gangs are hired to spruce up abandoned forest camps for boys who are supposed to be learning basic job skills in carpentry and plumbing.

Waste gloats gleefully in city after city, including the Nation's Capital, where formerly anonymous political coadjutors emerge at succulent salaries of $18,000 and even $25,000. And it chortles with pleasure as OEO functionaries crawl over each other trying to find out what they are supposed to be doing, while the administrative budget continues its incessant march skyward.

THE RULES OF THE ROAD—AVOID STATE AND LOCAL OFFICIALS, KEEP LOCAL PEOPLE IN THE DARK

One well-documented example is sufficient to exemplify the way the "povercrats" prefer to deal with local officials and citizenry. The pattern was set when the very first Job Corps camp location was announced—at Yorktown, Va.—before any local people had been consulted. This excerpt from a statement by Congresswoman CATHERINE MAY, of Washington, shows how the concept has been honed to near perfection in the months since.

I ask unanimous consent to include in the RECORD Representative MAY's observation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM STATEMENT OF REPRESENTATIVE CATHERINE MAY, REPUBLICAN, OF WASHINGTON, BEFORE THE HOUSE REPUBLICAN TASK FORCE ON ECONOMIC OPPORTUNITY, JUNE 16, 1965

The first situation I would like to discuss is the announced establishment of a Job Corps conservation center to be located on the Yakima Indian Reservation near the small community of White Swan.

The official announcement concerning this Job Corps camp was contained in a press release from the Office of the Secretary of the Interior which detailed the locations of 14 Job Corps camps in 10 States to be activated early that fall. The Secretary's announcement states, "Each of these camps will also be a great community asset." This press release, which was received in my office on August 19, 1964, the date it was to be released, was the first notification received by me of this project and was, in fact the first official notification received by the people of White Swan, a community of approximately 200 inhabitants and approximately 2 miles from the announced site of the camp.

From information I was able to piece together later, it became evident that a great deal of secrecy had surrounded the circumstances in arriving at the selection of this site for a Job Corps camp. The Bureau of Indian Affairs, once a decision had been made, consulted only with the Yakima Tribal Council and it is my understanding the Bureau told the tribal council that Indians would be put to work and that the work to be accomplished would be in the nature of work which would benefit the Indian reservation. The Secretary of the Interior's announcement of August 19, 1964, in fact, stated: "The enrollees will be concerned primarily with timber and range conservation practices such as timber thinning and construction of fire roads and trails."

It is not difficult to understand the immediate reaction of the people of White Swan who naturally were concerned over the effect on their community of the arrival of as many Job Corps "guests" as there are inhabitants. Urgent requests for complete information on the impact of such a facility were made to my office. I point out again that no such information had been volunteered either prior to or following the brief original announcement. Inquiries were initiated by my office to the Bureau of Indian Affairs because the Office of Economic Opportunity advised they had no information with which to respond to the community concern. To give an example of this kind of bureaucratic attitude, we were told by a spokesman of the Bureau of Indian Affairs that "If a community wishes to protest it should do so to the Yakima Indian Agency superintendent." On August 28, 1964, we were also advised that this was only a "proposed" establishment since Congress had not as yet appropriated the money to establish any of the Job Corps centers. This fact brought out yet another interesting point because I was later informed that even prior to the August 19 announcement work crews contracted by the Bureau of Indian Affairs were busy clearing a site for the proposed establishment. I still do not know the source of the funds for this preliminary work.

On August 28, 1964, I asked Sargent Shriver, Director of the President's Task Force on the War on Poverty, to arrange for a public hearing on the announced establishment of a Job Corps camp near White Swan. I advised Mr. Shriver that since the August 19, 1964, announcement of the location of the camp a number of residents of nearby communities had indicated their concern over the location of such a camp in

their area and that many of these individuals were asking questions which deserved factual answers. I advised Mr. Shriver that I had discussed the situation with the Governor's representative appointed to handle antipoverty programs in the State (who incidentally had not been provided answers to the questions being asked) and that we both agreed that a full public hearing should be held in the area as soon as possible so that all the individual citizens would have all the facts upon which to base opinions. On September 2, 1964, I was advised by the Governor's representative that the Bureau of Indian Affairs regional office had notified him that they would hold a public meeting in the White Swan High School on September 9 to inform the community of plans for the proposed Job Corps camp. I initiated telephone calls to the Office of Economic Opportunity to ask whether this meeting was in response to my request for hearing and was advised that a representative of Sargent Shriver's office would attend the meeting. I did not receive any written response to my letter requesting a hearing.

The meeting was held in the White Swan High School the evening of September 9, 1964. I was subsequently advised that only written questions were allowed from an audience of about 350 persons and no oral discussion was permitted. One gentleman stood up and demanded that he be heard and was given the opportunity to make a brief statement. This, Mr. Chairman, was not the kind of hearing I had requested, although I was given to understand that generally speaking the audience seemed to be satisfied with the answers received to their written questions, mostly handled by the representative from Sargent Shriver's office.

The then Governor of the State of Washington subsequently approved the camp. It was about this time that a local attorney for a group of White Swan residents protested to the Office of Economic Opportunity the establishment of the camp, contending that work planned by occupants of the camp would benefit Yakima Indians only and therefore was discriminatory against non-Indians. The attorney based his contention on the Civil Rights Act passed by Congress in 1964. The General Counsel for the Office of Economic Opportunity advised the local attorney, "We are acquainted with no law or policy against discrimination on the basis of race which is violated by the operation of a conservation center on the Yakima Indian Reservation Center." The General Counsel went on to state in his letter, "Government policy against discrimination, whatever source, does not generally prevent the expenditure of money to benefit Indians on an Indian reservation." The local attorney said he could not agree and that he would seek a Federal injunction to stop the establishment of a camp. The new Governor agreed that before he would approve the camp that assurance would have to be given that the general public would have access to and use of facilities constructed by the Job Corps. There the matter rested for many months. However, as recently as early this month, Otis A. Singletary, Director of the Job Corps, said in a letter to the local newspaper in Yakima, Wash., the largest nearby community, that he was holding up approval of the White Swan Camp because of "poor community attitudes." Apparently recognizing the former Governor's approval of the site and not waiting for the new Governor's recommendation, Dr. Singletary indicated in his letter that the Office of Economic Opportunity had every legal right to proceed with the camp, but the delay was "based solely on my concern for the enrollees."

In the meantime, the new Governor, continuing to be concerned over the two questions, that of community acceptance and that of general public use of an access to the facilities, obtained from local communities assurances that public opinion had gradually changed to favor the camp and new letters were received from the Bureau of Indian Affairs and Yakima Tribal Council giving assurances the public would have access to and use of the facilities after all. The Governor just last week wrote to the Office of Economic Opportunity approving the location of the camp and this last Friday evening, June 11, my office was called by the Deputy Director for the Job Corps to be advised that that office would now proceed with the camp.

I might say parenthetically that when I asked the Office of Economic Opportunity last Friday evening for details I was advised they had none. They assumed the camp would be established as originally proposed, but that the Bureau of Indian Affairs would have to provide the details. Once again, Mr. Chairman, the local citizens found themselves "in the dark" as to details of the situation.

I will not dwell long on the second Job Corps camp proposal in my district.

This is a camp to be administered by the Bureau of Reclamation to be located on the Columbia Basin reclamation project. In February of this year it was announced by the Bureau of Reclamation headquarters on the project that the Office of Economic Opportunity had requested a recommendation for a location of a Job Corps conservation center on the Columbia Basin project. This was undertaken and on April 27 of this year the President announced a number of new Job Corps conservation centers, including one on the Columbia Basin project. Accompanying the White House announcement was a detailed fact sheet which stated that the Columbia Basin center would be located on land owned by the city of Ephrata. The announcement went on to state, that two buildings consisting of a two-story dormitory building and a former messhall will be made available by the city of Ephrata. The city of Ephrata was delighted by this announcement because the people of Ephrata had actively sought the center and the Ephrata location had received a favorable recommendation from the Bureau of Reclamation.

Within a matter of hours after the President's announcement, however, the announcement was withdrawn, insofar as exact location is concerned, and I received from the Ephrata Chamber of Commerce an urgent letter wanting to know what had happened and reaffirming its wishes for the center. My office, Mr. Chairman, made repeated calls to the Office of Economic Opportunity from Dr. Singletary on down and about all we could learn was that the Office of Economic Opportunity thinks it will establish the Job Corps center at Larson Air Force Base near Moses Lake, Wash., instead of Ephrata. As nearly as I can tell, no local request for establishment of the center at Larson Air Force Base or at Moses Lakes was ever made. The people of Ephrata are understandably angry, especially because the center was announced for their town and then the announcement withdrawn. No one in the Office of Economic Opportunity has ever explained to me why the announcement was made for Ephrata in the first place and, as a matter of fact, they won't even admit that it was announced for Ephrata even though I have a copy of the announcement in my possession. This, Mr. Chairman, strikes me as a prime example of the right bureaucratic hand not knowing what the left bureaucratic hand is doing.

Again, Mr. Chairman, one would think the people in the Office of Economic Opportunity would have learned from the White Swan situation, but experience made no difference in the case of the Columbia Basin center. What I am afraid of now, Mr. Chairman, is that the Ephrata people will be hostile to the project and will not be in a mood to cooperate with the trainees. Ephrata is only 26 miles from Moses Lake.

RAISING FALSE HOPES

Mr. PROUTY—

I'm worried about a possible loss of interest and enthusiasm on the part of the people who have worked so hard on a volunteer basis to get this program started—

So spoke Vermont's director of economic opportunity when the program in our State came almost to a standstill because of delays in Washington.

Thousands upon thousands of eligible Job Corps youths across the land are disenchanted. Billboards, diskjockeys, and poverty missionaries have assiduously spread the word that "the Job Corps needs you"; yet, with 228,000 inquiry cards received, only about 16,000 corpsmen had been accepted and assigned at the end of the first fiscal year. What of those others, who seized the initiative—perhaps for the first time in their lives—to seek the help of the Job Corps in getting themselves out of the morass of poverty? What is the effect on them, in real, personal terms, of one more apparent rejection—this one after having been led on by all the OEO ballyhoo? If the poverty people are going to lure youths into the gingerbread house, they should be prepared to hand out cookies, not waiting room numbers.

Similarly, false hopes have been raised among the elderly. The Office of Economic Opportunity has not been able to find any way to focus on the needs of our older citizens. In desperation, faced with congressional murmurings, the Director has belatedly established—on June 14 of this year—a special task force to try to come up with something. In the meantime the elderly—a group for which poverty is both prevalent and serious—can hope only to catch on in some other program not designed to help them or meet their specific needs.

Nor was it fair to the elderly for the Director, a special assistant to the President of the United States, to come before the committee and express his support of my proposal to substantially increase the monthly social security benefits. Later, when the 1965 social security amendments were before the Senate, the administration forces battered down my proposal by an overwhelming margin.

OEO'S COAT OF ARMS; DUPLICATION RAMPANT ON A FIELD CHAOTIC

A good summary of the ineffectiveness of coordination of the Federal antipoverty effort is provided in an article from the Wall Street Journal of June 9, 1965.

This article by Jerry Landauer in my judgment is quite objective, and I ask unanimous consent that it be included in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OVERLAPPING UPLIFT—WAR ON POVERTY SPILLS OVER INTO MANY FEDERAL AGENCIES

(By Jerry Landauer)

WASHINGTON.—It's been 6 months since Congress voted the first funds for the new Office of Economic Opportunity but Sargent Shriver's researchers haven't identified yet all the existing Federal activities that con-

ceivably could fall under his sway as generalissimo of the antipoverty crusade.

Admittedly the tabulating task is tough. The Library of Congress, restricting its count to those offering aid to State or local governments, cataloged 115 such programs or "closely related groups" last year; if "subcategories" are included the total swells to 216.

For sheer scope, these figures suggest Mr. Shriver's job is matched by none save the President's and the Defense Secretary's. Furthermore, his congressional mandate to "coordinate the antipoverty efforts of all Federal agencies" will become more demanding before, if ever, it becomes more manageable. The Library's count didn't include all 17 sizable programs enacted in the 88th Congress, nor, of course, the dozens more enacted or pending in this Congress. "We're starting to run out of new stuff to propose," one policymaker concedes.

No wonder. Nowadays a school dropout can get help from the Juvenile Delinquency and Youth Offenses Control Act, the Manpower Development and Training Act, the Vocational Education Act, the Job Corps, the Neighborhood Youth Corps, a variety of welfare programs and, at the option of local citizens' groups or school boards, from Mr. Shriver's community action grants and from the new billion-dollar school aid law.

Fifteen programs authorize aid for acquiring teaching equipment, nine provide teacher training, and four, all enacted since 1962, include funds to promote basic adult literacy. Needy students can reach for loans or scholarships offered by eight, not including President Johnson's higher education bill.

Overlap obviously isn't a new problem in big government. "Believe me, it's long been a department head's biggest headache," says the top assistant to a member of the Kennedy Cabinet. Democrats assert, moreover, that for all its talk of bringing businesslike techniques to Washington, the Eisenhower regime left scant dents in the many-layered bureaucracy. (To this observation must be added the fact that for all but 2 of his 8 White House years Ike faced a Democratic Congress.)

President Johnson, of course, wants efficiency and he's taken some small steps toward it, among them reorganization plans to tidy up the Customs Bureau and merge the Weather Bureau with the Coast and Geodetic Survey. Another proposal, an old one, to upgrade the Housing and Home Finance Agency to Cabinet status, is similarly billed as an efficiency move.

DIVISION OF RESPONSIBILITY

Yet, in greater measure than he can hope to untangle jurisdictional conflicts by such steps, the President contributes to overlap by dividing responsibility among his top men for the panoply of old and new programs designed to uplift poor people and renew poor places.

Rather than shake up a limping agency or beef up an existing endeavor, the White House piles on a new program. "If we don't catch 'em with one we'll catch 'em with another," according to a congressional aid who has helped write several administration bills. In this sense, Lyndon's administrative style is reminiscent of Franklin Roosevelt's.

Few who've heard Mr. Johnson, his voice wavering, recall desperate men garbage grubbing for grapefruit rinds in depression days doubt his fidelity to the poverty-conquering cause; nothing less than total war on poverty, or at least the appearance of it, satisfies the restless Chief Executive. So he applies several plows to the same sod.

Look at regional renewal. Deeply disturbed by rural distress, Agriculture Secretary Freeman first expanded his domain to embrace every poor person, whether farmer or not, who happens to live in a rural place, and he set his sights on 8 million new jobs in rural America. To reach that target his Department increasingly promotes industrial development, helps search for minerals, issue loans for industry-serving utilities, looks for tourists, and helps develop water sources for factories.

But with hardly a glance at Agriculture-sponsored renewal, the White House redesignated Commerce as the chief renewal agency. The Appalachia program authorizes Secretary Connor to approve and help finance local development districts in 11 States. And the administration's big public works and development bill would have him designate, and funnel aid to, a continent-spanning network of redevelopment areas and larger economic development districts containing "economic development centers." Higher up, he'll work with regional action planning commissions embracing at least two States.

Mr. Connor's areas and districts will crisscross many of the 2,000 county-based rural areas development committees already prodded into existence by Secretary Freeman. It's hoped that those of Mr. Shriver's community action groups functioning in rural spots will cooperate with Mr. Freeman's network of county committees (in a few places the two are identical) and where possible, with Mr. Connor's redevelopment areas.

As part of regional renewal the Government launched a pilot project in four distressed Indiana counties to speed the development of industry, land, water, mineral resources, recreation, and tourism. This sounds like something the Commerce Department's development planners might be trying; in fact, though, it's a Freeman project.

The troubles policymakers encounter just in thinking up names for the agencies they'd like Congress to establish reflect how tough it is to sort out clear lines of authority for the uplift effort, particularly in the unclaimed land between cow country and outward-creeping city.

Awhile back, Mr. Freeman set up what was called the Office of Rural Areas Development, a new agency offering advice and technical help to his Department's county committees. Now, asking Congress for money to establish small branches in 20 or more States, he wishes the agency to be known as the Rural Community Development Service. Note how "rural community" suggests a concentration of population more dense than "rural area" but less populous than "urban area."

WHAT'S IN A NAME?

Last year, hoping to sidestep smalltown Congressmen's fears that giving HHFA Cabinet rank would enlarge big-city influence, policymakers dropped the word "urban" from HHFA's proposed name; they suggested calling it the Department of Housing and Community Development. But this year, enjoying bigger majorities in Congress, the White House stopped fiddling around; now it's proposed to baptize HHFA as the Department of Housing and Urban Development, thus leaving in-between "community development" to Mr. Freeman.

Understandable, then, is the wary eye Housing Administrator Robert Weaver's people cast at Mr. Freeman. Shortly after Agriculture asked for a $350 million fund to insure rural housing loans, the Federal Housing Administration sent word to its local offices that "no community should be considered too remote or too isolated for FHA to serve in a prompt manner."

Apart from big government's built-in overlap, believers in tidiness confront Lyndon Johnson's unique personality. He's just as determined to project a glowing record of economy as he is to lead the costly antipoverty crusade. The result is compromise. Rather than be selective among the 34.6 million Americans deemed "hard core poor" by Mr. Shriver's statisticians, the Government spreads money and effort every which way, boosting overhead, generating more overlap and, so critics claim, assuring mediocre results.

As always, politics plays a part. At least for the first year, all 1,000 counties that had been eligible for special subsidies from the spectacularly unsuccessful Area Redevelopment Administration can knock on Secretary Connor's door for similar help after the bigger development bill becomes law. And, to mobilize maximum congressional support for the billion-dollar-a-year bill to help "educationally deprived" children, Johnson men concocted a formula spreading whatever an eager Congress appropriates to all but 6 percent of the Nation's 3,000-odd counties.

Yet, months before Mr. Johnson ceremoniously signed the school aid bill outside his Texas boyhood schoolhouse, Sargent Shriver's office embarked on its own education program, intended for much the same purpose. Among other grants, antipoverty money went to Lansing, Mich., for remedial schooling; to Washington County, Va., for preschool training, and to Detroit for "expanded educational services."

Several parts of the antipoverty package are new. But Mr. Shriver also exercises partial responsibility for a batch of overlapping "delegated" programs which established bureaucracies manage: For small business loans; for rural loans, hitherto a Freeman preserve; for adult literacy, an ingredient of three existing programs; for "work study," launched in 1963 and assigned to HEW's vocational education administrators; and for "work experience," started in 1962 as part of the HEW's assignment to reduce relief rolls. Intruding into Interior Secretary Udall's reservation, Mr. Shriver operates a special program to help Indian tribes, many of which are also eligible to knock on Secretary Connor's development door.

A SHINY NEW PACKAGE

If the old programs were deemed insufficient the White House could have sought more money directly for them; or, if their results were disappointing L.B.J. could have replaced the administrators or sought revisions in the governing statutes. Instead he bundled them into a shiny new package for presentation to a cooperative Congress.

What with upward of 70 agencies operating several hundred programs to uplift people, communities, or regions, official Washington keeps hoping that Mr. Freeman's committees, Mr. Shriver's community action outfits, Mr. Connor's redevelopment areas, and the metropolitan planning agencies promoted by Mr. Weaver will somehow wrap all the available aid from all the sources into an uplift package that makes sense.

By shifting more responsibility for coordination to recipients of their grants, loans, and technical help, the Feds further hope to spur local initiative. Already the Agriculture Department professes to see a "real revival" in long-lagging rural places, with "people sitting down together as never before."

Another advantage of the "do it down there" approach is that it enables Federal administrators to hold down the roster of Federal employees. The directors, planners, and technicians hired by the 600 community action groups Mr. Shriver hopes soon to see functioning won't be added to the Government's employee rolls, although they'll be paid almost exclusively with Federal taxes. The staffs of Mr. Connor's redevelopment areas similarly won't be counted.

But few local politicians or planners willingly forgo rummaging in Washington's big kit for the tools allotted to them by law or for those to which they can stake reasonable claim. It was, for example, a rare locally drawn "overall economic development program" under ARA that didn't include a vocational school or an industrial park.

Still, it's widely believed here that reliance on local coordination will help untie Washington's tangled jurisdictions and slice through the overlap.

LETTING THE FARMERS FEND FOR THEMSELVES

Mr. PROUTY. Mr. President, not only have the elderly been left off the poverty bandwagon, the citizens of America's rural areas are also missing their fair share of participation.

Title III, of course, is directed at rural people, and loans pursuant to those provisions have helped some 10,000 persons make a new start toward economic self-sufficiency. But America's rural citizens are entitled to full participation in all programs for which they are eligible, and here they are decidedly on the short end.

Agriculture Secretary Orville Freeman has estimated that rural communities are getting only about 5 percent of the money doled out by OEO for community action programs. As of last April, Mr. Freeman estimated that while over 90 percent of the Nation's cities with populations of 50,000 and above have community action programs in progress, only about one-third of the Nation's rural counties have programs underway.

The August 5, 1965, rural areas development newsletter of the Department of Agriculture reports that $9.5 million had been allocated to 202 rural community action programs, as of June 30. By contrast, 569 grants totaling $127.6 million were approved for urban and suburban areas.

Representative CARL PERKINS, Kentucky Democrat and an original backer of the antipoverty legislation in the House, laments:

I am certainly not satisfied as to the assistance that the rural communities have received throughout the Nation.

Secretary Freeman sorrowfully takes the view that—

I am afraid that the going, for a long time, will be mighty slow.

One reason for this inattention to our rural areas is the admitted difficulty in constructing an effective community action program when the "community" is spread out over miles of farmland. But a more serious problem appears to be the lack of interest in rural areas among the antipoverty warriors, almost all of whom come from big-city backgrounds. In addition, it is not without some significance that the heaviest concentration of voting power for the administration's party finds itself in and around the large cities of every State.

The time for procrastination is over. The rural citizen of America, already beset with so many problems from other Federal programs and from the trends of the farm market, should be given full opportunity to take part in programs now so eagerly constructed for the benefit of his urban fellow citizens.

A CASE STUDY IN HOG-TROUGH POLITICS

"Giant fiestas of political patronage"—those are the words used by Chairman ADAM CLAYTON POWELL of the House Education and Labor Committee in describing the actual operation of the war on poverty.

"A prize piece of political pornography" says veteran antipoverty fighter Saul Alinsky.

The records are full of direct political patronage.

Adds Rev. Lynward Stevenson, head of a local community organization in Chicago.

How do you think we (poor) feel when we know that men who drive Cadillacs, eat 3-inch steaks, and sip champagne at luncheon meetings, discuss our future while we are pushed off the highways of self-help and told to keep our hats in hand.

It would serve no purpose to prolong this laundry list of horrors. From the day that the administration delivered to each Democratic Representatives's office a "poverty kit" for use in the 1964 elections, the antipoverty effort has been political in conception, gestation, parturition, and infancy. Americans who sincerely want the war on poverty to live up to its lofty purposes—and that certainly includes the great majority of Americans of both political parties—must firmly insist that the Director and his staff leave no stone unturned to insure that the program not be, to paraphrase Chairman POWELL, seduced by politicians hoping to use the reservoir of poverty funds to feed their political hacks at the trough of mediocrity.

ACTIONS BY THE COMMITTEE

1. A SNEERING SLAP AT THE NATION'S GOVERNORS

Perhaps the most serious action taken by the committee was to strike from the act the Governor's veto provisions of section 209(c). This section provided that no community action program, adult basic education program, or Neighborhood Youth Corps project could be undertaken in a State if the Governor of that State disapproved the program within 30 days of its submission to him.

The Office of Economic Opportunity, to its credit, did not urge this change. The Senate, last year, endorsed the Governor's veto provision by a vote of 80 to 7. The Governors of the 50 States—who were present at the last Governors' Conference—have, with only one dissenting vote, urged the retention of this provision in the strongest possible terms. Yet, now, by the action of a one-vote majority of the Select Subcommittee on Poverty, the Senate will consider a bill to strip from the Governors the one meaningful tool they have for preserving a strong Federal-State relationship, integrating the Federal antipoverty programs into their own State efforts, and protecting the best interests of the citizens of their States.

One liberal Democratic Governor has written me:

One crucial issue at stake here is meaningful Federal-State partnership. This partnership can survive only if the States maintain a dynamic posture with respect to their responsibilities. And such a posture requires action by the Governor as the focus of political power and administrative coordination.

Another northern Democratic Governor writes, in support of the veto:

Even though the act provides for a direct relationship between the Federal Office of Economic Opportunity and the local entities in most cases, it is highly advisable to allow the States to play some role in the organization and initiation of the Economic Opportunity Act projects.

One midwestern Republican Governor writes:

Although it has not been necessary to exercise the veto, due to the fact that our Director of the Office of Economic Opportunity works closely in an affirmative way with the local organizations in the development of programs, I do feel that the Governor's veto power is a necessary deterrent to ineffective or wasteful uses of public funds.

A western Republican Governor writes:

[My opposition to repeal of the Governor's veto] is based on the conviction that removal of this authority from the Governor of the States would remove also the opportunity for strong leadership and direction of economic opportunity programs statewide. Such action would also weaken community interest in developing programs that can be enabled by this law, and for which the Economic Opportunity Act is designed.

These comments, representatives of the positions of the overwhelming majority of Governors of both parties and all sections of the country, show why it is important to continue to give the chief executive of a State some effective leverage with respect to these parts of the poverty program.

The drive for repeal of the veto provision derives not from an objective case study of the use of the veto during the act's first year of operation. Indeed, as of July 26 the veto had been used only 4 times—once each in Florida, Alabama, Texas, and Montana—while nearly 1,500 projects were started. The Office of Economic Opportunity has not been willing to say that the Governor's veto has been an impediment to the proper functioning of the poverty program. The real motivation for repeal of the veto power comes principally from the forces that would undermine and destroy effective State government in this country, expand and strengthen the bureaucracy at the Federal level, and consolidate their own political empires through the generous application of antipoverty funds. It is my hope that the one-vote majority of the subcommittee which struck the Governor's veto from the act will be overturned by a substantial margin on the Senate floor.

2. EVEN OEO FEARS DUPLICATION IN NELSON AMENDMENT

The committee added to the bill an amendment proposed by Senator NELSON to provide work experience programs to chronically unemployed poor adults with poor employment prospects. As adopted by the committee, this new program will be included in title II–A community action programs and will cost $150 million.

The Office of Economic Opportunity did not favor the adoption of this amendment. It argued, rightfully, that the proposed Nelson amendment program would duplicate the existing title V work experience programs, which attempts to do almost exactly the same thing.

"A work experience program," according to OEO, "provides up to 100 percent

funds for projects to help unemployed parents and other needy persons gain work experience and job training interwoven with adult education toward basic literacy instruction. It is directed primarily toward jobless heads of families in which there are dependent children."

If the Nelson amendment is retained by the Congress, we will be treated to the spectacle of two nearly identical programs administered separately by the same Administrator. What is needed is not a proliferation of new programs, but a weeding out of the present multitude of programs and some sensible coordination between them.

According to OEO, it would not be necessary to make any statutory changes to accomplish all the objectives of the Nelson amendment under the existing title V of the act. If there is any doubt on this point, title V could be amended to provide that a person need not be from a family receiving aid to dependent children to qualify for the work experience training. I would have no objection to such a change. But I believe the committee erred in accepting this "gimmick" amendment, when sound policy would dictate a strengthening of existing programs instead of the creation of substantially identical programs in new places under new names.

3. A BLOW TO THE BUREAUCRATS' "RIGHT OF SECRECY"

Due to the efforts of Senator JAVITS, the committee broadened the language in H.R. 8283 providing for public access to information about the community action programs. The present form of the Javits-Reid amendment (after Republican Congressman OGDEN REID, of New York, who secured its adoption by the House) requires a community action program to provide for feasible public information, including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups, and reasonable public access to books and records of the agency or agencies in the development, conduct, and administration of the program, in accordance with procedures approved by the Director.

It is hoped that this new language will put an end to the almost neurotic secrecy practiced by officials of community action programs in some places. If a Federal program is going to come into a community and stand it on its head—as has happened in a number of cases—the citizens of that community should have a right to find out exactly what is being done, by whom, for whom, and at whose expense. The Javits-Reid amendment is a long step toward meeting this need. It deserves the support of the Senate.

4. MURPHY-PROUTY POLITICAL ACTIVITY AMENDMENT WILL CAUSE LOUD LAMENTATIONS IN BIG CITY POLITICAL CLUBHOUSES

Those who have been trying—with conspicuous success, in some cases—to subvert the antipoverty program for their own partisan political advantage will take a body blow from Congress, if it enacts the Murphy-Prouty political activities amendment, adopted by the committee.

The Murphy-Prouty amendment brings under the Hatch Act two groups of people not previously covered: Employees of private organizations conducting community action programs, whose salary is in principal part paid from Federal funds; and VISTA volunteers, including those referred to State, local, and private antipoverty agencies and those assigned to work on Federal lands and on federally supported projects.

This amendment will not affect teachers, nor will it affect employees of organizations conducting antipoverty programs, whose salaries are paid from other than Federal funds.

The whole purpose of this amendment is to prevent unscrupulous political bosses from enlisting antipoverty fieldworkers and VISTA volunteers into a battalion of partisan precinct workers.

The Hatch Act already covers the employees of State and local governments who administer programs financed by Federal funds. These provisions were added to the Hatch Act in 1940, when the idea of Federal grant programs bypassing State and local governments was still in its infancy. The passage of the Economic Opportunity Act, of all the recent Federal grant programs, introduced a new factor into the picture. Now, for the first time, persons paid from Federal funds but not directly on any public payroll are assuming the functions traditionally performed by the old-time ward bosses to help—and win the political allegiance of—the poor.

Take the man who is a neighborhood social worker for a private organization conducting a community action program. He is a resident of the neighborhood, familiar with its people and their customs. His job is to serve them—to help them press for the correction of housing violations, straighten out public assistance problems, enroll their children in special programs, solve their home economics and consumer credit problems, and get jobs and keep them. He is truly the link between the poor families of his neighborhood and the whole "outside" world of local and State agencies, schools, employment services, and host of other bodies, the workings of which often seem mysterious and incomprehensible to those at the bottom of the socioeconomic ladder.

Now, if a local politician were seeking an efficient, respected, aggressive man or woman to organize a ward, how could he do better than the local poverty fieldworker? How could he do better than persons with built-in status among the residents, persons who do the multitude of favors and services that have always been the stock in trade of the ward leader? Similarly the VISTA volunteer, immersed in service to the poverty-stricken neighborhood, is a prime candidate for recruitment by a political machine.

Nor is it merely a question of local politicians trying to recruit poverty workers into their organizations. In case after case it has been shown that local politicians are intent on placing their own trusted lieutenants in these crucial community organization positions. Once it was necessary to support ward heelers from graft and local government payrolls. Then, with the advent of this new direct Federal-local war on poverty, it became possible, indirectly, to put ward heelers on the Federal payroll as well.

The Murphy-Prouty political activity amendment will be greeted with outcries and expletives from those whose dreams of political empire must crumble before its prohibitions. But, it will be welcomed by all Americans who believe that the war on poverty is too important to perish at the hands of the political hacks who seek to subvert it for their own pernicious purposes.

5. NOW, FOR THE FIRST TIME, THE PROMISE OF AN EFFECTIVE POVERTY WATCHDOG

I applaud the action of the committee in accepting my amendment to revise, expand, and strengthen the National Advisory Council on Economic Opportunity.

Basically, there are three principal kinds of advisory groups or councils in Federal agencies.

The first is the interagency coordinating council, composed of operating agency heads or their delegates. These groups attempt to work out maximum coordination of effort when related programs are carried out by more than one agency. Section 604 of the Economic Opportunity Act entrusts this function to the Economic Opportunity Council.

The second is the in-house advisory committee, composed of persons with high professional or technical qualifications, which exists to assist the administrator in making policy decisions, issuing relations, and so forth. These are, in effect, part-time staff groups attached to the administrator of the program. Section 602(c) of the Economic Opportunity Act authorizes the Director to establish such groups "to advise him with respect to his functions under the Act."

The third is the "overview" type of advisory council, composed of knowledgeable and respected citizens, which exists to review the operation of the program and make recommendations to the Administrator, the President, and Congress for its improvement. The National Advisory Council on the Education of Disadvantaged Youth established by section 212 of title I of the Elementary and Secondary Education Act of 1965, and the Advisory Council on Vocational Education, established by section 12 of the Vocational Education Act of 1963, are examples of this type of council.

Section 605 of the Economic Opportunity Act authorized a national advisory council which at first glance resembles this third kind of advisory council. It is charged, "upon request of the Director," with reviewing the operations and activities of the Office and making such recommendations to the Director as are appropriate.

Upon close inspection, however, it became obvious that this Council as originally created could not possibly fulfill the true function of an independent, conscientious overview of the war on poverty program.

Unlike advisory councils established by other acts for this purpose, this group was by statute "in the Office" of Economic Opportunity—and thus not an independent body.

Unlike the other councils, this Council had as its Chairman, by statute, the Director of the Office of Economic Opportunity—the very person whose activities the Council was supposed to review.

This Council could meet only at the request of its Chairman, the Director of OEO.

There were no provisions for any investigatory, clerical, or secretarial assistance. The Director-Chairman could provide as much or as little as he saw fit. Unfortunately, the bureaucrat probably has not yet lived who is eager to allocate staff and resources to a body charged with making a thorough and independent review of his activties.

The Council, unlike every other council I have been able to discover, was not responsible for making a report of its findings and recommendations to anyone but the Director of OEO, who was under no obligation whatsoever to make any such report available to the Congress or the American people.

In view of these rather singular facts, it is natural to raise the question: What does this so-called advisory council do? If the minutes of the Council's only two meetings to date are indicative, the answer is little more than fun and games.

The first meeting, on February 3, 1965, seems to have been a question-and-answer session, with various OEO functionaries helping to get the Council members squared away. Mr. Olivarez, of Phoenix, for example, was advised that noncitizens could participate in adult basic education programs. One Mr. Gilgoff, of OEO, announced that its research, program planning, and evaluation group was developing "an index of poverty oriented toward people," whatever that may be. When it became apparent that the full agenda could not be covered, Mr. Shriver said he would call another meeting in 30 days. "This suggestion," we are advised, "met with an enthusiastic response." This meeting culminated with a White House tea with Mrs. Johnson.

What is the Director-Chairman's view of the function of this "Advisory Council?" According to the minutes of the first meeting, Mr. Shriver indicated that one of the most meaningful jobs the Council could undertake would be to interpret and explain the war on poverty program to the American people. The Council was asked to keep OEO informed of any major criticism of the program which crossed their [sic] paths. At the second meeting, the minutes tell us:

Mrs. Robert S. McNamara asked what the members of the Council can best do to help. Mr. Shriver pointed out the most important things are to help get "the word" around the country, to take an interest in specific parts of the program, and to generate new ideas.

What does all this mean? It means that this impotent Council is little more than a public relations transmission belt designed to propagate the opinions of the Director of OEO and his associates.

Enactment of the new language adopted by the committee will, I hope, pave the way to the establishment of a new Council which is designed to conscientiously fulfill its overview functions.

The new Council will be an independent body of distinguished citizens representative of the general public and of appropriate fields of endeavor related to the antipoverty program.

The President is directed to appoint 21 members to the Council during 1965, with the Director of OEO as an additional member ex officio. The membership of the Council was increased from 15 to 21 (plus the Director) to comply with the administration's request for a larger and presumably more representative body.

The new Council, no longer "in the Office" of Economic Opportunity, is charged with reviewing the administration and operation of programs under the act, evaluating their effectiveness in furthering the purposes of the act, and making recommendations for the improvement of such programs, administration, and operation. The intent of these provisions is that the new Council should provide a conscientious, critical overview of the entire antipoverty program to insure that every dollar spent makes a maximum contribution toward reducing poverty in the Nation, and that the administration of the war on poverty is continued on a sound, effective, efficient basis.

In the hope of guaranteeing a truly independent Council, it is required that the Chairman not be a regular, full-time employee of the Federal Government. The Council is required to meet at least twice a year, and to make an annual report to the President for transmittal to Congress. Statutory provisions for staff assistance follow those of the Advisory Council on Social Security Financing, established by the Social Security Amendments of 1956, and replicated in several other acts since.

But it should be emphasized that the mere revision of this Council, salutary as it is, will mean little unless the President appoints to it persons genuinely interested in carrying on a conscientious, independent review of the whole poverty program. In looking over the biographies of the present 12 appointees, one looks in vain for any person known to be publicly critical of the war on poverty program and its administration. I hope that President Johnson, who will presumably reappoint the present Council members to the new group, will also appoint nine new members of equal distinction who will make the Council truly representative of all the American people, not just those who are enthusiastic supporters of the administration's antipoverty program.

6. HOLDING THE LINE ON BUREAUCRATIC APPETITES

The pecuniary progress of the war on poverty can be seen by a table which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Pecuniary progress of the war on poverty

[Dollars in millions]

	Authorized for fiscal year 1965	Appropriated for fiscal year 1965		Fiscal year 1966 authorization, H. R. 8283		
				Senate		House
		Amount	Percent	Amount	Percent	
Title I	$412.5	$371.5	100.0	$535	100.0	$825
I-A		183.0	49.3	235	44.0	
I-B		132.5	35.7	240	44.9	
I-C		56.0	15.0	60	11.1	
Title II	340.0	259.1	100.0	880	100.0	680
II-A		240.1	92.9	700	79.3	
II-B		19.0	7.1	30	3.4	
Nelson amendment				150	17.3	(?)
Title III	35.0	40.7	100.0	55	100.0	70
III-A		25.7	63.1	35	63.6	
III-B		15.0	36.9	20	36.4	
Title V	150.0	112.0	100.0	150	100.0	300
Title VI	10.0	9.7	100.0	30	100.0	20
Administration		6.5	67.0	10	33.3	
VISTA		3.2	33.0	20	66.7	
Total	947.5	793.0		1,650		1,895

Mr. PROUTY. The figures given for the Senate version of H.R. 8283, fiscal year 1966 authorization, are those figures originally requested by the President, plus the $150 million of the Nelson amendment. The administration requested that the committee substitute these figures for the higher figures authorized by the House. Given this choice, I was delighted for once to comply.

Because the program did not actually get underway in any meaningful sense until October of 1964, the fiscal year 1965 appropriation figures are substantially less than the amounts authorized. This is an unusual situation brought about by a program beginning a quarter of the way into a new fiscal year and will not be repeated henceforth. Thus in gaging the progress of the program it is necessary to compare the equivalent full-year authorization figures.

The first obvious fact is that the House blindly doubled all the fiscal year 1965

authorizations, unmindful of the wishes of OEO itself, which presumably is worried about the prospect of spending the extra money profitably. This fuzzy headed doubling of funds suggests an arbitrary action unrelated to the actual merits of the various programs supposedly reviewed.

By the same token it is not wise to slash funds across the board. Some of the programs under the war on poverty heading have been noncontroversial and reasonably well administered. If these programs are producing efficiently, it makes little sense to make them suffer for the sins of other programs lumped together in the same package.

There can be little doubt that the two chief offenders in this antipoverty grab bag have been the Job Corps and the community action programs. Some of the fantastic happenings in these two programs have been noted earlier during the course of my remarks, and in the news media over the past year. Although some of the other programs may have questionable merit as effective remedies for the causes of poverty, and one of them—VISTA—is still scarcely off the ground, on balance a reasonable man could accept the figures proposed by the administration in these areas.

But when we come to the Job Corps and community action, a long look is in order. The proposed fiscal year 1966 Job Corps authorization represents a 30-percent increase over the fiscal year 1965 authorization and a 44-percent increase in new obligational authority, if the full appropriation is granted. It is not clear in my mind that the Job Corps deserves a 30-percent increase, in view of the rather astonishing record it has made so far; but I am willing to give in the benefit of the doubt for 1 more year.

Community action is another thing. The Nelson amendment, first of all, was not asked for by the administration. In fact, when the House proposed to add an identical $150 million to the title V authorization, to be spent for precisely the same purposes as the Nelson amendment program, the administration asked our committee to restore the original figure. Only later, when it was apparent that the committee would accept the Nelson amendment anyway, did OEO relent by including the additional $150 million in its request. This amount of money should be pruned from the bill.

As for community action programs proper—title II-A—the new fiscal year 1966 authorization represents an increase of 106 percent over the corresponding fiscal year 1965 figures. By no stretch of the fevered liberal imagination can this drastic increase in title II-A funds be welcomed. There is only one way for Congress to force a Federal bureaucracy to tighten up its administrative practices and improve the operation of a poorly run program—starve it. An overfed bureaucrat is a sloppy bureaucrat. A bureaucrat worried about the next feeding of his pet program is a bureaucrat who will try to make his program look good when the gravy train rolls in.

The Job Corps, with all its amazing spectacles, is in line for a 30-percent increase. There is no reason why community action programs—valuable as they may well be in principle—should get any more of a boost, let alone a raise of 114 percent. A more reasonable bill would drop the $150 million for the Nelson amendment and authorize $442 million for title II, approximately 4 percent of which would go to adult basic education. This would make the overall authorization of the bill $1,212 million, more reasonable than the $1,650 million proposed by the committee and vastly more reasonable than the $1,895 million proposed by the big spenders in the House.

SENATOR PROUTY'S RECOMMENDATIONS FOR H.R. 8283

Now that H.R. 8283 has come before the Senate, the following amendments should be adopted:

First. An amendment to restore to the Governors of the 50 States the authority they now possess to veto Neighborhood Youth Corps, community action, and adult basic education programs when the operation of specific programs promises to be inimical to the best interests of the people of their States.

Second. An amendment to delete the Nelson amendment and its authorization.

Third. An amendment to permit no greater than a 30-percent increase in the community action program authorization—as a warning to all those involved that Congress expects these programs to be run right before it will double the funds.

Fourth. An amendment to transfer the actual authority and responsiiblity for six programs—Neighborhood Youth Corps, college work study, adult basic education, rural loans, small business loans, and work experience—to the respective agencies by which those programs are presently administered.

SENATOR PROUTY'S FURTHER RECOMMENDATIONS FOR ATTACKING THE CAUSES OF POVERTY

In addition, Mr. President, other problems are involved in the question of poverty. One of the first things Congress should do is to enact either the Ribicoff-Dominick or the Prouty tax credit plan to aid students to stay in and graduate from college.

The Ribicoff-Dominick bill (S. 12) permits a taxpayer to take a tax credit toward the amount spent by him for college tuition, fees, books, supplies, and equipment, according to the following sliding scale: 75 percent of the first $200 of tuition, and so forth; 25 percent of the next $300; 10 percent of the next $1,000; to a maximum of $325 when the allowable expenses equal or exceed $1,500.

Under S. 12 a taxpayer with an adjusted gross income greater than $25,000 would have the maximum amount of credit reduced by 1 percent of such income in excess of $25,000, until at $57,000 income no credit could be claimed.

My bill (S. 2023) differs in three ways from S. 12. The sliding scale is modified to afford relatively more assistance to taxpayers supporting students in public colleges and universities, as follows: 100 percent of the first $200 of tuition, and so forth; 10 percent of the next $300; 5 percent of the next $100; to a maximum of $280 when the allowable expenses equal or exceed $1,500.

Under S. 2023 taxpayers with an adjusted gross income greater than $10,000 would have the maximum amount of credit reduced by 2 percent of such income in excess of $10,000, until at $24,000 income no credit could be claimed. In addition, S. 2023 differs from S. 12 in that it provides for an absolute tax credit of up to $100, available to an otherwise qualified person whose tax liability is too low to permit him to take full advantage of the tax credit provision.

We should give serious consideration to enacting my College Student Tax Relief Act of 1965 (S. 1486), currently cosponsored by 26 other Republican Senators. This measure, which was defeated on a 47-to-47 tie vote in the Senate last year, would permit working college students to claim tax deductions of up to $1,200—$1,500 for graduate students—toward the student's expenditures for tuition, fees, books, supplies, and equipment.

Serious consideration should be given to the enactment of Senate bill 1130, which I have introduced and which I refer to as the Human Investment Act of 1965. It would permit employers to get a 7 percent tax credit for their investment in training programs to provide necessary job skills to potential employees and to upgrade the job skills of present employees.

The existing State-Federal vocational rehabilitation program, which has proven its merit in taking men and women off the relief rolls and getting them back into productive work, should be expanded.

I recommend that my proposal for the forgiveness of national defense education loans for persons who choose to teach in property impacted areas be enacted during this session of Congress. This provision is currently included in the Senate committee version of S. 600, the Higher Education Act of 1965.

I hope that sometime in the near future my proposal to provide substantial increases in monthly benefits to social security recipients, with the minimum increase from $40 a month to $70 a month, will be enacted.

My proposal to blanket in under social security every American over the age of 70, whether or not he has been covered by social security during his working days, should be enacted.

I suggest that my proposal to permit older workers to earn up to $3,000 a year without losing any monthly benefits under social security should merit the consideration of Congress.

I feel that we should vigorously implement those provisions of the Civil Rights Act of 1964 which seek to guarantee to every American the opportunity to hold any job for which he is qualified, regardless of his race, creed, or color.

Likewise, I believe legislation should be enacted to guarantee that all Americans shall have the right to join the labor union of their choice and to take

advantage of its benefits without regard to race, creed, or color.

I believe that Congress should enact my bill to aid the States in the early detection of phenylketonuria—PKU—which if untreated leads to serious mental retardation of children, and an associated economic burden on the child's parents and the State.

Mr. President, top priority in the antipoverty program should be given to ways of combating the serious problem of poverty among the aged, the handicapped, and families headed by women.

I believe that we must recognize and come to grips with the problem of designing and implementing antipoverty community action programs in rural areas, where such programs are more difficult to organize than in large cities.

In its first year of operation the war on poverty has had both successes and failures. Its successes we applaud; its failures give us concern. With the passage of the amendments presently included in H.R. 8283, with the notable exception of the repeal of the Governors' veto, the legislative framework for the war on poverty will be essentially complete. The future progress of this great effort now lies in the hands of those who must administer it.

Despite my strong objection to the repeal of the veto provision, I presently intend to continue my support of the antipoverty program by voting for this bill, barring unwise changes in the Senate floor. But in so doing, I serve notice to those responsible for the bungling and blundering of the past 9 months: my support, and the support of many other Members of Congress who sincerely hope that the dollars we vote here will gnaw effectively at the deep and tenacious roots of poverty in America, will come to an end unless certain parts of this program begin to shape up—and fast. To risk political attacks at home for my support of a well-conceived, smoothly run Federal antipoverty program is one thing; to be forced to defend my support of a poorly planned, chaotic, wasteful, and defectively administered program is quite another. I sincerely hope that by this time next year, if not far sooner, the latter possibility will have substantially receded in likelihood.

Mr. JAVITS. Mr. President, I wish to say a word tonight about the Economic Opportunity Act, the amendment to which will be up for votes tomorrow, and the responsibility which we have in enacting this measure.

Let me emphasize first that I am a friend of the program from its very inception. I believe the war on poverty was long overdue. I can only say about the title of the program that I wish we had thought of it first. It is quite proper. We should have a war on poverty in this country. But I do not believe we should bedazzle—it is a clever slogan and can be so used in political terms—the American people, or those who are poor, into forgetting the great dangers inherent in the program, the tremendous waste for which it could be a coverall, the powerful political machines it could feed, the way it could affect politics on the municipal level. It would be a shocking tragedy if we, in our responsibility to avoid all these dangers, were to let them become so serious as to blacken the name of the program in the eyes of the American people and cause it to be abandoned, with all the frustration and despair which that would engender.

It is therefore my view that the Senate would be very well advised to pay sympathetic attention to the amendments which the committee has written into the bill. There are a number of very good ones. I am very proud that the minority, from a constructive standpoint, was responsible for a number of those amendments. The Senate should also give sympathetic attention to amendments which members of the minority will be proposing on the floor.

I very much hope that the majority, which has the votes and therefore the power in this body to ride over any amendments proposed by the minority members, will look with understanding on those amendments, recognizing that the adoption of some of them may very well be indispensable to protecting and safeguarding the program from what I have just outlined as its greatest dangers. Doing so may save the program from a reaction which, if strong enough on the part of the people—notwithstanding the heavy voting strength on the majority side—might cause the program to be eliminated.

I shall have something to say tomorrow about the terribly tragic Los Angeles riots. They are evidence of what people like myself have instinctively felt were involved when we have had before us civil rights bills, antipoverty programs, and similar matters. That is, unbelievable strains, which are almost impossible to sustain in terms of orderly society, are imposed on people who are in such despair that they feel, "What difference does it make what happens in the community? To us the situation is so desperate as to offer no hope or alternative, anyway." As I have said, I shall deal in more detail with that subject tomorrow.

For the moment, I call attention to the fact that in committee we have written into the bill a strong effort to provide that individual private nonprofit organizations, which feel that they have been overlooked or bypassed in community-action programs by citywide "umbrella" organizations, may turn to the Director as a sort of final court of appeals before whom they can make their case. I refer to section 16, amending section 209 (e) of the act. It is an amendment I had the honor to offer.

I call attention also to an amendment offered by the Senator from Vermont [Mr. PROUTY], which he described in his very interesting address, making the National Advisory Council under the act really meaningful.

I call attention also to a very important amendment, sponsored by the Senator from California [Mr. MURPHY] and the Senator from Vermont [Mr. PROUTY], with respect to the possibility of political manipulation, which extends the political activity restrictions of the Hatch Act, now applicable only to State and local officials operating under the act, also to private persons whose salaries are paid predominantly by the Federal funds under the Antipoverty Act.

The Senator from Arizona [Mr. FANNIN] offered an amendment specifically including consumer education, which is a crucial lack among the poor, in the list of areas which community action programs are encouraged to cover.

I call attention to another amendment which I had the honor to propose, under which the public is given a greater degree of information on the local level than the House provided. It is found in section 9 of the bill amending section 202(a)(5) of the act. It permits public hearings at the request of appropriate local community groups, as well as opening books and records of a participating agency to the light of day of the press, radio, television, and other agencies of public information, which can zero in on what is being done in the programs. This is the best cathartic I know of to deal with excesses and inequities.

Another amendment which I had the honor to offer calls for continuous consultation with State antipoverty agencies at every stage of the planning and conduct of community action programs, and is to be found in section 14 of the bill amending section 209(a) of the act. Too often, the office in Washington has announced approval of programs which the States have not seen before, this is clearly unreasonable in those States which are fully cooperating in the antipoverty effort.

We have not at all done what we ought to do about the right of a Governor to veto a proposed program. I feel that we made a great mistake in wiping out altogether the provision for a Governor's veto. It was done by a close vote in the committee; the vote was 8 to 7. We should have left in the bill an effective procedure, under a modified version of the House provision. A Governor should be given the opportunity to express his disapproval, as he has every right to do. If the Director wishes to override him, there should be a public hearing, which would put the Director of OEO in Washington to his proof. In short, the Governor should not be permitted to kill a program, but neither should his disapproval stand if the Director, in the court of public opinion, can prove his case.

That subject will probably be the most serious one we shall have to deal with tomorrow and the next day in considering additional amendments with respect to this legislation.

My colleagues, who also proceeded on such amendments in the committee, will be offering cuts in the authorizations of funds. Whether or not I favor such cuts, I believe the Senate should give them serious attention, because it is true we must not be profligate if there is no opportunity to retain control over the program.

In addition, there are other amendments with which we shall have to deal.

Finally, as I announced last week during consideration of the conference report on the Peace Corps, it is my intention to offer an amendment—and this will be my final effort in this regard—to confine the Director of the antipoverty program, Sargent Shriver, to one job,

namely, his direction of the antipoverty program. I feel that this subject should not be labored unduly, but I feel we must decide it in respect of how we want this poverty program to operate.

Senators should bear in mind, if we get into a discussion—and there are many openings for one—in which it is found that the administration of the program was at fault, that we should understand that we had an opportunity to correct the situation, and that we either did or did not do it in an advised way. I have grave concern as to the propriety and wisdom of continuing to let Sargent Shriver—an excellent public servant—carry both jobs. I deeply feel that it will result in a serious diminution of capability in bringing about success in both jobs—and most likely it will be felt most in the antipoverty program.

I therefore hope very much that the Senate will express itself firmly and finally on that subject. I shall be prepared to argue the question of constitutionality of such action taken by the Senate, as I believe it is entirely constitutional and entirely in accordance with the powers and authority of the Senate—indeed, its duty—in this matter.

I look forward, therefore, to disposition of the amendments and the bill in the spirit which I have described, the spirit of being very much for the war on poverty, and of understanding the pitfalls which are involved and therefore endeavoring, by every means open to us, to avoid them.

ATTACK ON REPRESENTATIVE MENDEL RIVERS, OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, earlier in the day, a Member of this body launched an unbridled attack on the distinguished chairman of the House Armed Services Committee, the Honorable MENDEL RIVERS, Representative of the First Congressional District of South Carolina. The subject of the attack on Representative RIVERS was a report of a speech made by him in Hartford, Conn., on August 11, 1965. Representative RIVERS was quoted as saying: "I will insist on victory in Vietnam. Anything short of that would be treasonable." He is further reported to have stated "that Americans must be prepared to make the decision to attack Mao Tse-tung's homeland if Mao's forces start moving." The Representative asked rhetorically: "Should we use our atomic power to wipe out Red China's atomic capabilities?" He then stated, "We must get ready to do this very thing if we want to stop Red China."

These remarks were characterized on the Senate floor as "so un-American as to be abhorrent."

Mr. President, neither the distinguished chairman of the House Armed Services Committee nor his remarks need defense by me. Representative RIVERS has long years of experience in the field of military affairs from his dedicated service on the House Armed Services Committee. I should like to point out that his independent and objective views have caused confrontation with far more experienced officials, including even the Secretary of Defense. I should also like to point out, however, that the distinguished chairman has been dealing with military affairs firsthand, and from a responsible position, far longer than the Secretary of Defense, not to mention his johnny-come-lately critics.

In the final analysis, the American people must judge what is and what is not un-American. The President has stated categorically that we are engaged in a war in Vietnam. Representative RIVERS states that anything short of victory in this war would be treason, and his other remarks merely expressed the hard realities of what may be necessary to achieve that victory. I am sure that Representative RIVERS is satisfied, as I am, to leave it to the judgment of the American people as to which is un-American—victory in the war, or appeasement of the enemy.

SUPPORT FOR U.S. MERCHANT MARINE

Mr. BREWSTER. Mr. President, as a friend of the American merchant marine, I am extremely interested in the work of the Presidential Task Force on Merchant Marine Policy, which is headed by Alan S. Boyd, Assistant Secretary of Commerce.

All the reports which have come to my attention indicate that this task force is conducting a most thorough investigation of the many and complex aspects of merchant marine policy. All of us who are concerned with this vital area await its recommendations.

This past weekend, I submitted to the task force an outline of my own views on U.S. merchant marine policy. Representing as I do the great State of Maryland, which contains the second leading port in the Nation, Baltimore, I have gained some experience in the problems of the maritime industry. This experience has led me to certain conclusions about our merchant marine policy. I submitted these conclusions to the Presidential Task Force for their consideration. I would like to review these policy suggestions in the Senate today.

Before I make any suggestions about the U.S. merchant marine policy, however, I would like to discuss briefly some of the reasons why I believe that a vigorous and progressive policy is necessary.

The declaration of policy of the Merchant Marine Act of 1936 set forth the objectives of the Congress. Since these objectives have since been obscured and, in some instances, ignored, I would like to quote from this declaration of policy:

> It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine (a) sufficient to carry its domestic waterborne commerce and substantial portion of the waterborne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign waterborne commerce at all times; (b) capable of serving as a naval and military auxiliary in time of war or national emergency; (c) owned and operated under the United States insofar as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel.
>
> It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

I believe that these are worthy objectives. From the point of view of national defense, there is no question that a large and efficient merchant marine, coupled with a healthy shipbuilding and ship repair industry, can make a major contribution to our national security. Vessels are needed for troop transport: The entire First Cavalry Division embarked for Vietnam last week by ship. They are needed for supply functions as well. Some 600 ships were required to supply American troops in Korea, and the present situation in southeast Asia has demonstrated the continuing need for such vessels. The shipyards, both naval and private, must also be ready, to activate and repair vessels for service in the national defense. The conclusion of the Harvard Business School study for the Navy Department in 1945 still holds true today:

> The controlling factor in the determination of the characteristics of shipping and shipbuilding activities in the United States in peacetime as well as in wartime is the national security.

The value to U.S. commerce of a healthy merchant marine is equally clear. There will be gains in employment, in returns to the American economy, and in reliability if "a substantial part" of our commerce is carried in U.S. bottoms. This is particularly important in light of persistent balance-of-payments difficulties. Yet today only 9 percent of our foreign commerce moves in American-flag vessels. Norwegian carriers transport twice as much of the American foreign trade as U.S. flagships; Liberia carries three times as much as we do. And even from this poor position, we are losing ground.

These concerns become all the more urgent in view of the rapid buildup of the fleets of other nations, most especially of the Soviet Union. The United States ranks only fourth in the world in number of ships afloat, even discounting the disastrous effects of the current maritime strike. The Soviet Union has already surpassed us in number of ships in the active fleet, and may shortly exceed us in total tonnage afloat.

While nations like Japan and Norway are engaged in determined efforts to build up their fleets, we are falling farther and farther behind. We now rank no higher than 11th among shipbuilding nations of the world. The United States—the leading trading nation in the world—risks becoming low man on the totem pole of international shipping.

The need, then, is clear. My suggestions fall into four general classifications.

First. Probably most important is the matter of subsidies. The Government pays out nearly $400 million a year in direct and indirect subsidies to the shipping and shipbuilding industries.

Under normal circumstances, a nation whose economy is based upon free enterprise regards a subsidy system as alien

and undesirable. It seems to me, however, that there are certain goals—the ones enumerated in the 1936 act—which can be achieved only through the maintenance of a healthy American shipping and shipbuilding industry. Due to several factors, notably the high standard of living of American workmen, these goals simply cannot be met without Government subsidy. It is for this reason that, although I sympathize with those who dislike the general principle of Government subsidy, I feel that certain forms of subsidy are essential in this case.

Construction subsidies are an important means of insuring the adequacy of the merchant marine and of the shipyards. It seems to me to be advisable to continue the present system of construction differential subsidies to the liner fleet. The U.S. liner fleet is the finest in the world, due in large part to the Government aid program—80 percent of the 20-knot cargo liner vessels in the world have been built and operated in the United States. This part of the program should continue, with up to 55 percent of the construction cost being paid by the Federal Government.

The first Subcommittee of the Maritime Advisory Committee, after long and careful study of U.S. needs, has concluded that a bulk carrier construction aid program is desirable. This has long been my position.

Given the requirement that ships be built in the United States, we must recognize that this country will never acquire an efficient bulk carrier fleet without Government subsidy. And it is most certainly in the national interest that such a fleet of dry bulk carriers be developed.

According to the analysis made by the Presidential Task Force, the average cost of each bulk carrier would be $11 million, approximately half of it to be paid by the Government. A fleet of 250 vessels, to be built by 1985, has been suggested.

Such a program would add $169 million to the annual subsidy of nearly $400 million, at the outset, for a total expenditure of approximately $570 million.

I do not believe that this is too large a price to pay for the development of a bulk carrier fleet, which can be of inestimable value to this country in the future. Moreover, as the Maritime Advisory Subcommittee has pointed out:

> Much of the cost will be recouped by the Government through additional revenues.

A substantial portion of every dollar of subsidy will return to the Government in the form of income or corporation tax.

I would not presume to give detailed advice as to the number and design of such vessels, of course. But I believe that subsidy for such construction would be highly appropriate. It would undoubedly prove to be one of the best investments that this Government could make.

It might prove necessary, once the contruction of the new dry bulk carriers is completed, to grant an operating subsidy to this segment of the fleet as well. I would propose, however, that no such action be undertaken until a detailed study of the requirements had been completed. With the modernization of the fleet and the continuation of the cargo preference assistance, the dry bulk carriers might well prove to be self-supporting.

I have already cosponsored in the Senate a bill S. 1858, which would allow the creation of tax-free reserve funds for the construction of new vessels. The enactment of such a proposal would provide construction assistance to the other nonsubsidized shippers. The continuation of present trade-in procedures is also to be recommended. Taken together, this construction assistance for liners, dry bulk carriers, and others would provide a well-rounded program of modernization of the U.S. cargo fleet.

Another important area in which Government assistance is given is that of operating subsidies. Due to the high standard of living of American seamen, there appears to be no alternative to continued operating subsidies, if we are to continue to hire American crews and operate vessels under the American flag. These subsidies must therefore be continued.

It may be noted, however, that a significant increase in construction subsidies, such as I have urged, would produce a much more modern and efficient American fleet. This in turn would reduce the amount of operating subsidy needed.

Second. Another area in which the Government can be of great assistance in promoting a healthy merchant marine is the policy of cargo preference. Public Law 664, enacted in 1954, provides that at least 50 percent of U.S. Government-generated cargo shall be carried in American flag vessels, if such vessels are available at "fair and reasonable rates." Public Resolution 17, enacted in 1934, declares that all agricultural products financed by U.S. loans shall be delivered in U.S. vessels, if they are available. In addition, all military cargoes must be shipped on American flag ships.

Three years ago, the late President Kennedy reaffirmed the importance of this cargo preference, stating in particular that the 50 percent requirement "is a minimum, and it shall be the objective of each agency to ship a maximum of such cargoes on U.S. flag vessels."

Despite this explicit Presidential order, there have been numerous occasions on which the requirement has not been met.

Rather than detail the instances, I would merely cite the 1962 report of the Commerce Committee on this subject:

> All too often, the committee has felt, there has been evidenced in at least several of the administrative departments an apparent desire on the part of those responsible for shipping arrangements to evade the cargo preference requirement whenever opportunity offered.

Close congressional supervision has resulted in some improvement of the situation since then, but American cargo shipping is still in a weak and rapidly deteriorating condition. The temptation for Government agencies to ship in foreign bottoms at lower rates still appears to be strong.

I, therefore, feel that a reaffirmation and extension of the cargo preference policy would be appropriate. The U.S. merchant marine cannot remain healthy without substantial amounts of cargo. The U.S. Government, which is the immediate beneficiary of a strong merchant marine in time of emergency, should be the first to give the American shippers that cargo. I, therefore, propose that 75 percent of this Government's cargo be shipped in American bottoms. I have respectfully urged the task force to make such a recommendation.

In addition, of course, I believe that the Congress should continue to oversee carefully the administration of the cargo preference laws. As a member of the Merchant Marine and Fisheries Subcommittee, I will do my utmost to see that all Government agencies comply with these regulations whenever practicable.

The first subcommittee of the Maritime Advisory Committee made a recommendation that not less than 30 percent of all petroleum and petroleum products imported into the United States be carried by U.S.-flag tankers, where they are available.

I agree with the subcommittee that such a regulation would not be unduly harsh on petroleum importers, and that it might aid significantly in restoring our tanker fleet to some semblance of strength. At present, American flagships carry only 2.3 percent of the petroleum imports of this country. Surely we can, and should, do much better than that.

In general, I feel that the Government should expand and intensify its efforts to promote shipping in American bottoms. Some of these efforts can be direct: Through an expanded and strictly enforced cargo preference program—the cost of which may be reduced as increasing modernization brings American shipping rates into line with foreign rates.

Other efforts can be indirect: The Maritime Administration's continuing promotion, "for trade or trips, American ships" is an example. Such a dual program, efficiently administered, would greatly strengthen the American merchant marine.

Third. The next general area of maritime policy which I feel deserves attention is labor-management relations. As I told a Senate subcommittee, the labor situation has been chaotic in recent years. I strongly feel that something must be done about this deplorable situation—operating as far as possible within the framework of free collective bargaining.

I concur heartily with what Secretary of Commerce Connor said at the Merchant Marine Academy last week:

> In our system of free, competitive enterprise, I would prefer to see a diminishing Government role and an expanding private rol in the maritime industry. But so long as the Government is involved—so long, for instance, as the Government is called upon to pay 72 cents or more of every dollar in wages aboard subsidized ships—the voice of the Government must and will be heard.

When the Government and the taxpayers of this country have as big a stake in the maritime industry as they do—to the extent of nearly $400 million

annually—they have a right to expect some stability in labor-management relations, and some continuity in the service for which they are paying a large part of the bills.

I believe that the Government should require a no-strike clause in the labor contracts of all construction and operation which it subsidizes. Only in this manner can some continuity of service be insured.

I would like to make it clear that I am not proposing compulsory arbitration of collective bargaining issues. When a contract comes up for negotiation, there should be free and unimpaired collective bargaining, aided perhaps by Federal mediation if such mediation would assist in preventing a work stoppage.

But once a contract has been agreed upon, issues which arise during the life of the contract should be settled by arbitration—not by strike or by lockout. And I respectfully submit that the Federal Government should make this a prerequisite of any construction or operating subsidy.

Fourth. Lastly, I offer several recommendations which bear on the Government's policies toward the private shipyards of the Nation. I think it should be the general objective of the Government to encourage the growth and continued health of the private shipyards.

This can be accomplished in several ways. I would oppose a total ban on the purchase of any vessels abroad, but I believe that no such purchases in foreign shipyards should be made without careful consultation with the Congress. Twice during the past year, such purchases have been suggested. The general rule—to be reached only under exceptional circumstances—should be that no work which could be done in American yards, thereby fostering a substantial American construction and repair capacity, should be given to foreign yards.

This rule should apply to Defense Department contracts as well as those of the other agencies. Moreover, the requirement that subsidized ships be built in U.S. yards is reasonable and very much in line with the 1936 declaration of policy.

The Defense Department can aid the maintenance of a strong private shipyard industry in another way: By guaranteeing a substantial portion of the naval repair and conversion work to the private yards. The 65/35 provision formerly included in the annual Department of Defense appropriation would be an effective means of guaranteeing a minimum of 35 percent of such work to private yards.

The proposals which I have made would not be without cost to the Federal Government. If adopted, they might raise the present total annual maritime expenditure substantially. But a nation which can afford $5.2 billion for space, it seems to me, can also afford to spend sufficient funds to insure an adequate merchant marine.

And it would be short-sighted indeed to assume that funds spent to assist the maintenance of our merchant marine are funds lost. Not only will they produce an effective and efficient merchant marine for wartime and peacetime activity, not only will they save the United States substantial amounts of dollars on her international balance of payments, not only will they provide jobs for American seamen and shipyard workers, but they will be paid back to the Government, in large part, in the form of taxes. Thus the additional spending which would be entailed would represent a relatively small but very important investment—one of the best investments, in my judgment, which the Government could make.

In summary, my proposals would involve additional subsidies, increased cargo preference, provisions for labor peace, and placing of work in American shipyards. The cost would not be prohibitive; the results, I believe, would be of great advantage to this Nation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BREWSTER. I am very happy to yield to the distinguished senior Senator from Oregon.

Mr. MORSE. Mr. President, I commend the Senator from Maryland for the speech he is making. I associate myself with his speech.

I tell the Senator that, as in years gone by, he can find me on exactly the same side that the senior Senator from Maryland is taking.

I believe that the senior Senator from Maryland is unanswerably right, and that the speech he is making is needed. I hope that the Navy and the Defense Department and the White House will take note of his remarks.

Mr. BREWSTER. Mr. President, I thank my distinguished colleague. I appreciate the fact that he joins with me and lends his great prestige to the point of view that I am now raising and that he has so long espoused.

VIETNAM—FORMER SENATOR GOLDWATER'S COLUMN

Mr. MORSE. Mr. President, a column written by a former Member of this body, Barry Goldwater—I believe that most of us still remember him—was published in the New York Herald Tribune for August 15 and in other newspapers which publish Mr. Goldwater's column. While it is highly critical of me, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SCREWBALL IDEAS

(By Barry Goldwater)

Senator WAYNE MORSE, of Oregon, suggests that there is a rising demand among the American people to impeach President Johnson. He made this astounding announcement recently in the Senate.

Senator MORSE, who is noted for going to any lengths to make a point in favor of his own position, claimed that this is due to the administration's Vietnam policy, which he opposes.

"In my trip across the country," the Oregon Democrat told his colleagues on August 3, "I have been alarmed by the rising denuciation of the President and his administration for their Vietnam policy.

"I have heard the word 'impeach' used more often in the last week than I have heard it since President Truman sacked General MacArthur.

"I have been asked by more people than I would have thought possible if there is not grounds for impeachment of the President, and how the process can be set in motion. I have been advised about petitions that have been circulated and hundreds of people are signing asking for the President's impeachment," he stated.

"Much of this talk stems from objections to a war being undertaken without congressional declaration. Most of these people see the President as waging an executive war in violation of the Constitution. They think the impeachment clauses of the Constitution must apply to such a case."

Senator MORSE accused President Johnson in the same speech of conducting an illegal war in Vietnam. He added:

"In my judgment, we cannot justify the homicides for which the President or Rusk or McNamara or Bundy or Lodge and the rest of them are responsible in conducting an unconstitutional war in South Vietnam."

These statements, coming from a Democrat, raise some interesting questions.

One wonders just who Senator MORSE talked to during his trip across the country.

Since all the public opinion polls show the American people overwhelmingly support the President's policy in Vietnam, it must be concluded that the Senator spent his time consulting the intellectual extremists who keep suggesting that the President is "out of control" because he has decided to stand firm against Communist aggression in Asia. It is safe to assume that most Americans never heard the suggestion of impeachment until Senator MORSE cut loose.

What did he expect to accomplish by his remarkable statement?

He carefully says that he was "alarmed" by what he heard. But it is important to note that his concern did not prevent him from giving the widest possible circulation to a ridiculous suggestion of removing the President.

Senator MORSE also coupled his comments with a demand that the administration give heed to congressional critics of its Vietnam policy and that the Congress remain in session so that the stream of criticism can continue for the remainder of the year.

Senator MORSE should pause to consider why people with such an outlandish idea as impeachment of the President should seek him out for questioning. Such charges as one accusing administration officials of homicide make him the logical repository for screwball ideas.

This certainly should be the source of his concern. It proves beyond any doubt that the far-left critics of President Johnson's foreign policy have become irrational in their objections and that they are running far beyond the bounds of intelligent debate. They are certainly "out of control."

Mr. MORSE. Mr. President, I could not find a better recommendation for my position on any issue than to discover that Goldwater is against it. The reason why he made such little imprint on American public opinion in 1964 is well illustrated by the tactics to which he resorted in publishing this article.

I should like to suggest to Mr. Goldwater that he give instructions to his ghost writers at least to tell the whole story. However, we do not expect that from Mr. Goldwater and his ghost writers.

Mr. President, the column takes great exception because I pointed out in the Senate that there are those in this country who seek to resort to impeachment proceedings against the President of the United States because of his undeclared,

unconstitutional, and illegal war in southeast Asia. But, there is not a word in the Goldwater distortions to show that I made perfectly clear that I completely disagree with the position taken by those talking about impeachment.

The first reference to communications which I received, and discussions which I have heard concerning impeachment, was in reference to comments I made in the Senate on August 3 setting forth again, as I have so many times, my disapproval of the President's executive handling of the conduct of the war without the slightest constitutional authority to do so. I pointed out in that speech of August 3 that the President has come under criticism for conducting a war without a declaration of war. Further, I pointed out that it should be evident that if Congress goes ahead with its present plan to adjourn by Labor Day, or shortly thereafter, the war in Vietnam will be even more completely an executive war than it is now, because Congress, at least at the present time, if it wills, has the constitutional checks which it can apply to the President, the Department of State, and the Department of Defense.

I also pointed out that Congress could do more to protect the President from impeachment talk if it remained in session, because it would be in a position to exercise its checking function; whereas with Congress out of session for 3 or 4 months, the President would be exposed to rising charges that he is conducting a war without reference to the Constitution.

During the past few weeks I have said over and over again that I believe the best friends of the President in Congress are those who wish to keep Congress in session. I have suggested that if Congress feels that its schedule permits it to take a recess of 1, 2, or 3 weeks at a time, it might consider doing that, but to adjourn sine die would be something different.

I do not believe we can morally justify adjourning Congress sine die with American boys dying in southeast Asia in a war that could spread rapidly.

We have a clear duty, connected with our positions of public responsibility, to stay in session, if it is for no other reason than to remain here to participate in our constitutional duties as a check upon the executive branch of the Government under our system of three coequal and coordinate branches of government while a war, even though in this instance an unconstitutional war, is being fought and supreme sacrifices are being made.

There is not the slightest reference in the Goldwater trash that he published in his column yesterday about the speech I made on August 4. He quotes from my August 3 speech. On August 4 I repeated the language to which Goldwater refers from my August 3 speech. Then I went on to say, quoting from my August 4 speech:

Then I went on to make a statement as why, in my judgment, Congress should not adjourn sine die but should remain in session until January 1. I pointed out that we should remain in session and carry out our constitutional responsibility of serving as a legislative check upon executive action.

There are those, judging from the interviews with the press today, and from telephone calls that the senior Senator from Oregon has received, who interpret my remarks as indicating that I advocate the impeachment of the President.

Of course, such an interpretation is nonsense.

Then I proceeded to develop my reasons for opposing any suggestion about impeachment, and set out the contents of the letters that I had sent out in answer to such suggestions, in which I made perfectly clear that I thoroughly disapprove of any impeachment proposal.

I ask unanimous consent that certain excerpts from the August 4, 1965, speech be printed at this point in my remarks.

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

Mr. MORSE. Mr. President, yesterday I said in a speech on the floor of the Senate.

"Mr. President, in my trip across the country and back since I spoke on the floor of the Senate last Wednesday, I have been alarmed by the rising denunciation of the President and his administration for their Vietnam policy. I have heard the word "impeach" used more often in the last week than I have heard it since President Truman sacked General MacArthur. I have been asked by more people than I would have thought possible if there is not grounds for impeachment of the President, and how the process can be set in motion. I have been advised about petitions that have been circulated and hundreds of people are signing asking for the President's impeachment.

"Much of this talk stems from objections to a war being undertaken without congressional declaration. Most of these people see the President as waging an executive war, in violation of the Constitution. They think the impeachment clauses of the Constitution must apply to such a case."

Then I went on to make a statement as to why, in my judgment, Congress should not adjourn sine die but should remain in session until January 1. I pointed out that we should remain in session and carry out our constitutional responsibility of serving as a legislative check upon the executive action.

There are those, judging from the interviews with the press today, and from telephone calls that the senior Senator from Oregon has received, who interpret my remarks as indicating that I advocate the impeachment of the President.

Of course, such an interpretation is nonsense.

Mr. President, I have been receiving a great deal of mail in regard to this matter and many people have talked to me at meetings at which I have spoken in opposition to the President's war in Vietnam. I have been answering all of the mail on the impeachment matter with a letter that contains these two paragraphs. I read two paragraphs from a letter dated July 6, 1965. I have sent similar letters before and since that time:

"In your letter, you asked me for my views concerning your suggestion that steps should be taken to impeach President Johnson and perhaps some other officials. It is my view that such an impeachment attempt would be a very serious mistake. All it would do would be to divert attention away from the basic issues involved in American foreign policy in Asia and center attention on President Johnson, as an individual. It would cause many people who disagree with his foreign policy to rally behind him, because they would consider such a movement to be an ad hominem approach. Attacking Johnson, personally, will not change his course of action, and it will not win supporters for a change of foreign policy in Asia, but to the contrary, it will drive supporters away.

In my opinion, there is no question about Johnson's sincerity or his patriotism or his desire for peace. It is Johnson's bad judgment and mistaken reasoning in respect to the war in Asia that constitute the basis of the crucial problems that confront us in trying to get a change in Johnson's policies in Asia. To attack him, personally, by proposing impeachment would be the most serious personal attack that could be made upon him. It would rally the Nation behind him and result in his policies being escalated into a major war at a much faster rate. Those of us who oppose Johnson's foreign policies must meet his views on their merits. We should never attack him, personally."

I wish the RECORD to show that this letter represents the position the senior Senator from Oregon has taken in all correspondence on the subject. Also, it represents my answers to questions on impeachment at all rallies I have attended, and in all my conversations with those who urge impeachment of the President.

Those that I have talked to and who have written to me suggesting impeachment of the President are not extremists in the sense that they are irresponsible persons. Many of them are on the faculties of American universities. Many of them are out of the professional life of our Nation.

I have no intention of joining them in such a program. Nevertheless, I believe it is a significant fact that there is growing discussion in this country of an attempt to stop the President from his illegal war in southeast Asia, even to the extent of circulating impeachment petitions.

* * * * *

Mr. MORSE. I merely wish to say in reply to the Senator from Ohio that it is not at all surprising for people in the country who think the President is following an unconscionable and illegal course of action in South Vietnam to turn to the Constitution and look for what procedural protection they have. They have a perfect right to turn to the impeachment procedure. I believe that they are making a great mistake in judgment. I, of course, would defend them in their right to exercise their constitutional rights. But, in one sense, I should like to say to the Senator from Ohio that until the President follows his constitutional obligation by coming before this body and asking for a declaration of war, the President is engaged in an illegal war. It is a war now conducted by the Chief Executive, in South Vietnam without a scintilla of constitutional right. This Congress is likewise guilty of violating its duties under the Constitution by seeking to delegate to the President a power that it cannot constitutionally delegate. It is the duty of the Congress under article I, section 8, either to declare war or to stop the President from slaughtering American boys in southeast Asia. I have no doubt that impeachment talk will increase if the President continues to conduct an unconstitutional war.

Mr. MORSE. Mr. President, let me make very clear that the more Barry Goldwater attacks me the better I like it, because that will only show how right I am. He was dead wrong throughout the campaign in his shocking proposals for military action which would have involved us in a major war in Asia. It is with great regret that I find my President has followed to too great a degree the very unsound position that Goldwater took during the campaign.

I still hope, upon further reflection and as more and more evidence comes in with respect to the great concern that

exists throughout the country with respect to our military course of action in southeast Asia, that my Government will return to the framework of international law and that we will put the members of the United Nations on the spot by formally submitting the entire subject to the Security Council, and in that way find out who it is who really believes in substituting the rule of law for military might as a means of settling disputes which have raised this serious threat to the peace of the world.

THE DEADLOCK IN CONFERENCE ON THE FOREIGN AID AUTHORIZATION BILL

Mr. MORSE. Mr. President, as the country now knows, the Senate conferees and the House conferees have been in deadlock over the foreign aid authorization bill. The Senate committee and the Senate adopted the Fulbright-Morse amendment to the foreign aid bill. The first part of the proposal submitted by the Senator from Arkansas would authorize a 2-year extension of foreign aid. The second part, the amendment which I offered—and which I have offered for several past years—seeks to bring the present program of foreign aid to an end. The date of my amendment this year was the beginning of fiscal year 1967. In the intervening period a thorough study of foreign aid would be made by a special committee, to the end of starting a new foreign aid program on the basis of new rules and procedures and policies, to the extent that the old program needs to be changed, as found by that study; and the objective should be that the new program should seek to limit the foreign aid program to 50 nations, although we made very clear, as the RECORD will show at the time the Senate debated the matter, that there is nothing fixed about the figure 50, and that if the study showed that it ought to be a higher number or a lesser number, another number ought to be selected.

Mr. President, it is highly significant that the Foreign Relations Committee this year formally adopted my amendment. The present Presiding Officer of the Senate [Mr. LONG of Louisiana], a member of the Foreign Relations Committee, knows that for the past 2 years serious consideration has been given to the Morse proposal. In my two dissenting reports in the past 2 years on foreign aid I pointed out that the majority in their report was kind enough to point out that their feeling was there had been great errors in foreign aid, but that they felt the administration should be given a further opportunity to bring about the necessary changes and reforms.

The Presiding Officer knows that in the past 2 years I have said that the majority of the committee had made my case for me, and that when they admit that reforms are necessary it clearly becomes the responsibility of the Foreign Relations Committee to make recommendations for reforms.

This year, in contrast to the majority position of the last 2 years, the committee started adopting some reforms. The Fulbright proposal for a 2-year authorization, coupled with the Morse proposal for ending the program at the beginning of fiscal year 1965, and starting a new program, was really a matter of major moment in connection with foreign aid.

Without disclosing any privileged matter, as the papers have stated, the Foreign Relations Committee met last week, on August 12, with the Secretary of State, Mr. Rusk, and the director of foreign aid, Mr. Bell, and they discussed the impasse that has developed between the Senate conferees and the House conferees, and it was pointed out that there was a deadlock.

The Presiding Officer knows that deadlocks are resolved. The Presiding Officer knows that someone will recede.

I say to my colleagues in the Senate that I pay high tribute to the chairman of the Senate conferees, the Senator from Arkansas [Mr. FULBRIGHT]. I am indeed proud of the insistence of the Senate conferees in conferences with the House, in their attempt to work out a conscionable accommodation of the differences which exist between the two conference groups.

We also know that the administration has put on the heat. The administration wants a conference report. I can understand that. However, I believe that in getting a conference report, unless the suggestion I am about to make is accepted, the end result will be closer to what the House wants than what the Senate has passed. I hope not, but that is my fear.

I have made clear that I cannot vote in conference for the renewal of the old program. The American people are entitled to something better. I believe that the real friends of foreign aid should insist on something better. In my judgment, if we continue foreign aid on the basis which has characterized it in the past, the American people will rise up against it at the polls and make perfectly clear to the Members of Congress that they are fed up with it.

They should have done it several years ago. Since 1946 we have had a program costing some $111 billion which is so honeycombed with inefficiency and shocking waste, and is the cause of so much corruption in so many parts of the world, that it ought to be stopped. I believe the military aid aspects of foreign aid explain to a remarkable degree some of the serious plights in which the United States finds itself in those areas of the world where strong anti-American feeling is developing; and more of that is entering. I mention it in passing tonight only because I wish to say that those of us who are insisting upon a reform of foreign aid are the true friends of foreign aid. Officers of the present administration who wish to continue foreign aid as it has been will, in my judgment, run into such strenuous opposition from the American people that they are the ones who will do great damage to the positive, affirmative aspects that could characterize a sound foreign aid program.

I shall not sign a conference report and I shall not vote for a conference report, as I made very clear to the conference, and as I have made very clear heretofore in the Senate, that is merely a conference report that would give the American taxpayers more of the same—more waste, more inefficiency, more corruption, and more expedients to postpone the day of reckoning in the underdeveloped areas of the world. So I have proposed a continuing resolution on foreign aid on a temporary basis until there can be some crystallization of a foreign aid program that will at least include some procedures therein which will make it possible for us to go ahead with the reform of foreign aid.

But, it is said, "What about Vietnam?" Let us face it. Vietnam no longer has anything to do with the foreign aid program. Vietnam is in a class by itself.

The funds for Vietnam are included in the foreign aid bill, but everyone knows that, in the months ahead, we shall receive requests from the administration for additional funds for Vietnam, and those measures will be passed.

I do not believe, in connection with the continuing resolution with respect to foreign aid, that Vietnam presents any sound argument against such a continuing resolution.

What we should do is to give consideration to a continuing resolution on foreign aid. The Senate ought to consider a continuing resolution rather than a new foreign aid bill which, in my judgment, would entrench more deeply the existing evils of our present foreign aid bill. I make these comments today because I wish to make them as a matter of public record in the CONGRESSIONAL RECORD, and to express the hope that my President, the Secretary of State, and the director of foreign aid, Mr. Bell, will give careful thought to the suggestion.

I am not alone in making the suggestion, because other members of the committee, in effect, said in the presence of the Secretary of State the other day that they would like to have the Department of State be prepared to advise us as to what insurmountable problems would be created by such a continuing resolution, if any—and I do not believe there are any.

It is better for the Senate and for the House to adopt a continuing resolution of aid as it now exists rather than to go ahead and adopt a new foreign aid bill before we have had the time to make the necessary reforms or time to make the necessary reforms for a new foreign aid program. So I make that suggestion tonight in the hope that the administration will consider it. If a conference report based upon a receding by the Senate conferees, or a majority thereof, comes to the floor of the Senate, it will stir up a considerable discussion in the Senate and in the country, because the public generally, in my opinion, wishes foreign aid cleaned up.

The bill before us for conference with the Fulbright-Morse amendments eliminated would give the American people no hope for cleaning up of foreign aid under that bill. The Senate should consider and adopt a continuing resolution

because of a deadlock in conference and because there is a growing recognition of the situation on the part of the conferees, the members of the Foreign Relations Committee, and Members of the Senate; and the sentiment is also prevalent in the House. There is one House conferee who goes even further than I go in regard to foreign aid. He would lead one to believe that he would be perfectly willing to end it for all time.

Interestingly, I consider myself a stronger advocate, or an advocate of foreign aid as strong as any Member of the Senate, bar none, but an entirely different type of foreign aid than has been fleecing the American taxpayers out of billions of dollars for so many years.

So if we really wish to be friends of foreign aid, the Senate and the House ought to support a resolution that would continue, for another year, foreign aid as it was administered under the old bill. Such action would not prevent it from being adopted with the clear understanding that Vietnam is excluded, and Vietnam will be considered by itself in the light of the needs as that illegal war progresses.

ADJOURNMENT

Mr. MORSE. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 8 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 17, 1965, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

The Barry Gray Program

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. MURPHY of New York. Mr. Speaker, a national magazine, in discussing the Barry Gray program, offered this cogent, but highly perceptive appraisal of the broadcast:

> The best in the business * * * his (Mr. Gray's) guests say whatever they please.

Barry Gray, one of the most astute and well-informed radio commentators in New York, recently celebrated his 15th anniversary with WMCA, and I submit that he has recorded a number of major accomplishments that merit attention, and account for his enormous popularity.

He has interviewed an estimated 30,000 guests, men and women in the arts, politics, science, and the literary field, conducted more air interview hours than any of his competitors, nearly 20,000, and, to his great credit, enjoys the largest evening radio audience in New York City.

A veteran of nearly 30 years in broadcasting, Mr. Gray can point with justifiable pride to the fact that his program is one of the most discussed shows on the air. His achievements, one esteemed radio critic has stated, have proven that listeners "will stay up late to hear discussion, opinion, and controversy."

Mr. Gray is more than a moderator of a talk program. He is a man gifted with keen reportorial instincts, an interviewer with rare insight who is able to get to the heart of a subject, and a broadcaster who has demonstrated repeatedly that he has the courage to express his convictions on the air.

His work is in the tradition of such renowned figures as Edward R. Murrow, Elmer Davis, and H. V. Kaltenborn, in that he has spoken with courage and vigor when presenting views he believes are meaningful and of profound interest to the public, and when analyzing men and events that shape our lives.

Mindful of the fact that in a democracy, disparate opinions on major issues must be aired and every effort must be made to provide answers to searching questions, Mr. Gray has made his program a forum for all viewpoints on vital local, national, and international matters.

He has made his microphones available to men of all political persuasion, and though ideas have been advanced that are anathema to Mr. Gray personally, he has permitted them to be articulated fully in order to give his listeners the broadest possible perspective.

In a media that has been criticized at times for its timidity on controversial matters, Mr. Gray himself has often been the center of controversy—but he is to be commended for consistently refusing to compromise his beliefs.

A man of varied activity, lively intelligence, and broad interests, Barry Gray has illuminated and brought distinction to nighttime radio. The New York City broadcasting scene is a better place for his presence.

Farm Legislation

EXTENSION OF REMARKS

OF

HON. GALE SCHISLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. SCHISLER. Mr. Speaker, in a very short time the full body of the House of Representatives will be called upon to consider the 1965 agricultural proposals. As one who was born and raised on an Illinois farm, I am especially interested in seeing a workable farm program enacted by this 89th Congress.

I firmly believe there are no easy solutions to attaining this workable program, but I feel if all interested parties will sit together at the negotiating table, all views and every possible program can be brought to light and discussed. Our district has taken this approach: the Illinois Agricultural Association, citizens groups representing our farmers, and other interested organizations have met with me to discuss in detail the 1965 agriculture proposal.

On August 6 and 7 we had the distinct pleasure of having Secretary of Agriculture Orville Freeman visit the 19th District of Illinois. Secretary Freeman's remarks to large gatherings in Monmouth and Rock Island, Ill., were indeed timely and extremely helpful in understanding what the 1965 agricultural proposals seek to achieve.

Mr. Speaker, at this time, I share with my colleagues excerpts from Secretary Freeman's remarks, delivered at the Monmouth College Student Center, August 6, 1965:

EXCERPTS FROM SECRETARY ORVILLE FREEMAN'S REMARKS

The old adage that economic depressions are farm-bred and farm-led still applies. But today we prefer to think of it in positive terms—that millions of jobs and the health of many great industries depend on farm products and farm dollars.

Representative GRAHAM URCELL made a survey of 625 farmers in 10 big wheat States relative to their prospective investment in farm machinery. He received replies from 466 of the 625 farmers surveyed. Under current wheat prices these 466 farmers plan to buy only about $836,000 worth of equipment. On the other hand, if the price of wheat for domestic use is increased to full parity, they indicate they would buy almost 10 times as much, or $7,840,000 worth. We estimate that for every $10,000 of additional farm machinery bought by farmers, one added job is created by industry. For just these 466 farmers, therefore, an adjustment in the domestic wheat price would mean about 700 more jobs in the farm machinery industry.

Last year, for example, gross farm income was $4 billion more than in 1960—and farmers spent over $600 million more for automobiles and $400 million more for capital goods and machinery. In the past 4 years farmers have spent more than $3 billion more on autos, tractors, and other farm machinery and equipment than would have been possible with a 1960 style income. In addition, they spent about $5 billion more on such production and consumer items as feed, fertilizer and lime, food, clothing, and household furnishings.

Our farm people are prime consumers. They spend about $30 billion a year on the goods and services related to agricultural production. They use more petroleum than any other industry. The take 9 percent of all the rubber consumed in the United States each year. They use 5 million tons of steel a year—a third as much as the automotive industry. They consume about 4 percent of the Nations' electric power.

Then they spend another $12 billion a year on family living—for food, clothes, furniture, medicine, and other products and services from town and city sources.

About 6 million people are employed directly on farms. But this is only the beginning. Agriculture is the cotter key holding

some 16 million nonfarm jobs in place. Six million of these provide the supplies farmers use for production and family living. Approximately 10 million Americans have jobs storing, transporting, processing, and merchandising the products of agriculture.

In fact, it is estimated that 3 out of every 10 jobs in other employment are related to agriculture. Farm families will be better customers this year than last because realized net farm income in 1965 will hit a new high for the 1960's. The gain can be largely credited to commodity programs launched in 1961 and up for renewal with improvements in the current Congress.

The Nation's Economy

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. CALLAN. Mr. Speaker, Hon. William McChesney Martin, Chairman of the Federal Reserve Board has studied the economy of the United States today and found what he called similarities between the economy of the pre-1929 era and today. After reading his remarks on this subject, I do not feel, as some individuals apparently do, that he has predicted a depression nor that he will "talk us into a depression."

I would like to add, however, that he has, I believe, not mentioned one similarity in his remarks which might be made. It is this. The American farmer during the 1920's and before had not shared in the general economic growth experienced by the rest of the country. I realize that this economic growth was not as sound as it should have been, but I also know that one of the reasons cited by some well-respected economists as a contributing factor to the beginning and the severity of the 1929 depression was the unhealthy farm economy of that period.

Mr. Speaker, farmers are great consumers of manufactured goods in the United States. Probably a higher percentage of their income goes immediately back into the economy in the form of goods and services purchased than any other segment. A sharp decrease in farm income therefore cuts quickly and immediately into the heart of the purchases made by this extremely important group of consumers.

Now, I and other Members of the distinguished body hear all about us, statements to the effect that the farmers and the country as a whole would have reason to thank the Congress should we eliminate or drastically curtail the so-called intervention in the farm economy.

I would like to point out that farmers have not shared in the general economic advance experienced by the country in recent years. Average personal income after taxes has gone up 17.5 percent in the last 4 years. Corporate profits after taxes have gone up over 30 percent in the last 4 years and the average weekly wage in manufacturing has gone up more than 15 percent in the last 4 years.

During this same period, total farm income has increased by only 11 percent. In addition, I must point out, Mr. Speaker, that realized net farm income was up only 8 percent during that period and that the farmer has had further to go than his urban fellows.

It is my contention, therefore, that the rural economy of today is disturbingly similar to that of the pre-1929 period. If we are to improve this situation, passage of the omnibus farm bill which will soon be before this body is essential and I urge every Member to support it. This Nation can afford no less and this Government cannot meets its responsibilities without it.

Anniversary of the Restoration of Independence of the Republic of Korea

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. MURPHY of New York. Mr. Speaker, I would like to take this opportunity to congratulate our stanch ally, the Republic of Korea, on the 20th anniversary of the restoration of its independence. That she is our firm ally was again proved to me as I was writing these words last Friday when I was informed that the Korean General Assembly had just approved the dispatch of a division of combat troops to Vietnam to join the 2,400-man Korean contingent already stationed there.

Although this is only the 20th anniversary of the liberation of modern Korea from foreign domination, the history of this ancient nation extends back to the founding of the ancient Silla kingdom in 57 B.C., and the unification of the entire Korean peninsula under the Silla dynasty in A.D. 668.

The history of this ancient nation has been too often marred by outside invasion and subsequent foreign rule. The Japanese formally annexed Korea in 1910 and for the first half of this century the Korean people found their destiny controlled by a foreign power. Nevertheless, the struggle for freedom never died in Korea. When the defeat of the Axis powers in World War II finally brought an end to foreign domination on August 15, 1945, the cherished flag of Taegeuk was hoisted once again as a symbol of the restoration of Korean independence. Three years later the government of the Republic of Korea was officially formed.

Unfortunately, the continued Soviet occupation of the North forced the nation to remain artificially divided in half at the 38th parallel. Then came the sudden attack launched by the Communist regime of North Korea into the heart of the Republic of Korea. I know how bitter was the struggle which followed because I served in the U.S. Army in Korea for 13 months.

Today Korea still remains divided, severed in half by the artificial boundary that represents the Communist tyranny over the North. With the large bulk of her industries and industrial resources located in the North, the steady growth of the South Korean economy has not been an easy process. Yet, long-range efforts begun in 1962 through the 5-year economic development plan have already begun to yield results. Growth in real gross national product has exceeded 6 percent in each of the last 2 years and 1964 industrial production was 51 percent greater than in 1960. Korea's balance-of-payments situation has improved markedly; exports increased from $41 million in 1961 to $119 million in 1964. The Koreans expect that large-scale land reclamation will increase arable acreage by about 20 percent and help make Korea virtually self-sufficient in food by 1970. An economic stabilization program, including establishment and maintenance of a realistic exchange rate, has been instituted.

POLITICAL DEVELOPMENTS

In recent years Korea has made significant political progress at home and gained increasing international stature. Korea's efforts to normalize its relations with Japan and its important contributions to the Vietnam struggle demonstrate the country's maturity and full partnership in the free world community.

President Chung Hee Park paid a state visit to the United States in May 1965. His visit to this country was highly successful and did much to strengthen the already friendly ties between Korea and the United States. In public speeches, both during his visit here and in Korea, President Park has strongly reaffirmed Korea's desire to work closely with the United States in defending Asia from Communist aggression.

Today, as the United States faces a new challenge in Vietnam, the Republic of Korea stands solidly by our side, sharing our military as well as our political commitment to maintain the right to independence in southeast Asia.

Let us continue to stand by her side and extend our heartiest congratulations on the 20th anniversary of the restoration of independence for the Republic of Korea.

National Drum Corps Week

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. ST. ONGE. Mr. Speaker, the week of August 15 to 22 has been designated as National Drum Corps Week in honor of the 1 million teenagers in the United States who are associated with this colorful and wholesome activity.

On this occasion, I am very happy to join with my colleagues in Congress to pay tribute to these young people and to

extend my best wishes to them for their participation in this purposeful activity. The marching and maneuvering, the bugling, and the drumming have rightfully been described as "an expression of order, color, symmetry, and beauty."

Certainly this is a clean, interesting and inspiring activity for our youth in a confused world where youth is struggling to find a place for itself and an outlet for its zest and energy. Unfortunately, many of our young people fail to find worthwhile activities and end up as criminals and juvenile delinquents.

I am pleased to note that the drum corps movement has grown in recent years and is by now attracting a million young people. National Drum Corps Week is aimed to bring to attention of the American people this very important and effective youth activity. At the same time, it serves as an encouragment to our youth and to the very fine contribution they are making to our way of life. This movement deserves the support and cooperation of all Americans.

Eight Industries Aid Lake Erie Pollution Abatement

EXTENSION OF REMARKS

OF

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. JONES of Alabama. Mr. Speaker, a noteworthy gain has been made in the program to halt pollution of Lake Erie in the Cleveland, Ohio, area. The action may have nationwide significance. I refer to the press reports indicating that eight large companies have agreed to provide data on their waste water discharges to Federal and State pollution control officials.

The waste discharges of these firms are only a small part of the total pollution reaching Lake Erie each day.

But the significance of this cooperation by industry is vast. In the past, industry, as a group, has generally refused to provide such information to pollution control officials. This means that the government, either local, State or Federal, must expand large amounts of time and money in sampling industrial wastes to determine the quantity and quality of discharges before an effective antipollution program can be worked out. The sampling program in the Detroit River area of Lake Erie, for example, cost the Federal Government $750,000 and cost the area's program to end pollution a delay of 3 years.

If the commendable example of these eight firms in the Cleveland area is followed by other industrial firms throughout the country, the water pollution abatement program can be advanced at a much more rapid rate and with considerable economy.

The large firms in the Cleveland area which have agreed to provide the data include: United States Steel Corp., Republic Steel Corp., Jones & Laughlin Steel Corp., Sun Oil Co., Standard Oil Co. of Ohio, Sherwin-Williams Co., Du Pont Co., and Harshaw Chemical Co.

The work of the Public Health Service officials in the program to end pollution of Lake Erie is also commendable. The Federal Government was called into the very serious problem of Lake Erie pollution by officials of the States bordering the lake more than 3 years ago. The pollution problems in the Lake Erie area and elsewhere in the country are so great as to require cooperation of all segments of our society.

That is why I hope that the exemplary action of these eight Cleveland area firms is indicative of a new trend of total cooperation in attacking the important water pollution problem.

Data about the nature and quantity of waste discharges into the Nation's streams are vital to formation of the most efficient and most economical abatement programs. Therefore, I am again asking the Public Health Service to establish a comprehensive inventory, in cooperation with the State water pollution control agencies, to collect the necessary information about industrial waste discharges. The Public Health Service already has such data regarding municipal discharges. But without the data on industrial wastes, truly effective programs for water pollution abatement are virtually impossible because alternate means of securing the data are so costly and time consuming.

At hearings during the 88th Congress before the Natural Resources and Power Subcommittee, of which I am chairman, industry witnesses stated varying views about providing such data. But their overall tone appeared to be cooperative. The subcommittee then asked the Public Health Service to collect data on industrial waste discharges. The program which the Public Health Service worked out for collection of such data in cooperation with the State water pollution control agencies was approved by most of the State agencies. However, when the Public Health Service requested Budget Bureau approval of the questionnaire form, many industry representatives vigorously opposed the project, and the Bureau of the Budget did not approve the questionnaire form. The failure of the Bureau of the Budget to approve this data collection program has substantially hampered progress in abating water pollution.

The Nation would have had a year's start on dealing with the urgent need for water pollution control if the Public Health Service request for the industrial discharges questionnaire form had been approved last year.

I hope that the President's new and increasing emphasis on expediting water pollution control, and the cooperative spirit represented by these major firms in the Cleveland area, will persuade the Bureau of the Budget to realize the need for comprehensive data on industrial waste discharges similar to those now collected for municipal waste discharges.

This information is imperative if adequate and efficient programs are to be formulated for the cleanup of our Nation's streams. And the cleanup of our Nation's streams is vital to assure continued supply of water for our growing population and expanding industry.

I hope that the Budget Bureau will permit the Public Health Service industrial waste discharge inventories program to get off the ground, and thus help accomplish the President's program for the cleanup of our country's streams, lakes and ground waters.

Kurt Einstein

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. MURPHY of New York. Mr. Speaker, ours is a highly mobile society, one characterized by rapidly evolving trends in terms of population shifts and industrial growth. One of the most noteworthy postwar developments has been the movement of industry to areas where land is available for expansion and where there is abundant labor supply.

Although industrial expansion over the past two decades has been truly phenomenal, one pitfall has been the frequent inability to attract top-level executives—men who indeed turn the wheels of industry—from areas in which they have established roots and from which they are reluctant to move.

It should be pointed out that because industries in every part of the country have been confronted with a shortage of high-level personnel with technical and managerial skills, they have been forced to delay sorely needed expansion programs and this is a source of great frustration to management.

This has spurred the growth of a number of executive recruitment and executive search firms. Although these firms are largely engaged in meeting the personnel needs of industry in their immediate vicinity and in attracting executives from other parts of the country, they also are performing a vital function in serving industry firms outside their immediate sphere of activity.

A pioneer in the executive recruitment field is Einstein Associates, whose president, Kurt Einstein, has been able to perceive and understand the problems of industry, and who is directing the activities of his firm toward fulfilling the personnel requirements of all types of industrial firms.

Indeed, as Time magazine recently noted in an article about this burgeoning field, it is a safe prediction that executive searchers face a greater demand for their services in the days ahead. Time stated that "diversification, acquisitions, and the spread of foreign branches have substantiailly increased industry's needs for managers."

Because of the severe hardships Mr. Einstein suffered as a young man, he is particularly eager to make a substantial contribution to the growth of this country, and, I might add, he has written his

own Horatio Alger story in the 18 years he has been in the United States.

Born in Stuttgart, Germany, Mr. Einstein spent the years between 1941 and 1945 in six concentration camps in Germany and in the Baltic States. Miraculously, he was the only survivor among 3,000 Jews in his native city who perished as a result of Nazi brutality.

When he came to this country in 1947, therefore, he brought with him a profound appreciation of the meaning of freedom. Since, when he came to this country Mr. Einstein could not speak English at all, his first job was as a messenger. His interest in the world of business led him to pursue courses in psychology and its relationship to personnel management, and in 1952 he began his career in executive recruitment.

Mr. Einstein is to be commended for offering his gratitude to America by applying his skills and knowledge in providing a service that has become essential to this country's economic growth and development.

The Ming Quong Children's Center

EXTENSION OF REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. GUBSER. Mr. Speaker, I am proud to say that the Ming Quong Children's Center, one of the finest organizations dedicated to the assistance of mankind and little children in particular, is located in the heart of my congressional district.

The Ming Quong Children's Center in Los Gatos, Calif., is celebrating its 50th anniversary this year. Its purpose throughout these years has been to help troubled children of California. The old Chinese gate which marks the entrance to the center is a symbol of a half-century of this open door policy.

The Ming Quong Center goes deeply into California history. It grew out of a rescue mission home in San Francisco for Chinese slave girls who had been brought to this country at the turn of the century. The story of the dedicated women of the Occidental Board, who founded the mission, and Miss Donaldina Cameron and her assistants, who accounted for the rescue of over 1,000 slave girls, is one of the West's most exciting tales.

It began in 1915, under its present name, as a custodial home for Chinese orphans—little girls who had been abandoned with no parents to care for them or who were being used as domestic drudges. This was not unusual in the old Chinese culture. Girls had no value even for the families which had migrated to the United States.

Ming Quong—translated "radiant light"—came into being when it was decided that it was unwise to house the small girls with the older ones who had been former slave girls. Capt. Robert Dollar, of the Dollar Steamship Lines, gave them property—which is now part of the Mills College campus in Oakland, Calif.—for a home for 60 younger girls. In 1935 the need was felt to remove the girls to warm, sunny Los Gatos as many of the children had been exposed to tuberculosis and were undernourished. The work with both boys and girls continued as a mission station of the board of national missions of the United Presbyterian Church.

Today, Ming Quong performs as great a service in meeting modern day needs as it did 50 years ago. Now it is a residential treatment agency for emotionally disturbed boys and girls of all races and creeds. The children live in cottages each with its own houseparents. A highly trained staff of therapist-social workers, psychologists and a consulting psychiatrist work as a team to solve the problems of these unfortunate children who are innocent victims of circumstances beyond their control. They also work with the parents whenever possible to try to solve family problems.

Ming Quong is now reaching into the community to develop all types of community support and interest. Churches of all faiths instead of one, now assume their responsibility; individuals and community groups contribute time and talent; volunteer auxiliary clubs have been formed to lend effort and financial support.

Plans for a day treatment center for children who do not need residential care are underway with the public school system working closely with the center in organizing special teaching programs.

Ming Quong's first 50 years has been dedicated to meeting the needs of the times and plans for the years ahead promise this same foresighted approach. The great old Chinese gate will always be open to receive the troubled children of California.

One Man, One Vote

EXTENSION OF REMARKS

OF

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. PEPPER. Mr. Speaker, I was scheduled this week to testify before the House Judiciary Committee in opposition to a proposed constitutional amendment to overturn the one-man, one-vote rule in legislative apportionment. These hearings have been postponed but this question is still alive in the other body. I wish, therefore, to make my statement available to my colleagues. It is as follows:

STATEMENT OF THE HONORABLE CLAUDE PEPPER OF FLORIDA, BEFORE HOUSE JUDICIARY COMMITTEE IN OPPOSITION OF THE DIRKSEN AMENDMENT (PREPARED FOR DELIVERY)

Mr. Chairman, I rise in protest to a plan that threatens to undermine the very foundation upon which this Nation was built. I am opposed to inequality; I am opposed to government by any means other than by the consent of the governed; and I am in favor of those liberties that rightfully belong to every citizen of a democratic society. When these liberties are threatened, men must join to preserve them. These liberties are being threatened today by those who would attempt to legislate inequality, by those who, if successful, would establish a dangerous precedent: the first addition to the Constitution that would limit equality of suffrage. I speak against the proposed amendment on legislative reapportionment.

Nearly two centuries have elapsed since this Nation became a reality. The lives that were lost in the Revolutionary War were lost in dedication to the principles of human dignity—to the principles of liberty and equality. But those soldiers did not fight for principle alone. They fought so that the words "liberty" and "equality" might cease to be abstract principles—so that men would be equal and men would be free.

Nearly two centuries have elapsed since men fought and died for liberty and equality, but this battle has not yet been won. The Revolutionary War and the Civil War were the military fronts on which this battle was fought. The Revolutionary War eventually resulted in our Constitution and our Bill of Rights. The Civil War gave us our 13th, 14th, and 15th amendments, upholding the equality of man and the rights of the individual. But the larger battle has been and continues to be fought on the political front. It was not the battle of weapons but the battle of words that guaranteed the direct election of Senators, that guaranteed suffrage to women and to the people of the District of Columbia, that eliminated the poll tax as a prerequisite of voting.

We have progressed in the past 200 years. We have guaranteed equality through legislation. Judicial action has upheld this equality and has upheld those civil liberties guaranteed in the Bill of Rights and in the 14th amendment to the Constitution.

Last year a great victory was won in a 200-year-old struggle. That victory reaffirmed the principle and extended the political reality of equality by guaranteeing each man an equal vote. States that had been malapportioned for years and State legislatures that had consistently ignored reapportionment clauses in their constitution were required to recognize and correct the gross inequalities or representation that existed. In my State of Florida less than 15 percent of the people had elected a majority of the State legislature until an attempt at reapportionment expanded that percentage. That reapportionment was only a minor improvement, creating a situation in which 27 percent of the people could elect a majority of the Florida House of Representatives and 14 percent a majority of the Florida Senate. The Supreme Court decisions culminating in June 1964 carried the promise of eliminating such inequalities. They carried the promise of removing a further obstacle in the road to the political reality or equality.

Today there are those who would recreate this obstacle. They propose a malapportionment of one house of a State legislature. They propose a system by which a minority can rule.

In the debates of the Constitutional Convention, Wilson said: "It is part of the definition of tyranny that the smaller number governs the greater." The minority has ruled the State legislatures. As long as those legislators in malapportioned legislatures would not risk their political demise by reapportioning themselves and as long as judicial action failed to require that reapportionment, the inequalities that existed were considered an insurmountable obstacle. The continuation of malapportionment through a constitutional amendment would not only recreate the original obstacle but would constitute a capitulation in the battle for the

political reality of liberty and equality. This addition to the Constitution would be a mockery of the very foundation on which the Constitution was built. It would state that men are not equal in that their votes should not be counted as equal. The issue before this Congress is one of the most important issues of modern times and of history. The question is focused on the dichotomy between political ideals and political reality.

There is a strong justification both ideologically and historically for the one man, one vote principle. The ideological and historical basis used by the proponents of a constitutional amendment rejecting this principle has little basis in fact. Their major argument is that the States have a "little Federal" system. The Constitution upheld the sovereignty of the Nation, the States, and the people. It does not consider cities, counties, or arbitrary political boundaries as sovereign. This fact is implied by the 10th amendment which states: "The powers not delegated to the United States by the Constitution or prohibited by it to the States, are reserved to the States respectively, or to the people." Furthermore, the States have a claim to sovereignty in that they relinquished a part of their sovereignty to establish the Federal Government. Counties, cities, and political districts were established by the States. States did not relinquish sovereignty in the establishment of these units. These units have no basis for sovereignty that is at all analogous to the situation at the Federal level.

A further objection to the one-man, one-vote principle presented by the proponents of the constitutional amendment is that the decision itself was an invasion of States rights. This objection is presented by those who constantly support States rights as opposed to the expansion of power of the Federal Government. These are the people who should be the strongest supporters of the one-man, one-vote principle. The justification for the principle of States rights lies in the fact that the States are closer to the people. In a malapportioned legislature there is no such justification. Increased Federal activity has been necessitated by the failure of State legislators to recognize and act upon the needs of the people. President Eisenhower's Commission on Intergovernmental Relations substantiated this idea by concluding that a partial reason for the decline in the influence of State governments is their failure "to maintain an equitable system of representation."

A third objection to the Supreme Court ruling is that the rural areas have special problems that would justify their disproportionate share of the State legislatures. The same argument might be used for other minority groups. Teachers, doctors, businessmen have special problems just as farmers. No proposal to give them a disproportionate advantage in representation has been proposed or would be justified. The fact is that in the past 75 years the population of the Nation has changed from one that was two-thirds rural to one that is two-thirds urban and suburban. The State legislatures have not reflected this change.

Chief Justice Earl Warren, speaking for the majority of the Court in delivering his opinion for the Court on June 15, 1964, put the matter succinctly: "To the extent that a citizen's right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not a legitimate reason for overweighting or diluting the efficacy of his vote. The complexions of societies and civilization change, often with amazing rapidity. A nation once primarily rural in character becomes predominantly urban. Representation schemes once fair and equitable become archaic and outdated. But the basic principle of representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made to depend on where he lives. Population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies.

"A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm. This is the clear and strong command of our Constitution's equal protection clause. This is an essential part of the concept of a government of laws and not men. This is at the heart of Lincoln's vision of 'government of the people, by the people, (and) for the people.' The equal protection clause demands no less than substantially equal State legislative representation for all citizens, of all places as well as of all races.

"We hold that, as a basic constitutional standard, the equal protection clause requires that the seats in both houses of a bicameral State legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for State legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State."

He went further by saying, "But neither history alone, nor economic or other sorts of group interests, are permissible factors in attempting to justify disparities from population-based representation. Citizens, not history or economic interests, cast votes. Considerations of area alone provide an insufficient justification for deviations from the equal-population principle. Again, people, not land or trees or pastures, vote."

Mr. Chairman, the question of legislative reapportionment is not a question of rural versus urban interests. It is not a question of States' rights nor a question of the maintenance of a "little Federal" system in the States. I cannot overemphasize the fact that this proposed constitutional amendment threatens to be the first addition to the Constitution that would limit equality. Let us take the road of progress and not of regress. Let us join to prevent this proposed legislated inequality from making a mockery of the Constitution and of the principles upon which that Constitution and this Nation were built.

Francis A. Cherry

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1965

Mr. GATHINGS. Mr. Speaker, Arkansas and the Nation lost a dedicated and devoted public servant in the passing on July 15, 1965, of its former Governor, and more recently Chairman of the Subversive Activities Control Board, Hon. Francis A. Cherry.

His outstanding accomplishments as chancery judge and as Governor of the State of Arkansas will live in the hearts of our people in the years to come. He fulfilled every trust. He was a patriot in the fullest sense. He loved America and its institutions. He proved this by fighting its enemies foreign and domestic.

His services as a member of the Subversive Activities Control Board, and in recent years as its Chairman, have meant greater security for the American people, in that he and the members of the Board had exposed the activities of the enemy at our gates.

Francis Adams Cherry was born September 5, 1908, in Fort Worth, Tex., the youngest of five children of a railroad conductor. As a youth he moved with his family to Oklahoma where he attended Oklahoma A. & M. College from 1926 to 1930, majoring in prelaw.

During the depression he worked as a dishwasher and later drove an ice truck in the Ozark Mountains. He managed to save $37, which enabled him to enroll at the University of Arkansas Law School in 1933. Half of his savings went for tuition, but with the help of classmates who lent him books and with outside jobs he won his law degree in 1936 and also was president of the senior class.

After serving as a naval officer for 2 years during World War II, he returned to the bench of the 12th Chancery District of Arkansas to which he was elected in 1942, having previously practiced law, served as a U.S. commissioner, and been a referee for the Arkansas Workmen's Compensation Commission. He was reelected to another 6-year term in 1948 without opposition.

In 1952 Mr. Cherry was a little-known country judge using a new radio technique called the talkaton in his campaign for Governor. In more than 20 talkathons he reached more voters than any other candidate in the State's history and went on to score an upset victory.

In doing so he attracted national attention because he defeated the incumbent, Sidney S. McMath, by 100,000 votes in the primary. Significantly, the incumbent had been endorsed by President Harry S. Truman.

Mr. Cherry's marathon broadcasts lasted from 3 to 24 hours, during which he answered hundreds of questions telephoned to him from all parts of the State.

Strong in his conviction that responsibility for progress and welfare rested initially with the State and local entity, the Governor once told an interviewer:

> Our entire State is pulling itself out of the mire by its own bootstraps. Towns that were once sleepy are now bustling.

He gave his beloved Arkansas a new State financial code and pushed through an industrial development program.

On October 5, 1955, Governor Cherry was nominated by President Eisenhower for membership on the Subversive Activities Control Board. He was reappointed for another 5-year term on March 4, 1960, by President Eisenhower and was named Chairman of the Board on January 31, 1963, by President Kennedy, serving in that post until his death on July 15, 1965. After President Kennedy's assassination the Governor submitted the usual courtesy resignation and was redesignated Chairman by President Johnson in December 1963.

As a member and Chairman of the Subversive Activities Control Board Governor Cherry rounded out a full life devoted to law, to justice, to service to his people, his State, and the Nation.

Those who served with him and are now members of the Board are: Thomas J. Donegan, of New York; Frank Kowalski, of Connecticut; Leonard L. Sells, of

Virginia; and Edward C. Sweeney, of Illinois.

A quasi-judicial control agency, the Board of which Governor Cherry served for almost a decade fulfills a most significant role in our democracy. Some of my colleagues may recall that the 81st Congress, as a result of extensive hearings, determined in 1950, and I quote from Public Law 831, that—

> There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

Subsequently the 83d Congress in the Communist Control Act of 1954, announced that—

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

Governor Cherry devoted the last 10 years of his life to carrying out the will of Congress on the Board which was established to safeguard our security.

Under the Internal Security Act of 1950, as amended, the Board is given jurisdiction to determine, in proper proceedings: First, whether any organization in the United States is a Communist-action organization, or a Communist-front organization, or a Communist-infiltrated organization; second, whether any individual is a member of a Communist-action organization; and third, whether any organization or any individual having previously come within the provisions of the act is entitled to cancellation of registration or other appropriate relief.

Whenever the Attorney General has reason to believe that any organization is one of the types of Communist organizations defined in the act, or that any individual who has not registered as a member of a Communist-action organization is required to register, he shall petition the Subversive Activities Control Board for an appropriate order. Any organization or individual once having come within the provisions of the act may, pursuant to designated procedures, file with the Subversive Activities Control Board a petition for appropriate relief. The act provides for the imposition of criminal penalties upon organizations, officers and individuals who fail to register or to abide by the other provisions of the act which apply when an order of the Board has become final.

During his membership on the Board, Governor Cherry participated in the hearing and decision of some 65 cases, some of which lasted for years and accumulated many thousands of pages of record. Perhaps the best-known case with which Cherry was connected was the Communist Party case. In 1953 after lengthy hearings the Communist Party of the United States was ordered by the Board to register as a Communist-action organization. In 1958, after extensive litigation and several appeals, the case was remanded to the Board for further proceedings. Governor Cherry was assigned as the hearing member in this fundamental case. His recommended decision following new hearings reaffirmed the original Board order requiring the Communist Party to register. His decision was adopted by the Board and ultimately upheld by the Supreme Court in 1961.

Another important case over which Cherry was Attorney General against International Union of Mine, Mill, and Smelter Workers, the first "Communist-infiltrated organization" case. Governor Cherry was the hearing officer during lengthy and extended hearings from 1955 through 1961, and in that year issued a recommendation that the Board determine the Union to be a Communist-infiltrated organization as defined by the act. The Board adopted Governor Cherry's recommended decision and the appeal from the Board's determination is presently pending in the U.S. Court of Appeals for the District of Columbia Circuit.

Chairman Cherry also participated extensively in some 44 individual Communist Party membership cases brought by the Attorney General for Board orders requiring individual Communists to register after the Communist Party refused to register in 1961. Appeals from Board registration orders in these cases are presently pending in the Supreme Court.

Other cases in which Cherry participated include several well-known Communist-front cases such as Attorney General against California Labor School, Inc., in which he was the hearing member, Attorney General against Labor Youth League, Attorney General against Civil Rights Congress, Attorney General against Jefferson School of Social Science, Attorney General against American Committee for the Protection of Foreign Born, Attorney General against Veterans of the Abraham Lincoln Brigade, and others.

Governor Cherry was the rare personality who was both a lawyer and a judge in the most refined meaning of those terms. He was indeed learned in the law—quick to grasp legal reasoning with all of its ever-present distinctions but slow to allow them to steer him from the realities of the matter at hand. As lawyer, his approach to problems was legal but not legalistic; as judge, he was not only judicial but judicious. He had the happy faculty of scraping loose the barnacles of legal and factual minutiae to obtain a clean view of the real, substantive matters at issue. And, in viewing them, he was uncommonly appreciative of the delicate balance of rights and concerns of those affected, be they the parties, their attorneys, his colleagues, or the public. More than most men, he knew that the scales of justice was a most sensitive instrument which could not long withstand heavy-handed tipping in either direction. The Governor's was a gentle tipping hand graced by commonsense and fair play.

As a person Governor Cherry was warm and sensitive—a man who loved life fully and wholly. Even during the terrible suffering of his prolonged illness, he never despaired, finding life always endurable. He liked good company and he especially enjoyed lively discussions. Above all he was tolerant possessing a great capacity for harmonizing conflicting views. Never rigid, always practical he was a man with both feet on solid ground, with a mind keenly aware of the yearnings and hopes of those around him.

He is survived by his wife, Mrs. Margaret Frierson Cherry, two sons, Scott Cherry and Sandy Cherry, and a daughter, Miss Charlotte Cherry. He was a great public servant, but he was also a good father and a fine husband.

SENATE

TUESDAY, AUGUST 17, 1965

The Senate met at 12 o'clock meridan, and was called to order by the Vice President.

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

Our God and our Father, for the varied tapestry of beauty which the changing seasons unfold, for the glories of day and night, for seed time and harvest, for eyes to see and hearts to feel, we lift our grateful praise to Thee.

As all the spinning spheres of Thy creation exists only as they obey Thy mandate, so may our wills—ours, but to make them Thine—be bent to Thy control for only in Thy will is our peace.

In all the tangle of human relationships confronting Thy servants in this legislative forum, may our deepest concern be not to claim that Thou art on our side, but to be sure that we are on Thy side and moving in the direction of Thy kingdom's majestic purpose for all mankind.

Deliver us, we pray, from irreverence in the presence of the holy, from any betrayal of truth even when its revelations cut across our selfish desires, from all motives that may poison integrity, and from all postures before men which are but facades for insincerity.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 16, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that